

# CONGRESSIONAL RECORD:

84005

CONTAINING

## THE PROCEEDINGS AND DEBATES

OF THE

## FIFTY-FIFTH CONGRESS, THIRD SESSION.

---

### VOLUME XXXII.

---

WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1899.



---

VOLUME XXXII, PART III.

---

CONGRESSIONAL RECORD,  
FIFTY-FIFTH CONGRESS, THIRD SESSION.

---

THE HOUSE OF REPRESENTATIVES

CONGRESSIONAL RECORD

THE HOUSE OF REPRESENTATIVES

The question was taken; and the motion was agreed to.

The Chair appointed as conferees on the part of the House Mr. MAHON, Mr. OTJEN, and Mr. RICHARDSON.

#### APPOINTMENT OF MEMBERS OF CONGRESS TO MILITARY AND OTHER OFFICES.

Mr. HENDERSON. Mr. Speaker, I present the following privileged report from the Committee on the Judiciary on House resolution No. 387, concerning the appointment of members of Congress to military and other offices. I desire to say that while the privileged report is there, and the minority report, I wish to ask consent for Mr. DE ARMOND and Mr. PARKER the privilege of filing minority views not later than Thursday next.

The SPEAKER. The gentleman from Iowa [Mr. HENDERSON] asks that the gentleman from Missouri [Mr. DE ARMOND] and the gentleman from New Jersey [Mr. PARKER] be allowed until next Thursday to file their views on the subject.

There was no objection.

Mr. BAILEY. Mr. Speaker, a parliamentary inquiry. This is a privileged matter, and of course can be called up now. I desire to know if, by being reported and going on to the Calendar, it loses its privilege?

The SPEAKER. The Chair thinks not.

Mr. BAILEY. I was anxious that it should not.

The SPEAKER. The Chair thinks not, because the privilege adheres to the subject. If there be no objection, leave will be granted to the gentleman from Missouri [Mr. DE ARMOND] and the gentleman from New Jersey [Mr. PARKER] to file their minority views.

There was no objection.

The report was ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

#### HEATING AND VENTILATING THE CAPITOL.

Mr. HEATWOLE. Mr. Speaker, I present a privileged report from the Committee on Ventilation and Acoustics.

Mr. UNDERWOOD. Mr. Speaker, is it necessary to reserve points of order on the report just made, if there are any?

The SPEAKER. The resolution relates simply to the proposed reconstruction of the Hall of the House.

The report was ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

#### RIGHT OF WAY THROUGH INDIAN RESERVATIONS.

Mr. SIMPSON. I ask unanimous consent for the present consideration of the bill (H. R. 12042) granting right of way through Indian reservations in the Indian Territory and Oklahoma Territory.

The bill, with the amendments reported by the Committee on Indian Affairs, was read.

There being no objection, the House proceeded to the consideration of the bill.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The SPEAKER. Without objection, the title of the bill will be amended as recommended by the committee, so as to read: "A bill granting right of way to the Gulf and Northern Railroad Company through the Indian Territory and through certain Indian reservations in Oklahoma Territory."

There was no objection.

On motion of Mr. SIMPSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### SIoux CITY AND OMAHA RAILWAY COMPANY.

Mr. BOUTELLE of Maine. I call for the regular order.

The SPEAKER. Before the regular order is proceeded with, the Chair desires, if the gentleman from Maine [Mr. BOUTELLE] will permit, to correct an error in regard to a bill which was passed a short time ago, the bill (S. 5076) authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes. The amendments reported by the Committee on Indian Affairs to this bill should have been submitted to the House, but by oversight the Chair was not advised that there were such amendments and did not submit the question. The Clerk will now read the amendments, which, if there be no objection, will be incorporated in the bill without the formality of a reconsideration.

The Clerk read as follows:

In section 6, line 5, strike out "three" and insert "two;" so as to read "within two years after the passage of this act."  
In the same section, line 6, strike out "five" and insert "three;" so as to read "within three years thereafter."

There being no objection, the amendments were agreed to.

#### NAVAL APPROPRIATION BILL.

On motion of Mr. BOUTELLE of Maine, the House resolved itself into Committee of the Whole on the state of the Union (Mr.

SHERMAN in the chair) and resumed the consideration of the naval appropriation bill.

The CHAIRMAN. The pending question is upon the amendment offered by the gentleman from Maryland [Mr. MUDD], which the Clerk will again read.

The Clerk read as follows:

After line 14, on page 31, insert the following:

"For completion of buildings and other works authorized under the act making appropriations for the naval service for the fiscal year ending June 30, 1899, under such plans as may be adopted by the Secretary of the Navy, not to exceed in cost \$1,220,000, \$720,000."

The CHAIRMAN. The question is on agreeing to this amendment.

Mr. DAYTON. It seems to me, Mr. Chairman, that there should be a plain, simple statement made of this matter, because it is important that members of the House should understand what is involved in this amendment. I will frankly say to the gentleman from Maryland that I understood from his discussion of this matter on Saturday last that his amendment involved the only two hundred odd thousand dollars made necessary to comply with the plans that he had indicated and asked by the Secretary of the Navy over and above the \$500,000 appropriated last year. I observe by the reading of the amendment that it is an increase of \$720,000, that being the amount of the new appropriation asked at this time.

Mr. MUDD. The gentleman will allow me to say that my amendment provides for an appropriation of \$500,000 in addition to the \$100,000 heretofore appropriated, because the act of last session authorized the Secretary of the Navy to contract for buildings to cost \$1,000,000, and the \$220,000 additional is to cover the cost of substituting granite for brick in the erection of these buildings.

Mr. DAYTON. Now, if I may have the attention of the House, I want to emphasize some things involved in the amendment. As stated on Saturday, the adoption of the amendment to a certain extent commits this House to an expenditure of at least \$6,000,000 to reconstruct the Naval Academy at Annapolis. No human being can tell whether the expense will stop at that. It may be \$8,000,000. There has never been a single authorized plan for the rebuilding—

Mr. DRIGGS. Will the gentleman allow a question?

Mr. DAYTON. I prefer not to yield now. I am speaking under the five-minute rule, and I want the committee to understand this matter. There has never been any authorized plan adopted by the House or by any other authority for the construction of these Naval Academy buildings. Much has been said about the Matthews report. I want to call the attention of the House to how that originated.

On the 5th day of July, 1895, upon the suggestion of some member or members of a Board of Visitors who had attended the graduating exercises at the Academy, Secretary Herbert, then Secretary of the Navy, issued a departmental order gathering together what was known as the Matthews board to consider the idea of reconstructing the buildings at the Annapolis Academy. That board got together and examined the grounds, went over the situation, and instead of adopting a "plan," as has been stated and reiterated over and over again upon this floor, they reported as follows:

In order to have a comprehensive scheme for the rehabilitation of the school to present to Congress, more time is needed and money required to prepare plans.

"More time is needed and money is required to prepare plans." I ask gentlemen's attention to that language.

And further they say:

And we therefore estimate as follows: For dredging and preparing the grounds, \$75,000; constructing the sea wall, \$270,000; installation of sewerage system, \$10,000; preparation of plans, \$35,000.

Now, it will be seen that no plans were then prepared. On the contrary, this board recommended that \$150,000 be appropriated during that year, to be immediately available, to be used for dredging, building, and piling for the foundation of the sea wall, for a sewerage system, and "the preparation of plans, \$35,000;" and this only to begin the work.

Now, that was the recommendation of the Matthews board, and was not in any sense of the word a suggestion of plans. There never was a plan adopted, and there never has been anything like a systematic businesslike consideration of the matter, which would warrant Congress in proceeding with a work of that character. The Naval Committee last year—crowded as it was with the details of legislation springing out of the then existing war, and deeming it of so much importance, involving so large an expense as not to warrant them without proper consideration from entering into the details of the suggestion—concluded that the part of wisdom was to postpone its consideration until they could give it a more faithful, thorough, and complete investigation; and in the bill they subsequently reported to the House the appropriations were made for the expenditures of the Academy, but did not carry into operation the suggestions of the Matthews

board, preferring, as I have said, to wait for a more comprehensive and thorough investigation of the subject.

There has been in the House of Representatives an earnest request and solicitation from the gentlemen from Maryland—and, of course, I do not blame them for their solicitation in the matter for an appropriation to begin this work—and they secured last year the action of the House upon this appropriation on the bill, contrary to the earnest protests of the committee, whereby \$500,000 was appropriated for three distinct purposes: First, for preparing the grounds, dredging, etc.; second, for building an armory; and third, for building a power house, or commencing a power house at Annapolis. The Matthews board recommendation was not carried out. That board recommended, as I have shown, an appropriation of \$150,000 to prepare the grounds by dredging, piling, etc., for carrying out their suggestion.

Now, what is the condition? The work has not been done. And, according to the idea of the commandant—the Superintendent of the Academy—as shown by the hearings before the committee, what do they propose? Why, the very absurdity of it calls the attention of the House to the fact and will command attention when it is stated. The House is asked to appropriate hundreds of thousands of dollars to build a power house in the Severn River where the ground has not yet been reclaimed! What, then, is the object? Simply—and I do not desire that any gentleman on this floor or any of the newspapers of the country shall misrepresent my chairman, the honorable gentleman from Maine, representing the head of the Naval Committee, or any member of that committee, the hue and cry goes abroad that the object of the Naval Committee is eventually to remove the Naval Academy altogether from Annapolis; and that that is the ground or foundation of the opposition assumed by the committee.

I want to disclaim it in the strongest terms that I am capable of expressing. The idea of removing the Academy from Annapolis was never mentioned in the two weeks consideration of the matter in the committee; and further, I will say that I will stand here as a Southern member of Congress to oppose that removal as strenuously as any member from Maryland or any other State. I am sure I do not misrepresent the chairman of the committee when I say that the idea was not entertained by him at all.

Mr. BOUTELLE of Maine. If my friend will allow me a single suggestion?

Mr. DAYTON. Certainly.

Mr. BOUTELLE of Maine. The proposition in the bill disposes clearly and emphatically of the statement, for we have authorized the committee to examine into this matter of improving the buildings there and to report without delay. No provision is made for any change in the location of the buildings from Annapolis to any other place. The statement is all claptrap and without any basis whatever.

Mr. DAYTON. I am glad of the statement of my friend from Maine. It disposes clearly of the report to which I have referred.

Now, for one, as a friend of the Naval Academy of the United States, anxious to see that institution properly built up and to rehabilitate it, I earnestly desire that this matter shall be begun properly in the first place and carried to its conclusion in accordance with what I believe to be a wise and harmonious system; and that we shall not begin at the wrong end, but shall proceed in an orderly and systematic way to carry out the work.

The Matthews board recommended that \$35,000 be appropriated to secure plans. We thought it could be done for \$10,000 by the aid of the engineers and the investigation that would be given to it by the members of Congress. Now, my friends, I want to call your attention to the fact that there are some people who are interested in the Matthews—

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAYTON. I hope I may have a few minutes longer.

Mr. BOUTELLE of Maine. I ask that my colleague be allowed to continue.

The CHAIRMAN. The gentleman from Maine asks that his colleague on the committee [Mr. DAYTON] may continue without limit. Is there objection?

There was no objection.

Mr. DRIGGS. Mr. Chairman—

Mr. DAYTON. I will yield to the question of the gentleman from New York in one minute.

Mr. DRIGGS. All right.

Mr. DAYTON. Now, Mr. Chairman, let me call your attention to this fact, that the Matthews board report was made up and that they recommended this appropriation of \$35,000 to start this matter rightly by the preparation of plans, which they said required more time and which they said they could not do. The Superintendent of the Academy and an architect by the name of Flagg, who had been called in to give advice to this board in regard to the matter in their investigations, presented a sketch, and it is nothing but a sketch—not a single detail of the plans is worked out. It is a picture. It has been presented in our committee room. It is a sketch of the grounds as it is supposed they will appear when the buildings have been constructed.

That party has been called in and is interested in this matter to this extent: He claims now that by reason of that sketch having been incorporated by the Superintendent of the Academy and published in the back of the Matthews report, that he has a right to demand that he shall furnish these plans and that he shall have a straight contract of 5 per cent for the management of this building, a little item of \$400,000 to him if the buildings cost \$8,000,000. That is the simple matter about this entire question. No other architect in the country has had an opportunity to compete. I do not mean to say but that Mr. Flagg is as reputable an architect as there is in the country; I do not mean to say but that his plans may be the best ones; but I do mean to say that there has never been any foundation for this scheme.

Now, with the ground unprepared, with part of it, as I have stated, under water where the power house is to be located, after having made the mistake of getting the cart before the horse last year in making this appropriation of \$500,000 in the House, we are asked to add \$720,000 to that, so as to make these three buildings cost \$1,200,000. That may be all right, gentlemen, but the best plan is to know where we are going, to have something established by which Congress will go to work and have a system and plan adopted so that it will be a continuing work and not a bone of contention at every session.

What does this mean further? It means that without any authorization a part of the buildings have been removed from these grounds. The marine barracks, I believe—

Mr. BOUTELLE of Maine. The marine barracks and the boathouse—

Mr. DAYTON. The marine barracks and the boathouse and other buildings have been removed.

Mr. BLAND. Will the gentleman allow me right there?

Mr. DAYTON. Certainly.

Mr. BLAND. I understand that \$500,000 have been appropriated for this project.

Mr. DAYTON. Yes, but the money has not been expended.

Mr. BLAND. How did this \$500,000 happen to be appropriated? Mr. BOUTELLE of Maine. I will say to the gentleman from Missouri that the appropriation last year was a partial appropriation—

Mr. BLAND. If there had been no plans adopted or considered, how did it happen that the appropriation was made?

Mr. CUMMINGS. I will answer the gentleman. The House of Representatives made the appropriation independently of the Committee on Naval Affairs.

Mr. DAYTON. And against its earnest protest.

Mr. BOUTELLE of Maine. The appropriation made by the House last year was in a paragraph presented by the gentleman from Maryland [Mr. MUD], which combined a number of objects to be appropriated for, among which were three buildings—an armory, a boathouse, and a power house. The whole appropriation made was only \$500,000, but the paragraph would have carried with it the necessity for the appropriation of a much larger sum.

Mr. BLAND. Then I understand \$500,000 was appropriated against the protest of the Committee on Naval Affairs?

Mr. DAYTON. That is correct.

Mr. BOUTELLE of Maine. Against the earnest and vigorous, but unsuccessful, protest of the Naval Committee, for the reasons now being so clearly stated by my colleague [Mr. DAYTON].

Mr. DAYTON. Now I will yield to the gentleman from New York [Mr. DRIGGS], who desires to ask me a question.

Mr. DRIGGS. I have the greatest respect for the gentleman from West Virginia, the greatest respect for his accuracy, therefore I would like to ask him this question. A few moments ago in his remarks he stated that if the amendment of the gentleman from Maryland was adopted it might necessitate the appropriation of from five to ten million dollars for the Naval Academy. I would like to know the fact, not any maybe, if there are any correct statements or reports that show that?

Mr. DAYTON. We have none, my friend, but the estimates of this man Flagg, who made this sketch, and who is supposed to know all there is about it that is known, and that is very little.

Mr. FISCHER. Will the gentleman tell us what the Secretary of the Navy has done about it?

Mr. DAYTON. Shall I answer the question of the gentleman on my right, or reply to you?

Mr. DRIGGS. I am willing to yield to the gentleman from New York. I want to ask another question. I do not object to your answering him.

Mr. DAYTON. I wish to answer every question. As to what the Secretary of the Navy has done, in answer to the question of the gentleman from New York [Mr. FISCHER], assuming that by the appropriation of \$500,000 he had authority to contract for this work, he has gone to the extent of employing this architect, Mr. Flagg, to superintend the building of the power house and the armory. Thereupon, when he found that the estimate that had been furnished him of the sum necessary to complete these buildings was not sufficient, work was suspended in order that they

might come and increase the estimate by \$220,000 made necessary by a change from brick to stone.

Mr. FISCHER. Did he not put some of the work under contract?

Mr. DRIGGS. Will the gentleman yield to me?

Mr. DAYTON. Nothing has been done toward erecting the buildings. There has been some dredging done, but no contracts have been let for the buildings.

Mr. FISCHER. Has he not advertised for bids?

Mr. DAYTON. He has advertised for bids, and those bids were all over the estimates, so that they could not be accepted.

Mr. DRIGGS. That partially answers my question; but at the same time I would like to ask the gentleman if it is not a fact that some plans must have been made here, for there seem to have been eight, nine, or ten contractors who wanted to do the work and who have submitted the estimates. Now, then, the question is simply this: Did these contractors throughout the United States submit bids on plans not authorized by the Department, or did they simply submit estimates on plans that were authorized? I want to find out how it was they went to the expense of submitting estimates for this work if they had no authority to do this work.

Mr. DAYTON. I call attention to the fact that on the 5th day of July, 1895, a mere departmental order was issued by Secretary Herbert authorizing this board to investigate the matter. They did investigate it, and recommended that \$35,000 be appropriated for plans, and that a total of \$150,000 be appropriated for the purpose of dredging, piling, and foundation for the sea wall, sewerage, and plans. Instead of doing that, instead of waiting for the recommendation to be fulfilled, as disclosed in the hearings before the Naval Committee, the Superintendent of the Academy and this architect went ahead and made a rough sketch, and their estimates of the cost of these various buildings, according to that sketch, and incorporated them in the back of that report, without any authority from anybody of any kind or character.

The Secretary of the Navy finding them there, and finding the appropriation on the bill of last year of \$500,000 and thinking that that gave him authority, he called in Mr. Flagg, entered into a contract with him to erect this armory building and this power house according to this plan. Now, if I may have the attention of the gentleman further in connection with the contract made, the architect had to go on and did afterwards go on, as I understand, and make detailed plans of these two buildings.

Mr. DRIGGS. Well, now, right there, how is it that these gentlemen, these business men that submitted estimates, considered that they were acting in good faith and the Department considered that they were acting in good faith in receiving these bids—

Mr. DAYTON. There is no question about that. It was a comedy of errors from the beginning to the end, and it began in this House.

Mr. DRIGGS. It seems to me that if there is to be any criticism, it is not the Naval Committee (and I was very glad to see the gentleman from West Virginia stand up for his committee, because I think that it is a duty that every gentleman owes to stand up for his committee)—but it seems to me that if there is any criticism to be made there ought to be a criticism of the Department officials and not the contractors, the men who have gone into this subject as a business proposition.

Mr. BOUTELLE of Maine. There is no criticism of the contractors involved, no criticism of anybody, but simply to inform the House of Representatives, in pursuance of our duty, and call their attention to the fact that an important transaction is going forward in an irregular and unauthorized and undesirable manner, and ask the House to provide some proper way.

Mr. DAYTON. And I want to say further to my friend that if there is any fault it rests squarely upon the shoulders of the House of Representatives—

Mr. DRIGGS. That is it exactly.

Mr. DAYTON (continuing). That adopted this provision before there was any authority for it.

Mr. DRIGGS. That is the proposition I wanted to bring out.

Mr. HUNTER. What is the contention of the committee, after the error has been committed, as to what the House should do?

Mr. DAYTON. The contention of the committee is that, inasmuch as this work will possibly continue for ten or twelve years before a final scheme can be completed, it is the duty of this House to go to work and procure some fixed plan, adopt it by law, so that it may be settled and not be a matter of contention in every Congress. We desire to secure a plan and have it adopted regularly by Congress, and then make the appropriations according to that plan.

Mr. HUNTER. Have you got that incorporated in the bill?

Mr. DAYTON. We had the introductory step, but the gentleman from Maryland [Mr. Mudd] made a point of order and it went out. Now, there is only one thing for the committee to do, and that is to go to its committee room and formulate a plan, so

that we may get a proper and complete plan. But, as the gentleman from Nevada [Mr. NEWLANDS] admitted on the last day that we considered this bill, that is an impossibility for us to do in the time remaining for this Congress.

Therefore, there ought not to be a dollar of money expended until we can start this matter in a business like way. Another thing I want to call attention to, buildings have been placed there, one at least, that is not more than twelve or fifteen years of age that the report comes to us has to be propped up and is in danger of falling down. Now, we do not know whether the character of the ground there is of a kind that will enable the buildings to stand there. We have no report of any examination by engineers on that question.

Mr. DRIGGS. I want to ask another question. I have been waiting for some time.

Mr. DAYTON. I want to yield to the gentleman.

Mr. DRIGGS. I know it; the gentleman has been very courteous. You have answered the very question I wanted answered, although I feared to ask it for fear it would not be answered—that is, that the House of Representatives authorized the expenditure of this money. The chairman of the Committee on Naval Affairs said that there is no criticism to be made of anyone. The gentleman from West Virginia [Mr. DAYTON] says that if any criticism is to be made upon anyone it is the House of Representatives. I claim that the House of Representatives saw fit to appropriate \$500,000 for the building, with an additional \$500,000 to complete the work, and it had a perfect right to do so. The House of Representatives did it and it became existing law, and therefore the amendment offered by the gentleman from Maryland [Mr. Mudd] is to carry out work already authorized by the House of Representatives.

Mr. BOUTELLE of Maine. It authorized it, but not in a regular and businesslike way.

Mr. DAYTON. If the House of Representatives by a mistake or misjudgment had, for instance, appropriated \$500,000 and sunk it in a hole in the ground, that is no reason why you should go to work and put \$700,000 more in the same hole in the ground. If it has made a mistake in appropriating the money, if it has not been appropriated in a businesslike way, it is the duty of the House of Representatives to recall its mistake as far as it possibly can, and inasmuch as the \$500,000 or the great bulk of it has not been expended, the committee thought the expenditure ought to be suspended until a proper plan and investigation could be had in the matter.

Mr. HUNTER. Can the committee inform the House how much of the appropriation of last year has been expended?

Mr. DAYTON. I am not able to say; but I will say this: There has been no contract let. Bids have been asked for, but no contracts have been let for the buildings, because when the bids were opened they were all found to be above the estimates, and therefore the Department had to reject them all.

Mr. CUMMINGS. There has not been one cent expended, but there has been a contract made and signed for a building of a quay wall and the filling in of about 7 acres of land upon which some of these buildings are to be located. That is the situation.

Mr. DAYTON. The ground is not yet prepared for the buildings.

Mr. HUNTER. What you seek is to rescind this pretended contract—

Mr. CUMMINGS. It is not a pretended contract; it is a contract.

Mr. HUNTER (continuing). And suspend the expenditure of any further part of the appropriation?

Mr. DAYTON. The plan of the committee is to halt until an investigation can be had and a plan can be formulated and adopted by Congress for the rehabilitation of the whole Academy.

Mr. SHAFROTH. Does this difference between the committee and the law which was passed by Congress last year involve any question as to the removal of the Academy—not from the town of Annapolis, but from the particular site that it now occupies to another site in the vicinity which might be deemed better?

Mr. BOUTELLE of Maine. That question has never been mentioned.

Mr. DAYTON. It has never been mentioned. The Committee on Naval Affairs has never worked more earnestly on any question than it has on this to try and get a solution of it.

Mr. SHAFROTH. Let me understand the gentleman further. There have been some comments to the effect that the water at the particular point where the Academy is now located is not of sufficient depth to permit large vessels to enter. Has the committee considered whether or not it would be desirable to go down the bay, say a mile or a mile and a half, where deeper water could be had; and does this proposition involve any question of that kind?

Mr. DAYTON. No, it does not. That question has not been considered by the committee. The question before the committee

was simply how to get round a blunder that was committed in starting this work at the wrong end, instead of having it properly authorized.

Mr. HUNTER. Just one other question. If we should now stop this work and go no further in pursuance of the contract which has been entered into substantially by the authority of Congress, will there not be a liability by the Government to these contractors—a liability which we shall be compelled to meet in the future?

Mr. DAYTON. Do not misunderstand me. No contract has been made for the erection of the buildings—none whatever; the bids have had to be rejected because they have been above the estimate. So we are under no obligations to any contractors. We are under obligations to this architect, and there might be a question of \$25,000 involved in his commission from the Government.

Mr. HUNTER. I understood the gentleman from New York to say that a contract had been made for filling and grading the grounds there—

Mr. CUMMINGS. No.

Mr. HUNTER. On which contract the contractor expects the Government to be liable.

Mr. CUMMINGS. Let me state the matter to the gentleman. A contract has been given out for building a quay wall, which involves the filling in of about 7 acres of land. For that object \$93,500 has been set aside by Congress. Congress also set aside \$200,000 for the building of a boathouse and \$200,000 for the erection of a power house, but the bids received did not come within the appropriation made by Congress, and the Secretary of the Navy is recommending that we now appropriate more money for that purpose, the additional buildings to be built of granite instead of brick.

Mr. DAYTON. Now, Mr. Chairman—

Mr. WM. ALDEN SMITH. I would like to ask whether it is the purpose of the Committee on Naval Affairs to incorporate into the statute a plan for the construction of these various buildings?

Mr. DAYTON. Yes; a continuing contract. That, however, has been ruled out on a point of order.

Mr. WM. ALDEN SMITH. Now, then, why not leave it to the Secretary of the Navy to determine these plans?

Mr. DAYTON. Does the House of Representatives feel that it would discharge its duty by intrusting such authority to the Secretary of the Navy, when the amount involved is six or eight million dollars, and the Secretary of the Navy may be one man to-day and another to-morrow?

Mr. WM. ALDEN SMITH. Where does that duty appropriately belong?

Mr. DAYTON. Certainly no great institution erected by this Government—neither the Library building, nor the West Point Academy, nor the Capitol building, nor any other Government structure—has ever been left in that way to the head of a Department.

Mr. WM. ALDEN SMITH. If it is not the purpose of this committee that the plans upon which it is proposed to reconstruct the Naval Academy be incorporated into the statute (which I think would be very unwise, because it may be necessary from from time to time to vary those plans), it seems to me it would be appropriate to put this responsibility upon an officer representing the Department and to endow him with discretion in the matter. I may be in error about this, but that is the way the matter seems to me.

Mr. BOUTELLE of Maine. Does not the gentleman see the manifest impropriety there would be in vesting any head of any Department with the power to bind this Government to an unlimited expenditure of public money and the unlimited demolition of existing structures which have been built by the Government at great cost? We never have done such a thing, and probably while Congress is made up of sane men we never shall do such a thing. There is no reason in the world why the Secretary of the Navy should be expected to be competent to deal with the question of entirely rebuilding, architecturally and otherwise, a great public institution of the country like the Naval Academy. It is for the Congress of the United States, not for a Department officer, to say whether it wants to expend \$1,000,000, or \$10,000,000, or \$20,000,000.

If the gentleman will reflect for a moment, and I do not think he did so before he made the suggestion he did, he will see that it would be drifting the Government to a condition whereby the people of the United States shall have no control whatever over the expenditure of the public money for this purpose. Of course I understand how easily gentlemen, without looking into the matter closely, might assume that position without the slightest idea of the consequences involved. The whole principle and policy of the Government is opposed to such an appropriation.

Mr. WM. ALDEN SMITH. Now, Mr. Chairman, if the gentleman from Maine is correct, and I have no doubt he is—

Mr. BOUTELLE of Maine. I am.

Mr. WM. ALDEN SMITH (continuing). If the gentleman is correct, and if the expenditure would be detrimental or injurious

to the plans which the committee have in view, and which they believe to be necessary for the proper rehabilitation of that institution, I am not ready to vote an unlimited expenditure of money such as is suggested here.

Mr. BOUTELLE of Maine. Certainly not; and I will tell the gentleman why he should not do so. This expenditure, as proposed, is unlimited simply because it proposes an expenditure on which no limit is fixed. Does not that involve an unlimited expenditure?

Mr. WM. ALDEN SMITH. Then before proceeding with it you ought to have your plans prepared.

Mr. BOUTELLE of Maine. That is precisely what we want to do.

Mr. COOPER of Wisconsin. If the gentleman will permit me, as I understand it, this is a proposition for three buildings which would involve an expenditure of \$1,120,000.

Now, that is neither unlimited as to the number of buildings nor is it unlimited as to the amount of the appropriation. In this case, also, the expenditure is under the control of the Secretary of the Navy and the amount that he may use for this purpose is fixed.

Mr. BOUTELLE of Maine. Now, I think I can make that clear to my friend from Wisconsin, and I am very glad he has made the suggestion he did. I want to show him why this differs from ordinary appropriations. This does not appropriate so much money to build three buildings whose location has been determined upon and which are to take the place of three others on the Academy grounds, which it is declared shall be removed; and that is what the gentleman had in mind, I think. But it makes an appropriation here, and that is the rock on which the whole business is based and on which the committee founded its judgment after mature investigation and can safely stand in connection with the matter.

Now, the appropriation of last year was drawn for a specific purpose, in my judgment. I think it was for the purpose of fixing on the United States and on the Academy a special plan—a plan which we have been discussing in part, a gigantic plan involving an immense expenditure of the public money—

Mr. WM. ALDEN SMITH. Is there a determined plan?

Mr. BOUTELLE of Maine. Those sketches are in existence, and in the hearings before the committee the Secretary of the Navy has referred to them; but he has reiterated the statement over and over again that there has been no fixed plan, and he made that statement in response to my own inquiry.

But this appropriation of last year charged him with the duty of erecting three buildings on the grounds at the Naval Academy, and for the purpose of doing so, to remove the old buildings which were already in existence. Now, gentlemen all over the House thought that that was a simple proposition to appropriate money by which the Secretary of the Navy should proceed to tear down the shattered remains or wrecks of the old buildings now on the grounds and erect others in their stead. But that was not the intention of the appropriation.

The Secretary of the Navy, in the hearings before the committee, in reply to questions as to where he proposed to place the buildings, stated that he would put up one armory, a boathouse, and a power house on the spot where they were located by what was known as the Flagg suggestion. But this plan had never been adopted anywhere. It involved the tearing down of the existing buildings, and the moment they tore down these buildings, which had been erected already at great cost, if the plan of improvement had been continued to the end, it necessarily and absolutely involved in future the tearing down of other buildings, which would retrovert, hamper, and destroy the whole system of improvement that the committee believes to be necessary.

Mr. WM. ALDEN SMITH. If the gentleman will allow an interruption, I desire to state that I am willing that the Naval Committee, through a subcommittee, or by the committee itself, should view the premises—

Mr. BOUTELLE of Maine. That is precisely what we want.

Mr. WM. ALDEN SMITH (continuing). And I am willing to trust their report and the Secretary of the Navy in the matter. That is the point that I am seeking to make.

Mr. BOUTELLE of Maine. The gentleman must understand the action of the committee is not in any sense of the word a lack of confidence in the Secretary of the Navy. The Secretary states distinctly, in the testimony before the committee, that he finds himself hampered by the action of Congress last year in this regard.

Nobody doubts the right of Congress to make an appropriation. But it follows that all appropriations should be characterized, at least, by some reference to the public interest. For my own part, I do not believe that Congress has the power to make an appropriation that can not be carried out except in accordance with the public interest.

Mr. COOPER of Wisconsin. Will the gentleman from Maine kindly permit me to ask him a question on this point?

Mr. BOUTELLE of Maine. Certainly.

Mr. COOPER of Wisconsin. On page 2037 of the RECORD I find the amendment submitted by the gentleman from Maryland [Mr. MUDD], which reads as follows:

For completion of buildings and other works authorized under the act making appropriation for the naval service for the fiscal year ending June 30, 1899, under such plans as may be adopted by the Secretary of the Navy, not to exceed in cost \$1,220,000, \$720,000.

The limit of cost is absolutely fixed at \$1,220,000. Now, in the letter of the Secretary of the Navy, which is immediately below that amendment, in the same column, a letter directed to the gentleman from Maine [Mr. BOUTELLE], he says, quoting the architect's language:

I have planned all three of these buildings as economically as I could consistently with good workmanship and stability. But they are necessarily so large that they can not be built of granite for the amount appropriated.

Mr. BOUTELLE of Maine. That does not figure in the question at all.

Mr. COOPER of Wisconsin. No, I know. Now, the amendment expressly limits the total cost to \$1,220,000 and provides that the Secretary of the Navy shall have the right to adopt the plans, and the Secretary of the Navy says he has the plans all arranged and completed, but that he would like to change the material from brick to stone.

Mr. BOUTELLE of Maine. Now, will the gentleman permit me to make one more desperate effort to explain this matter? I recognize the fact that I probably am very unfortunate in trying to make myself clear, but I am going to make one more effort to show the House that the use of the word "plans" is what makes this whole confusion. The plans to which the Secretary of the Navy refers in that communication are the plans for those three specific buildings.

Mr. WM. ALDEN SMITH. The armory, and so forth.

Mr. BOUTELLE of Maine. The armory, the boathouse, and power house, but the use of the word "plans" in that respect does not have any reference to the general plan for tearing down all the other buildings and building all the other great structures involved in this thing.

Mr. DRIGGS. Will the gentleman—

Mr. BOUTELLE of Maine. Will the gentleman from New York allow me to go ahead with this—

Mr. DRIGGS. All right, sir. Pardon me.

Mr. BOUTELLE of Maine. Does not the gentleman from Wisconsin see that distinction?

Mr. COOPER of Wisconsin. Well, I do; but if the gentleman from Maine will permit me, I want to say that it does not necessarily follow that when Congress makes specific appropriation of \$1,220,000 and says that the expenditure for these three buildings shall not exceed that sum, after the completion of those buildings we are to go on to an unlimited expenditure of money.

Mr. BOUTELLE of Maine. Right there, the gentleman certainly—

Mr. COOPER of Wisconsin. Just a moment. Pursuing the same plan which is now being followed, after the completion of those buildings, if other structures are to be erected on that campus, Congress by another act would appropriate a certain sum, or not to exceed so much money, for the construction and completion of certain buildings, to be enumerated in that act.

Mr. BOUTELLE of Maine. I would like to ask the gentleman if he does not see that the appropriation of a million dollars to construct three buildings, to occupy certain positions in the Academy grounds, involves in the first place the destruction of existing buildings in the places where the new ones are to be put up, and also involves an entire remodeling of the whole institution?

Mr. WM. ALDEN SMITH. That authority has not been given, has it?

Mr. BOUTELLE of Maine. No; but it must be done or else the Academy is to be left in an absolutely impracticable condition. Now, let me state the facts. Let me get down to details. I have told the House half a dozen times about this thing, but they do not seem to gather it. I am going to make one more effort.

The Secretary of the Navy in locating this armory, for instance, does not put that armory in the place of any other armory that is there or has been there. He does not put it in the same connection with the other buildings that the present armory occupies, but he puts it on a portion of the grounds away over, for instance, on this side. He goes to the extreme other side of the grounds and puts the boathouse over here. Now, that absolutely necessitates the building of the barracks between those two, to make any kind of a coherent plan, and the doing of that involves the tearing down of buildings all across the campus, the Superintendent's house, blocks of residences, the administrative building—

Mr. WM. ALDEN SMITH. A general remodeling of the whole business.

Mr. BOUTELLE of Maine. A general remodeling of the whole business.

The CHAIRMAN. The present occupant of the chair was out

of the chair for a moment. Indefinite time was granted to the gentleman from West Virginia [Mr. DAYTON]. Did he yield the floor?

Mr. DAYTON. I yielded the floor to the chairman of the committee [Mr. BOUTELLE of Maine].

The CHAIRMAN. The gentleman yielded temporarily, the Chair thinks, but he can hardly yield the floor to another gentleman.

Mr. BOUTELLE of Maine. I have no doubt about it.

The CHAIRMAN. The Chair simply wants to know what the situation is.

Mr. BOUTELLE of Maine. I move to strike out the last word.

Mr. DAYTON. I yielded the floor entirely.

Mr. BOUTELLE of Maine. Is there any difficulty about the chairman of the committee getting the floor?

The CHAIRMAN. Not the slightest; but the Chair thought it would be better to understand how the chairman of the committee occupied the floor.

Mr. BOUTELLE of Maine. I move to strike out the last word, under the five-minute rule; and I hope that will be strictly enforced.

Mr. MUDD. A parliamentary inquiry.

The CHAIRMAN. The gentleman from Maine, the chairman of the committee, is recognized.

Mr. MUDD. A parliamentary inquiry. Then, as I understand, if the gentleman takes the floor in his own right, the time of the gentleman from West Virginia has expired?

Mr. DAYTON. Oh, yes.

The CHAIRMAN. The gentleman from West Virginia yielded the floor.

Mr. BOUTELLE of Maine. I get it by unanimous consent, which absolutely includes me.

Mr. MUDD. Hardly.

Mr. BOUTELLE of Maine. Now, I have already said that the location of these two new buildings, if this plan be carried out, the mere construction of these two new buildings—and it can not be possible, in my judgment, to make the case more extravagantly conspicuous as to the impropriety than to tell you that of the three buildings that are to be located the power house, in its construction where the Secretary proposes to put it, according to Mr. Flagg's plan, will be actually built, as my colleague said (but I fear that the committee did not thoroughly apprehend his statement)—it is to be built out in the Severn River.

Now, we want to know something about how we are going to build out to it. We want to put some limit to the millions that are to be expended. We want to know something about the outcome. Gentlemen will know that in the construction of the power house away from the shore entirely, away out in the Severn River, away from the banks, must involve something more than the building of that house. It involves the building of the Academy grounds out to that structure. I do not say that it ought not to be done, but I do say it is the duty of the House, as the guardian of the public funds, to know what we are leading up to when we appropriate money, and that we should not expend money upon a public building without any restriction being imposed by this House.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. BOUTELLE of Maine. In one moment. I have only five minutes. They pulled down there, and, as I say, without law, because of a clause in an appropriation bill that puts in \$90,000 for electric wiring and removing old buildings, which does not, in my judgment, confer authority to tear down any particular building—they have already torn down the marine barracks that we appropriated for only in 1882-83, which was built at a cost of \$40,000. They have torn it down and the bricks are carted away. We built a boathouse in 1888, barely a decade ago, that cost \$30,000, and that is to be swept away. We built a board house—a house that the Board of Visitors use, and which is used as a clubhouse for the balance of the year—and that has been torn down and carted away.

Now, I am not here to arraign the Secretary of the Navy or impeach him because all that has been done, but I say we do not know how far they are going to carry this thing; and the Committee on Naval Affairs think the House ought to know how far this is to be carried and how it is to end. This body, to a certain extent, has not anything before the House. The gentleman from Maryland has come in here and taken advantage of the technical rules of the House to prevent the House of Representatives from even considering this question. The Committee on Naval Affairs brought a proposition before the House; and if that provision had been acted on by this body, it would have been open to amendment, which anybody could have offered; and if anybody had suggested some wiser way to meet the situation than we have done, it could have been decided upon.

Mr. DRIGGS. Will the gentleman allow me to ask him a question now? The chairman of the committee said a few moments

ago that the Secretary of the Navy has spent this money in reconstruction, and you did not believe it was good policy?

Mr. BOUTELLE of Maine. I have said nothing of the kind. Nothing of that kind has been said in the debate.

Mr. DRIGGS. I understood you to say something similar to that.

Mr. BOUTELLE of Maine. What was the gentleman's point? Mr. DRIGGS. The point was simply this: I understood you to say that you considered it unwise for the Secretary to have this money for the reconstruction of these buildings, and in the latter part of your bill you intrust him with the expenditure of a great many millions for the construction of new ships.

Mr. BOUTELLE of Maine. If the gentleman reads the bill—

Mr. DRIGGS. I have read the bill.

Mr. BOUTELLE of Maine. The gentleman simply does not understand this bill.

Mr. DRIGGS. I know it is very difficult for us to understand all these things, but I do understand the English language, and the section under "Increase of the Navy," is very clear.

Mr. BOUTELLE of Maine. Will you be fair enough to understand this bill?

Mr. DRIGGS. Will you be fair enough to try to explain what was wrong in what I alluded to in this bill?

Mr. BOUTELLE of Maine. My time has expired.

Mr. DRIGGS. Now, I ask that the gentleman's time be extended.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DOLLIVER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

The message also announced that the Senate had passed bills of the following titles:

H. R. 8997. An act granting an increase of pension to John W. Brisbois;

H. R. 11785. An act for the relief of certain tobaccoists of Lynchburg, Va.; and

H. R. 8162. An act to authorize the Secretary of the Interior to rent or lease certain portions of forest reserve.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5450. An act to attach Claiborne County, Miss., to the western division of the southern judicial district of Mississippi; and

S. 2657. An act to provide for the purchase of a site and the erection of a public building thereon in the city of Selma, in the State of Alabama.

#### NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. FOSS. I ask unanimous consent that the time of the gentleman be extended five minutes.

There was no objection.

Mr. DRIGGS rose.

The CHAIRMAN. Does the gentleman from Maine yield to the gentleman from New York?

Mr. BOUTELLE of Maine. The gentleman from New York has asked me a question. I will suggest to him that the question of my being consistent on the floor here to-day does not settle this controversy.

Mr. DRIGGS. With that explanation I do not care to ask any more questions.

Mr. BOUTELLE of Maine. That is not my explanation. [Laughter.]

Mr. DRIGGS. Well, I want to be perfectly fair, and I want courteous treatment.

Mr. BOUTELLE of Maine. I want to be courteous to the gentleman from New York. The gentleman wants to know why I was unwilling to allow the Secretary of the Navy to reconstruct the Naval Academy buildings without limitation, when I had consented to bring in a bill which permitted him to handle millions of dollars to construct battle ships of his own will and without limitation.

Mr. DRIGGS. That is the proposition.

Mr. BOUTELLE of Maine. Well, we have not done anything of the kind.

Mr. DRIGGS. Let me read the bill.

Mr. BOUTELLE of Maine. I am not going to allow the gentleman to use up the whole of my five minutes. [Laughter.]

Now, let me explain. But a very few members of the House will need this explanation, because most every member of the House who has ever read any of the appropriation bills brought in here since we appropriated for the first of the steel ships knows

perfectly well that the construction of every one of the vessels is limited and hedged in and provided for by a statute that we passed many years ago providing the details of construction of these vessels, and which is referred to in set terms in this bill. The Secretary of the Navy is bound to construct these ships in direct and absolute accordance with the specifications that are laid down in the acts of Congress, which were painstakingly prepared, improved, and modified in Congress until they form a code that absolutely controls, by the voice of Congress, every act of the Secretary of the Navy in building these ships. I trust the gentleman is answered.

Mr. DRIGGS. I am much obliged to the gentleman from Maine, but he does not entirely answer my question, for I contend the authority granted the Secretary of the Navy is identical in each case—that is, Naval Academy compared with increase of Navy.

Mr. WM. ALDEN SMITH. I have the highest respect for the gentleman from Maine and for his taste in laying out grounds, and I would like to see him participate in this. I find that the buildings torn down are not so valuable, after all.

Mr. BOUTELLE of Maine. I gave you the cost of them.

Mr. WM. ALDEN SMITH. The Secretary of the Navy says in his letter the following buildings have been surveyed and found to be unsafe: The armory, which had been abandoned; the boat-house, which had been considered unsafe for many years for its original purpose and unworthy of repair—

Mr. BOUTELLE of Maine. Neither of these buildings were referred to by me at all.

Mr. WM. ALDEN SMITH. These were the buildings I was inquiring about. Now, if the Secretary of the Navy is proceeding upon some plan adopted—

Mr. BOUTELLE of Maine. He is not.

Mr. WM. ALDEN SMITH (continuing). If he is proceeding with the expenditure of the public money as a discreet public officer ought to do, I submit that before his plan is changed and turned about, some other plan more feasible than the one he is operating upon should be adopted by Congress.

Mr. BOUTELLE of Maine. If the gentleman from Michigan will give me his attention, he has put his finger upon the whole difficulty here. We have been debating two days on that very point. There is no sense in discussing this question a minute if the Secretary of the Navy is going according to law, according to wisdom, and on the best plan. But that is the whole question here, and we can not find that he is.

Mr. WM. ALDEN SMITH. Is there a disagreement between the chairman of the committee and the Secretary of the Navy on that point?

Mr. BOUTELLE of Maine. No. I will read from the report and the gentleman will see that we are in entire agreement.

The CHAIRMAN. The time of the gentleman from Maine has again expired.

Mr. DAYTON. I ask that the gentleman have five minutes more.

There was no objection.

Mr. BOUTELLE of Maine. I am going to get this all in, either through my own agency or that of the members of my committee, and it does not make much difference which. The Secretary of the Navy was before the Committee on Naval Affairs on this very subject, and in relation to this matter he was asked some questions and answered them very specifically. I will read:

You say that they could not be made of granite within the appropriation and carry out the plans. What do you mean by carrying out the plans—a plan which was made before this appropriation?

Secretary LONG. The Matthews plan.

The CHAIRMAN. Had that ever been adopted officially?

Secretary LONG. No.

The CHAIRMAN. Then why was it necessary to have the specifications—Secretary LONG. It depends on what you mean by "adopted." There was no legislation authorizing its adoption. As far as the Department was concerned, the Department was satisfied that that was a good plan. The Department was in hopes that Mr. Flagg could make his specifications to build within that amount, although he had notified us that if he used the granite probably he would not be able to get it within the appropriation. We could not tell until we submitted these bids to bidders.

Now, I may be very stupid in my comprehension of the meaning of language, but I think that comes pretty near a statement by the Secretary of the Navy that he never had any authority to proceed according to any particular plan.

As far as the Department was concerned, the Department—

That means the Secretary of the Navy or some of his officials—was satisfied that that was a good plan. The Department was in hopes that Mr. Flagg would make his specifications, etc., come within the amount.

The CHAIRMAN. Was the Department in any way under legal obligation to advertise for those buildings in accordance with any plans?

Secretary LONG. No.

The CHAIRMAN. Was not the law of last year—

Now, follow this language, and I will get the negative piled up, Pelion on Ossa:

The CHAIRMAN. Was not the law of last year the only authority for the Department to act in the matter?

Secretary LONG. Yes, sir; for the construction of the power house, etc.

That is all that I think is necessary to answer the gentleman's question.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. SOUTHARD. Mr. Chairman, there is a great deal more in this amendment than appears upon its face. The situation is such that it irrevocably, that is the precise fact—the situation is such that it irrevocably commits the Government to the improvement of the Naval Academy at Annapolis, involving the expenditure of at least \$8,000,000 and possibly eight, ten, or more millions.

Now, this proposition in regard to plans about which we have been talking does not seem to be very perfectly understood, in spite of all that has been said upon it. If I may be permitted, I think I can make plain just what has been done and what has not been done in this matter of the adoption of a plan. In 1895 the annual Board of Visitors was appointed to visit the Naval Academy, and during their session they adopted this resolution:

That the Secretary of the Navy be, and is hereby, requested to organize a commission, to consist of five officers of the Government, who shall forthwith proceed to examine and report upon the present condition of the grounds and buildings, and also upon the sanitary condition of the Academy, such report to be made to the Secretary of the Navy and by him to be submitted to Congress at its next session, with such recommendation as he may see fit to make.

In passing, I will say that no Secretary of the Navy has ever made any recommendation under that resolution, so far as the committee has been informed.

Mr. MUDD. Not for buildings?

Mr. SOUTHARD. Not for any plans for the rebuilding of this institution; and this amendment, as the gentleman knows, involves irrevocably the rebuilding of this institution at an expense of six, eight, ten, or more millions of dollars.

Mr. MUDD. What authority has the gentleman for that statement?

Mr. SOUTHARD. We may as well be fair with each other. I say these plans involve a possible expenditure of \$10,000,000.

Mr. WM. ALDEN SMITH. Is that understood?

Mr. SOUTHARD. I am going to explain this whole matter. The resolution, a part of which I have just read, continues:

And the report shall also contain a complete description of each building now standing and in use upon the grounds, with a statement as to age, value, and present condition, and also a like description of each building to be repaired or rebuilt or erected, with an estimate as to the cost of repairing or rebuilding or erection, as the case may be.

Now, that was the resolution of the Board of Visitors. It went to the Secretary of the Navy, who, in accordance with it, organized what has been called the Matthews board. It consisted of Commodore Matthews as senior member, P. H. Cooper, captain of the United States Navy, and three or four others.

A MEMBER. Any architects?

Mr. SOUTHARD. No architects; these were naval officers.

Mr. MUDD. But they employed an architect.

Mr. SOUTHARD. Yes; they employed an architect. Now we shall see what they did, if the gentleman will be patient a moment. In their report that commission describes each building, and there are probably fifty, sixty, or seventy—not less than fifty and probably seventy buildings down there. I have not counted them. And with the exception of five, the carrying out of this plan involves the demolition of all of them—every one; not only a reconstruction of the buildings, but a complete reconstruction of the grounds also. It proposes the addition of acres of ground to those already belonging to the Academy. The various buildings are here described. For instance, there is the steam engineering building, which is thus described:

(10) Steam engineering building, No. 46.—Built in 1866, of brick, with tin roof; the main building, 125 by 27 feet, is two stories high, with attic used as a drawing-room. It has a "lean to" on each side, one story high, 85 by 27 feet, with tin roof. The lower floor is used for offices and workshops and the second floor for recitation rooms. It is fairly well adapted to its present purpose and is valued at \$20,000. It is recommended that it be torn down, as it interferes with the proposed plan.

There are enumerated here 15 different buildings, meeting in greater or less degree the requirements of the institution, which are recommended to be torn down simply because they "interfere with the proposed plan," and for no other reason.

I think there are five buildings that it is suggested shall be allowed to remain, because of the fact, as alleged, that they do not interfere with the proposed plan.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FISCHER. I ask that the gentleman may be allowed to proceed for five minutes longer.

The CHAIRMAN. If there is no objection, the gentleman will continue.

There was no objection.

Mr. GROSVENOR. Now, before my colleague proceeds, I would like to ask him to state if in his judgment, and in the judgment of the committee, we can get along in the proposed rehabilitation of the Academy without destroying any of the buildings now used?

Mr. SOUTHARD. That is precisely what we want to find out.

Mr. GROSVENOR. But has it not been already found out?

Mr. SOUTHARD. By whom?

Mr. GROSVENOR. Well, by somebody who has examined the

matter.

Mr. SOUTHARD. I do not know of anybody who has examined it except the special commission. We desire an opportunity of doing that very thing.

Mr. GROSVENOR. The Secretary of the Navy seems to have found it out.

Mr. SOUTHARD. No; I think not; and I will explain why. My friend is laboring under a misapprehension, as I think, because the impression seems to prevail that some plan has been adopted by which they will proceed to tear down certain buildings and rearrange others. Now, it should not be forgotten that no general plan has been devised. They have proceeded, it is true, to a certain extent in accordance with what is properly known as the "Flagg plan," but there has been, as yet, no general scheme devised which has received the official approval of anybody.

Mr. GROSVENOR. Well, a week ago I would have said the improvements were in progress in accordance with some plan which has been devised by somebody.

But I would ask my colleague if it is not a fact that the "plan," on which the arrangement is made of the buildings, is obsolete today, and that there should be necessarily, if the improvement is made at all, a great change in any such plan?

Mr. SOUTHARD. I will state to my colleague that the committee is anxious to investigate this matter thoroughly and carefully. There is not a member of the Committee on Naval Affairs, as far as I am advised, who is not in favor of appropriating the money for the improvement of the Academy. That is not the question involved here at all. What we want is, in the first place, that there shall be a systematic and a comprehensive plan.

In the first place, there ought to be a limit to expenditures of the public money to be provided for these improvements. We do not know—nobody can tell—what is to be the cost. The modification is not suggested or recommended by the Secretary of the Navy. Whether it is the best plan or not, nobody knows. We have no information upon the subject, nor do we know whether it will afford all the necessary facilities needed at the Academy. There are many matters involved which must be investigated and carefully examined and studied before we can act intelligently.

The Committee on Naval Affairs, I believe, without exception is—I think I may say it is—unanimous in its conclusion that this is not the proper way to proceed; and we believe that we have not the information at hand upon which we ought to proceed. We do not know whether the plan is the best, as I have suggested; and when I speak of "a plan," I speak now of a suggestion or plan that was made gratuitously by somebody who was called in by some member or members of the Matthews board, who had no other authority than that for making the suggestion.

Mr. GROSVENOR. Is it not a fact that there is behind that the judgment of the officials of the institution itself, who know the requirements there, and who have in some degree, at least, advocated such a plan as has been suggested?

Mr. SOUTHARD. I am speaking now of "a plan" which has some legitimate authority. Such a plan is not yet in existence.

Mr. GROSVENOR (continuing). I have a letter stating that the plan to which you have referred has met the approval of the academic board.

Mr. MUDD. Oh, everybody who has looked into the matter approves it.

Mr. SOUTHARD. I know that any man who has been in the Navy for six years is very likely to look at all matters connected with naval affairs through somewhat selfish glasses. He can see little outside of the Navy.

Mr. GROSVENOR. I hope the gentleman will except the chairman of the Committee on Naval Affairs.

Mr. SOUTHARD. The average officer of the Navy is willing and anxious to have appropriated anything that he thinks is necessary for the upbuilding of the Navy. There is no desire on his part to withhold appropriations on any ground, when the expenditure is for the Navy, and I do not wish to criticize him for his views in that regard. But when we undertake a project of this character, involving an expenditure of the public money of possibly \$10,000,000, we should proceed, certainly, according to some well-defined and predetermined plan about which we know something in advance, and on which we are agreed. Now, this plan has never received the recommendation or indorsement of anybody, so far as I know, who has been authorized to recommend it.

Mr. FISCHER. You say the Secretary of the Navy acted in reference—

Mr. SOUTHARD (interrupting). If my friend will allow me, I prefer not to be interrupted just now. I will explain, if he will allow me to proceed.

Last year an effort was made in this same direction. We suggested that we ought to have a plan and to know something more

about the limit of expenditure before we undertook to proceed in the direction of making appropriations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FISCHER. I ask unanimous consent that the gentleman may be permitted to proceed five minutes longer.

There was no objection.

Mr. SOUTHARD. I suggest that we ought to know more about this plan, and we ought to devise some way of determining whether it is necessary to expend all of this money in the building up of this institution.

An amendment was made to the last appropriation bill upon the floor of this House appropriating \$500,000 for the building of three buildings—a power house, an armory, and a boathouse. As I say, the suggestion was then made that no plan had been adopted upon which anybody could proceed, and that before expending so large an amount of money some plan ought to be adopted. Now, we are in favor of the adoption of some good plan.

That money was appropriated. Now, I say, I am satisfied that the Secretary of the Navy labored under the misapprehension that this plan had been adopted in some form or another for the rebuilding of that institution, and he proceeded at once to tear down three buildings. He tore down the boathouse, which you say ought to have been torn down—

Mr. WM. ALDEN SMITH. Which he says ought to have been torn down.

Mr. SOUTHARD. Which he says ought to have been torn down, and which possibly ought to have been torn down. He tore down the boathouse and the marine barracks, and what is known as the "board house" was torn down. He located these three buildings in accordance with what was known and is known as the Flagg plan, or the plan proposed by this Matthews board. Evidently this plan was prepared after the Matthews board made their report, because in their report they say that they have not time to submit complete plans, that no appropriation has been made enabling them to do anything of that kind, and for that reason they do not do anything of that kind. They recommend certain appropriations for the completion of the grounds.

Mr. WM. ALDEN SMITH. Will the gentleman permit me to ask him a question?

Mr. SOUTHARD. Yes.

Mr. WM. ALDEN SMITH. You are addressing yourself to the amendment offered by the gentleman from Maryland [Mr. MUDD], are you not?

Mr. SOUTHARD. I am.

Mr. WM. ALDEN SMITH. That is the subject under discussion?

Mr. SOUTHARD. Yes.

Mr. WM. ALDEN SMITH. I should like to know what alternative the House has, suppose we reject the amendment of the gentleman from Maryland [Mr. MUDD]?

Mr. SOUTHARD. If the gentleman had listened to what has preceded in this debate, of course he would know what the committee propose.

Mr. WM. ALDEN SMITH. Well, I do not see it in the bill.

Mr. SOUTHARD. I will state it. It is not in the bill.

Mr. WM. ALDEN SMITH. I did not see it there, and I thought I had examined the bill carefully.

Mr. SOUTHARD. There was something in the bill, but it was stricken out on a point of order.

Mr. WM. ALDEN SMITH. I understand that.

Mr. SOUTHARD. Now, we propose to bring in a measure providing for proper plans upon which to rebuild this institution.

Mr. WM. ALDEN SMITH. The determination by whom?

Mr. SOUTHARD. If it is found best to enter upon an entire rehabilitation of this institution—

Mr. FISCHER. Who is to decide?

Mr. SOUTHARD. Why, it is proposed that this House shall decide it.

Mr. MUDD. Would you put the plans and specifications in the statute?

Mr. SOUTHARD. You can do nothing except by law. We can provide a way to secure satisfactory plans.

Mr. COOPER of Wisconsin. Is that the alternative which the Committee on Naval Affairs propose, as the gentleman from Michigan [Mr. WM. ALDEN SMITH] asks, that the House shall decide upon the plans suitable for this Academy?

Mr. SOUTHARD. We propose, if the House will do it, that it shall determine the limit of cost in case we propose to rebuild this institution.

Mr. WM. ALDEN SMITH. A plan is one thing and a limitation of cost is a different proposition.

Mr. COOPER of Wisconsin. A limitation of cost is a very different thing from a plan.

Mr. SOUTHARD. And we propose, second, that some competent committee or some competent body shall be provided to determine whether these are the best plans for the entire rebuilding of this institution.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. SOUTHARD. Certainly.

Mr. COOPER of Wisconsin. In building such a structure as the Chicago post-office, which is to cost \$4,000,000, or any of the other large post-offices, one in Cleveland, in the gentleman's own State, it is not left to Congress or to a committee of Congress to determine whether the plans are right or not. It is left to one of the Departments of the Government and to a subordinate official.

Mr. SOUTHARD. But this is an entirely different matter from that. In the first place, the limit of cost is provided in each case of that kind.

Mr. COOPER of Wisconsin. That is not the question. I am not talking about the limit of cost. I am talking about the selection of plans which a moment ago, in response to the gentleman from Michigan [Mr. WM. ALDEN SMITH], the gentleman from Ohio [Mr. SOUTHARD] said was to be left to Congress.

Mr. SOUTHARD. Yes.

Mr. COOPER of Wisconsin. Thereupon the gentleman from Maryland very quickly and very properly asked whether the plans were to be put into the statute. Congress can not fix upon plans in any other way except by statute. You must do that or leave it to a committee or to an official.

Mr. SOUTHARD. But Congress at least determines who the architect shall be.

Mr. WM. ALDEN SMITH. Not necessarily.

Mr. COOPER of Wisconsin. Not necessarily.

Mr. SOUTHARD. It puts it in the power of somebody to say that.

Mr. COOPER of Wisconsin. The Secretary of the Navy.

Mr. SOUTHARD. Now Congress is informed about it, and it may give the Secretary of the Navy the power to say who shall provide plans for the rehabilitation of the buildings at Annapolis.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. COOPER of Wisconsin. I ask that the gentleman be allowed five minutes more.

There was no objection.

Mr. COOPER of Wisconsin. Now, will you allow me to ask you one question right there?

Mr. SOUTHARD. Certainly.

Mr. COOPER of Wisconsin. The gentleman from Ohio has just said that Congress ought to say who shall prepare the plans.

Mr. SOUTHARD. Yes.

Mr. COOPER of Wisconsin. In the act of 1899, in making the appropriations for the naval service for the fiscal year ending June 30, 1899, that is, the existing law—

Mr. SOUTHARD. Yes.

Mr. COOPER of Wisconsin. I find that the Secretary is authorized to contract—

For the construction at Naval Academy, Annapolis, Md., of a building suitable for use as an armory, at a cost not to exceed \$300,000; a boathouse, at a cost not to exceed \$200,000; a power house, at a cost not to exceed \$100,000; four double houses for officers' quarters, at a cost not to exceed \$80,000.

Now I come to the point:

For grading, electric-light wiring, removing old buildings, and preparing plans, at a cost not to exceed \$90,000.

There is an express provision delegating authority to select plans.

Mr. SOUTHARD. I hope the gentleman will not take up all the time. It certainly would be a very wide stretch of the imagination to assume that in authorizing the Secretary of the Navy to prepare plans for designated buildings that it carries with it an authorization to prepare comprehensive plans for the rehabilitation of the whole of what is known as the Naval Academy—

Mr. WM. ALDEN SMITH. A landscape plan.

Mr. SOUTHARD (continuing). Which would involve a construction by the Government of 20 buildings. Is it possible?

Mr. COOPER of Wisconsin. Is there any proposition of that kind in this amendment?

Mr. SOUTHARD. No; but I am simply saying to the House that this plan has been entered upon. The Secretary of the Navy says no other plan had been provided. It was evident that the buildings were not to be, and should not be, constructed in a promiscuous way; that they should have some orderly arrangement. And he is, I say, or was, laboring under a misapprehension that this plan had received the official recognition of the Government, and he proceeded to tear down buildings that were more or less fit for the purposes for which they were used, and to prepare to erect others on what was known as the plan of the Matthews board. Now, I say for us to pass this amendment, for us to authorize this appropriation, would commit us to the plan that has been proposed by the Matthews board, involving an expenditure for buildings of not less than \$6,000,000 and probably \$10,000,000.

Mr. NEWLANDS. Will the gentleman permit me to ask him a question?

Mr. SOUTHARD. There is no limitation proposed. Certainly I will yield to the gentleman for a question.

Mr. NEWLANDS. I understand the gentleman to say that this made these authorized plans for these specific buildings?

Mr. SOUTHARD. Certainly.

Mr. NEWLANDS. But it does not authorize a comprehensive plan which shall control the future and which may involve the expenditure of between ten and twelve million dollars. I wish to ask the gentleman if we can not remedy that right now by providing, as done in this amendment, that this appropriation shall cover the sum necessary for obtaining comprehensive plans of the Naval Academy and all buildings used or to be hereafter constructed in connection therewith, at a total cost of not more than \$5,000,000, of which the said sum of \$1,220,000 shall form a part?

Mr. SOUTHARD. I suppose that could be done by unanimous consent.

Mr. NEWLANDS. Would not that entirely cure the difficulty that the gentleman suggests? It will give authority to the Secretary of the Navy, an executive officer of the Government, to provide for the procurement of comprehensive plans from a single architect or by competition.

Mr. SOUTHARD. There ought to be some limitation of cost, and it ought to be done under competition.

Mr. NEWLANDS. I put that into a suggestion.

Mr. SOUTHARD. That is precisely what we desire.

Mr. NEWLANDS. The Secretary of the Navy may suggest to you, after a further examination, that you should adopt this plan, or say that you should do it differently and from different plans, and you could choose which you would accept.

All that we insist is that this thing should be done now; that this whole matter should not be turned back to the Committee on Naval Affairs to be considered by them for a year before any action is taken.

Mr. BOUTELLE of Maine. There is no proposition like that.

Mr. NEWLANDS. It seems to me, in connection with this amendment, we can report that the sum appropriated here—for it will be a limit on that appropriation and not new legislation—shall cover comprehensive plans for buildings used or to be hereafter constructed, and that the limitation of cost can be fixed now in the amendment and the whole thing proceed.

Mr. BOUTELLE of Maine. I wish the gentleman from Nevada would take our proposition and modify it.

Mr. CUMMINGS. Mr. Chairman, the situation is exactly this: The House of Representatives last year took into its own hands the job of the reconstruction of the Naval Academy. The debate last year shows that this was thoroughly understood on both sides of the House. The gentleman from Maine [Mr. BOUTELLE] so understood it. He says, and I read from page 3432 of the RECORD:

Mr. BOUTELLE of Maine. It was the intention of the committee to proceed to the consideration of this and one or two other important matters just as soon as we could get rid of the appropriation bills. We shall do so. We are not anxious for the task, and if the House thinks it is wiser to delegate this whole matter to the Navy Department and relieve us of all responsibility in the matter, of course it has the right and the power to do it. I want to disabuse the mind of anybody here of any impression that I or my committee have any particular whim or desire about this matter. We have simply acted in accordance with the ordinary business principles that govern all the committees of the House. We brought our bill in here without this great appropriation because of the reasons I have stated. If the House thinks it is wise and best to put it in, of course it will do so.

Mr. MCINTIRE. Will the gentleman yield to me for a question?

Mr. BOUTELLE of Maine. I will.

Mr. MCINTIRE. The gentleman speaks of having a plan in the committee now that is known as the Matthews plan?

Mr. BOUTELLE of Maine. I am not familiar with it, although I have seen it.

Mr. CUMMINGS. Mr. Chairman, I will say for my colleague that during my service on the committee he has been heartily in favor of action toward the rebuilding of the Naval Academy.

The great trouble has been that no action whatever has been taken. For ten years this subject has been mooted in the Naval Committee, and nothing definite has come from it. The rickety buildings are there still, and the defective sewerage and all the buildings are in just as bad order to-day, if not worse—for patching them, I believe, makes them worse—as they were ten years ago. Now, it is true that we have plans in the subcommittee of the Committee on Naval Affairs for the rebuilding of that Academy. But if we formulate a bill and it passes the full committee, we have no assurance whatever that we can get it before the House.

We have no assurance that we can get such a bill before the House under the rules as they are to-day, and secure a vote upon it. This matter, it seems to me, is imperative. The Secretary of the Navy has undoubtedly considered several plans of improvement. He undoubtedly has some systematic plan within his mind to-day. I do not know but that he has sent such plans to our committee; but for one I am willing to trust John D. Long. [Applause.]

Now, Mr. Chairman, after this discussion, we passed a proposition looking toward the reconstruction of the Academy, appropriating \$500,000—and I say “we” meaning the House of Representatives, and not the Committee on Naval Affairs—for specified purposes. The Secretary’s reason for not using this money is that in opening the bids he found that so far as the buildings were concerned he had received no bids that came within the limits of the appropriation; but the filling in and the building of the quay wall outside of the filling in came next, and he issued

proposals and received bids, and has awarded the contract for that purpose.

Now, when the Secretary came before the Committee on Naval Affairs, he stated that he had acted in accordance with what he had understood the House of Representatives or Congress to mean when they passed this appropriation. He said expressly that this contract for building quay walls was given in accordance with the plans which he was working from, drawn by Mr. Flagg, of New York, and recommended by the Matthews board. The proposition from the majority of the Naval Committee is, practically, that the House recede from its action last year, stop all work, and that a committee of Congress, consisting of three members of the House and three from the Senate, should look for plans—

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CUMMINGS. I ask for five minutes longer.

There was no objection.

Mr. CUMMINGS (continuing). Should seek plans from five of the leading architects of the country. I do not like that word “five.” I would open the field to all the architects of the country, for I know there are young men 25 or 26 years old that may prove themselves superior in ability to the old, cast-iron architects of the country. There is more than one St. Gaudens in America, and opportunity will develop it.

Now, Mr. Chairman, the gentleman from Maine, the chairman of the committee, has told us that he would try and get a day for us to consider that proposition, as it was ruled out of this bill on a point of order. Well, I know what trying to get a day means in this Congress. I have tried myself to get a day time and again, and have been treated with a cynical look like this [illustrating]. [Laughter.] I have known the Committee on Naval Affairs, or a subcommittee of that committee, to try to get a day for weeks, and they always got something like this [illustrating]. [Laughter.]

Mr. MAGUIRE. I suggest that the gentleman from New York sit to a photographer with that cynical look, so that he may put it in the RECORD. [Laughter.]

Mr. CUMMINGS. If we did get a day, and it amounted to anything, the reconstruction of the Academy would be put off for two or three years at least. After running that gantlet in the House the measure would have to run a gantlet in the Senate, and I see no possible chance for its promptly becoming a law. Last year you were informed that some of the buildings of the Academy were rickety and ready to tumble down, and that the sewerage was defective and dangerous. This year the situation is worse. Three or four of the buildings have been torn down to give place to those you authorized last year. Cadets in the United States Naval Academy are either sleeping or soon will be sleeping in temporary structures erected at Annapolis, awaiting the reconstruction of their quarters.

It seems to me, Mr. Chairman, in view of the fate of the proposition of the Naval Committee, that upon the whole it is best to go to work at this Academy right away. [Applause.] After talking about it for twelve years we have actually begun the work. Let us continue it. We know that under the superintendence of John D. Long it will be carried to a successful completion in accordance with plans that will reflect credit not only upon the Navy Department, but upon the country at large. [Applause.]

Do not let us stop now because the House of Representatives has seen fit to override the Naval Committee. Possibly it was a good thing for the House to stir up the Naval Committee. I look upon the action of last year as a move on their part to prick the committee into action, and I find no fault with it. The committee came here with a proposition which has been ruled out of order. They wanted a stoppage of work for years, while they were seeking definite plans in accordance with instructions from Congress.

But Congress has already had its say upon the matter. It said a year ago: “The time for reconstruction is now.” It ought to supplement this to-day by saying: “You have begun the work; do not turn back; go on with it.” I believe that under the action already taken the new Academy will be practically reconstructed before a joint committee can recommend and Congress sanction the work under the proposition already ruled out of order. It is a condition and not a theory that confronts us. Stop work now after the work has been begun and you hatch a brood of claim bills from contractors and others that will return to annoy us in the coming years. Let the work go on and be completed as soon as possible. Mr. Chairman, I have no more to say. Let us have a vote.

Mr. BOUTELLE of Maine. A move to amend by striking out the last word.

The CHAIRMAN. Without objection, the pending amendment will be considered as withdrawn. The Chair hears no objection. The gentleman from Maine moves to strike out the last word.

Mr. BOUTELLE of Maine. Mr. Chairman, this is the first

moment I have been aware that the action of the Naval Committee in reporting a bill on this subject containing the recommendation that we made was other than the unanimous recommendation of the committee. We had the subject under consideration for some time. In our hearings there appeared before us the Secretary of the Navy and various other authorities. And we came into the House with the proposition in the bill, as I had supposed up to that time, unanimously indorsed as the project of the committee.

Mr. CUMMINGS. But it was knocked out.

Mr. BOUTELLE of Maine. Of course I regret very much to lose the very valuable and influential support of my distinguished friend from New York [Mr. CUMMINGS]. His position on the committee for many years, his chairmanship of it for a time, his recognized ability in the House, render him an ally of great importance, especially in support of a proposition formulated by a committee. And I now say what I do only to render it impossible that any member of this Committee of the Whole shall for a moment suppose that I was aware of the present attitude of my colleague. If at any time through inadvertence during the course of this debate I may have used the word "unanimous" in stating the action of the committee on this proposition, I simply supposed such to be the fact; and so far as I have been able hastily to inquire of my colleagues on the committee, I think it was generally so supposed.

Mr. CUMMINGS. The committee was practically unanimous. I did not vote on the question.

Mr. BOUTELLE of Maine. The gentleman, I know, will do me the justice to say that I have received from him to-day the first intimation that he was not in entire accord with the proposition.

Mr. CUMMINGS. I am not in accord with it because we can not get it before the House.

Mr. BOUTELLE of Maine. I say the gentleman will do me the justice to bear me out in the statement that to-day I have for the first time had any intimation that he was not in accord with the proposition.

This is all I desire to say except that the gentleman was present when the hearings were held; and I am not at all sure but that, if he had made the very powerful and cogent speech in the committee that he has made here to-day, it might have influenced some of us in regard to this proposition, for his views are regarded with very great respect in the committee, and I am very sorry we did not have the benefit of them at the time when we were committing ourselves to the recommendation of a form of procedure to bring this question into the House.

I notice that in the hearings before our committee our colleague from New York made comparatively few inquiries. In one case I was talking about the work on the Library building and said:

They went to work on the foundations and went forward for one or two years—I forget which—under the commission, and then determined to re-examine the whole question, the result of which was an entire recasting of the plans.

Then I referred to my friend from New York as knowing more about the proceedings in connection with the Library building than I did, and here is his response:

It was originally determined to make it cost \$4,000,000; and under the leadership of Mr. Kead and myself on the other side, we put up the limit to \$6,000,000.

And then a little further on, when Secretary Long was making a statement, the gentleman from New York asked:

Was the Secretary authorized under act of Congress to accept the recommendations of the Matthews board?

Secretary Long. Not in terms, I understand, because that board was never authorized by Congress.

A little farther along—and this, I think, was the only other case in which the gentleman from New York joined in the hearings—he said:

Without some more definite authority there will be a question by the House, if you go ahead, in regard to the authority for it, and the probability is there will be a great deal of trouble.

From these few contributions by the gentleman from New York to the hearings when we were deciding what we would do I gathered the impression that my colleague was in sympathy with what we were about to do.

Now, Mr. Chairman, I think the Committee of the Whole have heard about all the facts involved in this matter. I doubt very much whether any more light can be thrown upon it by further discussion. I think it would have been an advantage if I could have had here a diagram of large size with which to show the effect of the legislation already had and that now proposed—how far it would bind the Government to plans which the Secretary of the Navy says have never been authorized by any legal or official body, and the extent of which has never been reported to Congress by anybody except so far as they may have been reported in this hearing in the statement of Mr. Flagg, the designer, that in his judgment the plans would involve a cost of at least \$8,000,000 if

the structures are built of the material of which they ought to be built.

The CHAIRMAN. The time of the gentleman from Maine [Mr. BOUTELLE] has expired.

Mr. BOUTELLE of Maine. Now, Mr. Chairman, I am going to ask the committee to limit the debate on this proposition to five minutes. The committee understands thoroughly the pending question. I ask unanimous consent to limit debate, or, if necessary, I will make a motion to that effect.

The CHAIRMAN. The gentleman from Maine moves that all debate on this paragraph and amendments thereto be closed in five minutes.

Mr. BOUTELLE of Maine. Gentlemen, I hope, will realize that we are rapidly reaching the end of the session and we must proceed with the bill.

The CHAIRMAN. The Chair will submit the motion.

The question was taken; and on a division there were—ayes 21, noes 31.

So the motion to limit debate was rejected.

[Mr. BERRY addressed the committee. See Appendix.]

The CHAIRMAN. Debate upon the amendment is exhausted.

Mr. HANDY. I move to strike out the last word.

The CHAIRMAN. Amendments are exhausted. If there be no objection, the pro forma amendment will be considered as withdrawn.

Mr. HANDY. I move to strike out the last three words.

The CHAIRMAN. The gentleman from Nevada has an amendment he desires to offer.

Mr. NEWLANDS. I propose an amendment to the bill, to be added to the amendment of the gentleman from Maryland.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Nevada.

The Clerk read as follows:

This appropriation shall cover the sum necessary for obtaining comprehensive plans of the Naval Academy and all buildings used or to be hereafter constructed in connection therewith, at a total cost of not more than \$5,000,000, of which the said sum of \$1,220,000 shall form a part.

The Secretary of the Navy may call upon the Secretary of War for the detail of such engineer officers as he may deem necessary to supervise the construction of the buildings hereby authorized and the expenditure of the moneys hereby appropriated.

Mr. MUDD. I desire to ask the gentleman a question right there.

Mr. NEWLANDS. I yield to the gentleman for a question.

Mr. MUDD. This does not interfere with the previously authorized buildings?

Mr. NEWLANDS. That leaves the previously authorized buildings. It provides for the construction of the three buildings that are now in process of construction, and it provides that an additional appropriation shall cover the sum—

Mr. HILBORN. I desire to reserve the point of order.

The CHAIRMAN. The committee will be in order.

Mr. HILBORN. I desire to reserve the point of order.

Mr. GROSVENOR. Too late.

Mr. NEWLANDS. I think it is too late to make the point of order, Mr. Chairman.

Mr. HILBORN. I think not.

The CHAIRMAN. Discussion has been going on for two or three minutes, and the Chair is inclined to think that the gentleman is too late now to reserve the point of order.

Mr. NEWLANDS. The purpose of this amendment is that a sum asked for by the gentleman from Maryland covers not only the completion of those buildings, but also cover comprehensive plans—

Mr. DAYTON. A parliamentary inquiry. I understood the Chair to rule that the point of order is not proper to this amendment just offered?

The CHAIRMAN. The Chair stated that the point of order was not raised until the gentleman from Nevada had been discussing the amendment for one or two minutes.

Mr. DAYTON. I did not so understand it. The amendment was read, and immediately the gentleman from California sought recognition of the Chair. If any debate followed, it was simply because the Chair did not recognize the gentleman from California.

The CHAIRMAN. The committee will please be in order.

Mr. NEWLANDS. The gentleman can not take me off the floor by a parliamentary inquiry.

The CHAIRMAN. The Chair desires to hear the conclusion of the statement of the gentleman from West Virginia.

Mr. DAYTON. I say that immediately upon the reading of the amendment, so that members of the House could understand what it contained, the gentleman from California rose and said that he reserved the point of order, and tried to obtain the attention of the Chair; but the Chair did not give his attention, or did not hear him, although he was earnest in his effort to secure the attention of the Chair; and if any debate went on by the gentleman

from Nevada, it was going on while the gentleman from California was earnestly seeking to obtain the attention of the Chair to make the point of order:

The CHAIRMAN. The gentleman from California rose, as the Chair understood, and requested the Chair to procure order in the committee.

Mr. HILBORN. Oh, no.

The CHAIRMAN. If the gentleman from California states to the Chair that he rose for the purpose of reserving the point of order against this amendment, the Chair will say that the gentleman rose in time.

Mr. HILBORN. I certainly did so, and rose immediately on the conclusion of the reading of the amendment.

The CHAIRMAN. The Chair saw the gentleman from California [Mr. HILBORN] rise at that time, but understood the gentleman rose to a point of order to request that the House be in order before the gentleman proceeded.

Mr. HILBORN. Oh, no.

The CHAIRMAN. The Chair misunderstood the gentleman from California and will now rule that the gentleman was in time and that the point of order was reserved.

Mr. NEWLANDS. I wish to say that this simply limits the appropriation provided for by the gentleman from Maryland [Mr. MUDD]. It provides that it shall include comprehensive plans for the entire Naval Academy and for the buildings hereafter to be reconstructed. It also provides, simply as a limitation upon the appropriation, that the Secretary of the Treasury may call upon the Secretary of War to detail engineer officers in the Army for the purpose of supervising the construction of these buildings and the expenditure of money under this appropriation. The reason I make that suggestion is this: At West Point the Army officers receive training in architecture, in the construction of buildings. At the Naval Academy no such instruction is given.

The experience in this country is that those buildings have been the most efficiently constructed, the most economically constructed, and the most safely constructed that have been placed under the direction and control and supervision of the engineer officers of the Army, and a striking example of that is the beautiful Library building which confronts us. This suggestion does not make it mandatory on the Secretary of the Navy, but simply permits it—gives him the power to call upon the Engineer Department of the Army for such skilled service as may be required.

Now, it seems to me that the amendment as amended covers everything that can be asked for by the Naval Committee. It covers the question of comprehensive plans to be adopted by the Secretary of the Navy, either the plans already drawn or such other plans as he may hereafter select upon competition if he wishes, which is the limit of the entire appropriation, and it provides that the money shall be expended in such a way as will provide the most efficient and economical work. I submit that the amendment is not subject to a point of order; that each one of these provisions is simply a limitation upon the appropriation sought to be given by the amendment of the gentleman from Maryland and is within the entire province of the House without incurring the point of order that it is new legislation.

The CHAIRMAN. Does the gentleman from California wish to discuss the point of order?

Mr. HILBORN. Mr. Chairman, the objection to the proposition of the gentleman from Nevada [Mr. NEWLANDS] is that it would be fatal to the whole proposition of rebuilding the naval establishment at Annapolis. In the first place, the plan provided could not be carried out for \$5,000,000. While we had no estimate as to the cost of rebuilding of that establishment from anybody who was authorized to make any estimate, we have had estimates based upon guesswork, and they range all the way from \$6,000,000 to \$10,000,000. Mr. Flagg himself, who has drawn this picture, estimated the cost at \$8,000,000.

Now, I want to correct an impression that has gone out, that the Committee on Naval Affairs are opposed to Annapolis as the location of this Naval Academy. I have been a constant attendant at all of the meetings of this committee, both at the last session and at this, and I have never heard a member suggest that Annapolis was not the proper place for the location of that Academy. The Committee on Naval Affairs in bringing in this resolution have not been actuated by any hostility to the Naval Academy. The Committee on Naval Affairs are proud of that school, and they want to see it housed in buildings that are proper and appropriate. They want that naval establishment, when it is completed, to be the best in the world and a model for other nations.

At the last session we passed an appropriation of \$500,000 for building certain buildings which were therein named, and this year they come with estimates for a very much larger sum for the construction of other buildings, among them a building for cadets' quarters, estimated to cost \$3,500,000. Now, the Committee on Naval Affairs thought the time had arrived when the House should know how many more \$3,500,000 buildings would be required, and

what the total cost of reconstructing that establishment would be. We have never had a plan of this establishment at Annapolis prepared by anybody who was authorized to prepare plans. We have never had an estimate of the total cost of this work made by anybody with competent authority to make such estimate. The committee would have been remiss in their duty if they had not called the attention of the House to this anomalous condition of affairs. Why, we do not build a post-office in a country town without first preparing and accepting a plan—

Mr. COOPER of Wisconsin. May I interrupt the gentleman at this point?

Mr. HILBORN. Certainly.

Mr. COOPER of Wisconsin. I thought that when we made an appropriation for a public building, the first thing was the appropriation. We say that the Secretary of the Treasury is authorized to prepare plans, and then we say that the building shall not cost over a certain sum. We do not first prepare the plans. Now, then, as I understand, the amendment of the gentleman from Nevada is that we shall say that the \$5,000,000 shall be expended, and no more, for buildings to be constructed on the campus. I do not see the argument of the gentleman from California as to the expenditure of eight, nine, or ten million dollars, when Congress limits it to five, which of course will lead to the modification of the plans.

It will lead to the Secretary of the Navy calling for new plans, as has been often done in cases of this kind. The original plan for the Library building over here contemplated, I understand, a building which was to cost ten or twelve million dollars. Congress reduced the estimate once, and then reduced it again. The original plans were curtailed, changed, modified, and finally the expenditure was brought within the sum fixed by Congress. The fact that we say that \$5,000,000 shall be the sum expended, and no more, will not necessarily result in an expenditure of \$8,000,000.

Mr. HILBORN. The first mistake that my friend from Wisconsin [Mr. COOPER] makes is in overlooking the fact that in passing a bill for the construction of a post-office we do not usually make an appropriation. We simply authorize the construction of a building and limit the cost of the structure.

Mr. COOPER of Wisconsin. We fix the amount.

Mr. HILBORN. And afterwards an appropriation has to be made. Now, the Committee on Naval Affairs are friendly to this institution at Annapolis. They want to see the naval school there rehabilitated. But if you limit the cost to \$5,000,000, you forever place a quietus upon that establishment.

Mr. DAYTON. Will the gentleman pardon a suggestion? This amendment has nothing whatever to do with the grounds. The redemption of 7 acres of ground there will be so much additional expense in addition to that proposed by this amendment.

Mr. HILBORN. The estimates for this year contemplate one building, which is expected to cost \$3,500,000.

Mr. COOPER of Wisconsin. This amendment probably prohibits the erection of that building.

Mr. HILBORN. The Committee on Naval Affairs felt that the House ought to be aware of the anomalous condition of affairs around that institution, and therefore they have called the attention of the House to this matter. After having done so, if the House is willing to go on and make these enormous appropriations, the Committee on Naval Affairs will feel that they at least have done their duty.

Mr. BOUTELLE of Maine. I move that all debate on the pending paragraph be closed—

Mr. MUDD. There is a point of order pending.

The CHAIRMAN. There is a question of order pending. Upon the amendment offered by the gentleman from Nevada to the amendment of the gentleman from Maryland the gentleman from California has raised the point of order that it is obnoxious to Rule XXI. The Chair sustains the point of order.

Mr. HANDY. I move to strike out the last word.

Mr. BOUTELLE of Maine. I move that all debate be closed—

Mr. GROSVENOR. I rise to a parliamentary inquiry. Does the Chair, in the ruling just made, hold that the Committee of the Whole can not limit the amount of an appropriation?

The CHAIRMAN. The Chair rules that the amendment is obnoxious to Rule XXI because it proposes legislation upon an appropriation bill. It proposes to change existing law.

Mr. GROSVENOR. Some part of it?

The CHAIRMAN. Some part of it.

Mr. GROSVENOR. And therefore the Chair holds it is all bad?

The CHAIRMAN. It is offered as a whole.

Mr. MUDD. As I have made the point of order, I ask to be recognized.

Mr. BOUTELLE of Maine. I move that all further debate on the pending paragraph and amendment be closed in one minute. The motion was agreed to.

Mr. BOUTELLE of Maine. Now let us have a vote.

Mr. MUDD. As mover of the pending amendment, I should like to have the one minute remaining.

Mr. BOUTELLE of Maine. I cheerfully concede it to the gentleman.

Mr. MUDD. Mr. Chairman, in the short time now at my disposal I shall have no opportunity to further discuss the amendment, nor do I desire further discussion; but I want to call the attention of the House to one fact—that the Board of Visitors to the Naval Academy in 1898, a board consisting in part of some gentlemen who are members of the present House, one of them the gentleman from California [Mr. HILBORN], now opposing this proposition, have in their report embodied this statement:

Appropriations having been made on account of a new armory, a new bathhouse, and a new power house, the new buildings of pressing necessity will be supplied in the reasonably near future upon a plan and of a character befitting the dignity of the nation.

In other words, here is an inferential approval of these specific buildings, upon the same plan as now contemplated, in a report submitted by the gentleman from California and two other distinguished members of this House—Messrs. WANGER of Pennsylvania and WHEELER of Kentucky—within the last few months.

With this statement, Mr. Chairman, I am ready to have the vote.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MUDD. I ask that it be again read.

The amendment of Mr. MUDD was again read.

Mr. BOUTELLE of Maine. Now, let us have a vote.

The question being taken on agreeing to the amendment, there were—ayes 60, noes 48.

Mr. BOUTELLE of Maine. I call for tellers.

Tellers were ordered; and Mr. BOUTELLE of Maine and Mr. MUDD were appointed.

The question being again taken, there were—ayes 75, noes 53.

So the amendment was agreed to.

Mr. BOUTELLE of Maine. I give notice that I shall ask for a vote on this amendment in the House by yeas and nays.

The Clerk read as follows:

Naval Observatory: For grounds and roads: For continuing grading, extending roads and paths, clearing and improving grounds, \$10,000.

Mr. TODD. I offer the amendment which I send to the desk.

The Clerk read as follows:

Insert after line 16, page 31:

"The Secretary of the Navy is hereby authorized to erect a suitable granite monument to the memory of Capt. Charles Vernon Gridley, who lost his life as a result of disability received while acting as captain of the United States flagship *Olympia* in the battle of Manila Harbor, May 1, 1898, and to inscribe such monument; and the sum of \$5,000, or so much thereof as is necessary, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated."

The CHAIRMAN. The Committee of the Whole has passed the section to which this proposition is offered as an amendment.

Mr. TODD. I trust the gentleman from Maine will not raise any point of order upon the amendment.

Mr. BOUTELLE of Maine. If the gentleman from Michigan will allow a vote to be taken at once without debate, I will waive the objection and allow the amendment to be considered.

The CHAIRMAN. But the point at which the amendment should be offered had already been passed on over the day before yesterday, and another section has been read.

Mr. TODD. Will the Chair recognize me after this section has been disposed of?

The CHAIRMAN. The Chair will of course recognize any gentleman where a legitimate amendment is offered.

Mr. TODD. I will say to the gentleman from Maine— [Cries of "Regular order!"]

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Medical Department: For surgeons' necessities for vessels in commission, navy-yards, naval stations, Marine Corps, and Coast Survey, and for the civil establishment at the several naval hospitals, navy-yards, naval laboratory and department of instruction, museum of hygiene, and Naval Academy, \$75,000.

Mr. TODD. Mr. Chairman, I move as an amendment to this provision the amendment which was read a moment ago. And I would be glad to have the House in order while the amendment is being considered.

The CHAIRMAN. The amendment has just been read.

Mr. TODD. I move to insert this after line 2, on page 74.

Mr. BOUTELLE of Maine. I shall be exceedingly glad, I will state, Mr. Chairman, on a proper occasion to contribute in any way in my power to honoring the memory of Captain Gridley, and I have no doubt that the House will be. But this is clearly subject to the point of order on this bill, and I am forced against my will to make objection.

Mr. TODD. What point of order does the gentleman raise?

The CHAIRMAN. What purpose does the gentleman rise for?

Mr. BOUTELLE of Maine. If the Chair will kindly permit me a moment, I will explain.

The CHAIRMAN. The Chair desires to know if the gentleman

wishes to discuss the question pending or submit a question of order?

Mr. BOUTELLE of Maine. I simply rose to ask the Chair to rule upon the question of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. TODD. Will the gentleman from Maine kindly reserve the point of order for a moment?

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Contingent, Bureau of Medicine and Surgery: For freight, expressage on medical stores, tolls, ferriages, transportation of sick to hospital, transportation of insane patients; care, transportation, and burial of the dead; advertising; telegraphing; rent of telephones; purchase of books and stationery; binding of medical records, unbound books, and pamphlets; postage and purchase of stamps for foreign service; expenses attending the medical board of examiners; rent of rooms for naval dispensary; hygienic and sanitary investigation and illustration; sanitary and hygienic instruction; purchase and repairs of wagons and harness; purchase of and feed for horses and cows; trees, plants, garden tools, and seeds; furniture and incidental articles for the museum of hygiene, naval dispensary, Washington; naval laboratory, sick quarters at Naval Academy and marine barracks, surgeons' offices and dispensaries at navy-yards and naval stations; washing for medical department at museum of hygiene, naval dispensary, Washington; naval laboratory and department of instruction, sick quarters at Naval Academy and marine barracks, dispensaries at navy-yards and naval stations and ships and rendezvous, and for minor repairs on buildings and grounds of the United States Naval Museum of Hygiene, and all other necessary contingent expenses, \$30,000.

Mr. TODD. Mr. Chairman, I move to strike out the last word.

I desire in behalf of a great naval hero, whose memory should be perpetuated not only in the hearts of the American people, but upon a monument erected by the people of his country, to place his record before Congress and the country. I refer to Charles Vernon Gridley, captain of Admiral Dewey's flagship *Olympia*, who lost his life in the service of his country in Manila Harbor. I desire now that the Clerk shall again read the amendment I have offered to the pending bill.

The Clerk read as follows:

Resolved, That the Secretary of the Navy is hereby authorized to erect a suitable granite monument to the memory of Capt. Charles Vernon Gridley, who lost his life as a result of the disabilities received while acting as captain of the U. S. flagship *Olympia* in the battle of Manila Harbor, May 1, 1898, and to inscribe such monument; and the sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. TODD. I will state that I have already introduced a resolution in the House of Representatives (H. Res. 357) of which this amendment is a copy.

Captain Gridley's early life was spent in Michigan, in the district that I have the honor to represent. Yet proud as we of Michigan are to own him as a citizen, his fame and valor "is not to be hemmed in by State lines." His heroic services belong to the nation and to humanity. He achieved splendid renown in the battle of Mobile Bay when only 20 years old, where he was an officer on the flagship *Owens*, and Commodore Farragut reported that his gallantry was complete and beyond all praise.

His record was one of increasing honor from the time the civil war began during his boyhood to the time of his death.

He was, at the time of the battle of Manila or shortly preceding it, on a sick bed. Against the advice of his physicians he left Hongkong with Admiral Dewey and went to Manila Bay, where he participated in that memorable engagement that brought luster upon the American Navy. Admiral Dewey, in his report of the engagement, states that he left the beginning of the fight to Captain Gridley, directing him to open the engagement whenever he was ready.

Having risen from a sick bed, he personally managed the course of the flagship with consummate skill and courage. On account of the intense heat during that engagement, and because of his illness, he received a severe rupture which resulted in his death on his way to the United States about fifty days afterwards.

So I have introduced a bill, which has the unanimous support of the committee, providing for the erection of a monument to his memory, to cost \$5,000, and to be placed in Arlington Cemetery. I now desire, Mr. Chairman, that the report of that committee, which is a document of only two pages, shall be printed in the CONGRESSIONAL RECORD in memory of this great man.

Without occupying the time of the House further, I simply wish to say that it seems to me that a man of such daring, of such self-sacrifice, such heroism, such gallantry, who rose from a sick bed when he knew that it meant his death to go into the conning tower in the greatest naval engagement of all history, which has overshadowed Salamis and Trafalgar—that such a man should receive a monument worthy of his heroism, to be built by the American people. So I trust that the honorable chairman of the Committee on Naval Affairs will withdraw his objection to this and allow a vote upon this amendment.

The report of the committee, which was unanimous, is as follows:

The Committee on the Library, to whom was referred House joint resolution (H. Res. 357) to erect a monument to the memory of Capt. Charles

Vernon Gridley in the Arlington Cemetery, having duly considered the same, report as follows:

Captain Gridley's death was the direct result of severe exposure while acting as captain of Admiral Dewey's flagship, the *Olympia*, at the memorable naval battle in Manila Bay May 1, 1898.

His record in that great engagement, which did so much for speedily deciding the result of the recent war, is one peculiarly worthy of the nation's recognition. Captain Gridley arose from a sick bed and took command of his ship on Sunday morning, May 1, 1898, and remained at his post as one of Admiral Dewey's faithful assistants in the destruction of the Spanish fleet. To him Admiral Dewey intrusted the opening of the great naval engagement, saying to him early in the morning, "You may fire whenever you are ready, Gridley." How well he fulfilled his trust is shown by the results of the battle.

He took his position in the conning tower, whence he directed both the course of the ship and the firing upon the Spanish fleets and forts. The heat in the conning tower was intense, and this, with a breach which he received during the day, aggravated his disease from which he was at the time suffering, so that on the 25th of May he was ordered to the United States; but the results of the strain and exposure of the battle were too great to be overcome, and he died at Kobe, Japan, on the 5th day of June, 1898. Before breathing his last he said: "The battle of Manila caused my death, but I would do the same thing again."

Captain Gridley distinguished himself for like bravery during the civil war, receiving the highest praise for gallantry from his commander, which will be referred to hereafter. A brief sketch of his life is herewith submitted, together with a testimonial from the crew of the *Olympia* and a letter from Admiral Dewey:

"Capt. Charles Vernon Gridley, United States Navy, was born at Logansport, Ind., in 1844. When 3 months of age his parents removed to Hillsdale, Mich., where he attended the public schools until he commenced a course of studies at Hillsdale College. In 1860 he received an appointment from the Hon. Henry Waldron, the Representative from that district, to the Naval Academy, from which he graduated in 1863, one year in advance of the usual time, in order that he might take part in the war of the rebellion. He was in the class with Captain Coughlan, of the *Raleigh*, Captain Wilder, of the *Boston*, and Captain Sigbee, of the *Maine*. He was assigned to duty with Admiral Farragut on the *Owens* before Vicksburg as an ensign, where he remained until the end of the war, doing gallant service.

"He was in Mobile Bay August 5, 1864, on the *Owens*, and though a young man, distinguished himself in the fight. His conduct was praised thus by his commander: 'The conduct of Acting Ensign Charles V. Gridley is beyond all praise.' He had charge of the master's division and assisted in conning the ship from the topgallant forecastle.

"He was promoted to master May 10, 1866; lieutenant, February 21, 1867; lieutenant-commander, March 12, 1868; commander, March 10, 1869; captain, March 14, 1869.

"After the war of the rebellion he was assigned to the *Brooklyn*, the flagship of the Brazilian Squadron, on which he served until 1867.

"In 1870 he was assigned to the steamer *Michigan*, on which he served two years.

"In 1873 he was assigned to the *Monongahela*.

"In 1875 he was appointed instructor at the Naval Academy, where he served four years.

"In 1879 he was made executive officer of the *Trenton*.

"From October, 1882, to February, 1884, he was chief of the navigation office in the Boston Navy-Yard.

"February 5, 1884, he was ordered to command the training ship *Jamestown*.

"May 11, 1886, assigned to the *Portsmouth*.

"July, 1887, appointed inspector of light-houses in Tenth light-house district.

"July, 1891, assigned to special duty in the Washington Navy-Yard.

"February, 1892, assigned to the command of the *Marion*.

"March, 1897, ordered to the Asiatic Squadron.

"July 28, 1897, assigned to the command of the *Olympia*, which, at the battle of Cavite, in Manila Bay, was the flagship of Admiral Dewey, where he rendered valuable service to his country."

The crew of the *Olympia*, in their testimonial to the family, say: "His death, though directly from sickness, was really caused by his unswerving fidelity to his country and anxiety to serve her cause. History offers no greater example of unflinching heroism and patriotic devotion than that shown by our dear departed captain. Well knowing the fatal results that would attend his doing so, Capt. Charles V. Gridley, hero, persisted in his purpose and nobly did more than his duty on that fateful 1st of May."

[Letter from Admiral Dewey to Mrs. Gridley.]

FLAGSHIP *OLYMPIA*, Cavite, Philippine Islands, August 13, 1898.

DEAR MADAM: I am just in receipt of your letter in regard to the death of your son, Capt. Charles V. Gridley, and I wish to extend to you my most sincere sympathy in your great bereavement. His loss is mourned by all who knew him, and especially by me, whose friend and trusted and gallant assistant he was. His illness began in Hongkong, but he bravely clung to his post, and not until after the battle and victory in which he assisted so much would he consent to leave his ship and return to the United States. His death was caused by a complication of diseases, including diarrhea and dropsy, all due to the diseased condition of the liver and aggravated by a rupture sustained in the day of battle.

The immediate cause of his death was a severe hemorrhage of the stomach, which occurred at Kobe. This was entirely unexpected. Indeed, our surgeon had no idea that it would occur, or that Captain Gridley was dangerously ill, although, of course, it was known he could not remain on duty.

It is a matter of some gratification to me that I was instrumental in obtaining for him an advancement in his grade for highly distinguished conduct in battle, which he richly deserved, although he did not live to enjoy it.

With heartfelt sympathy, very sincerely, yours,

GEORGE DEWEY.

The committee unanimously report the resolution favorably, with the recommendation that it do pass.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that he may print as a portion of his remarks the report which he has indicated. Is there objection?

Mr. SHATTUC. I object.

Mr. BOUTELLE of Maine. I hope my friend will not object.

Mr. TODD. I ask the gentleman if he understands that this is only the putting into the RECORD of an official recognition of the gallantry and heroism of one of our great naval heroes?

Mr. SHATTUC. Mr. Chairman, a personal explanation. The reason why I have objected is because I understand the gentleman who makes the request is the gentleman who a short time ago

published some twenty pages of matter that was expunged from the RECORD.

A MEMBER. That is correct.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. SHATTUC. I withdraw my objection.

Mr. TODD. I thank the gentleman.

The CHAIRMAN. The Chair hears no objection. If there be no objection, the informal amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Construction plant, naval station, Puget Sound, Washington: Repairs to and improvement of plant at Puget Sound Naval Station, Washington, \$25,000.

Mr. LEWIS of Washington. I move to strike out the last clause. I should like the attention of the chairman of the Committee on Naval Affairs.

The CHAIRMAN. The gentleman from Washington moves to strike out the last clause, and states that he desires the attention of the chairman of the Committee on Naval Affairs.

Mr. BOUTELLE of Maine. I am listening to the gentleman.

Mr. LEWIS of Washington. The provision in the bill on page 42, allowing \$25,000 for the Puget Sound Naval Station, brings me to the question which I wish to ask, and that is if it is the policy of the Government to abandon the naval station at Port Orchard, and why it is that the recommendation for \$230,000 which has been made for the improvement of that station has been either ignored by the committee or not submitted to the committee?

Mr. BOUTELLE of Maine. Where does the gentleman find the paragraph he refers to?

Mr. LEWIS of Washington. Page 42, lines 16, 17, and 18.

Mr. DAYTON. Is not that for Port Orchard?

Mr. LEWIS of Washington. Yes.

Mr. BOUTELLE of Maine. What is it the gentleman wants further to know?

Mr. LEWIS of Washington. I want to ask the chairman of the committee if he will inform me whether it be true that it is the policy or intention of the Department to abandon the naval station at Port Orchard, as has been rumored?

Mr. BOUTELLE of Maine. I have not been officially informed.

Mr. LEWIS of Washington. Second, if he will inform me why, if that be not true, the recommendation for \$235,000 which was made for that naval station was not favorably acted upon, and why that amount was not allowed instead of the \$25,000 which appears in the bill? Why was it not agreeable to the committee to appropriate \$300,000 more than the amount named in this paragraph?

Mr. BOUTELLE of Maine. Well, I think perhaps it might answer the purposes at present to say to the gentleman that the bill is entirely correct if the estimates of the Department are correct, and if the gentleman will only wait until we get to the point where these appropriations properly come in I think he will find them.

Mr. DAYTON. The bill is in strict accord with the estimates.

Mr. LEWIS of Washington. Mr. Chairman—

Mr. BOUTELLE of Maine. Perhaps it would be a little more kindly to the gentleman from Washington to state that the appropriations in the bill are made under different heads, and that this appropriation is made under the Bureau of Construction, and the other amounts to which I assume he refers are appropriated under the general head of public works, and are further along in the bill.

Mr. LEWIS of Washington. I will say to my friend from Maine—

Mr. BOUTELLE of Maine. I should say that we have passed over that part of the bill. It is further back in the bill.

Mr. LEWIS of Washington. In a preceding paragraph there is an appropriation of \$48,000, of which I am cognizant, but there are no paragraphs subsequent in the measure that appropriate anything. I merely desire to ascertain from the honorable chairman of the Committee on Naval Affairs—

Mr. BOUTELLE of Maine. Will the gentleman look upon page 30 and see if he does not find his questions all answered there?

Mr. LEWIS of Washington. I have examined page 30, and I only want to know from the chairman of the Committee on Naval Affairs if it is within his information whether the policy of the Department is for the abandonment of the Port Orchard station, as has been rumored and as has been reported by the constructor in his report recommending the abandonment of it?

Mr. BOUTELLE of Maine. How can the gentleman expect me to answer a question which I have never heard raised?

Mr. LEWIS of Washington. I merely wished to know if the gentleman had any information on the subject.

Mr. BOUTELLE of Maine. I have no information whatever on the question, and never heard anything of the kind suggested. I never heard any such suggestion or read it.

Mr. LEWIS of Washington. And the gentleman also informs

me that such estimates as have been made by the Department have been complied with in the bill.

Mr. BOUTELLE of Maine. I understand that to be the fact, without exception.

Mr. LEWIS of Washington. I take the gentleman's suggestion and rely upon it.

Mr. BOUTELLE of Maine. I have no doubt you will find my statements correct. They usually are.

The Clerk read as follows:

Course in naval architecture, Naval Academy: For course in naval architecture for instruction of graduated naval cadets for naval constructors in the Navy, to be immediately available: Four professors, one of naval architecture, one of mathematics, one of mechanics, and one of marine engineering, at \$2,500 each per annum, \$10,000; one assistant professor of naval architecture, to have charge of the drafting room, \$2,500; one clerk, who shall be a stenographer and typewriter, \$1,000; one attendant in drafting room, who shall also act as messenger and janitor, \$400; a temporary construction to accommodate the constructor's office, drafting room, and lecture rooms, and for furniture for the same, \$2,500; purchase of books and scientific periodicals, and for the necessary expenses of the constructor's office, \$1,000; in all, \$21,900.00.

Mr. DAYTON. Mr. Chairman, I want to call the attention of the chairman of the committee to this provision, and I want to move to strike it out. It is the provision in regard to the course in naval architecture. Upon investigation of that matter, Mr. Chairman, we ascertained that by the personnel bill there would be 40 naval constructors. We have 37 of them now; so that that would be \$21,000 simply to educate three men. Under the circumstances, as a member of the committee, I think it would be unwise to go to this expense; and I believe in that view the chairman of the committee agrees with me.

The amendment was read, as follows:

Strike out all of lines 16 to 25, inclusive, on page 43, and from line 1 to 10, both inclusive, on page 49.

The amendment was agreed to.

The Clerk read as follows:

#### INCREASE OF THE NAVY.

That for the purpose of further increasing the naval establishment of the United States the President is hereby authorized to have constructed by contract three seagoing coast-line battle ships, carrying the heaviest armor and most powerful ordnance for vessels of their class upon a trial displacement of about 12,500 tons, to be sheathed and coppered, and to have the highest practicable speed and great radius of action, and to cost, exclusive of armor and armament, not exceeding \$3,600,000 each; three armored cruisers of about 12,000 tons trial displacement, carrying the heaviest armor and most powerful ordnance for vessels of their class, to be sheathed and coppered, and to have the highest practicable speed and great radius of action, and to cost, exclusive of armor and armament, not exceeding \$4,000,000 each; and six protected cruisers of about 2,500 tons trial displacement, to be sheathed and coppered, and to have the highest speed compatible with good cruising qualities, great radius of action, and to carry the most powerful ordnance suited to vessels of their class, and to cost, exclusive of armament, not exceeding \$1,141,800 each; and not more than two of said battle ships, and not more than two of said armored cruisers, and not more than two of said protected cruisers shall be built in one yard or by one contracting party, and the contracts for the construction of each of said vessels shall be awarded by the Secretary of the Navy to the lowest best responsible bidder, having in view the best results and most expeditious delivery; and in the construction of all said vessels all of the provisions of the act of May 4, 1896, entitled "An act making appropriations for the naval establishment for the fiscal year ending June 30, 1899, and for other purposes," shall be observed and followed, except that no proposals for any of these vessels shall be considered unless the bidder is already in possession of an adequate plant; and, subject to the provisions hereinafter made, one and not more than one of the aforesaid seagoing battle ships, and one and not more than one of the aforesaid armored cruisers, shall be built on or near the coast of the Pacific Ocean or in the waters connecting therewith: *Provided*, That if it shall appear to the satisfaction of the President of the United States, from the biddings for such contracts when the same are opened and examined by him, said vessels, or either of them, can not be constructed on or near the coast of the Pacific Ocean at a cost not exceeding 4 per cent above the lowest accepted bid for the other battle ships or cruisers provided for in this act, he shall authorize the construction of said vessels, or either of them, elsewhere in the United States, subject to the limitations as to cost hereinbefore provided.

Mr. GROSVENOR. Mr. Chairman—

Mr. DOCKERY. I make a point of order against the paragraph.

Mr. BOUTELLE of Maine. What paragraph?

The CHAIRMAN. The gentleman from Missouri will state the point of order.

Mr. DOCKERY. I make a point of order on the paragraph on page 60 beginning after the word "followed," down to and including the word "and," in line 8. In other words, I raise the point of order against that part of the paragraph which reads:

Except that no proposals for any of these vessels shall be considered unless the bidder is already in possession of an adequate plant.

Mr. BOUTELLE of Maine. The gentleman, I suppose, is aware that that is the exact language of the bill of last year?

Mr. DOCKERY. The chairman of the committee is in error. If he will turn to the bill of last year—

Mr. HOPKINS. I desire to make an additional point of order.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois in a minute to make an additional point of order. Has the gentleman from Missouri concluded the statement of his point of order?

Mr. DOCKERY. I simply desire to say, in reply to the chair-

man of the committee, who says that this is the language of the current law—

Mr. HOPKINS. On page 59, lines 20, 21, and 23, I desire to make the point of order against the words "and not more than two armored cruisers and not more than two of said protected cruisers shall be built in any one yard or by one contracting party."

Mr. BOUTELLE of Maine. That is not a change of existing law.

Mr. DOCKERY. I suggest to the gentleman from Maine that we first dispose of the point of order raised by me.

Mr. BOUTELLE of Maine. That is what I desire to do, if the gentleman will only hold the floor.

The CHAIRMAN. The gentleman from Missouri has the floor.

Mr. DOCKERY. In reply to the suggestion of the chairman, I desire to call his attention to the language of the current law, which is this: "That no proposal for torpedo vessels shall be considered unless the bidder is already in possession of an adequate plant."

Mr. BOUTELLE of Maine. We had to strike out the word "torpedo" because we do not provide for any torpedo boats in this bill.

Mr. DOCKERY. I know.

Mr. BOUTELLE of Maine. The gentleman does not object to that reduction.

Mr. DOCKERY. But that does not touch the question. Here is a proposition to build 13 cruisers, and the gentleman incorporates in the bill a limitation as to bidding. I would like to be heard.

Mr. BOUTELLE of Maine. I am listening to the gentleman.

Mr. DOCKERY. I want the Chair also to hear. The gentleman incorporates in the bill a prohibition against competition except where the bidder already has an adequate plant.

Mr. BOUTELLE of Maine. Does not the gentleman think that desirable?

Mr. DOCKERY. I do not, allow me to say to the gentleman from Maine, because the effect is to limit this business to the Carnegie Company and the Bethlehem Company. If there were a dozen companies—

Mr. BOUTELLE of Maine. I want to interrupt my friend, simply to prevent him from a misapprehension. The Carnegie and Bethlehem companies have nothing to do with building these ships at all.

Mr. DOCKERY. Who does?

Mr. BOUTELLE of Maine. They have heretofore furnished a great deal of armor.

Mr. DOCKERY. Who constructs them?

Mr. BOUTELLE of Maine. Anybody with big plants. They construct them at Wilmington, at Baltimore, at Bath, at Philadelphia, at Newport News, at San Francisco, and all over the country.

Mr. DOCKERY. That is exactly what I want done. I want "anybody" to have the right to bid for the construction of the ships.

The principle of the bill is vicious; it is exceedingly obnoxious, in my opinion. It limits the bidding to plants already in existence, and is therefore a change of existing law. If, however, it is existing law, as a matter of principle, it would be reprehensible; but not being existing law, and inaugurating, as I view it, a policy which will tend to build up trusts in this particular line of work, I am constrained to insist upon the question of order. I am opposed to trusts and to all legislation which tends to encourage combinations, thus making it inevitable that competition will be destroyed.

Mr. BOUTELLE of Maine. Mr. Chairman, I do not see how this language can be possibly subject to a point of order. Does the gentleman raise the point of order that it changes existing law?

Mr. DOCKERY. Yes; and that it is legislation on an appropriation bill.

Mr. BOUTELLE of Maine. This provision has been in the bill year after year. I think that possibly year before last it may not have been in, but it was in other bills, and the provision was in the bill passed by the last Congress. It was in the last appropriation bill. It provided that the torpedo boats, or not more than two, should be built in any one yard.

The CHAIRMAN. Will the committee please be in order?

Mr. BOUTELLE of Maine. I do not think it is possible, Mr. Chairman, and I will endeavor to struggle on in the disorder. [Laughter.] The provision of the bill of last year was that no bids should be considered except from those who had an adequate plant. Bids for any of the torpedo boats should not be considered unless made by people in possession of an adequate plant. That was the bill of last year. This year we have no torpedo boats recommended, and that was struck out, so that the paragraph should apply to what it was intended to apply to—the subject-matter in the appropriation immediately preceding. I can not see any departure in principle from the existing law which would make it subject to a point of order.

On the other hand, I think if the gentleman from Missouri [Mr. DOCKERY] would look into this question a little he would withdraw any point of order he might have made, even if he thought it technically was well taken, on account of the merits of the question.

Mr. CLARDY. Will the gentleman from Maine permit me?

Mr. BOUTELLE of Maine. If the gentleman will permit me, I am trying to address myself to the Chair on this point of order.

Mr. CLARDY. But I wanted to ask the gentleman a question. This applies to all the vessels named in the paragraph?

Mr. BOUTELLE of Maine. It does.

Mr. CLARDY. Do I understand you that no vessel is to be bid for except by a party that already has the plant?

Mr. BOUTELLE of Maine. That is the object of the provision.

Mr. CLARDY. It is a very bad object.

Mr. BOUTELLE of Maine. The committee were of the other opinion, and consequently they put it in the bill. It is for the House to determine. Under the operation of that provision, these vessels at different times have been bid for by shipbuilding firms at Wilmington, Baltimore, Philadelphia, Newport News, Bath, Me., San Francisco, and other places all over the country. The object of it is apparent. The Navy Department, in my judgment, ought not to be authorized to accept bids from persons proposing to build gigantic craft like a battle ship who have not in their possession, and ready at the time when the bids are received, adequate facilities for entering upon their construction. We want these ships within a reasonable time, as well as to obtain them. Everybody who has given a moment's thought to this subject knows perfectly well that an establishment—

Mr. HOPKINS. Mr. Chairman—

Mr. BOUTELLE of Maine. Mr. Chairman, I insist that I shall have an opportunity to speak without being interrupted.

Mr. HOPKINS. Mr. Chairman, the gentleman from Maine was speaking to the House, and I rose to address myself to the Chair.

The CHAIRMAN. The gentleman from Maine has been recognized by the Chair.

Mr. BOUTELLE of Maine. If the gentleman from Illinois thinks he has a right to address the Chair—

Mr. HOPKINS. The gentleman from Maine was paying no attention to the Chair, nor was the Chair paying any attention to him. [Laughter.]

The CHAIRMAN. The gentleman from Illinois is incorrect in the latter part of his statement.

Mr. BOUTELLE of Maine. When the distinguished parliamentarian from Illinois has got through with the floor, I would like to occupy it for a moment. He seems to spread himself out over the Chair and the floor most of the time [great laughter], and he at least ought to be a little considerate of modest people when they are trying once in a while to get in a word. [Laughter.]

Mr. Chairman, the object of this provision in the bill is to secure prompt work; it does not restrict competition. It does put an obstacle in the way of speculators who might want to put in bids for gigantic operations that they knew they could not execute, as in the case of the Illinois Steel Company a year or two ago, when they held the House and Congress and the United States Government up for two years or so in procuring armor for its ships on a bogus proposition put in here and used as a bugaboo to scare Congress away from a common-sense duty. But it is not to prevent a fair and equitable competition, which will enable us to get the best ships in the world constructed at a fair and equitable price.

No man can prepare a plant for this purpose in much less time than two years. Any gentleman who has attended the launchings of these great battle ships and seen the facilities required to construct them can not have failed to observe the enormous character of the requisites for facilities for building one of these great battle ships. No man will pretend that he can begin on the ground and get up a plant adequate to commence the great battle ship or an armed cruiser inside of two years or more.

I contend, and the committee hold, and I am quite sure this House will hold, that in making contracts, with all the facilities we have developed in this country from the Pacific to the Atlantic, from far northern Maine down to Fortress Monroe—with all these magnificent facilities which we possess to-day, we have a right to demand, when we put out contracts for ships which we want as soon as we can reasonably get them, and for which we have the money to pay—we have a right to demand that the propositions submitted for their construction shall have with them the guaranty of good faith—something which will show that the men who ask these contracts have the facilities for building the ships.

Mr. STEELE. Such a provision, I believe, has been in the law for some time.

Mr. BOUTELLE of Maine. It has been in the law year after year—at any rate, for the last two years. It has had the sanction of Congress repeatedly.

Mr. UNDERWOOD. I wish the gentleman from Maine would

state where he finds such a provision. I have before me the act of 1898 with reference to torpedo boats and the act of 1897, and I fail to find any such provision.

Mr. HEPBURN. Even though such a provision was, as the gentleman claims, in the law of last year and the year before, would not that provision apply only to the vessels to be constructed under those acts and not to these vessels?

Mr. UNDERWOOD. The provision was not in the law referred to.

Mr. BOUTELLE of Maine. I am inclined to think that the suggestion of the gentleman from Alabama [Mr. UNDERWOOD] may be correct. I had in my mind the paragraph in regard to not more than a given number of vessels being built in one year, which applied to the torpedo vessels. That was afterwards stricken out. But the desirability of such a provision is obvious on its face. It is in the interest of honest dealing. It does not and can not restrict fair competition, because we have had the evidence in the past that competition is full and ample.

Mr. WILLIAMS of Mississippi. How does the provision safeguard the Government against bogus bidders?

Mr. BOUTELLE of Maine. We have the evidence of that—

Mr. WILLIAMS of Mississippi. But how does the provision safeguard the Government against bogus bidders?

Mr. BOUTELLE of Maine. Because we have in this country so many plants of adequate capacity, and it has been demonstrated there is ample competition.

Mr. BRUCKER. In all these contracts for the building of vessels for the Government is there not a forfeiture clause and a time-limit clause?

Mr. BOUTELLE of Maine. There can be such limitations, undoubtedly. But at the same time a man may bid for the construction of a battle ship, may be willing to give heavy bonds guaranteeing that he can build the ship within a given time—say within two years—when the Department may have actual knowledge that it would take him all that time to construct a plant and begin the building of the ship. Of course in such a case it would not be businesslike on the part of the Government to make a contract.

Mr. BRUCKER. The Government would always be protected under such clauses as I have mentioned, would it not?

Mr. BOUTELLE of Maine. Not at all. The Government might lose valuable time by entering into such a contract.

Mr. LENTZ. May not a provision of this kind prevent further competition in this way? The Government, as the gentleman concedes, may protect itself by forfeiture clauses and time clauses and bonds.

Mr. BOUTELLE of Maine. But that does not protect the Government in respect to what is more valuable to it than money—the getting of ships at the earliest possible date.

Mr. LENTZ. But there is another consideration, if the gentleman will allow me. Is it not now generally understood in this House and throughout the country that we are going to go on and strengthen our Navy? Why, then, should we insert in a bill of this kind a clause like this, shutting out the hope of other establishments being organized? Will not such a provision as this prevent other men from arranging to do the same kind of work? Why not leave the matter open, as it has been in the past, and let the Navy Department protect itself by insisting upon proper conditions?

Mr. BOUTELLE of Maine. As soon as any new parties get the plant they can make bids.

Mr. LENTZ. But is not the proposition open to this objection: That the five or six companies now in this business can easily make a combination, as bidders for Government work of this kind generally do? May they not agree to add half a million dollars to the price of each vessel, and then divide up that extra amount? Is not that a greater danger than the danger that some new and irresponsible establishments may come in and bid?

Mr. BOUTELLE of Maine. The Government is not obliged to give these contracts.

Mr. LENTZ. That is the point. It is not obliged to give them to these new establishments unless it appears wise to do so, is it?

Mr. BOUTELLE of Maine. No, sir.

Mr. LENTZ. Then why not leave the matter open, and if some other gentlemen than those now engaged in the business see fit to undertake shipbuilding, permit them to submit their bids? If they can not comply with the proper conditions which the Government may impose as to time limit or other guaranties, then their bids can be rejected just as any other bids may be rejected by the Government. Would we not in that way be safe?

Mr. BOUTELLE of Maine. We have had experience year after year that irresponsible parties will make bids, not only for building ships, but for other things, with the sole purpose of levying tribute in some way or other upon the people who come in and submit their bids in good faith.

Mr. RIDGELY. Is it not the custom of the Government to require bonds in these cases?

Mr. BOUTELLE of Maine. Of course it is. But the Government would be liable, even if the bonds were given, which is likely, to a long delay in the construction. But the Government wants something more than the bond. It wants to begin the building of the battle ship. It is not so much the question of a bond as to getting the ships. The bond does not guarantee the building of the ships. It is only a guaranty on the part of the contractor who undertakes to build the ship. It does not facilitate the building of it; and even if the bond were forfeited to the Government and should be paid in full, the ship would not be built.

Mr. RIDGELY. But is the ownership of a plant, I would ask the gentleman, an absolute guaranty for the protection of the Government?

Mr. BOUTELLE of Maine. It has been so heretofore. We have found that those people who have the facilities can do the work.

Mr. LENTZ. If the gentleman from Maine will permit another suggestion?

Mr. BOUTELLE of Maine. Certainly.

Mr. LENTZ. It seems to me that you are cutting off all opportunity, or all inducement, to other men, who might come in hereafter as competitors for building ships, and therefore limiting the shipbuilding possibilities of the country in the future, not only with reference to battle ships but to all other vessels, even our merchant marine; and I think we ought to leave it open to-day to all competitors to make bids for these ships, and if the man now prepared to build the ships will satisfy the Government that his proposition is good, and the proposition of somebody else is not good, that he is responsible and can do the work, it eliminates a very serious source of trouble in dealing with these questions. But you enable the Government and the people of the United States in the future to avail themselves of facilities which are not now afforded.

Mr. BOUTELLE of Maine. Mr. Chairman, the clause in the bill is an exceedingly important one; and it seems to me, and it seemed to the committee, that the sole and important purpose was to legislate for the construction of more battle ships. It had nothing to do whatever with the price of the ships. That is an entirely independent question. We wanted to provide for the construction of these ships within a reasonable time.

Now, we know that if people are permitted to make plans and bids who have not the facilities for doing the work, it will retard matters; and it is manifest that if this matter were permitted to proceed in that way we could not get the ships within a reasonable time. The Navy Department, or the officers in charge of this matter, would have to consider every proposition that is presented, and delays would necessarily occur. We have to consider all of these matters; and we have also to consider the expense to the Government of preparing the plans before we can even begin to build the ships. Our effort, therefore, was in the direction of doing what we could for what seems to be a popular demand or spirit on the part of the people of the United States, as recommended by the Navy Department, for the construction of more battle ships; and we wanted not only to increase our Navy but to increase it as soon as possible.

Now, let me make a suggestion to the gentleman. Suppose the building of a plant for the construction of battle ships would involve ten years' time. You certainly would not be in favor of allowing the Secretary of the Navy to make a contract with an establishment of that kind, if it would require that length of time to prepare even the place to begin the building of the ship and prepare for the purpose of the construction of our vessels as proposed by this bill. The very suggestion itself is an absurdity, because unless we can get this work done rapidly it is useless to have it done at all.

Who would agree, on the floor of the House, to make an appropriation for the construction of a battle ship that would require ten years before the beginning of the work could be entered upon? Now, the principle involved is precisely similar here. It is not so much a question of encouraging a private enterprise as it is of upholding the absolute requirements and necessities of the nation, and the other question is not in any manner involved. We can not wait; we can not afford to wait on private enterprise in matters of this kind.

Mr. LENTZ. But is not that suggestion answered by the suggestion that the Government officials would not grant a contract to any individual or corporation or firm which would not begin the work in ten years?

Mr. BOUTELLE of Maine. But they give their bond. How can you prevent it?

Mr. LENTZ. And in the same connection another suggestion: I do not see, while I am willing to concede that we want another and a larger navy—I do not see the absolute necessity of it, and we are not going into an immediate renewal of the hostilities with Spain or with anybody else. I do not see the need of going pell mell into the construction of a new navy, therefore.

Mr. BOUTELLE of Maine. That question, of course, the gentleman must perceive is not involved here.

Mr. LENTZ. Of course I understand that. But I assume that we can take our own time to build our Navy, because it is not a matter of pressing or immediate importance, and I made the suggestion only because of the gentleman's own statement as to the length of time required to equip a private plant for this work.

Mr. BOUTELLE of Maine. We can never tell how soon this work may be necessary.

Mr. LENTZ. But your argument seems to be based on the assumption that we are going into naval warfare at once.

Mr. BOUTELLE of Maine. Let me ask the gentleman if we not shipping soldiers abroad to-day?

Mr. LENTZ. Are we doing that in naval vessels?

A MEMBER. We do not ship them by the Navy.

Mr. BOUTELLE of Maine. It may be necessary to do so at some time.

The CHAIRMAN. The Chair is ready to rule on the question of order presented by the gentleman from Missouri.

Mr. HOPKINS. Mr. Chairman, does the Chair intend to rule on both points of order?

The CHAIRMAN. Does the gentleman desire to discuss the point of order of the gentleman from Missouri?

Mr. HOPKINS. No; but the point of order raised by myself.

The CHAIRMAN. The Chair will then dispose of that raised by the gentleman from Missouri first.

It will hardly be contended, it seems to the Chair, that the provision in the bill to which exception is made is not a legislative provision in the face of Rule XXI, and therefore, unless a foundation can be raised for it in some previous bill, it must be ruled out on the point of order raised by the gentleman from Missouri.

The contention that the provision of the bill of last year will maintain this provision is not well taken, for that provided only for adding certain torpedo boats and complying with certain provisions of law then in force.

The Chair, therefore, is constrained to sustain the point of order raised by the gentleman from Missouri.

Mr. HOPKINS. Now, Mr. Chairman, the points which I desire to be heard upon, just for a moment only, will be found in lines 19, 20, 21, and 22, on page 59:

And not more than two of said battle ships, and not more than two of said armored cruisers, and not more than two of said protected cruisers, shall be built in one yard or by one contracting party.

I claim, if the Chair please, that that is a change of existing law. We, of course, have a general law that provides for the increase of the Navy, but we have no general law that provides that in the construction of the vessels of the Navy any one shipyard in the country can take a contract but for two vessels. Gentlemen in charge of the bill have stated that in a previous appropriation bill it was provided that—

Not more than two of said battle ships and not more than one of said armored defense vessels—

shall be built in any one yard; but the Chair will note that the word "said" relates back to the vessels provided for in that particular appropriation bill, and that was not a change of existing law further than related to the vessels supposed to be constructed under that appropriation bill, leaving the general law exactly as it is now. So there is no general law making this limitation, and to my mind the ruling of the Chair just made, on the point made by the gentleman from Missouri [Mr. DOCKERY], fits exactly the point made by myself on this clause.

The CHAIRMAN. The Chair thinks the same reasoning applies to the point of order made by the gentleman from Illinois as to that made by the gentleman from Missouri, and therefore sustains his point of order.

Mr. RIXEY. I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

In line 11, page 59, after the word "each," strike out the following:

"And six protected cruisers of about 2,500 tons trial displacement, to be sheathed and coppered, and to have the highest speed compatible with good cruising qualities, great radius of action, and to carry the most powerful ordnance suited to vessels of their class, and to cost, exclusive of armament, not exceeding \$1,141,500 each."

Mr. RIXEY. Mr. Chairman, I shall detain the committee but a few minutes, but I should like to have the privilege of extending my remarks in the RECORD, and I now make that request.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia that he may extend his remarks in the RECORD?

There was no objection.

Mr. RIXEY. Mr. Chairman, some weeks ago, in response to a communication, I wrote the following letter, as indicating my views in regard to the naval establishment:

I am in favor of making liberal provision for our Navy, as the surest and best guaranty for our protection against foreign aggression. This is equally true whether we confine our boundaries to their natural limits and abandon

the imperial idea of foreign conquest and colonization, as I think should be done, or adopt the opposite course. A strong navy does not indicate that there is a necessity for a large standing army. On the contrary, it will minimize such necessity by providing such Regular Army as may be necessary to insure protection and peace within our borders.

I think the naval establishment should be our chief bulwark against danger to our extended coast, and for protection of our trade and commerce with foreign countries. A strong Navy does not necessarily mean, however, a great Navy in point of numbers, but rather a well-equipped, efficient establishment both in material and men.

Such a Navy we now have. It is the fourth in size of all of the powers of the world, Great Britain, France, and Russia alone outstripping us in this respect. I trust that the time will never come when we shall feel called upon to try to surpass all others in point of the number of the vessels of war and of the fighting force.

As a matter of fact, I doubt not our naval force is comparatively greater than that of Great Britain. Her colonies extend around the world. The sun, it is said, never sets upon her domain. Outside of her home territory she controls vast colonies in Europe, America, Asia, and Africa. Her dependencies in America alone are greater than the whole territory of the United States. She controls 381,937,374 inhabitants, and has never found her navy to be a source of weakness or of danger to her liberties. We can, therefore, deal generously by our Navy. More especially so, if for our land forces and home defense we continue to rely upon the State militia and our volunteers, thus fostering and encouraging the patriotism of our people.

The pending bill has received the careful consideration of the Committee on Naval Affairs, and while it carries a very large increase as compared with the appropriation bill for previous years, as explained by the chairman, it was in the main thought to be justified by the changed conditions by which we are now surrounded and which confront the country. But for the new foreign policy of acquisition at least one-half of the expenditure of the many millions which this bill will cause could be saved.

It is sad to contemplate that this is but one departure among many others, and, I regret to say, only the beginning of the larger and greater volume of expense which must necessarily follow from the acquisition and retention by force of far distant territory beyond the seas, inhabited by people foreign in race, religion, and customs to our own.

The special war revenue bill was passed to provide revenue for conducting the war with Spain, but is to be retained and continued for the purpose of subjugation and conquest after the close of the Spanish war.

The burdens of this colonial policy are not yet appreciated nor felt in their full force. Even now every man, woman, and child of the United States contributes in some way to the burden of this colonial policy; all who draw their own money out of bank upon a check have to contribute 2 cents to this policy.

Every farmer or laboring man who, not having the cash, sends an order to the store for a pound of sugar or a yard of cotton contributes 2 cents to this policy. Every employer who is unable at the end of the month or year to pay the balance due his employees and has to execute his duebill or note has to contribute to this colonial policy. Every person who borrows money and executes a mortgage to secure it must pay a tax upon the note or bond and mortgage in support of this foreign policy.

Every housekeeper who, for the family, buys a pound of tea contributes 10 cents to this policy, and so on with many other of the necessities of life. In some way every person in the United States is taxed for this foreign establishment; and, we are told, there is no hope in the near future of the repeal of any of the special taxes, but rather we will be fortunate if others are not imposed.

In addition to all of this, another bond issue looms up as one of the probabilities of the near future.

All this in a time of so-called "general prosperity." What will be our condition in the days of depression and adversity? "A prudent man foreseeth the evil and hideth himself; but the simple pass on and are punished."

What can we gain from the Philippine Islands to justify this assessment upon our citizens? Why should the people here—farmers, laborers, and mechanics—be taxed upon the necessities of life to subjugate, hold, or govern the Asiatic races? What are we to gain by it? If only those able to bear the increased tax could be reached, it would be less objectionable; but, as a matter of fact, this class escapes this taxation to a large extent, as no income tax is allowable under present conditions.

I was one of those who thought the treaty with Spain should be rejected, unless amended by the absolute elimination of the provision for taking the Philippine Islands.

Who now claims that we should take them because of services rendered us by the Filipinos? Many of our soldiers are slaughtered in battle. Many, very many, victims of the dread disease and millions of treasure expended in the effort to subjugate them. Of course we will be successful, but what must be the end? Our

soldiers, if not killed in battle, will continue to die exposed to the deadly climate, while the people in the United States will continue to borrow money and pay taxes to support this ruinous policy.

It is perfectly apparent that all of this cry of good faith to the Filipinos and of manifest destiny is but a catchy excuse for persons who have no sound argument to advance. I have, however, but little hope or expectation that the American people will consent to let go the Philippine Islands, annexed by the treaty just ratified. It is human nature to hold by force what some one else desires to take from us by force. The expenditure of blood and money will be used, not only as justification for not parting with the islands, but rather as a reason for the extension of our possessions deeper into Asia. A horde of office seekers, army sycophants, and parasites will all dilate upon the necessity, and the imaginary glory to our flag, and benefits to our commerce.

Eternal vigilance is the price of liberty. Eternal, persistent effort will be necessary to restrain these people in their frenzied efforts to destroy our Government. I hold it to be true in morals as in law that the first duty of our Government is to the people within our borders who formed it and who maintain it.

Not so, however, with the expansionist. He is perfectly willing that the people here shall furnish the soldiers and the revenue, without the possibility of any benefit to them, for extending our jurisdiction farther into Asia and Africa.

The end is not yet, according to these people, and it is not, unless the patriotic people of the United States awake from their lethargy and hurl from power the people who have so falsely abused their trust and confidence and place in the councils of the country men pledged to a return to the principles of Washington and Monroe and the Jeffersonian principles of simplicity and economy.

But for the incorporation of the Philippine Islands the expenses made necessary by the pending naval bill would have been reduced one-half. It is our patriotic duty, however, to provide for the conditions as we find them to exist; at the same time it is our right to try to reduce or minimize these conditions for the future by removing the causes which make such expenses necessary.

I concur in the opinion of the Secretary of the Navy that but for the retention of the Philippine Islands it would not be necessary at this time to build a single battle ship; but, as we know not what complications with foreign powers, growing out of the retention of these islands, the future may have in store for us, it was thought the wiser policy to provide for the building of three battle ships of the largest and most powerful kind, 13,500 tons displacement, and of three armored cruisers of 12,000 tons displacement, which are almost as large and effective as the battle ship itself.

About thirty months are required in the building of a battle ship, and though we can not tell what will be the conditions which then surround us, it is proper to provide against the serious complications which, as the wisest of our people fear, will grow out of our new foreign policy.

The total estimated cost of these six heavy armored war vessels is \$35,527,500, and while it is not all to be paid out of the appropriations for any one year, it must be paid. This estimate is based upon the cost of armor herein recommended of \$545 per ton.

Surely such a large amount is a sufficient authorization for vessels for the Navy for one year. While for the reasons stated I feel compelled to go thus far, I do not consider that there are any such imperative reasons to justify the provision for the building of six third-class cruisers of 2,500 tons displacement, and in this respect I dissent from the opinion of the majority of the committee.

I have but little idea, however, that this amendment will prevail, not because of any lack of merit, but because, no matter how wild the proposition might be to build ships under present conditions, I think it would receive the favorable consideration of this House.

These six third-class armored cruisers can not be considered in any respect as battle ships. The Secretary of the Navy—

Mr. HILBORN. Has not the gentleman fallen into an error? These are not armored vessels; they are only protected.

Mr. RIXEY. They are cruisers.

Mr. HILBORN. But they are not armored vessels.

Mr. RIXEY. Here I have in my hand a statement from Commodore O'Neil, Chief of the Bureau of Ordnance, who, in estimating the cost of these cruisers, estimates for 56 tons of armor.

Mr. HILBORN. That is merely for the protected decks.

Mr. RIXEY. Perhaps that is so, but the point that I make about this is that these cruisers are at the present time absolutely unnecessary for the Navy.

They are estimated to cost \$7,682,200. They are not vessels which would be effective in war. They would probably be ornamental in time of peace. Suitable, perhaps, for cruising and less expensive to maintain than battle ships or first-class cruisers. But have we not enough of such vessels? Before the war with

Spain we had ample cruisers. We lost none in that war, but in addition purchased more than 100 vessels, of which the Assistant Secretary of the Navy says:

It may be remarked that this work was managed with the utmost care as regards selection of vessels for their strength and adaptability to naval uses, as well as with respect to the price paid. . . . What I wish to emphasize especially is the fact that no vessel was purchased until after it had been thoroughly inspected and had been pronounced thoroughly satisfactory by officers whose professional training made them experts.

The Secretary of the Navy, in his Annual Report, says:

One hundred and twenty-one auxiliary vessels and 14 regular vessels received batteries and complete ordnance outfits at the various navy-yards.

Many of these vessels cost us as much as the cruisers. The Secretary of the Navy reports that the vessels purchased have been provided with batteries and ordnance, and are especially suited to the needs of the Navy. Can we not, should we not, make use of some of these vessels, if such are needed? It is estimated, besides the cost of building, that it takes \$1,000 per day to keep a battle ship in commission and only about \$200 per day for one of these third-class cruisers. If the cruiser would take the place of the battle ship, of course it would be better to have it and omit the battle ship; but such is not the case. Because we are forced to have the battle ship is no reason of itself for building the third-class cruiser also.

Painstaking and careful consideration I know has been bestowed upon the provisions of this bill; and while, as a member of the committee, I was opposed to the provision allowing contracts to be made for armor plate at \$545 per ton, upon the ground that there was no evidence before the committee to justify the payment of that amount, still I am unwilling to deprive the chairman of the committee of the opportunity to present to this House any evidence he may have to show that that is a proper provision. I am therefore willing that the letter which the chairman of the committee now has, and which he says he has obtained from the Navy Department, may be read in my time. Does the gentleman desire to have that letter read?

The CHAIRMAN. The gentleman from Virginia requests the gentleman from Maine to have a letter read in his time.

Mr. BOUTELLE of Maine. No; I do not propose to do that. I think I will have an opportunity some time as chairman of the committee to read this letter. If not, it will not be read.

Mr. RIXEY. Then what I have to say will be based upon the testimony as I understood it before the Naval Committee.

Under the present law armor plate is purchased by this Government at a price not exceeding \$400 per ton. Under the provision in the bill it is to be purchased at a price not exceeding \$545 per ton. It takes 3,100 tons of armor for a single battle ship of the first class. The difference, therefore, between \$400 a ton and \$545 a ton for this amount of armor is \$449,500 in the construction of a single battle ship.

Mr. SMITH of Kentucky. Will the gentleman allow me to interrupt him for a single question? You figure on the difference in price, as I understand, for a ton of the new process of armor and the old harveyized armor. But it has been suggested that a ton by the new process will go very much further, being lighter, than a ton made according to the old process.

Mr. RIXEY. I will come to that in a moment, if the gentleman will permit me to proceed. I will state now, in this connection, that there is no evidence before the committee as to that fact. It has been suggested, I know. The contention, as I understand it, before the committee was that the use of the new process and of the same weight would offer much greater resistance. That I understand to be the claim. But there was no evidence before the committee that the proposed armor would cost a cent more to the manufacturers than the harveyized armor plate heretofore used.

Mr. DAYTON. Now, if my colleague will allow me, is it not a fact that we have an experimental station to test this armor plate, and to determine matters of this kind, at Indian Head? And is it not also a fact that, in accordance with certain tests made there, Commodore O'Neil has made the statement that the armor according to the new process tested there was found to be 25 per cent stronger than the old armor plate? Can you find better evidence upon which to act than that?

Mr. RIXEY. The statement, as I understand it, was that the new armor of the same weight would offer greater resistance.

Mr. DAYTON. But did he not state that he had been present from the beginning to the conclusion of the tests, and that originally he was opposed to the use of the new armor plate, but was convinced by witnessing the tests that it was 25 per cent stronger, weights being equal, than the other? Is that not good evidence, I ask the gentleman?

Mr. RIXEY. The gentleman must not misunderstand me. I am not objecting to the provision for getting the very best armor that the Government can procure, whether it be the Krupp system or the harveyized system. The only point I make is that, unless the proposed armor—the Krupp armor—costs the manufacturer more than the harveyized plate, we ought not to pay

more for it. [Applause on the Democratic side.] And there is no evidence to justify the conclusion that it costs a single solitary cent more.

The testimony of Commodore O'Neil, to which reference has been made during this debate, was as to the relative cost of the two kinds, merely his opinion, as he stated he had no means of ascertaining the cost of the armor, but he gave his opinion that the new armor did not cost any more than the other.

Mr. HILBORN. The gentleman is mistaken about that.

Mr. DAYTON. I hope the gentleman from Virginia will not allow that remark to go into the RECORD before revision.

Mr. RIXEY. I will put the exact statement in the RECORD. There is no question as to what was said by him on that point.

Mr. DAYTON. Allow me to state that in substance his language was that nobody knew the cost of the manufacture, because it was to the interest of the manufacturers to keep it secret; that it was a secret process, and that the manufacturers would not be foolish enough to give it away.

Mr. RIXEY. I have already stated that he gave simply his opinion with reference to the matter. I repeat that we have no evidence before us as to the actual cost of the armor.

I take it that it is a duty on the part of the manufacturer, when he comes to demand an advance of \$145 a ton on the price heretofore received, that he shall give some valid reason for the increase. Now, the cost of \$400 a ton, when the matter was investigated some years ago by the Secretary of the Navy, was decided upon as the limit which should be paid.

Under an act of Congress providing for the investigation, he reported that the "cost of the labor and material in a ton of double-forged nickel-steel harveyized armor, including allowances for losses in manufacture, is \$197.78, which comprises every element of cost in its manufacture save and except only the maintenance of plant."

He then allowed 10 per cent on \$1,500,000, the value of the plant, or \$150,000, which, apportioned among 3,000 tons of armor, would be a cost per ton of \$50; a total of \$247.78 for cost of labor and material and value of plant, or, in round numbers, \$250 as the cost of a ton of armor when the companies have fair orders for work.

Fifty per cent is then added for profit, \$125; to this is added for nickel, \$20; making the total cost of manufacture and profit \$395, or, in round numbers, \$400 per ton.

I believe such a price is excessive, certainly the proposed price, \$545, is exorbitant. Perhaps if there were some vital necessity, some overpowering necessity upon us, we should be compelled to stand and deliver just as an innocent victim of some highway robber may be unable to defend himself; but there is no such critical emergency, and I therefore refuse thus to be fleeced. This armor-plate trust is one of the greatest monopolies of the country.

But two companies in this country make it—the Bethlehem and the Carnegie—and they have a complete monopoly and divide between them the contracts of the Government. It is no wonder that an armor-plate magnate is able to donate hundreds of thousands of dollars to public libraries throughout the country.

The steel armor plate heretofore furnished, and now contracted for, is what is known as the harveyized steel, because hardened under what is known as the Harvey process. This was considered the best up to a recent period. Now, however, it is insisted that what is known as the Krupp process, or Krupp's armor, is the best. It is now recommended by that very capable and efficient officer, Commodore O'Neil, Chief of the Bureau of Ordnance.

It is worthy of note, however, that Commodore O'Neil is himself a recent convert to the excellence of the Krupp armor. He says that as late as 1898 he gave it as his opinion before the Senate Committee on Naval Affairs that the harveyized steel was the superior. He does not contend that the Krupp armor is the most costly to manufacturers; on the contrary, I understand he does not think that it is. He says they, the manufacturers, argue in this way: "If the harveyized armor is worth \$400 and the Krupp is 25 per cent better, then it is worth \$500, besides the royalty of \$45." This argument is not sound, and could only be effective in the hands of a monopoly.

The world by reason of the advancement in science, machinery, and knowledge, is continually improving the quality of the material, and at the same time reducing the cost of the article produced; but monopoly works by the opposite rule. But one guide measures its conscience, and that is what will the necessities of its consumers justify it in extorting. If the question of cost enters at all, it is of the smallest consideration.

I understand that the Krupp plan is not patented, but is claimed to be a secret. Strange, if true, that the armor-plate men do not know it. If, for the privilege of using it, the manufacturer has to pay \$45 per ton, why should he charge an additional \$100 per ton? There is no evidence that I have seen or heard of which justifies us in believing that it costs the manufacturer one cent more than the plate now used by the Government. I can not, therefore, concur in the authorization to the Secretary of the Navy to contract for this armor at \$545 per ton. At the proper

time I shall offer an amendment limiting this to \$400 per ton exclusive of royalty.

This is the price we are paying for the harveyized armor, and no one doubts that it is exorbitant. Thirty-one hundred tons of armor is required for a single battle ship.

At \$500 per ton the cost would be .....	\$1,550,000
At \$400 per ton the cost would be .....	1,240,000

A difference for each battle ship, exclusive of the royalty, of ..... 310,000

We can thus readily understand why the steel-armor plants insist on this increase. An advance of \$100 per ton is \$310,000 in their pocket for each battle ship. Ten thousand tons of armor are about to be contracted for. If this price is retained in the bill at \$100, this is a donation of \$1,000,000 to this monopoly. Shall we pay it without some assurance that it is reasonable?

Let this monopoly understand that we will not pay over \$400 per ton; that we now have five battle ships complete, and eight building; that the battle ships and cruisers herein provided for can wait another year, and will do so if they persist in their demands for \$545 per ton, and doubtless the armor will be furnished at the present price; but if not, we can wait, and I am in favor of doing so rather than submit to such demands. It is such conduct as this that is building up a sentiment in favor of Government control; that drove the Government to build its smokeless-powder factory, and unless curbed may force the Government to build its own armor-plate factory from which to supply itself with its steel armor, as it is prepared to do with its guns, ships, and powder.

I am not, per se, an advocate of Government ownership and conduct of business enterprises, but I am still less an advocate of the Government, or individuals, being victimized by giant monopolies. Self-preservation, self-protection against grinding and excessive demands will justify the Government, in my opinion, in providing its own plant for an armor-plate factory and the manufacture of so much armor as it needs for its own ships.

#### MESSAGE FROM THE PRESIDENT.

The committee informally rose; and Mr. MITCHELL having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills and joint resolutions of the following titles:

- On February 11, 1899:  
H. R. 12009. An act to provide for the removal of snow and ice in the city of Washington, in the District of Columbia.
- On February 14, 1899:  
H. R. 10563. An act to provide for the holding of terms of the district and circuit courts of the United States at Hammond, Ind.
- On February 15, 1899:  
H. R. 375. An act to remove the charge of desertion standing against Dennis Fitzpatrick;  
H. R. 886. An act for the relief of Charles T. Plunkett, of Lynchburg, Va.; and  
H. R. 10398. An act providing for the entry, free of customs duties, of certain bells presented by Edwin M. Stanton to the Iowa Agricultural College, of Ames, Iowa.
- On February 18, 1899:  
H. R. 11143. An act granting to the mayor of the city of Victor, in the county of El Paso and State of Colorado, the right to enter certain lands, therein described, for city purposes;  
H. R. 6718. An act for the relief of Samuel Racey;  
H. R. 8336. An act to correct the military record of William D. Kurfiss;
- H. R. 26. An act for the establishment of a light and fog signal station on or near Hog Island Shoal, Narragansett Bay, Rhode Island; and  
H. R. 5019. An act for a light vessel off Tail of Horse Shoe, Chesapeake Bay.
- On February 20, 1899:  
H. R. 11440. An act to locate the office of the deputy collector of the port of East Pascagoula, Miss., at Scranton, Miss.;  
H. R. 10281. An act authorizing the Light-House Board to provide a steam whistle at Michigan City, Ind.;  
H. R. 599. An act authorizing the Secretary of the Treasury to pay the sum of \$400 to The Brownell & Co., Dayton, Ohio, on account of penalty erroneously imposed by the Light-House Board;
- On February 21, 1899:  
H. R. 2683. An act for the establishment of a light-house and fog signal at or near Point Arguello, California;  
H. R. 4382. An act to amend section 3237 of the Revised Statutes of the United States concerning the drawing off, gauging, marking, and removal of spirits;  
H. R. 11358. An act for a roadway in the District of Columbia from Brightwood avenue across Rock Creek Park; and  
H. R. 11098. An act to extend and amend the provisions of an act entitled "An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian

Territory and Oklahoma Territory, and for other purposes," approved December 21, 1893, and also to extend and amend the provisions of a supplemental act approved February 15, 1897, entitled "An act to extend and amend an act entitled 'An act to grant the right of way to the Kansas, Oklahoma Central and Southwestern Railway Company through the Indian Territory and Oklahoma Territory, and for other purposes.'"

#### NAVAL APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BOUTELLE of Maine. I move to strike out the last word.

The committee in framing these recommendations were very careful in seeking to obtain from all possible sources the best information as to the needs of the service and the feeling of the people at large as to what should be done. We have conscientiously attempted to make our recommendations along the line of the best judgment of the best authorities in the country.

This recommendation for 3 first-class battle ships, 3 large armored cruisers, and 6 protected cruisers of moderate size is taken from the annual report of the Secretary of the Navy, where his recommendation is made verbatim in the language of the recommendation made to him by the board of officers intrusted with the duty of recommending future construction—the board of construction—and is by 6 vessels less than were recommended by the Secretary. In addition to the 3 battle ships and the 3 armored cruisers, the Secretary recommended 3 cruisers of about 6,000 tons, which are about the *Baltimore* and *Philadelphia* class, and then 6 protected cruisers of about 2,500 tons, which are recommended to the committee as among the most useful and most economical vessels we have.

It will be readily understood that in a large portion of the service where it is absolutely necessary to have our flag afloat the necessity at all times of carrying a heavy battery to the station is not nearly so great; and one of these vessels of 2,500 tons will perform the duty just as well and more economically than a vessel of the *Baltimore* or the *Philadelphia* class, which are very much heavier; and it involves, of course, a very great deal of expense to the Government to maintain those ships. It has been considered economical to provide six vessels of that kind. That has been thought wise, and especially are they recommended by the Secretary of the Navy. Owing to recent circumstances which have extended the area of naval cruising and the necessity of the presence of the naval vessels, perhaps small, but representing the flag, and with a battery in the territories and remaining there at a port, it would be necessary in case of a collision to have a battery of a small nominal size.

They are considered much more economical than vessels of a larger class, which were also recommended. We concluded that wise economy would be best served by leaving off the vessels of the 6,000-ton class and providing six of these vessels of more moderate size. I hope that the Committee of the Whole House will sustain the Committee on Naval Affairs in its recommendation, which every member of the Naval Committee, and I am sure most of the members of the House, will very frankly admit is an exceedingly modest one in comparison with the general expressions that have been flying through the air in the summer, fall, and winter in reference to the carrying on and building up of our Navy upon which we relied so successfully last year.

The CHAIRMAN. The question is on the amendment.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. CUMMINGS. Division, Mr. Chairman.

The committee divided; and there were—yeas 16, noes 76.

So the amendment was rejected.

Mr. GROSVENOR. Mr. Chairman, I offer an amendment on behalf of my colleague, Mr. BROWNE, who has left the city.

The Clerk read as follows:

Amend by adding, at the end of line 22, page 60, the following:

"That the Secretary of the Navy be, and he is hereby, authorized to bestow upon any one of the vessels, the construction of which has been authorized in this bill, the name of *The American Boy*."

"That the Secretary of the Treasury be, and he is hereby, authorized to cause to be received and placed in the Treasury of the United States as a special fund, to be applied to the construction of said vessel, under the direction of the Secretary of the Navy, any and all contributions of money which may be tendered to him for the purpose of defraying the expenses thereof, the said contributions to be in addition to any amount that has been or may hereafter be appropriated for the construction of naval vessels."

Mr. HILBORN. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. Has the gentleman from Ohio anything to say on the point of order?

Mr. GROSVENOR. I think I will not detain the House. There seem to be plenty of other subjects for discussion.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Armor and armament: Toward the armament and armor of domestic manufacture for the vessels authorized by the act of July 26, 1894, of the vessels authorized under the act of March 2, 1895, of those authorized by the act of

June 10, 1896, of those authorized by the act of March 3, 1897, of those authorized by the act of May 4, 1898, and of those authorized by this act, \$4,000,000. In all future contracts for armor for any of the vessels above mentioned, the Secretary of the Navy is hereby authorized and directed to procure armor of the best obtainable quality at an average cost not exceeding \$545 a ton of 2,240 pounds, including all royalties.

Several members rose.

Mr. LEWIS of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. HOPKINS. I rise for the purpose of making a point of order against a part of that section.

The CHAIRMAN. Will the gentleman state the point of order?

Mr. HOPKINS. It is a change of existing law where it directs and authorizes the Secretary of the Navy to procure a certain kind of armor plate.

The CHAIRMAN. Will the gentleman from Illinois designate by lines and words the portion of the paragraph against which the point of order is made?

Mr. HOPKINS. If it is agreeable to the Chair, I will reserve the point of order at the request of gentlemen around me and hear the discussion.

Mr. BOUTELLE of Maine. I think that would be desirable, Mr. Chairman.

Mr. UNDERWOOD. Mr. Chairman, I would like to be heard on the question of limitation, the question of the point of order made by the gentleman from Illinois [Mr. HOPKINS].

The CHAIRMAN. Until the gentleman from Illinois designates by lines and words the provision against which he makes the point of order—

Mr. HOPKINS. While the chairman of the Naval Committee is explaining the paragraph, I will mark and send to the Chair the words against which I raised the point of order.

Mr. UNDERWOOD. I have an amendment, Mr. Chairman, which I wish to offer.

Mr. BOUTELLE of Maine. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair does not care to hear any remarks on the point of order until he knows what it is. The Chair will wait until the gentleman from Illinois designates that portion of the paragraph against which he raises the point of order.

Mr. WILLIAMS of Mississippi. Mr. Chairman, what is before the House?

The CHAIRMAN. The naval appropriation bill. [Laughter.]

Mr. WILLIAMS of Mississippi. Yes; but what is the question before the House?

The CHAIRMAN. The gentleman from Illinois raises a point of order.

Mr. HOPKINS. I have marked and sent to the desk the provision against which I reserve the point of order.

The CHAIRMAN. The gentleman from Illinois raises the point of order against all of the provision beginning on line 13 and down to and including line 17, on page 61.

Mr. LEWIS of Washington. Mr. Chairman, a parliamentary inquiry. Having made a motion to strike out the whole paragraph, I submit to the Chair whether or not a motion to strike out the whole paragraph does not take precedence?

The CHAIRMAN. The gentleman from Washington has made no such motion, for he has not been recognized by the Chair for that purpose.

Mr. LEWIS of Washington. Well, Mr. Chairman, it may be true that the gentleman from Washington was not recognized, although I spoke the motion. Not having been recognized, I agree with the Chair that my parliamentary inquiry is not in order. [Laughter.]

The CHAIRMAN. There will be a time when the gentleman's motion will be in order.

Mr. BAILEY. Mr. Chairman, I would like to have the Clerk read the provision against which the point is made.

The Clerk read as follows:

In all future contracts for armor for any of the vessels above mentioned the Secretary of the Navy is hereby authorized and directed to procure armor of the best obtainable quality at an average cost not exceeding \$545 a ton of 2,240 pounds, including all royalties.

Mr. BOUTELLE of Maine. I do not see how that is subject to a point of order.

Mr. DALZELL. Mr. Chairman, on what ground is the point of order made?

The CHAIRMAN. The gentleman from Illinois will state the ground.

Mr. HOPKINS. It is a violation of section 2 of Rule XXI.

The CHAIRMAN. The gentleman from Maine will proceed.

Mr. BOUTELLE of Maine. Mr. Chairman, it has been held in this House time out of mind that a naval appropriation bill can carry, as germane to its purpose and provisions, appropriations that are essential for carrying on the functions of the Navy, which are referred, under the annual President's message, to the Com-

mittee on Naval Affairs; that whatever is proper and necessary to the maintenance of the naval establishment and the provisioning and caring for the Navy is legitimate legislation upon the naval appropriation bill. That has been held repeatedly, until it has become the fixed policy of Congress. It has been reaffirmed time after time.

The point of order has been repeatedly made against appropriations providing for new ships under the head of "Increase of the Navy" that it changed existing law, that it was new legislation upon appropriation bills, and the point of order has been invariably ruled out. The House has established as emphatically as any proposition in regard to the administration of its rules of which I am aware its determination and its interpretation that a provision for the construction of new ships is a legitimate function of the maintenance of the naval establishment, and that it is germane as legislation, and must be germane, upon an appropriation bill that was made for no other purpose than to provide a navy.

I hold that it is clearly a proper exercise of the function of the House, and that if that paragraph is obnoxious to the point that it is new legislation, then every word of that bill is obnoxious to the same point. If the fact that the provision in the bill is different from that which previous bills have hitherto made makes it obnoxious to the point that it is new legislation, then every provision in the bill is obnoxious for the same reason. It is simply putting a limitation upon the appropriation of this money which is perfectly legitimate and does not, in my judgment, affect in any way the germaneness of the proposition.

Mr. LEWIS of Washington. Mr. Chairman, by a ruling made in the Fifty-first Congress it was held that it was within the power of the House to prescribe the manner in which an appropriation should be expended. The ruling was made under these circumstances: To a proposition to give relief to foreign countries an amendment was offered prescribing that the money be distributed indiscriminately among certain classes of people. The point of order being raised, it was held by the Chair that legislation prescribing the manner of expending the money was legitimate.

There has been a subsequent ruling in the House adverse to that. In view of these discordant rulings, there is room for doubt upon the parliamentary point; and under the circumstances I have this to urge: I think this provision is pernicious and ought to go out of the bill because it will give birth to scandals and crimes.

Mr. Chairman, I hold that in no instance has absolute disgrace been so marked as in the era during our late war, when, without competition or the opportunity for competition by bids, this Government was literally held up as one might be held up by brigands or roadway assassins and compelled to pay the most fabulous prices for pleasure yachts owned by gentlemen who no longer felt daring enough to cruise the seas because of the fear of Spanish privateers. [Laughter.] In an hour of supreme national danger those gentlemen, prating of their honor and loyalty, tendered their private pleasure yachts to the Government for sums far in excess of the cost of building them or of their actual worth, having had many years of use. [Applause.]

It was upon the heels of these transactions that we witnessed the spectacle of certain armor-plate companies of the United States meeting in the outer office of the Secretary of the Navy and there, by specious manipulation of bids, arranging that a price should be fixed absolutely, so that the Government must either accept the armor plate at that price or be driven to the alternative of having no armor plate at all.

The pending provision contemplates the doing away of the heretofore existing provision of law which called for competitive bids from competitive manufacturers, which gave a stimulus to genius to compete with genius, which gave an opportunity for manufacturer to compete with manufacturer, which enabled the Government to avail itself of the privilege of choosing among the different commodities offered, basing its preference either upon price or material. All this is done away with, and the whole matter is specifically put within the unguarded discretion of a ministerial officer for all the future—a provision unlimited in time as well as subject-matter, leaving it solely to this officer, supervised and controlled by no one. He is alone to choose with whom he will deal and what he shall choose, fixing only a minimum limit of price. Here is the language of the provision:

In all future contracts for armor for any of the vessels above mentioned the Secretary of the Navy is hereby authorized and directed to procure armor of the best obtainable quality at an average cost not exceeding \$545 a ton of 2,240 pounds, including all royalties.

In other words, the provision is not that the Secretary of the Navy shall obtain the best armor plate nor that he shall only accept armor plate not exceeding in price the sum of \$545 a ton, but that he shall "procure armor of the best obtainable quality at an average cost not exceeding \$545 a ton." Under this provision, the construction of which is left to the discretion of the Secretary of the

Navy, if, by reason of the machinations of the specious lot of gentlemen who have of late been engaged in pillaging the Government under the guise of loyalty, it should be impossible to obtain the best armor for that price, and if the best obtainable at that figure should be the very worst of armor, then the Secretary of the Navy will have the discretion, upon the announcement of that fact, to assert his right to pay a higher sum, without limit upon his discretion, for the "best" armor, upon the ground that this limitation covers only the best armor obtainable for the specified sum.

The man who drew that provision was a skillful draftsman. Whether this matter has heretofore been called to the attention of the committee or not, they must concede, now that the matter is pressed upon them, that the provision bears this construction and that unless properly amended now may result in great danger and injustice to this Government. Mr. Chairman and gentleman, either this provision should be radically amended or completely stricken out, as I now move ore tenus, or if a point of order can be sustained, let it be stricken out upon such point.

Mr. GREENE of Nebraska. Will the gentleman from Washington allow me to interrupt him with a question for information? Mr. LEWIS of Washington. I yield to the gentleman with pleasure.

Mr. GREENE of Nebraska. Is it your contention that under the provision in question it is simply provided that the Secretary of the Navy is to obtain the best armor plate available for the price fixed?

Mr. LEWIS of Washington. My contention is, if the gentleman will permit me, that this is a direction that the Secretary of the Navy—at least, I so construe it—shall obtain the best armor plate obtainable for the price fixed.

Mr. BOUTELLE of Maine. Mr. Chairman, there is no such meaning to be applied to the provision, and I do not see how language can be distorted to infer that such is the meaning.

Mr. LEWIS of Washington. Of course, I am not responsible for the understanding of the gentleman from Maine. We may differ, as other gentlemen differ, on the floor of the House, but I do not see why the gentleman should become so indignant about it. [Laughter.]

Mr. BOUTELLE of Maine. I am not indignant.

Mr. LEWIS of Washington. The gentleman has expressed himself in a forcible manner. [Laughter.]

Mr. GREENE of Nebraska. Let me ask the gentleman from Washington further, if this provision does not mean simply that the Secretary shall procure the armor plate of the best quality—in other words that he shall procure the best armor he is able to obtain—and that for the armor so obtained he is authorized only to pay a certain price?

Mr. BOUTELLE of Maine. Why, of course.

Mr. CUMMINGS. That he shall not pay exceeding that sum.

Mr. LEWIS of Washington. I am not able to agree, I regret, with my friends from Nebraska and New York. I hold that under the provision in question the Secretary of the Navy, in his discretion, and so far as it limits that discretion, is to obtain the best armor that he is able to obtain for the sum of money provided in the bill. It must mean that; it can mean nothing else. That is to say, it is a provision, or a limitation, that the armor plate necessary for the uses of the Government shall be obtained, if obtainable, only at the sum fixed in the bill. In other words, the language is indefinite and obscure.

I hold that a proper construction of the language embodied in this provision will justify the Secretary of the Navy in the conclusion that he is limited only and directed solely to obtain the best armor plate desirable for the Navy at the sum of money named in the bill; and when he reports in the ordinary course of business that in the exercise of his discretion he can not obtain the armor plate for the sum fixed, then he has unlimited discretion, under the provisions of the preceding paragraph in the bill, to pay any sum that he sees fit to pay in order to secure the armor plate.

Mr. BOUTELLE of Maine. Oh, not at all.

Mr. LEWIS of Washington. Now, my distinguished friends on the Committee on Naval Affairs and the distinguished chairman of the Committee on Naval Affairs, for whose judgment I have the very highest respect, take issue with me upon this point, and claim that the language has no such meaning. But the fact that they differ in the construction is evidence of the necessity for a change in the phraseology or the elimination of the paragraph.

Mr. BOUTELLE of Maine. It does nothing whatever of the kind. But of course I could not expect the gentleman from Washington to accept a reasonable interpretation of the provision.

Mr. LEWIS of Washington. Of course, Mr. Chairman, no one ever expected the gentleman from Maine to recognize an interpretation that is either wise or reasonable. I said that some wise men differed. I did not say the gentleman from Maine. [Laughter.]

Mr. BOUTELLE of Maine. That is entirely satisfactory to me. I wanted the gentleman from Washington to have the opportunity of passing that bouquet. [Laughter.]

Mr. LEWIS of Washington. I appreciate the gentleman's courtesy. There is no one who could so gracefully bear it as my friend from Maine. He is the very burst of the bloom itself. [Laughter.]

Mr. PAYNE. Mr. Chairman, I must insist that this is all very nice, but it does not give us any light on the point of order pending.

Mr. LEWIS of Washington. Mr. Chairman, if I had the power of the X-rays or the flash light of one of our modern ships combined, it would not enable me to throw any light upon the murky mental recesses of the gentleman from New York. [Laughter.]

The CHAIRMAN. The whole discussion, the Chair will state, is within the discretion of the Chair.

The Chair is ready to rule upon the point of order and is quite satisfied with its conclusion.

Mr. LEWIS of Washington. I find, Mr. Chairman, a great deal of satisfaction, and I felicitate myself that my argument has produced that result. [Laughter and applause.]

The CHAIRMAN. The Chair, rather than to rule, desires to make a suggestion. It seems to the Chair perfectly clear that it is in order to put a limitation upon the appropriation contained in this bill only; but this appropriation provides:

Toward the armament and armor—

and so forth, indicating that it is expected that a future appropriation must be necessary in order to complete this armament. And in reference to this future appropriation, it is not proper to put a limitation in this bill.

The Chair suggests that if the gentleman from Illinois [Mr. HOPKINS] would withdraw his point of order the wording might be changed, so that, in line 12, the words "all future" be stricken out, and after the word "armor," in line 13, the words "herein appropriated for" be inserted, and that would bring the provision where it would not be obnoxious to the rule. It would be a limitation upon the appropriation and would be admissible under the rule.

Mr. HOPKINS. I will state to the Chair that ordinarily I would follow the suggestion of the Chair upon that, but the Chair will remember that for a number of years there has been a good deal of controversy in this House and in the Senate as to the amount per ton that should be paid for armor plate. This House directed this committee, on two previous occasions, to limit the amount, and the Secretary of the Navy has made contracts for armor at \$400 per ton.

Now they come in here with a new wording, and provide for \$545 a ton "on an average." That takes in all kinds of armor plate, at \$545 a ton, or \$145 a ton more than the Secretary has already contracted for on three of our vessels, and more, in my judgment, than this Congress ought to allow. For that reason I made the point of order, and for that reason I am constrained to insist upon it.

Mr. BOUTELLE of Maine. Mr. Chairman, I will state to the Chair that the committee, upon the suggestion of men wiser than myself—

Mr. LEWIS of Washington. Impossible! [Laughter.]

The CHAIRMAN. If the gentleman from Illinois declines to withdraw his point of order, the Chair, for the reasons that he has stated, will sustain the point of order.

Mr. BOUTELLE of Maine. I move to amend by inserting in lieu of the language stricken out on the point of order, the following, which meets the suggestion of the Chair—

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Provided, That no part of said sum shall be expended except in procuring armor of the best obtainable quality at an average cost not exceeding \$545 a ton of 2,240 pounds, including royalties.

Mr. HOPKINS. I make the point of order against that for the time being, and desire to know of the gentleman in charge of this bill if these previous acts, where the amount was limited by Congress to \$400 per ton, cover any vessels which are appropriated for in this provision?

Mr. BOUTELLE of Maine. I am not absolutely sure. I think not. I think the only vessels to which it would apply are the last battle ships appropriated for and those provided for in this bill.

Mr. BUTLER. The armor has been contracted for and is under construction.

Mr. HILBORN. Mr. Chairman, contracts are let for all of the battle ships, except the three of the *Maine* class and the four harbor-defense vessels provided for last year.

Mr. SOUTHARD. Provided for last year?

Mr. HILBORN. Provided for last year.

Mr. HOPKINS. But that does not meet the inquiry. This refers to six different acts, for it says:

For the vessels authorized by the act of July 26, 1894, of the vessels authorized under the act of March 2, 1895, of those authorized by the act of June 10, 1896, of those authorized by the act of March 3, 1897, of those authorized by the act of May 4, 1898, and of those authorized by this act, \$4,000,000.

The Chair will remember that in the later appropriations Congress limited the amount that should be paid per ton for armor

plate, and this \$545 is a change of that law, changing it from \$400 per ton to \$545, which clearly comes within the objections raised under section 2 of Rule XXI.

Mr. DAYTON. Let me suggest to the gentleman that the amendment be withdrawn and that the committee rise.

The CHAIRMAN. The Chair is ready to rule. The Chair overrules the point of order.

Mr. HOPKINS. Will the Chair permit me for a moment? The Chair will remember that in the previous bill the House fixed the limitation at \$300 per ton. The Senate, after debate, fixed it at \$400 per ton, and the conferees agreed to \$400 per ton, and that was the amount fixed in the appropriation bill. Now, it is suggested to me by the gentleman from Iowa [Mr. HEPBURN] that the language at that time was of a general nature; that it provided that hereafter armor plate should only be contracted for at \$400 per ton.

Now, if that is correct, then my point of order is well taken that this is a change of existing law.

The CHAIRMAN. The Chair will be compelled to await the production of the law of last year. Has the gentleman from Illinois the last year's statute in his hand?

Mr. HOPKINS. I will get it. The gentleman from Maine, I understand, desires to make a motion that the committee rise, and I will yield the floor for that reason.

Mr. BOUTELLE of Maine. If I can have the attention of the committee for a moment, I desire to say we have reached a point in this bill of very great importance, over which there seems to be a great deal of controversy. The committee have acted with great deliberation and upon authority that we deemed very reliable. We believe that this matter when properly presented to the House will carry with it an indorsement of what the committee has done; but it is manifest it is a subject of great interest. These various points of order that have been raised are likely to throw the matter in some confusion, and it ought to be carefully and very deliberately considered.

Therefore I think it wise, as chairman of the committee, desiring to have this acted upon calmly and intelligently, to present documents here. We have got to bring evidence here, we have got to discuss the different phases of this question to satisfy the House of the reasons that prompted us to bring the matter before the consideration of the House. The suggestion as to limitation that is attempted here is not new. We have met and surmounted that question before, and there is nothing new about it. We have got to explain this matter, and we want to do this with perfect frankness, and I trust the gentleman from Illinois, too, desires very careful consideration.

Mr. UNDERWOOD. Before the gentleman moves that the committee rise, I would like to ask him if there is anything printed in his report or any other publication about this increase for armor plate? I understand this increase of \$145 a ton for armor plate over what we paid last year is by reason of some new process. Now, I want to know whether the committee has published any document or made any published statement showing their reasons for bringing in that recommendation?

Mr. BOUTELLE of Maine. We have made no publication whatever.

Mr. CUMMINGS. It is not \$145.

Mr. UNDERWOOD. It is an increase of \$145.

Mr. CUMMINGS. We paid a royalty on \$400, and we pay no royalty on this.

Mr. UNDERWOOD. This is \$545, and the other was \$400.

Mr. BOUTELLE of Maine. For the very reason that gentlemen are going to be at cross-purposes on the details of that question, I think it proper to have the committee rise and take this matter up and discuss it to the satisfaction of gentlemen to-morrow.

Mr. UNDERWOOD. I want to look into the matter to-night.

Mr. BOUTELLE of Maine. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the naval appropriation bill, and had come to no resolution thereon.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 6551) withdrawing from entry and sale and granting unto the State of Wisconsin certain lands therein described.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 5260) to amend an act entitled "An act to reimburse the governors of the States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. CARTER, and Mr. MITCHELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendment a joint resolution of the following title; in which the concurrence of the House was requested:

H. Res. 358. Joint resolution to amend section 25 of the act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes."

The message also announced that the Senate had passed without amendment the bill (H. R. 3425) for the relief of George A. Dickel & Co., at Nashville, Tenn.

The message also announced that the Senate had passed a joint resolution of the following title; in which the concurrence of the House was requested:

S. R. 252. Joint resolution to prevent the spread of contagious diseases in the District of Columbia.

The message also announced that the Senate had passed with amendments the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900; in which the concurrence of the House was requested.

#### ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

H. R. 4251. An act granting a pension to Margaret Thomas;

H. R. 5461. An act granting a pension to Elizabeth H. Bowen;

H. R. 4838. An act granting an increase of pension to Elizabeth V. Litzenberg;

H. R. 10488. An act granting an increase of pension to Susan C. Byrd;

H. R. 11732. An act to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River;

H. R. 9823. An act granting an increase of pension to Mary E. Townes;

H. R. 4446. An act granting an increase of pension to Ellen Charlton;

H. R. 8214. An act granting an increase of pension to Francis Scott;

H. R. 2700. An act granting an increase of pension to Susan A. Gummer;

H. R. 2123. An act granting an increase of pension to William R. Christy;

H. R. 8723. An act granting an increase of pension to Juliette Harrow;

H. R. 1675. An act granting a pension to Alice Smith;

H. R. 4982. An act granting an increase of pension to Harriet Tubman Davis;

H. R. 9219. An act for the relief of the Fourth Arkansas Mounted Infantry;

H. R. 3807. An act granting an increase of pension to Andrew S. Evans;

H. R. 11605. An act for the widening of Nineteenth street NW.;

H. R. 11618. An act to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve;

H. R. 80. An act providing procedure in certain pension cases;

H. R. 11971. An act to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases;

H. R. 5054. An act granting a pension to Rachel J. Comer;

H. R. 1798. An act to remove the charge of desertion against Carl F. W. Stolle, of Iron Ridge, Wis.;

H. R. 5805. An act for the relief of Col. George G. Pride;

H. R. 11084. An act to amend an act entitled "An act to amend an act to grant to the Gainesville, McAlester and St. Louis Railway Company a right of way through the Indian Territory.;"

H. R. 6502. An act granting increase of pension to William Rolley;

H. R. 726. An act granting an increase of pension to David W. Pennywitt;

H. R. 4806. An act granting an increase of pension to Bonaventura Heinz;

H. R. 9801. An act granting an increase of pension to Emer H. Aldrich;

H. R. 11048. An act granting a pension to William L. Quinn;

H. R. 11115. An act granting a pension to Ellen Allen Meeks;

H. R. 9503. An act granting a pension to Mary Woodman;

H. R. 9234. An act increasing the pension of George Blakesley;

H. R. 11420. An act granting a pension to Emily McLain;

H. R. 835. An act granting a pension to William B. Matchett;

H. R. 8445. An act granting a pension to Joseph M. Harmon;

H. R. 6681. An act granting an increase of pension to Jero Smith;

H. R. 9593. An act to increase the pension of Michael Meehan;

H. R. 9018. An act granting a pension to Justus Townsend;

H. R. 9314. An act granting an increase of pension to Isaac Stephens;

H. R. 258. An act granting a pension to Margaret Wilber;  
H. R. 10698. An act granting an increase of pension to John J. Bowen;  
H. R. 1217. An act for the relief of Thomas G. Tiernon, late of Company H, Tenth Ohio Volunteer Infantry;  
H. R. 4324. An act granting a pension to Martha Allen;  
H. R. 11017. An act granting a pension to Jesse Everly;  
H. R. 3144. An act granting an increase of pension to Robert S. Moorhead;  
H. R. 8754. An act granting an increase of pension to Lemon Holton;  
H. R. 6831. An act granting an increase of pension to Taylor McFarland;  
H. R. 1379. An act granting a pension to Barbara C. Lowe;  
H. R. 5209. An act granting a pension to Belle Shumard;  
H. R. 10858. An act granting an increase of pension to Amanda Willmarth;  
H. R. 11882. An act granting a pension to Margaret A. Lowther;  
H. R. 1780. An act granting an increase of pension to Reuben H. Waters;  
H. R. 7902. An act granting a pension to Albert Putnam;  
H. R. 5153. An act granting a pension to Cordelia Cheney;  
H. R. 1794. An act to remove the charge of desertion now standing against George Alcott on rolls of the War Department;  
H. R. 6127. An act for the relief of Henry C. Rawson;  
H. R. 9518. An act to construct a telephone from Table Bluff to Salmon Creek, in Humboldt County, Cal.;  
H. R. 6317. An act to remove charge of desertion against Alexander McKee;  
H. Res. 303. Joint resolution granting a life-saving medal to Michael F. Barry, of New York City;  
H. R. 8480. An act providing for the sale of the surplus lands of the Pottawatomie and Kickapoo Indian reservations in Kansas, and for other purposes;  
H. R. 11736. An act granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama;  
H. R. 909. An act granting an increase of pension to Lucy D. Heady;  
H. R. 8179. An act granting a pension to Levi M. Truit;  
H. R. 5762. An act granting an increase of pension to Joel W. Gibson;  
H. R. 11899. An act granting a pension to Judith Doherty;  
H. R. 2171. An act granting a pension to Wilhelmina Barth;  
H. R. 1573. An act granting a pension to Julia Walke;  
H. R. 2617. An act granting a pension to Mary E. Sessions;  
H. R. 9768. An act for the relief of Samuel J. Brent, executor of the will of Frances Brent and administrator de bonis non of the estate of Rev. J. Brent;  
H. R. 8162. An act to authorize the Secretary of the Interior to rent or lease certain portions of forest reserve;  
H. R. 2459. An act granting a pension to Mary C. Bates;  
H. R. 4503. An act granting an increase of pension to John Yahne;  
H. R. 4001. An act granting an increase of pension to Robert Fletcher;  
H. R. 11495. An act to amend section 3 of an act entitled "An act to change the time and places for the district and circuit courts of the northern district of Texas," approved June 11, 1896;  
H. R. 5713. An act granting an increase of pension to Sarah A. Luke;  
S. 5265. An act granting to the Clearwater Valley Railroad Company a right of way through the Nez Perces Indian lands in Idaho;  
S. 317. An act granting a pension to William J. Ford;  
S. 4984. An act granting a pension to Mary Longley Hendricks;  
S. 4701. An act granting an increase of pension to Charles W. Tilton;  
S. 4575. An act granting an increase of pension to John McVicar;  
S. 3005. An act granting a pension to Zenas T. Haines;  
S. 1697. An act granting an increase of pension to John Brown;  
S. 4808. An act authorizing the President to appoint additional cadets at large at the United States Naval Academy;  
S. 730. An act granting an increase of pension to John N. Corgan, of McPherson, Kans.;  
S. 1831. An act granting an increase of pension to Jane V. Davidson;  
S. 4744. An act granting a pension to Mary E. Hatch;  
S. 1928. An act granting an increase of pension to First-Class Pilot James M. Harrington;  
S. 5376. An act authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi;  
S. 5342. An act granting a pension to John M. Palmer;  
S. 2965. An act granting an increase of pension to Lewis E. Hampton;  
S. 4374. An act granting a pension to Nellie M. Guild;  
S. 4414. An act granting a pension to George H. Berry;

S. 4975. An act granting an increase of pension to Washington Sweatt;  
S. 168. An act granting an increase of pension to W. P. Snowden;  
S. 5126. An act to authorize the St. Louis, Siloam and Southern Railroad Company, of Missouri and Arkansas, to construct a bridge across White River in the State of Arkansas;  
S. 2652. An act granting an increase of pension to Emma V. Gile;  
S. 4248. An act granting an increase of pension to Lewis Kyle;  
S. 2101. An act granting a pension to John C. Emery;  
S. 1758. An act increasing the pension of George W. Peters;  
S. 1704. An act to increase the pension of Mrs. Helen A. De Russey;  
S. 1110. An act granting an increase of pension to Samuel E. Liscom;  
S. 1031. An act granting a pension to Noah Pillsbury;  
S. 409. An act granting an increase of pension to Sarah Gresham;  
S. 5319. An act to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark.;  
S. 4233. An act granting an increase of pension to Solomon Kline;  
S. 3466. An act granting a pension to Sarah Hamilton; and  
S. 566. An act granting a pension to Mary A. Thomas.

## SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1906. An act granting an increase of pension to James H. Covington—to the Committee on Pensions.  
S. 1907. An act granting a pension to Nancy A. Dowell—to the Committee on Pensions.  
S. 2657. An act to provide for the purchase of a site and the erection of a public building thereon in the city of Selma, in the State of Alabama—to the Committee on Public Buildings and Grounds.  
S. 4235. An act to give a preference right of entry to persons procuring a cancellation of fraudulent or double allotments to Indians—to the Committee on the Public Lands.  
S. 5003. An act granting an increase of pension to Mary A. Dennis—to the Committee on Invalid Pensions.  
S. 2049. An act granting a pension to Julia M. Johnson—to the Committee on Invalid Pensions.  
S. 5211. An act granting a pension to Amanda Pitman—to the Committee on Invalid Pensions.

## ANNUAL REPORTS OF CONSULAR OFFICERS.

The SPEAKER laid before the House the following message of the President of the United States, which was read, and referred to the Committee on Printing:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, accompanying the Commercial Relations of the United States for the year 1898, being the annual reports of the consular officers upon the industries and commerce of foreign countries. In view of the value of these reports to the manufacturing and exporting interests of the country, I indorse the recommendation of the Secretary of State that Congress authorize the printing of the usual editions of 10,000 copies of the general summary, entitled "Review of the World's Commerce," and of 5,000 copies of Commercial Relations (including this summary), to enable the Department of State to meet the demand for such information.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,  
Washington, February 21, 1899.

## RELIGIOUS SERVICE IN MEMORY OF THE LATE PRESIDENT OF THE FRENCH REPUBLIC.

The SPEAKER laid before the House the following communication from the Secretary of State:

DEPARTMENT OF STATE, Washington, February 21, 1899.

SIR: I have the honor to advise you, for the information of the House of Representatives, that a religious service in memory of the late President of the French Republic will be held at St. Matthew's Church, Rhode Island avenue between Seventeenth street and Connecticut avenue, on Thursday, the 23d instant, at 11 o'clock a. m.

By request of the chargé d'affaires of France, the attendance of the members of the House of Representatives is respectfully invited.

I have the honor to be, sir, your obedient servant,

JOHN HAY.

Hon. THOMAS B. REED,  
Speaker of the House of Representatives.

## PASADENA AND MOUNT WILSON RAILWAY COMPANY.

The SPEAKER laid before the House the following request of the Senate; which was considered, and agreed to:

IN THE SENATE OF THE UNITED STATES, February 19, 1899.

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 5446) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve.

FRANCIS SCOTT.

The SPEAKER also laid before the House the following request of the Senate; which was considered, and agreed to:

IN THE SENATE OF THE UNITED STATES, February 18, 1899.

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1649) granting an increase of pension to Francis Scott.

## NAVAL PERSONNEL BILL.

The SPEAKER also laid before the House the following requests of the Senate; which were considered, and the latter one agreed to:

IN THE SENATE OF THE UNITED STATES, February 20, 1899.

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States.

IN THE SENATE OF THE UNITED STATES, February 20, 1899.

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate its message recalling the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States.

## REIMBURSEMENT OF STATES FOR AID IN WAR WITH SPAIN.

The SPEAKER laid before the House the bill (S. 5260) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise organizations and supply the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes, with House amendments.

Mr. OTJEN. Mr. Speaker, I move that the House insist on its amendments and agree to a conference.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. MAHON, Mr. OTJEN, and Mr. COOPER of Texas.

## SPREAD OF CONTAGIOUS DISEASES IN THE DISTRICT OF COLUMBIA.

Mr. CANNON. Mr. Speaker, I desire unanimous consent to take from the Speaker's table the Senate joint resolution on the spread of contagious diseases; and in that connection I send up a letter from the District Commissioners to explain it.

Mr. HENRY of Mississippi. Mr. Speaker, I move that we now adjourn.

Mr. CANNON. I hope the gentleman from Mississippi will not insist on that motion.

Mr. CALLAHAN. I hope the gentleman from Mississippi will withdraw the motion.

Mr. HENRY of Mississippi. Well, I withdraw it.

The Clerk read the Senate joint resolution No. 253, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$50,000 is hereby appropriated, to be immediately available, one half out of any money in the Treasury of the United States not otherwise appropriated and one half out of the revenues of the District of Columbia, to enable the Commissioners of said District to provide for the proper care of smallpox patients and to prevent the spread of contagious diseases in said District, including a house-to-house inspection, and such compulsory vaccination as may be deemed necessary by the health officer of said District in accordance with existing law, and for other extraordinary emergencies.

Mr. MIERS of Indiana. I would like to inquire if the resolution can not pass over until to-morrow?

Mr. CANNON. If my friend from Indiana will hear the letter from the District Commissioners read, I think he will be more anxious than I am to have it disposed of now. If it be true that there are hundreds of cases of smallpox about the city, he will be extremely desirous that the matter should be disposed of now.

Mr. MIERS of Indiana. Does the gentleman think it ought to be met by the public Treasury?

Mr. CANNON. Oh, certainly; half from the District and half from the United States Treasury.

Mr. MIERS of Indiana. I have been informed within the last few days that the taxes in this city are higher than any other city in the United States. If you go on in this way, I do not wonder at it.

Mr. CANNON. I do not think they are; but let that be as it may, the smallpox does not have much regard for taxes.

Mr. MIERS of Indiana. I am sorry to say that some people are much like the smallpox.

Mr. CANNON. Yes, and yet some people are exempt from the smallpox. [Laughter.]

The Clerk read the letter from the District Commissioners, as follows:

## EXECUTIVE OFFICE COMMISSIONERS DISTRICT OF COLUMBIA.

Washington, February 20, 1899.

DEAR SIR: The Commissioners of the District of Columbia have the honor to inclose herewith the draft of a joint resolution, with the request that the same be introduced into the House, and that you will endeavor to secure its early passage in order that proper steps may be taken to prevent the spread of smallpox, the existence of which is now in the city and which the Commissioners have every reason to believe is likely to increase rapidly if heroic steps are not taken to stamp it out.

From careful investigation of the whole situation the health officer reports to the Commissioners that there is grave apprehension of a spread of this disease in the community, owing largely to the fact that those persons already confined in the smallpox hospital are known to have been in close contact with others in thickly populated buildings and portions of the city. It would be the greatest possible misfortune if this disease should be scattered throughout the city at any time, but especially so at this time, when so many officials and strangers are here incident to the meetings of Congress. The health and lives of the President and his Cabinet and of officials of all degrees, as well as of members of Congress and the residents, make it essentially important that nothing should be left undone to eradicate the trouble at the earliest possible moment.

The appropriation asked for is for the employment of the necessary physicians, watchmen to guard quarantined premises, food and fuel for such cases as may need it in quarantined houses, and for the maintenance of the

smallpox hospital. The hospital itself has accommodations for about forty patients, and is about half full. Should it be necessary to accommodate more than this number, the Commissioners would be obliged to erect a frame structure for the use of the additional patients. This expense would be met from the amount asked for in this resolution.

In the city of Alexandria, only 8 miles from Washington, there are reported to-day 212 cases in a population of 18,000.

The discovery of cases of smallpox among the inmates of the workhouse of the Washington Asylum has rendered it impossible to commit any more prisoners to that building. It has also been deemed inexpedient to permit the guards and other employees of the asylum grounds to leave the said premises until the period shall have passed during which any possible contagion may be developed. The duty has, therefore, been devolved upon the Commissioners to provide some other building for the detention of prisoners sentenced by the police court during the time that such prisoners can not be safely sent to the workhouse.

The female workhouse of the Washington Asylum is situated a sufficient distance from the male workhouse to avoid any danger of contagion therefrom.

The Commissioners have ascertained that certain changes can be made in the female workhouse building by the erection of partitions, etc., which will enable them to accommodate about 100 male prisoners in that building. Some new furniture will be required, and some additional guards in lieu of those now quarantined in the male workhouse must be employed.

The Commissioners have estimated that about \$1,000 of the sum of \$50,000 named in the accompanying joint resolution will be needed to fit up the female workhouse and to provide for the proper care of prisoners therein during the period of danger from smallpox in that vicinity.

Copy of the report of the health officer is herewith inclosed, to which attention is respectfully invited.

Very respectfully,

JOHN B. WIGHT,

President Board of Commissioners, District of Columbia.

Hon. J. G. CANNON,

Chairman Committee on Appropriations, House of Representatives.

Mr. CANNON. I will state that the report of the health officer is too long to read, unless gentlemen desire it. It goes much more into detail than does the letter from the president of the Commissioners. I have looked over it, and I have no doubt that this appropriation ought to be made, and made at once.

Mr. TODD. I should like to inquire whether the Committee on Appropriations has had a session and discussed this matter?

Mr. CANNON. No; it has been passed by the Senate to-day.

Mr. MIERS of Indiana. Who owns the hospital?

Mr. CANNON. It is public property, owned by the United States.

Mr. TODD. Has the committee discussed this matter at all?

Mr. CANNON. The committee has had no formal session, but I am satisfied, after conversation with several members of the committee, that the appropriation is necessary and should be disposed of at once.

Mr. DOCKERY. I will say that in view of the urgency and the emergency some members of the committee made an informal investigation so as not to delay the passage of the bill by calling a formal meeting of the committee. It has my hearty approval, after investigation.

The SPEAKER. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none.

The joint resolution was ordered to be read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CANNON, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

## ENTRY OF LANDS IN GREER COUNTY, OKLA.

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11771) to amend section 1 of an act to provide for the entry of lands in Greer County, Okla., to give preference right to settlers, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of an act to give preference right to settlers in Greer County, Okla., is hereby so amended as to allow parties who have had the benefit of the homestead laws of the United States, and who had purchased lands in Greer County from the State of Texas prior to the annexation of said county to said Territory, to perfect titles to said lands according to the provisions of section 1 hereinbefore mentioned: *Provided*, That no settler shall be permitted to acquire to exceed 320 acres under this provision.

The following committee amendments were read:

Strike out the words "the annexation of said county to said Territory" and insert the words "March 14, 1884."

Insert after the word "mentioned," in line 10, the following:

"Under such regulations as the Commissioner of the General Land Office may prescribe, and according to the legal subdivisions of the public surveys, if no adverse rights have attached."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SHAFROTH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

## POST-OFFICE APPROPRIATION BILL.

Mr. LOUD. Mr. Speaker, I ask unanimous consent to call up the bill 11683, making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, with Senate amendments, and I move that the House disagree with the Senate amendments and ask for a conference.

The motion was agreed to.

The Chair appointed as conferees on the part of the House Mr. LOUD, Mr. SMITH of Illinois, and Mr. SWANSON.  
Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

#### LEAVES OF ABSENCE.

Pending the motion, the following leaves of absence were granted:  
To Mr. ERMENROUT, for four days, on account of the death of a friend.

To Mr. BULL, for ten days, on account of important business.  
To Mr. GAINES, for two days, on account of illness in his family.  
To Mr. COUSINS, indefinitely, on account of sickness in his family.

To Mr. MAHON, for two days, on account of important business.  
And then the motion of Mr. PAYNE was agreed to; and accordingly (at 5 o'clock and 35 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 3 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting detailed statement of extra services rendered by employees of the War Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting communications from the acting chief of the division of loans and currency and the Register of the Treasury submitting the applications of certain employees for compensation for overtime work—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, relating to the purchase of the patent of the Gerdon gas check—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting estimates of appropriations for the support of certain Sioux and Chippewa Indians—to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LANHAM, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11441) to amend section 21 of "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes," approved May 28, 1896, reported the same without amendment, accompanied by a report (No. 2199); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 5258) to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak., reported the same without amendment, accompanied by a report (No. 2200); which said bill and report were referred to the House Calendar.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 3675) authorizing the exchange of lot 8 of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot, reported the same without amendment, accompanied by a report (No. 2204); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HENDERSON, from the Committee on the Judiciary, to which was referred House resolution No. 354, reported in lieu thereof a resolution (House Res. No. 411) declaring certain members of the House as having vacated their seats by having accepted positions in the Army, accompanied by a report (No. 2205); which said resolution and report were referred to the House Calendar.

Mr. HEATWOLE, from the Committee on Ventilation and Acoustics, to which was referred the joint resolution of the House (H. Res. 367) providing for remodeling the Hall of the House of Representatives, and for other purposes, reported the same without amendment, accompanied by a report (No. 2206); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Arizona, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11331) to settle the title to real estate in the city of Santa Fe, N. Mex., reported the same without amendment, accompanied by a report

(No. 2207); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RUSSELL, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 3556) to fix the salary of the collector of customs of the district of Galveston, Tex., reported the same with amendment, accompanied by a report (No. 2208); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11689) to authorize the Montgomery, Hayneville and Camden Railroad Company to construct and maintain a bridge across the Tombigbee River between the northern and southern boundary lines of Clarke County, Ala., reported the same with amendment, accompanied by a report (No. 2211); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11250) to authorize the Montgomery, Hayneville and Camden Railroad Company to construct and maintain a bridge across the Alabama River, between Claiborne and Lower Peachtree, in Alabama, reported the same with amendment, accompanied by a report (No. 2212); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12140) to authorize the construction by the Wadley and Mount Vernon Railroad Company of a bridge across the Oconee River, in the State of Georgia, reported the same without amendment, accompanied by a report (No. 2213); which said bill and report were referred to the House Calendar.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 12041) to permit volunteer regiments to retain their colors, reported the same without amendment, accompanied by a report (No. 2231); which said bill and report were referred to the House Calendar.

Mr. MARSH, from the Committee on Military Affairs, to which was referred the joint resolution of the House (H. Res. 316) authorizing the Secretary of War to pay certain laborers, workmen, workwomen, and mechanics at United States arsenals and stations 50 per cent additional for work performed in excess of eight hours per diem, reported the same without amendment, accompanied by a report (No. 2223); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STRODE of Nebraska, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8804) to increase the pension of James S. Anderson, reported the same with amendment, accompanied by a report (No. 2201); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4501) to increase the pension of Stephen A. Knowlan, a recruit of Deman's detachment of United States Mounted Riflemen, in the war with Mexico, reported the same with amendment, accompanied by a report (No. 2202); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10892) to increase the pension of Andrew J. Taylor, reported the same with amendment, accompanied by a report (No. 2203); which said bill and report were referred to the Private Calendar.

Mr. FENTON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8608) for the relief of Henry Mulvin, reported the same without amendment, accompanied by a report (No. 2209); which said bill and report were referred to the Private Calendar.

Mr. McDONALD, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 7141) for the relief of Eugene Wells, late captain, Twelfth Infantry, and second Lieutenant, First Artillery, United States Army, reported the same without amendment, accompanied by a report (No. 2210); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4135) for the relief of Peter, alias Louis, Heck, reported the same with amendment, accompanied by a report (No. 2214); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3323) to place Henry Biederbick, Julius R. Frederick, Francis Long, and Maurice Connell on the retired list

of enlisted men of the Army, reported the same without amendment, accompanied by a report (No. 2215); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1733) for the relief of Jacob L. Hauger, reported the same with amendment, accompanied by a report (No. 2216); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8714) to correct the military record of John Fox, of Albany, Oreg., reported the same with amendment, accompanied by a report (No. 2217); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1495) to remove the charge of desertion from the military record of Anton Ernst, reported the same with amendment, accompanied by a report (No. 2218); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred House bill 6075, reported in lieu thereof a resolution (House Res. No. 412) for the relief of John D. Youell, accompanied by a report (No. 2219); which said resolution and report were referred to the Private Calendar.

Mr. McDONALD, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11241) to amend an act entitled "An act for the relief of William A. Hammond," reported the same without amendment, accompanied by a report (No. 2220); which said bill and report were referred to the Private Calendar.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 5632) to authorize the President to place Andrew Geddes on the retired list with the rank of captain, reported the same without amendment, accompanied by a report (No. 2222); which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORTS.

Under clause 2 of Rule XXII, Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3396) granting a pension to Lieut. Col. Ogden Street, reported the same adversely, accompanied by a report (No. 2224); which said bill and report were ordered to lie on the table.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MCINTIRE: A bill (H. R. 12150) to repeal certain acts relating to Chinese immigration, and for other purposes—to the Committee on Immigration and Naturalization.

By Mr. STEWART of Wisconsin (by request): A bill (H. R. 12151) for the relief of the Stockbridge and Munsee Indians in Wisconsin—to the Committee on Indian Affairs.

By Mr. NORTON of South Carolina: A memorial from the general assembly of South Carolina, favoring the improvement of the Congaree River in said State—to the Committee on Rivers and Harbors.

By Mr. HANDY: A memorial from the legislature of the State of Delaware, favoring a 30-foot channel in the Delaware River—to the Committee on Rivers and Harbors.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. COWHERD: A bill (H. R. 12153) for the relief of Hannah Kennedy—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 12153) to restore Maj. Stephen R. Stafford to the active list of the Army—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 12154) granting a pension to Mary Cathran—to the Committee on Invalid Pensions.

By Mr. MARSH: A bill (H. R. 12155) to grant an increase of pension to Fannie E. Morse—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 12156) for the relief of Rufus Thompson—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12157) for the relief of Frances E. Childs—to the Committee on Invalid Pensions.

By Mr. FARIS: A bill (H. R. 12158) for relief of Francis M. Oliver—to the Committee on Military Affairs.

Also, a bill (H. R. 12159) for relief of Marshall P. Wolfe—to the Committee on Military Affairs.

Also, a bill (H. R. 12160) granting a pension to Simpson P. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12161) increasing pension of Francis Jones—to the Committee on Invalid Pensions.

By Mr. GIBSON, from Committee on War Claims: A resolution (House Res. No. 412) for the relief of John D. Youell—to the Private Calendar.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ARNOLD: Petitions of the Methodist Episcopal Church of Ridgeway, and Woman's Relief Corps of Foxburg, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BLAND: Petition of fourth-class postmasters of the Eighth Congressional district of Missouri, urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. BURTON: Petition of the Aetna Street Disciple Church, of Cleveland, Ohio, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of Memorial Post, No. 341, Grand Army of the Republic, of Cleveland, Ohio, urging the passage of Senate bill No. 3356, relating to the appointment of Union soldiers to official positions—to the Committee on Reform in the Civil Service.

By Mr. CODDING: Petition of fourth-class postmasters in Bradford County, Pa., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

Also, petition of Phelps Post, Grand Army of the Republic, of East Smithfield, Pa., in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Baptist Church of Russell Hill, First Baptist Church, Presbyterian Church, and Council No. 463, Junior Order United American Mechanics, all of Hawley, Pa., against the appropriation of money for sectarian schools for the Indians—to the Committee on Indian Affairs.

By Mr. DAVIDSON of Wisconsin: Petition of fourth-class postmasters of Marquette County, Wis., in favor of the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

Also, petitions of the Congregational churches of Saxeville and Pine River, Wis., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Congregational Church of Saxeville, Wis., in opposition to the sale of liquor in canteens—to the Committee on Alcoholic Liquor Traffic.

By Mr. FARIS: Protest of the Woman's Home Missionary Society of the Trinity Methodist Episcopal Church, of Terre Haute, Ind., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of fourth-class postmasters of Morgan County, Ind., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. E. Donaldson and other citizens of Montezuma, Ind., to prohibit the sale of intoxicating liquors in Government buildings and maintain prohibition in Alaska, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRIFFITH: Resolution of McKeehan Post, No. 36, Grand Army of the Republic, Department of Indiana, in support of House bill No. 11561, to increase the pension of Rev. William T. McGowan, of North Vernon, Ind.—to the Committee on Invalid Pensions.

By Mr. GROUT: Petition of the Trades League of Philadelphia, Pa., N. B. Kelly, secretary, to reduce letter postage to 1 cent per ounce—to the Committee on the Post-Office and Post-Roads.

Also protest of the Congregational and Methodist Episcopal churches and the Woman's Christian Temperance Union of Chelsea, Vt., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of the Congregational and Methodist Episcopal churches and the Woman's Christian Temperance Union, of Chelsea, Vt., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Congregational and Methodist Episcopal churches and Woman's Christian Temperance Union, of Chelsea, Vt., to prohibit the interstate transmission of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Congregational and Methodist Episcopal churches and Woman's Christian Temperance Union, of Chelsea,

Vt., for the protection of State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON: Papers of Albert D. Shaw, of Watertown, N. Y.; Theo. F. Reed, New York member of the executive committee National Council, Grand Army of the Republic; Maj. Thomas Bell, P. F. Lenihan, and Lewis D. Resseguire, all of Brooklyn, N. Y., asking for the passage of Senate bill No. 3256, for the appointment of Union soldiers to official positions—to the Committee on Rules.

By Mr. JOHNSON of North Dakota: Petition of the Presbyterian Church of Cavalier, N. Dak., to prohibit the interstate transmission of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. LACEY: Resolutions of the Commercial Exchange of Des Moines, Iowa, in favor of the speedy construction of the Port Arthur Canal—to the Committee on Rivers and Harbors.

By Mr. MERCER: Petition of citizens of Pawnee County, Nebr., in favor of the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. POWERS: Petitions of fourth-class postmasters of Lamoille and Franklin counties, Vt., for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. SHERMAN: Papers to accompany House bill for the relief of Rufus Thompson—to the Committee on Invalid Pensions.

By Mr. STEWART of Wisconsin: Petition of citizens of the State of Wisconsin, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. VINCENT: Petitions of fourth-class postmasters of Clay and Riley counties, Kans., asking for the passage of House bills Nos. 4930 and 4931, increasing the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. WARD: Petition of the Woman's Christian Temperance Union of Sing Sing, N. Y., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Sing Sing, N. Y., in favor of the Ellis bill, and for the maintenance of prohibition in Alaska, the Indian Territory, and new dependencies—to the Committee on Alcoholic Liquor Traffic.

By Mr. YOUNG: Resolutions of the Presbytery of Philadelphia, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, resolution of the First Baptist Church of Manayunk, Philadelphia, Pa., against the reopening of the sectarian-school question, and favoring the advancement of education among the Indians on the basis of the American common-school system—to the Committee on Indian Affairs.

## SENATE.

WEDNESDAY, February 22, 1899.

The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

O Thou, who art the Ruler of heaven and earth, we praise Thee that we belong to a race which through a thousand years has enriched the world with blood and brain and conscience in the persons of eminent men, whom Thou hast sent to teach us the high and great lessons which conserve our well-being—Alfred, Wycliffe, Cromwell, Chatham, and our own, most illustrious of them all, Washington, whom we call the Father of the Country. And now, as the Conscript Fathers of the nation gather to sit at his feet and to listen to his words of wholesome instruction and counsel, grant that these may be written upon the tablets of our memories and upon the memory of the nation.

Nor would we forget that as we come here to-day it is to pay the last tribute of our respect, admiration, and love to the memory of the late patriarch of the Senate, whose gravity, wisdom, gentleness, and kindness were a lesson to all who came in contact with him. Grave his name in indelible characters upon the tablets of the Senate, and grant to his son and to all connected with him by ties of blood the consolation which alone comes from the faith of our Lord and Saviour. We humbly ask in His divine name, Jesus Christ our Lord. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

### RELIGIOUS SERVICE IN MEMORY OF PRESIDENT FAURE.

The VICE-PRESIDENT laid before the Senate the following communication from the Secretary of State, which was read:

DEPARTMENT OF STATE, Washington, February 21, 1899.

SIR: I have the honor to advise you, for the information of the Senate, that a religious service in memory of the late President of the French Republic will be held at St. Matthew's Church, Rhode Island avenue between Seventeenth street and Connecticut avenue, on Thursday, the 23d instant, at 11 o'clock.

By request of the chargé d'affaires of France, the attendance of the members of the Senate is respectfully invited.

I have the honor to be, sir, your obedient servant,

JOHN HAY.

HON. GARRET A. HOAR,  
Vice-President of the United States, United States Senate.

Mr. CULLOM. Mr. President, I move that the invitation be accepted.

Mr. HOAR. I understand that the invitation is not addressed to the Senate as a body, but it is addressed to the members of the Senate as individuals. It seems that it does not require any action by the Senate.

Mr. CULLOM. It seemed to me that some action was necessary. If such is not the case, I withdraw the motion.

### READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE-PRESIDENT. The Chair lays before the Senate the following order.

The Secretary read as follows:

December 20, 1898. Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That on Wednesday, February 22, 1899, immediately after the reading of the Journal, Washington's Farewell Address be read to the Senate by Mr. WOLCOTT, a Senator from the State of Colorado, and that thereafter the Senate will proceed with its business.

The VICE-PRESIDENT. Senators, in pursuance of the resolution which the Senate has heretofore passed, I have the honor to introduce Senator WOLCOTT of Colorado, who will read to the Senate the Farewell Address of President Washington.

Mr. WOLCOTT, at the Vice-President's desk, read the address, as follows:

To the people of the United States:

FRIENDS AND FELLOW-CITIZENS: The period for a new election of a citizen to administer the Executive Government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this previous to the last election had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence impelled me to abandon the idea. I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have, with good intentions, contributed toward the organization and administration of the Government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my political life my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me, and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it

always be remembered to your praise and as an instructive example in our annals that under circumstances in which the passions, agitated in every direction, were liable to mislead; amidst appearances sometimes dubious; vicissitudes of fortune often discouraging; in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guaranty of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution which is the work of your hands may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare which can not end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation and to recommend to your frequent review some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget as an encouragement to it your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it, accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the same agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the stream of the North, it finds its particular navigation invigorated; and while it contributes in different ways to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water will more and more find, a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its

growth and comfort, and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined can not fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations, and what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same governments, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—Northern and Southern, Atlantic and Western—whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our Western country have lately had a useful lesson on this head. They have seen in the negotiation by the Executive and in the unanimous ratification by the Senate of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties—that with Great Britain and that with Spain—which secure to them everything they could desire in respect to our foreign relations toward confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your union a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a Constitution of Government better calculated than your former for an intimate union and for the efficacious management of your common concerns. This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists till changed by an explicit and authentic act of the whole people is sacredly obligatory upon all.

The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community, and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction rather than the organ of consistent and wholesome plans, digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely in the course of time and things to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Toward the preservation of your Government and the permanency of your present happy state it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretenses. One method of assault may be to effect in the forms of the Constitution alterations which may impair the energy of the system, and thus to undermine what can not be directly overthrown. In all the changes to which you may be invited remember that time and habit are at least as necessary to fix the true character of governments as other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember especially that for the efficient management of your common interests in a country so extensive as ours a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual, and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the Government itself through the channels of party passion. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true, and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their

natural tendency it is certain there will always be enough of that spirit for every salutary purpose, and there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments, ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness—these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric? Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives; but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty it is essential that you should practically bear in mind that toward the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the Government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice toward all nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct. And can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period a great nation to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is

recommended by every sentiment which ennoble human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded, and that in place of them just and amicable feelings toward all should be cultivated. The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur.

Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation prompted by ill will and resentment sometimes impels to war the government contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject. At other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation a commendable deference for public opinion or a laudable zeal for public good the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter. Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots who may resist the intrigues of the favorite are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not legally hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with

any portion of the foreign world, so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs that honesty is always the best policy. I repeat, therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand, neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good—that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe my proclamation of the 23d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity toward other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my Administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence, and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love toward it which is so natural to a man who

views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow-citizens the benign influence of good laws under a free government—the ever-favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

Go: WASHINGTON.

UNITED STATES, September 19, 1796.

# MEMORIAL ADDRESSES ON THE LATE SENATOR MORRILL.

Mr. ROSS. Mr. President, in pursuance of the notice heretofore given, I submit resolutions relating to the death of the late Senator MORRILL, and ask for their present consideration.

The VICE-PRESIDENT. The resolutions submitted by the Senator from Vermont will be read.

The Secretary read as follows:

*Resolved*, That it is with deep regret and profound sorrow that the Senate hears the announcement of the death of Hon. JUSTIN SMITH MORRILL, late a Senator from the State of Vermont.

*Resolved*, That the Senate extends to his family and to the people of the State of Vermont sincere condolence in their bereavement.

*Resolved*, That, as a mark of respect to the memory of the deceased, the business of the Senate be now suspended to enable his associates to pay fitting tribute to his high character and distinguished services.

*Resolved*, That the Secretary transmit to the family of the deceased and to the governor of the State of Vermont a copy of these resolutions, with the action of the Senate thereon.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives.

*Resolved*, That, as an additional mark of respect, at the conclusion of these exercises the Senate do adjourn.

Mr. ROSS. Mr. President, the late distinguished Senator, JUSTIN SMITH MORRILL, entered upon Congressional life when nearing the close of his forty-fifth year. I first knew him the summer preceding. Since then his work has been continuously for the nation—for the first twelve years in the House of Representatives and afterwards in the Senate. During this period my work, in his native State, has been along different lines. We seldom met. Personally I know no more of his very effective, able, and useful Congressional career than is open to every citizen of the nation. Others, long his associates in Congressional life and work, will fully and ably describe him as a man, his methods in judging of and accomplishing great national objects, and characterize his legislative work, its effectiveness, and its scope.

I shall devote the slight tribute which I have to offer to his memory mainly to an endeavor to discover the sources in which his great strength of manhood, his unusual ability, breadth, and power as a legislator have their origin and development.

He came of good English stock. His grandparents moved from Massachusetts to Vermont in 1795. His parents occupied a humble station in life. His mother was of more than average intelligence and culture. As usual, she was the first to open and give direction to his active young mind and thought. He was born at Strafford April 14, 1810, among the green, beautiful hills of Vermont, where every onward movement of a few rods presents a new scene, often a picture of rare beauty; where the hills and valley intermingle in every conceivable manner; where the summer foliage is rich in changing tints of green and brown; where in autumn it becomes a flower garden of most varied and beautiful colors; where in winter the pure snow and the trees, often clothed to their smallest tips in ice, in the bright sunlight resemble a palace of purest crystals. No wonder that he developed, if he did not inherit, an eye quick to apprehend and a mind apt to comprehend the harmony of colors and the beauty of proportions.

He was the eldest child, and from earliest years required to be useful and helpful in the family and to himself. His advantages for school education were extremely limited. He attended the common district school until he was 14, and then a term or two at Thetford Academy. The instruction in the district schools was quite primitive. They were not graded nor much classified. The instruction there given did not extend much beyond reading, spelling, writing, and arithmetic in their simpler forms and methods. He must have been a quick, attentive, laborious pupil to have accomplished so much as he did so early in life.

When 15 years old he entered a country store in his native town, and, except a service as bookkeeper and shipping clerk for two years in Portland, there served as clerk until nearing majority. Then he became and remained a partner in such store until he graduated therefrom into Congress. He was the active manager of the partnership business, except for the last seven years, which he devoted mostly to the pursuit of agriculture.

Mr. MORRILL's management of the store was able and judicious and brought the firm substantial results. A country store of those days was a little kingdom within itself, which exists now only in memory. It was the central point of the community whose business it transacted. Its business was conducted almost entirely in barter and exchange. The products of the household and farm were there exchanged for the necessities which the household and farm could not produce. The household produced most of the articles required for clothing the entire family and

the farm most of those demanded for its sustenance. The overplus went to the store and was there exchanged for such other necessities as the family needs demanded. Markets were distant, communication and transportation slow and difficult. There were no traveling salesmen. The manager of the store visited the market twice each year. At these visits he must secure a supply which would meet the demands of his customers for six months at least. This required of him close and careful study of the needs of his customers, of the salable prices of the articles which they would require, as well as of the products which they would be likely to bring him, and of the prices at which these could be marketed.

The successful management of such a business demanded close attention and study, exact bookkeeping, unquestioned honesty, untiring industry, thoughtful forecast and judgment. After more than twenty-five years of training in such a school I do not think it is wonderful that Mr. MORRILL was found well equipped in habits of persistent industry, of careful investigation, and in the exercise of conservative, practical judgment necessary to grapple with the finance of the nation at a time when its proper management was as essential to success as was the marshaling of its armies. In managing the store Mr. MORRILL was brought into the closest touch with its customers. He knew the character of the products of each household, what expectations they entertained and whether their hopes were realized. If misfortune or calamity befell any his ear must be open to the tale of their sorrow. He must be firm in his opinions and views, yet sympathetic and generous in his treatment when any were overtaken by misfortune.

By nature possessed of a kind, generous heart, and a temperament not easily ruffled, these natural qualities were drawn out, cultivated, and strengthened by such training. He brought these well-trained qualities to the discharge of his Congressional duties. He could approach his associates easily, even when his views were firmly fixed and in conflict with theirs. He did not present them in an offensive, but rather in a courteous manner. He never allowed himself to be carried beyond pleasant railery and sarcasm. I never heard of an angry collision between him and any of his associates. He early learned and carried into practice through his long, varied, and useful life the sentiment so well expressed by the poet:

Have you had a kindness shown?

Pass it on.

'Twas not given for you alone—

Pass it on.

Let it travel down the years,

Let it wipe another's tears,

Till in Heaven the deed appears—

Pass it on.

The same kind helpfulness characterized his home life and relations. His home was ever full of "good cheer" to all its inmates and to all who came within its influence.

The community in which he was reared and transacted business consisted mostly of farmers, descendants from the early settlers of Vermont, filled with the spirit and wisdom of their fathers. They were patriotic, thoughtful, intelligent, self-reliant men of fixed, unyielding views of right and wrong, honest and upright in their dealings, independent and unswerving in the maintenance of their views. The early settlers of Vermont came largely from the best Puritan stock of Connecticut, Massachusetts, and Rhode Island. It was only the most enterprising of that stock who would venture into the wilderness of Vermont to subdue it and make themselves homes. For more than twenty years they maintained title to their homes against the claims of New Hampshire on the east; the importunate and exacting demands of New York on the west; the indifference and disregard of the Continental Congress, and the threats and attacks of the mother country. They were tried in the hard school of perplexity and of conflict. Out of the white heat of this most unequal conflict the State of Vermont was born, founded upon principles of natural right and justice, clearly set forth in its bill of rights and constitution, which essentially remain unchanged to the present time, still a worthy model for the government of every patriotic, intelligent, independent, liberty-loving people. The principles thus thought out and settled by the fathers permeated and became fixed in their sons and daughters, among whom Mr. MORRILL was reared and did business, with whose ideas and principles he was thoroughly infused.

Books were few and difficult to obtain, knowledge of proceedings in Congress did not reach them until fully two weeks after the events recorded had transpired. The store was the place of common meeting. There the leaders in the community gathered and discussed the history of the town, the State, and the nation, and all important and current events. Among the great national questions thus considered were the Missouri compromise in 1820; the memorable debate over the anti-slavery clause in the ordinance of 1787, between Mr. Hayne and Mr. Webster, in 1829-30; the nullification ordinance of South Carolina in 1832; the right to petition Congress for the abolition of slavery in the Territories and in the District of Columbia, championed by John Quincy Adams, during the years from 1835 to 1844; the formation of the Abolition

party; the annexation of Texas and war with Mexico in 1845; the Wilmot proviso and formation of the Free-Soil party in 1848; the admission of California; the passage of the fugitive slave law, and the compromise of 1850, and the Nebraska Territorial act of 1853—all questions of intense, burning interest, growing out of and revolving round the subject of slavery.

All these arose just before and during the time Mr. MORRILL was engaged in business. He entered into their discussion and became more or less of a leader among his patrons. By them he was led to settled convictions on the subject of slavery, as declared in a letter written while a candidate for his first election to the House of Representatives. He there said:

I am opposed to the admission of any more slave States into the Union, and in favor of prohibiting slavery in all Territories belonging to the United States.

Out of these discussions came fixed and certain conclusions; out of them, an earnest, almost uncontrollable, desire to investigate and ascertain the underlying foundation principles; out of them, a desire for good books and a habit of using every leisure moment in reading, studying, and thinking. These habits thus early formed remained and were in constant exercise to his dying day. They led him to love, trust, and keep near the people. The people knew they could trust and lean upon him. In reading, as in every other thing, his motto was, "Duty first, then pleasure."

He carried into his Congressional work these habits thus early formed, and they abode with him to the end. In their exercise he became a well-informed, well-educated man, with every faculty alert, developed, and within control. He was self-educated. So is every man who gains that distinction. Eminent schools, colleges, and teachers are great aids in obtaining an education, but education can not be put on outwardly, as one dons his garment. It springs from the man, his innermost being, reaches out and seizes the least as well as the greatest opportunities, and faithfully uses them to strengthen and bring into subjection, for ready use, every God-given faculty. To such an one every calling in life is an educational school. He always lamented that his early opportunities for an education were so limited. I am sure this regret led to his earnest, untiring, and successful efforts for the erection of a beautiful house for the Congressional Library, and to set apart a portion of the public domain for the establishment of agricultural colleges.

These, with his long and earnest labors in managing and giving direction to the finance of the nation, will longest perpetuate his memory. His life covers a most remarkable period in the history of mankind—remarkable in the changes in the methods of living; in the methods of communication and transportation; in the skill and ease of manufacturing; in the multiplicity of newspapers, magazines, books, pictures, paintings, and statuary; remarkable for the events and changes among nations, and especially in this nation.

Mr. MORRILL, coming from so humble circumstances and narrow surroundings, kept abreast with and enjoyed all these changes. He was conservative and firm in his views and beliefs, brave in maintaining them, but never a pessimist. He believed in an unerring, Master Hand that guides and directs the affairs of mankind. He believed in and trusted the intelligence and judgment of the people of the nation and of his State. He was not a born genius, nor possessed of abnormal intellectual faculties, nor of special grace of manners, nor of speech. He was an industrious, great-hearted, well-balanced, kind, intelligent, self-reliant, patriotic, honest man; a good, but not uncommon, outgrowth of the people, institutions, and principles of the State of Vermont.

His character was pure and unselfish, frank and courteous, known and loved by all with whom he came in contact. In all his early life, in all his long Congressional career, the breath of scandal, the suspicion of dishonesty or of selfishness or of meanness, never tinged nor clouded his character. Without external help, from humble and circumscribed beginnings, by self-directed, honest effort he grew and broadened into an active, useful, noble, national life. He accomplished a great and lasting work. Though we miss, with sad regret, his manly form, his cheerful countenance, his words of wisdom, his work is not done. The law of influence is as fixed and unchangeable in its operation as the law of gravitation. An influence once generated never dies, but goes on, and on, and on, broadening and mingling with other influences until the final consummation of human affairs.

In ages to come Mr. MORRILL's name may become forgotten, but the influence of his life on his associates, in the affairs of the nation, in the management of its finances, in the fair proportions, beauty, and amplitude of the Congressional Library, and in the establishment of 64 agricultural colleges will never die, nor cease to be operative forces. Such a life is filled with inspiration, especially for the young, if they will heed the command of the Great Teacher, "Go and do thou likewise."

Mr. MORRILL well deserved the full tribute of praise which I am sure all who knew him will willingly bestow—that of duty faithfully, fearlessly, kindly, conscientiously done.

Mr. VEST. Mr. President, on this, the anniversary of the birthday of George Washington, the Father of his Country, we are engaged in paying the last sad tribute to the memory of JUSTIN S. MORRILL, the father of the Senate.

By the death of Senator MORRILL the country has lost a pure, illustrious, and valued citizen and public servant, and many of us a very dear friend.

When I came into the Senate, at the first session of the Forty-sixth Congress, in March, 1879, there were seventy-six members of this body. Senator MORRILL is the fifty-second of that number who have passed across the dark river and into that shadowy realm to which we all hasten. There are now but eight members of the Senate who were here in 1879; and this ghastly statement shows the energy and pertinacity of death, and that every human pathway leads to an open grave.

It is said that death is the great enemy of our race, but under certain circumstances and environments this is not true. When the young, vigorous, ambitious, and hopeful are stricken down, we stand shocked, as if before some unfinished painting or statue where the pencil or chisel has fallen from the nerveless hand of a great artist; but when life's work is done, when the task is finished, and we simply await the inevitable end, death is oftentimes a friend.

Let me not live \* \* \*  
After my flame lacks oil, to be the snuff  
Of younger spirits, whose apprehensive senses  
All but new things disdain.

Every intellectual man will appreciate these lines of Shakespeare. He meant that he did not wish to live after passion and appetite were dead; when life had become an everyday hand-to-hand conflict with disease and pain, and when we were about to sink into that stage of senility and second childhood when we become objects of pity, if not of contempt.

Senator MORRILL was never "the snuff of younger spirits," nor disdained by their "apprehensive senses." He retained his mental vitality to the last, and his sun went down not in intellectual eclipse, but full-orbed and lustrous.

Mr. President, it is not my purpose, in the few words I shall speak, to dwell upon the details of the long and illustrious career of Mr. MORRILL. He had the extreme felicity of living, let me say, to see the great doctrine for which he contended so many years—that of tariff protection—adopted by his country, and a man elected to be President whose first celebrity in public affairs was the framing of a tariff bill modeled after one of which Mr. MORRILL was himself the author.

I prefer to speak of my friend as I knew him during twenty years' association in this Chamber, where we often differed upon public questions, but without a shadow upon our personal relations.

It was my fortune when I came into the Senate to be assigned to duty upon the Committee on Public Buildings and Grounds, of which he was the oldest member and had been the chairman. I afterwards served with him as a member of the Committee on Finance, of which he was the chairman. It was, however, upon the committee I have first named that I knew him best.

He was devoted to architecture, and studied it as an expert. He often said to me that no people could arrive at the first rank in civilization and refinement who were not devoted to architecture and its majestic and beautiful forms of art.

His great desire was to see Washington City the most beautiful capital in the world and this Capitol building in which we are assembled worthy of the greatest Republic upon the earth.

I remember very well his anxiety and solicitude about the disproportion architecturally of this building by reason of its width being too great for its height, and he consulted for years with the most eminent architects as to the feasibility of elevating the central dome so as to remove this defect. Finding this impracticable, he at last adopted the idea of a partial remedy in the construction of the terraces upon the western exposure, in which I was his faithful lieutenant, taking charge of the measure when he was confined to his house by long and serious illness. Mr. MORRILL was largely instrumental in the erection of the beautiful structure occupied now by the State, War, and Navy Departments, and in the erection of the Washington Monument, the location and structure of which he was always ready to defend. But it was upon the Congressional Library that he poured his earnest and affectionate service, and he lived to see that structure a dream of architectural beauty, the wonder and admiration of all the world.

In his private relations as husband, father, friend, Mr. MORRILL was one of the most loyal and lovable men I have ever known. He was kind, courteous, genial, and he never turned away from the poor and distressed. If all those to whom he did acts of kindness could whisper across his grave, it would make an anthem sweeter and more sonorous than any that ever pealed through cathedral aisle. Sir, he sleeps and sleeps well in the granite mountains of his native State, and until those mountains are melted by fervid heat his memory will be loved and cherished,

not only by the people who loved and trusted him, but by those of the entire Union.

**MR. ALLISON.** Mr. President, the late Senator MORRILL, whose memory and public services we commemorate, served longer continuously in the two Houses of Congress than anyone else since the adoption of the Constitution, and longer continuously in the Senate than anyone during that period, although the service of Senator Sherman, of Ohio, in the Senate was about of equal duration. Both entered the House of Representatives at the same time, in March, 1855, but Senator Sherman preceded Senator MORRILL in the Senate six years. Senator Sherman's service in the Senate, however, was interrupted for a period of four years by a seat in the Cabinet of President Hayes, and terminated in March, 1897, by his again accepting a high place in the Cabinet, this time that of President McKinley. So these two eminent men served about the same number of years in the Senate, the service of Senator MORRILL being six years longer in the House, and continuous in the two Houses. Length of service alone counts but little; work done and results accomplished constitute the basis of reputations. By this standard we are judged, and by this standard our departed friend will be judged in the future.

It was the fortune of Senator MORRILL to enter the House of Representatives when the two sections of our country were widely at variance upon the question of slavery and greatly agitated upon the subject, this continued agitation resulting in civil war five years later. Mr. MORRILL, during his first term, took an active part in the affairs of the House, expressing his views, especially upon the subject of the tariff, offering amendments and suggestions to the then proposed modification of the tariff of 1846; which modifications, as then proposed, were in the line of the reduction of the tariff for the purpose of increasing the revenue. When his second term commenced he was placed on the important Committee of Ways and Means in the House, and later was assigned by its chairman to take charge of the consideration of all matters relating to the revenue.

Early in 1860 he presented to his colleagues on the committee a project for the revision of the tariff of 1846, proposing in its stead a tariff on the lines of protection to American industries, and the bill, thus prepared under his guidance, passed the House of Representatives during the long session of the Thirty-sixth Congress, being the last Congress before the civil war. It was not considered in the Senate, however, until the short session, when it passed this body and became a law, and was always known thereafter as the Morrill tariff act. The preparation and discussion of this important bill in the House placed him thus early in his public service in a conspicuous position as respects all matters relating to import duties, and it must have been, as the Senator from Missouri [Mr. VEST] has just said, a source of gratification to him to see the policy thus by him pressed through the House finally embedded in our financial system.

During the Thirty-sixth Congress, this being his third term, Mr. MORRILL also introduced and pressed to final action in both Houses another important public measure, having for its purpose the development of the agricultural interests of our country. He represented a purely agricultural State, and believed that the public lands were properly the inheritance of all the States and that they should be utilized especially for the benefit of the older States which originally had not within their borders public lands. He believed that a portion of those lands or the revenue derived from their sale should be distributed among all the States of the Union and dedicated to the instruction of the youth in scientific agriculture for the promotion of that great interest which is the foundation of our national prosperity.

During that Congress he secured the passage of a measure dedicating a portion of the public domain to agricultural education by means of the establishment of agricultural colleges in all the States, and granting lands to the States for this purpose, such distribution being based upon the representation, respectively, in the House of Representatives. This bill was vetoed by President Buchanan, but was reintroduced by Mr. MORRILL in 1861, and those of us who knew him well here know with what pertinacity he pursued every subject that was near his heart. This bill thus reintroduced in 1861 passed both Houses and received the signature of Abraham Lincoln in 1862, and has since been known as the "agricultural college act." By this donation of the General Government agricultural colleges have been established in every State in the Union and in the Territories. This measure, with subsequent amendments also earnestly pressed by Mr. MORRILL, placed the agricultural colleges of our country on a permanent and enduring basis, achieving year by year the great purposes contemplated by the original act. This great contribution by him to the interests of agriculture will be of lasting benefit not only to our own country, but to all countries where agriculture is an honored occupation. These two measures brought Mr. MORRILL into prominence in the House as one of its most capable, painstaking, and wisest public servants.

Quickly following the beginning of the civil war it became necessary to raise additional revenue with which to carry it on. Senator MORRILL was naturally looked upon as a safe counselor and guide, and became an active participant, if not the most active, in the promotion of the great measures for raising revenue by means of tariff and tax laws. He was charged in the House by the chairman of the committee with the conduct of the first two great financial measures of 1862, namely, a revision of the tariff, being a revision of the tariff of which he himself had secured the passage in 1860, and also the establishment of a widely extended system of internal taxation.

These laws, though raising large sums of money, proved to be wholly ineffectual to meet the great expenditures daily made to maintain our armies in the field, and it became necessary in 1864 to again revise them, in order to largely increase our internal taxation, and also to correspondingly increase duties on imports. These measures were in charge of Mr. MORRILL in the House, and were successfully carried through by him.

It may be said of him, as it was said of Alexander Hamilton, that "he smote the rock of the public credit and streams of revenue gushed forth," these laws of 1864 yielding, in the last year of their existence, more than \$600,000,000 of revenue. Similar laws passed now, with our enormous increase of wealth and production, would probably yield nearly two thousand millions annually. Such were the necessities of this great Government in the trying period of our war, and such were the means and the methods and the instrumentalities whereby our credit was supported.

Mr. MORRILL also participated at the close of the war in the necessary preparatory measures to reduce these enormous burdens of taxation and to place our credit upon a stable and enduring basis. During the last eight years of his service in the House he was actively and constantly engaged as its leader in connection with the financial measures necessary to carry on the war, and, after its close, in making preparations for a gradual reduction of taxation and a gradual reduction of our national expenditures and our national debt. During this trying period we must remember there were many able and experienced men in both Houses who participated in shaping this legislation, but none more useful or influential than Mr. MORRILL.

When he entered the Senate in 1867 he came equipped with a wide knowledge of our public affairs, a large experience in shaping legislation, and possessing a national reputation as a safe and trusted leader upon all questions relating to the public finances. Properly and naturally he soon became a member of the Finance Committee of the Senate and participated in the consideration and formation of all the various measures for the reestablishment of our public credit upon a sound and safe basis by a refunding of the public debt and making provisions necessary to secure the convertibility of our currency into the world's standard of money.

It should be said that Senator Sherman, who participated largely in shaping financial legislation in the Senate, was early in his service in this body made chairman of the Finance Committee, and remained so until 1877, when, though just reelected, he left his place in the Senate to take up the important work of Secretary of the Treasury during President Hayes's Administration. Senator MORRILL then became chairman, and from 1877 to the date of his death was chairman of that great committee, with a hiatus of four years only—from 1879 to 1881, when Senator Bayard was chairman, and from 1893 to 1895, when Senator Voorhees was chairman.

Having old-fashioned notions respecting a paper currency, Senator MORRILL opposed and voted against the issue of greenbacks in 1862, but after their incorporation into our currency he was one of those who believed that they should not be suddenly retired or suddenly abandoned as a part of our circulating medium. In 1864 he set his face against every attempt to enlarge that circulation beyond \$400,000,000 in all, arguing that it was necessary to safely limit their quantity in order to assure their convertibility at the earliest practicable period after the close of the war.

Mr. President, it was my fortune to become a member of the Committee on Finance in March, 1877. Before that I had also served with Mr. MORRILL on the Committee on Ways and Means during the last two years of his service in the House. So, speaking from personal knowledge, I can say that during all this period (with the exception, perhaps, of the last year or two, when, because of infirmity of age, he was unable to give his usual attention to the details of matters before the committee) he was assiduous, alert, and active as respects every important measure that came before the committee, giving his personal attention to all important details and shaping the phraseology to be employed in the various bills presented to the Senate. It may, therefore, be said that all the great revenue measures during this long period of time, whether as respects internal taxation or tariff laws and currency laws, received at his hands careful, intelligent, and thorough consideration.

Though a protectionist, he was never an extreme one, finding it often necessary to restrain the ardor of his associates who desired

higher duties than he thought were wise; and the student of our financial history during this important period will find very much to admire and little to criticize with respect to his participation in shaping these great measures.

Although Mr. MORRILL'S time was thus largely absorbed, he also interested himself in other leading public questions, watching with care, as we all remember, every public interest. His natural conservatism led him to oppose, on every occasion, suggestions of the acquisition of insular territory. In 1871 he opposed the acquisition of Santo Domingo, and during his later years he opposed with great vigor of statement and argument the acquisition of Hawaii.

He also had but little respect for what are called reciprocity treaties; and whenever such were presented in any form, whether by treaty or statutory provision, he was for their minimization and confining such legislation to the smallest number of subjects. He was active in opposition to the reciprocity treaty of 1854 with Canada, and pressed the absolute repeal of the treaty at the earliest possible moment consistent with its provisions. He opposed vigorously the treaties of reciprocity with the Hawaiian Islands, and sought in vain to abrogate them, believing as he did in the old-fashioned way of protecting American industries and American labor.

As was stated by the Senator from Missouri [Mr. VEST], from his long residence here he naturally took deep interest in the improvement and development of the capital of our country, and to him more than to any other Senator we are indebted for our National Museum and our great Congressional Library. One of the last public utterances he made in the Senate Chamber was his advocacy of a bill to provide for the acquisition of a site for, and the erection of a building thereon, for the use of the Supreme Court of the United States. Such a measure was advocated by him for many years, and on his motion the bill passed the Senate at the present session.

Mr. President, this brief outline of some of the measures which make up the record of Senator MORRILL'S great public service marks him as one of the distinguished legislators of the country during the period of his activity. He did not participate in the active and what may be called the running debates of the Senate, but during every session since I have been a member he made one or two carefully prepared speeches on some important question pending. These speeches were always illumined with agreeable humor and pleasing anecdote, and oftentimes by keen satire and wit, aimed at those who held opposing opinions.

His colleague has already spoken of his early life, and of his private life and associations, and I need only add that in social life and in his official life, in the committee room and in the Chamber, he was always agreeable and entertaining. During all the period of my acquaintance with him I have never known an unkind suggestion to be made by him to his associates or of them. On the contrary, he was always courteous in his intercourse and deferential to the opinions and suggestions of others.

Mr. President, his loss is deeply deplored in the Senate and in the country. He won the affection and esteem of all who knew him; and those who knew him best will revere his memory most. He made a lasting impress upon the country and upon his countrymen, and a study of his life will be useful to every youth in the country as the generations come and go. Intimately associated with him for a period of thirty-six years, I present this sincere though imperfect tribute to his memory.

Mr. HOAR. Mr. President, when JUSTIN MORRILL died, not only a great figure left the Senate Chamber—the image of the ancient virtue of New England—but an era in our national history came to an end. He knew in his youth the veterans of the Revolution and the generation who declared independence and framed the Constitution, as the young men who are coming to manhood to-day know the veterans who won our victories and the statesmen who conducted our policy in the civil war. He knew the whole history of his country from the time of her independence, partly from the lips of those who had shaped it, partly because of the large share he had in it himself. When he was born Washington had been dead but ten years. He was 16 years old when Jefferson and Adams died. He was 22 years old when Charles Carroll died. He was born at the beginning of the second year of Madison's Presidency, and was a man of 26 when Madison died. In his youth and early manhood the manners of Ethan Allen's time still prevailed in Vermont, and Allen's companions and comrades could be found in every village. He was old enough to feel in his boyish soul something of the thrill of our great naval victories, and of the victory at New Orleans in our last war with England, and, perhaps, to understand something of the significance of the treaty of peace of 1815. He knew many of the fathers of the country as we knew him. In his lifetime the country has grown from seventeen hundred thousand to thirty-six hundred thousand square miles, from seventeen States to forty-five States, from four million people to seventy-five million. To the America into which he was born seventeen new Americas had been added before he died.

A great and healthful and beneficent power has been lost from

our country's life. If he had not lived, the history of the country would have been different in some very important particulars; and it is not unlikely that his death has changed the result in some matters of great pith and moment, which are to affect profoundly the history of the country in the future. The longer I live, the more carefully I study the former times or observe my own time, the more I am impressed with the sensitiveness of every people, however great or however free, to an individual touch, to the influence of a personal force. There is no such thing as a blind fate; no such thing as an overwhelming and pitiless destiny. The Providence that governs this world leaves nations as He leaves men, to work out their own destiny, their own fate, in freedom, as they obey or disobey His will.

Man is his own star; and the soul that can  
Render an honest and a perfect man  
Commands all life, all influence, all fate;  
Nothing to him falls early or too late;  
Our acts our angels are, for good or ill;  
Our fatal shadows that walk by us still.

It is wonderful what things this man accomplished alone, what things he helped others to accomplish, what things were accomplished by the political organization of which he was a leader, which he bore a very large part in accomplishing.

Mr. MORRILL'S public life was coincident with the advent of the Republican party to national power. His first important vote in the House of Representatives helped to elect Mr. Banks to the office of Speaker, the first national victory of a party organized to prevent the extension of slavery. From that moment for nearly half a century Vermont has spoken through him in our National Council, until, one after another, almost every great question affecting the public welfare has been decided in accordance with her opinion.

It would be impossible, even by a most careful study of the history of the country for the last forty years, to determine with exactness what was due to Mr. MORRILL'S personal influence. Many of the great policies to which we owe the successful result of the civil war—the abolition of slavery, the restoration of peace, the new and enlarged definition of citizenship, the restoration of order, the establishment of public credit, the homestead system, the foundation and admission of new States, the exaction of apology and reparation from Great Britain, the establishment of the doctrine of expatriation, the achievement of our manufacturing independence, the taking by the United States of its place as the foremost nation in the world in manufacture and in wealth as it was already foremost in agriculture, the creation of our vast domestic commerce, the extension of our railroad system from one ocean to the other—were carried into effect by narrow majorities, and would have failed but for the wisest counsel. When all these matters were before Congress there may have been men more brilliant or more powerful in debate, but I can not think of any wiser in counsel than Mr. MORRILL. Many of them must have been lost but for his powerful support. Many owed to him the shape they finally took.

But he has left many a personal monument in our legislation, in the glory of which no others can rightfully claim to rival him. To him is due the great tariff, that of 1861, which will always pass by his name, of which every protective tariff since has been but a modification and adjustment to conditions somewhat changed, conditions which in general, so far as they were favorable, were the result of that measure. To him is due the first antipolygamy bill, which inaugurated the policy under which, as we hope and believe, that great blot on our national life has been forever expunged. The public buildings which ornament Washington, the extension of the Capitol Grounds, the great building where the State, War, and Navy Departments have their home, the National Museum buildings, are the result of statutes of which he was the author and which he conducted from their introduction to their enactment. He was the leader, as Mr. Winthrop in his noble oration bears witness, of the action of Congress which resulted in the completion of the Washington Monument after so many years' delay. He conceived and accomplished the idea of consecrating the beautiful chamber of the old House of Representatives as a memorial hall where should stand forever the statues of the great men of the States. So far, of late, as the prosperity and wise administration of the Smithsonian has depended upon the action of Congress it has been due to him. Above all, the beautiful National Library building, unequalled among buildings of its class in the world, was in a large measure the result of his persistent effort and powerful influence, and stands as an enduring monument to his fame. There can be no more beautiful and enviable memorial to any man than a portrait upon the walls of a great college in the gallery where the likenesses of its benefactors are collected. Mr. MORRILL deserves this expression of honor and gratitude at the hands of at least one great institution of learning in every American State. To his wise foresight is due the ample endowment of agricultural or technical colleges in every State in the Union.

He came from a small State, thinly settled, from a frontier State. His advantages of education were those only which the public

schools of the neighborhood afforded. All his life, with a brief interval, was spent in the same town, except when absent in the public service. But there was no touch of provincialism in him. Everything about him was broad, national, American. His intellect and soul, his conceptions of statesmanship and of duty, expanded as the country grew and as the demands upon him increased. He was in every respect as competent to legislate for fifty States as for thirteen. He would have been as competent to legislate for an entire continent so long as that legislation were to be governed, restrained, inspired by the principles in which our Union is founded and the maxims of the men who builded it.

He was no dreamer, no idealist, no sentimentalist. He was practical, wise, prudent. In whatever assembly he was found he represented the solid sense of the meeting. But still he never departed from the loftiest ideals. On any question involving righteousness or freedom you would have as soon have had doubt of George Washington's position as of his. He had no duplicity, no indirection, no diplomacy. He was frank, plain spoken, simple-hearted. He had no faculty for swimming under water.

His armor was his honest thought  
And simple truth his utmost skill.

The Apostle's counsel to his young disciple will serve for a life-like portraiture of JUSTIN MORRILL:

Be sober-minded;  
Speak thou the things which become sound doctrine;  
In all things showing thyself a pattern of good works: in doctrine shewing uncorruptness, gravity, sincerity;  
Sound speech than can not be condemned; that he that is of the contrary part may be ashamed, having no evil thing to say of you.

If you wish to sum up the quality of JUSTIN MORRILL in a single word, mind, body, and soul, that word would be Health. He was thoroughly healthy, through and through, to the center of his brain, to his heart's core. Like all healthy souls, he was full of good cheer and sunshine, full of hope for the future, full of pleasant memories of the past. To him life was made up of cheerful yesterdays and confident to-morrows. But with all his friendliness and kindness, with all his great hold upon the love and respect of the people, with all his large circle of friends, with all his delight in companionship and agreeable converse, he dared to be alone. He found good society enough always, if no other were at hand, in himself. He was many times called upon to espouse unpopular causes and unpopular doctrines. From the time when in his youth he devoted himself to the antislavery cause, then odious in the nostrils of his countrymen, to the time when in the last days of his life he raised his brave voice against a policy upon which the majority of his political associates seemed bent, he never yielded the conclusions of his own judgment or the dictates of his own conscience to any majority, to any party dictation, or to any public clamor. When freedom, righteousness, and justice were on his side he considered himself in the majority. He was constant in his attendance on the worship of a small and unpopular religious denomination. He never lost his good nature, his courage, or his supreme confidence in the final triumph of truth.

Mr. MORRILL was not a great political leader. Great political leaders do not often come to the Senate nowadays. He was contented to be responsible for one man; to cast his share of the vote of one State; to do his duty as he conceived it, and let other men do theirs as they saw it. But at least he was not a great political follower. He never committed himself to the political currents, nor studied the vanes to see how the winds were blowing, nor sounded the depths and the shallows before he decided on his own course. There was no wire running to his seat from any center of patronage or power. To use a felicitous phrase, I think of the Senator from Alabama, he did not "come out of his door and cry 'Cuckoo!' when any clock struck elsewhere."

Mr. MORRILL was a brave man—an independent man. He never flinched from uttering his thought. He was never afraid to vote alone. He never troubled himself about majorities or Administrations, still less about crowds or mobs or spasms of popular excitement. His standard of excellence was high. He was severe, almost austere, in his judgments of other men. And yet, with all this, everybody liked him. Everybody who came to know him well loved him. It seems strange that he never incurred enmities or provoked resentments. I suppose the reason is that he never had any controversy with anybody. He did not mingle in the debates of the Senate as a debater. He uttered his opinion and gave his reasons as if he were uttering judgments. But he seldom or never undertook to reply to the men who differed from him, and he rarely, if ever, used the weapons of ridicule or sarcasm or invective, and he never grew impassioned or angry. He had, in a high degree, what Jeremy Taylor calls "the endearment of prudent and temperate speech."

He was one of the men that Washington would have loved and Washington would have leaned upon. Of course I do not compare our good friend with him to whom no man living or that ever lived on earth can be compared. And Mr. MORRILL was never tried or tested by executive or by military responsibilities. But the qualities which belonged to Washington belonged to him—prudence, modesty, sound judgment, simplicity, absolute veracity,

absolute integrity, disinterestedness, lofty patriotism. If he is not to be compared with Washington, he was at least worthy to be the countryman of Washington, and to hold a high place among the statesmen of the Republic which Washington founded.

Neither ambition nor hatred, nor the love of ease nor the greed of gain, nor the desire of popularity nor the love of praise, nor the fear of unpopularity found a place in that simple and brave heart.

Like as a ship that through the ocean wide  
By conduct of some star doth make her way—

no local attraction diverted the magnet in his soul, which ever pointed to the star of duty.

As I just said, he was one of the men that Washington would have loved and that Washington would have leaned upon. If we do not speak of him as a man of genius, he had that absolute probity and that sound common sense which are safer and better guides than genius. These gifts are the highest ornaments of a noble and beautiful character; they are surer guides to success and loftier elements of true greatness than what is commonly called genius. It was well said by an early American author, now too much neglected, that—

There is no virtue without a characteristic beauty. To do what is right argues superior taste as well as morals; and those whose practice is evil feel an inferiority of intellectual power and enjoyment, even where they take no concern for a principle. Doing well has something more in it than the mere fulfilling of a duty. It is a cause of a just sense of elevation of character; it clears and strengthens the spirits; it gives higher reaches of thought. The world is sensible of these truths, let it act as it may. It is not because of his integrity alone that it relies on an honest man, but it has more confidence in his judgment and wise conduct, in the long run, than in the schemes of those of greater intellect who go at large without any landmarks of principle. So that virtue seems of a double nature, and to stand oftentimes in the place of what we call talent.

He was spared the fate of so many of our great New England statesmen, that of closing his life in sorrow and in gloom. His last days were days of hope, not of despair. Summer came to his seat in the Senate Chamber as to a solitude. When he was struck with death there was found upon his table a volume of Shakespeare with this passage, probably the last printed text, on which his eyes ever gazed, marked with his own hand:

Would I were dead, if God's good will were so,  
For what is in this world, but care and woe.

The last days of Samuel Adams were embittered by poverty, sickness and the death of his only son.

Daniel Webster laid wearily down his august head in disappointment and sorrow, predicting with dying breath that the end had come to the great party to whose service his life was given.

When John Quincy Adams fell at his post in the House of Representatives a great newspaper declared that there could not be found in the country another bold enough or bad enough to take his place.

But Mr. MORRILL's last days were filled with hope and not with despair. To him life was sweet and immortality assured. His soul took its flight

On wings that fear no glance of God's pure sight,  
No tempest from his breath.

And so we leave him. His life goes out with the century of which he almost saw the beginning. What the future may have in store for us we can not tell. But we offer this man as an example of an American Senator and American citizen than which so far we have none better. Surely that life has been fortunate. He is buried where he was born. His honored grave is hard by the spot where his cradle was rocked. He sleeps where he wished to sleep, in the bosom of his beloved Vermont. No State ever mourned a nobler son; no son was ever mourned by a nobler State. He enjoyed to a ripe old age everything that can make life happy—honor, love, obedience, troops of friends,

The love of friends without a single foe,  
Unequaled lot below.

He died at home. The desire of the wise man,

Let me die in my nest,

was fulfilled to him. His eyes in his old age looked undimmed upon the greatness and the glory of his country in achieving which he had borne so large a part.

Mr. MORGAN. Mr. President, there are few, if any, members of the Senate who witnessed the introduction of JUSTIN S. MORRILL to Congressional service as a member of the House of Representatives from Vermont in 1855, and only one Senator now holds a seat here who was a member of this body when Mr. MORRILL took his seat as a Senator from that State in 1867.

He stood here in conspicuous vigor of intellectual force, without apparent decay, until he had almost spanned the nineteenth century, and, at its close, with all its marvelous rapidity of advance, beyond its predecessors, he was in the front rank of active men, keeping pace with every event, discovery, revelation, and grand achievement, and pressing on with active movement in every great advance, as he had done when the century was young.

His untiring work for the people, through the long period of his public service, upon which no shadow of discredit ever fell, has earned their reverence and gratitude. He died possessed of the

riches of their love, and this was all the wealth he had or desired. He has bequeathed to his country the priceless fruits of his life work, the outgrowth of duty, labor, and honor. We have not known a man in the Senate, nor do we believe that any man ever held a seat in this body, who was more sincerely conscientious in every utterance and in every vote that he gave on any measure. Nor has any Senator been more diligent and careful to inform himself on the questions that are constantly presented here for just, wise, and patriotic determination. The task of a true Senator is a burden of ceaseless responsibilities that needs a strong, rugged will and a pure heart for its support. Senator MORRILL was blessed with that high capacity in an unusual degree.

His patience in labor and his forbearance in controversy indicated his unselfish purpose, in all his work in the Senate, to limit his personal wishes and endeavors to the lines of duty as a representative of the people. He seemed to have no ambition other than an earnest desire to benefit the country in dealing with the measures that came up in Congress, and he was not known among the class of politicians who work with active zeal for personal advancement or for party success. He was too broad to be selfish and too earnest in his desire to benefit the people to take into account his own political fortunes. He was faithful to his party, but was never its slave.

I recall my last conversation with him with sincere pleasure. It illustrates his strong sense of duty and his anxious care for the general welfare of the people, and for the progress and elevation of the great Republic in its influence among the nations of the world.

At a late hour of the day, when the progress of the debate seemed to indicate that a vote on the Nicaragua Canal bill was possible, Mr. MORRILL left his seat and came across the Chamber to my desk.

He never approached my seat in the Senate that I did not rise to acknowledge the honor of his visit. He said that he came to inquire if it was likely that a vote would be reached on the bill during the evening, adding that he was somewhat weary and desired to go home, unless it was necessary to remain. On being assured that the absence of his vote would not endanger the measure, he said:

However that may be, I wish to give my vote to that measure as the one that I approve above all others pending in the Senate. It is a work of world-wide importance and honorable to this generation. I very much desire to record my vote for this bill.

It was not until I had assured him that a vote could not be taken before a subsequent day that he got his consent to retire from the Senate Chamber. He went away, never to return to us, except as a sacred symbol of the mysterious majesty of death, while the Senate and the Government, and the representatives of the nations of the earth, gathered about the catafalque where the body lay in state to testify their reverence for the venerable father of the Senate.

I have stated his last words to me, which I believe were the last expression of his will as a Senator, and I now record his vote for that measure.

It may be justly stated that every day of Mr. MORRILL's presence in Congress is marked with some valuable contribution, on the floor of the Houses or in the committees, to the legislative history of the United States. He did not appear to work with unusual toil in building up the splendid structure of his public record. His task seemed to be easy and his burden light, because of the steady uniformity and the method of his labors.

His adventures in legislation were never rash or startling, yet they were as bold and as firmly cast with reference to principle and for the achievement of great results as were the great conceptions of the illustrious men who laid the foundations of this wonderful system of American Republics.

He had not the faculty of eloquence to summon his colleagues to sudden and dangerous movement in dealing with questions that arouse the enthusiasm or excite the indignation of the whole people. Had he possessed such power, his conservatism would have controlled his action and he would always have counseled the greatest deliberation when the danger or the temptation was greatest.

Mr. MORRILL was a deviser of methods for the upbuilding of the country in its material interests, and he did not hesitate in his work to search for a precedent or a theory to sustain his plans when convinced that they would result in the good of the people under the Constitution. The general welfare was so great a desideratum in his political creed that he found it difficult to restrain his zeal by recurring to the theories of government that might stand in the way. But the welfare of the people rather than the prosperity of classes was the real motive of his action.

He gathered his ideas and information as to the needs of the people at large from his study of the interests of his immediate constituency. This loyalty to the proper conception of merely representative duty and the force and persistence which he employed in its advocacy made him a leading champion of a doctrine known as protection in customs taxation for the sake of protection. This contention involved him in a great national controversy that will never be settled in our domestic policy until recip-

rocal freedom of trade has become so general between nations that it will be virtually a fixture of the laws or usage of nations. His work in promoting our domestic development in productive and manufacturing industries and in the independence of American labor was prompted chiefly by the duty which has become a criterion of Christian civilization, that of providing for the household first and then for assisting the strangers. It can not be justly said of this humane statesman that he ever supported a policy of government that he did not believe was just and helpful to the laboring man.

Those who differ with his policy, as I do, must still acknowledge that it has given such rewards to American genius and enterprise, at whatever cost, as have produced an excellence in our manufactures of which we are all very proud. In this line of encouragement to the efforts of labor to win higher rewards in the mechanic arts Mr. MORRILL has builded for himself and with his own work a title to fame that is as broad and conspicuous as that which Thomas Jefferson, with a just pride, claimed for himself as the founder of the University of Virginia.

The agricultural and mechanical colleges of the United States are the work of JUSTIN S. MORRILL, and are the proudest monuments to his fame.

This grand system was instituted by the act of July 2, 1862, of which Mr. MORRILL was the author. While a civil war was flagrant which involved more in its desperate struggle than ever fell to the lot of any nation and excited the battling contestants with animosities as deep and bitter as ever aroused the soul of man, this cool-headed, far-seeing, and benevolent statesman found in his hopes a coming time of peace, restoration, and brotherhood in which the education of the youth of the land would be a blessed benediction to a country that needed the help of every humane restorative.

He surveyed with careful outlook the vast public domain as the resources of endowment for schools of high grade for the agricultural and mechanical classes. He studiously examined the delicate question of Federal endowment and State control of educational institutions, and, with the eye of a seer, he found the neutral ground where these sovereign powers, then in open warfare, could meet under the banners of peace and act together in perfect harmony for the lifting up of these great industrial classes and uniting their energies in a final union of devout patriotism.

In that act was manifested the wisdom of the statesman, the keen discernment of the safe legislator, and the noblest aspiration of a generous soul.

In thirty-six years the universities and colleges that have been founded under that law number more than 50 for Caucasians and 15 for the negro race in the different States and Territories. In 1896-97 more than 25,000 Caucasian pupils were taught in those institutions by more than 1,400 male and female teachers, and more than 4,000 negro pupils were taught in the colleges for that race. The income from land grants and the aid of States for 1896-97 was more than \$5,000,000, while the accumulated property in buildings, libraries, apparatus, cultivated farms, and furnished workshops is a vast sum.

Death whispers its funeral sighs through this Chamber in memory of our aged and beloved dean of the Senate; but there must be a note of triumph in every heart when we recur to facts so grand as those I have quoted, and feel the reality of that pledge of immortal renown given to the dead who loved the living, that "their works do follow them." Out of these colleges have come already a great number of men and women who have had marked success in all the honorable pursuits in this free country; others will follow who will improve upon the example of their predecessors, and as each generation appears there will be still a greater number who will honor the memory of JUSTIN S. MORRILL and "will rise up and call him blessed."

I refer to only a few facts in the life of this aged public servant out of a great number that make up the record of a pure and grand career, suited to the genius of his country, the excellence of its institutions, the upward march of its ennobling influence, and the glory which will be revealed in its future history. He worthily represented its character and anticipated its grand success in that highest mission that Heaven has ordained for any nation.

The temples around us, and others he projected, that so impressively remind us of his care for learning and justice, and the beauty and strength of this Capitol, where he took so active a part in legislation, are monuments that he loved to aid in building in honor of the great Republic and of the name and memory of George Washington, its founder and father.

Mr. MORRILL would not have asked of his countrymen a higher or more fitting testimony of their regard for him than that the Senate would celebrate his obsequies in this Chamber and on this anniversary after the reading of the Farewell Address of George Washington. He lived up to the spirit of that great legacy to the Republic, and followed its admonitions with an abiding faith and resolute purpose to the day of his death.

May he rest in peace.

Mr. CULLOM. Mr. President, the distinguished statesman whose death we are commemorating to-day was an American citizen in all those elements of character which have made our Republic prosperous and great; and during many years, for nearly half a century, indeed, he stood before the country a splendid example to its youth, a public man of perfect moral proportions, and one of whose integrity, honesty, and purity of purpose there was never either a private or public suspicion.

During nearly half a century he served his country well in the House of Representatives and in the Senate. He was a conspicuous figure during the period of the civil war, and his name became attached to the first protective legislation in the real sense of that word. On all questions of legislation he was well informed; in all fiscal matters he took a deep interest; and while he kept abreast with the times, his old-time ideas of the powers and duties of the Government restrained and made him sometimes hesitate to follow his party when it advanced upon what he regarded as new paths.

But, Mr. President, no matter what his opinions were on public questions, no matter how vigorously he put himself into opposition, no matter how effectively he might resist the most cherished schemes of Senators, he never created a resentful or really angry feeling on the part of any of his colleagues. Every Senator knew that he acted always upon a conscientious sense of duty, and he at all times maintained the respect of this body.

Indeed, Mr. President, I may say that for many years he was not only respected by all his colleagues, but he was honored and even loved by them.

Senator MORRILL was a man who, from the beginning of his public life, never hesitated to declare his views. When he was first nominated for Congress in 1854, he avowed himself as opposed to the spread of slavery, in favor of the modification or repeal of the fugitive-slave law, in favor of money for liquor rations to soldiers, and for the annihilation of "grogeries," as he termed them, in and around the Capitol at Washington.

When the civil war began, and even before that time, there arose the necessity for greater revenues. The bill known as the Morrill tariff bill, which was prepared and introduced by him, became one of the most important war measures. He was chairman of the Ways and Means Committee of the House in the Thirty-ninth Congress, and had charge of legislation for raising revenue during the war. He was chairman of that great committee when I became a member of the Thirty-ninth Congress, and I first met him as the leader of that body in all financial measures. He was elected to the House for six successive terms, covering a period of twelve years. He was then elected to the United States Senate, and took his seat in March, 1867, as the colleague of Senator George F. Edmunds, who was one of the ablest and most distinguished Senators. He became in 1877 chairman of the Committee on Finance, succeeding Senator Sherman, who entered the Cabinet of President Hayes. He was six times elected to the Senate, his last election occurring when he had reached his eighty-seventh year.

Thomas H. Benton served in the United States Senate for thirty consecutive years. Senator MORRILL served nearly forty-four years in the two Houses of Congress, nearly thirty-two years of which were in the Senate. Some writer stated before Senator MORRILL's death that, since the death of Mr. Gladstone, the distinction of being the oldest living statesman of the Anglo-Saxon type clearly belonged to the patriarch of the upper branch of Congress, Senator MORRILL. Mr. President, there was much in the life of this oldest statesman, "this grand old American," to challenge the attention of the world.

I have said he was the author of the war tariff, the great measure under which it became possible for President Lincoln to prosecute to a successful end the greatest war struggle of modern history. He was prominent in establishing the internal-revenue system, and the success attending this measure made possible the national-bank system of the United States.

Senator MORRILL took a great interest in the endowment of the land-grant colleges which have become such an enduring monument to his memory. He pressed to a successful result the measures for the erection and completion of the great building now occupied by the State, War, and Navy Departments, the National Museum building, the Bureau of Engraving and Printing, the enlargement of the Capitol, and more recently of the new Congressional Library. His name in connection with his advocacy of the building of these great public structures gave character to the work and confidence to the public.

Senator MORRILL was an embodiment of American legislative history. He was a contemporary with Sumner, Blaine, Conkling, Morton, Trumbull, Fessenden, Logan, and Thurman. He remained a stalwart worker in the forum of politics after these great and brilliant statesmen had passed away, and he still wore the toga of Senatorial dignity when the death-angel's message came to him.

He was a lisping boy when the war of 1812 began, and a lad of

13 years when the Monroe doctrine was enunciated. He was in Congress when the first Republican candidate for the Presidency, John C. Frémont, was defeated by James Buchanan. He was in active public life several years before the civil war of 1861, and he was a part of the entire Congressional history of the events leading to that war, as well as of the war itself and of the period of reconstruction.

His years of life covered six wars of the United States: The war of 1812, the so-called Black Hawk war of the Northwest, the Seminole Indian wars of Florida, the war with Mexico, the civil war of 1861, and the war with Spain in 1898.

His friends and neighbors were the descendants of Stark and of Ethan Allen. Within a short distance from his home are the historic places of Bennington, of Crown Point, and Ticonderoga, while the wheat fields of Saratoga, Stillwater, and Bemis Heights still grow rank over the resting places of the dead who fell at Burgoyne's defeat. The story of the Green Mountain boys was the lesson of his earliest days, and amid patriotic inspirations the foundations of his life work were laid. Along the course of his career, from his early mercantile life to the call of his people to a seat in Congress at the age of 45 and on to the close of his great public career, his was not the dashing, meteoric sweep of a comet, but rather the steady, peaceful, quiet life of the industrious, useful, worthy, and successful legislator.

He was always a safe, reliable, and conscientious adviser. He was considerate of the views and feelings of his associates and of others. He was a man of strong, stalwart utterances and vigorous expressions. He was fortunate in having a constituency who fully appreciated his high worth, and it has been said of them that he would doubtless have held a seat in the Senate at their hands till he was 100 years of age had his life been prolonged to that time.

The history of the proceedings of the Senate of the United States for a generation bears on every page the honored name of JUSTIN S. MORRILL. No business of importance affecting national legislation or the interest of the country which appears upon our statute books for more than forty years past has failed to receive the careful scrutiny of Senator MORRILL. He could say of the work of the American Congress for nearly half a century, "All of which I saw, and most of which I was."

Senator MORRILL, even to his latest years, gave the most careful attention to current public affairs, and he did not fail to express himself in vigorous and unmistakable terms upon every important subject before the people. There was always a freshness and aptness about his expressive utterances which pleased and entertained his listeners.

But, Mr. President, he could not escape the inevitable fate of man. The activities of his public life could not save him from the effects of time. Day by day, year by year, he continued to move among us in this Chamber, but finally his faltering steps began to show that he had become physically one of the subjects of old age. Time, however, laid his hand upon Senator MORRILL's heart gently. He moved among us, a familiar presence, and to him, more appropriately than to any other Senator, could we apply the lines which Tennyson applied to the Duke of Wellington:

O good gray head which all men know,

O iron nerve to true occasion true,  
O fall'n at length that tower of strength  
Which stood four-square to all the winds that blew!  
Such was he whom we deplore.  
The long self-sacrifice of life is o'er.

Always kind, always gentle, the deceased through all his long life had an open palm in almsgiving. In the State and community that gave to him the opportunity to occupy a high place in the eye of the world "none knew him but to love him, none named him but to praise." In the family circle he illustrated the lines of Cowper's "task":

The only amaranthine flow'r on earth  
Is virtue; th' only lasting treasure, truth.

In the community in which he lived, in the State of his nativity, in the House of Representatives, in this body which he adorned, in every relation of life in which he was called to act a part, everywhere and under all circumstances, he was respected for his abilities and honored for his virtues. He went to his grave lamented by the whole nation as a Christian gentleman and an able statesman.

Mr. President, I can offer no higher honor and cast no brighter laurel upon the tomb of JUSTIN S. MORRILL than to recall the the apostrophe to Addison, by the author of the Universal Prayer:

Statesman, yet friend to truth! of soul sincere,  
In action faithful, and in honor clear!  
Who broke no promise, served no private end,  
Who gain'd no title, and who lost no friend;  
Ennobled by himself, by all approved,  
Praised, wept, and honor'd by the muse he loved.

Mr. GORMAN. Mr. President, praise of the lamented MORRILL rises easily to the lips of those who knew him. Of dignified presence, with a manner of infinite courtesy that faithfully prefigured the generous and gentle soul within, a stalwart partisan, but always a gentleman, kind, considerate, helpful, and unselfish, JUSTIN S. MORRILL constituted the most attractive personality, the most gracious and refining influence in this Chamber.

The term of his service—beginning March 4, 1867, and ending only yesterday—covers the most momentous period in our political history. The term of his life covers the most momentous period in the history of the world. As a Senator he saw the reconstruction of the shattered Union. He saw the warring sections reconciled, the scars of a gigantic conflict healed. He saw battlefields slowly robe themselves in smiling harvests; he saw the ferment of a new and nobler patriotism complete its holy work. As an individual he saw steam displace the cumbersome methods of the eighteenth century; he saw New York brought within six days of San Francisco and distant States gathered together more closely than neighboring Vermont villages formerly had been. He saw electricity link continents and nature's once mysterious forces harnessed for man's use.

Since his natal day, April 14, 1810, human liberty has been deepened, broadened, and assured; despotism has entered upon a downward path; enlightenment has ousted ignorance and superstition from their strongholds, and human slavery has been branded with a curse throughout the Christian world. Since then the barriers of caste have been broken down in all the more progressive nations, labor has been lifted from its low estate, and opportunity been put within the reach of merit everywhere. Art, science, commerce, industry, benevolence, statesmanship have advanced—the blessed processes of peace, the exaltation of the human race, the security of life, the protection of property, the individual rights of man—all the agencies of a rational and beneficent civilization have been established on a safe and lasting basis. Born before the inauguration of the Victorian period, during which humanity has experienced its most tremendous progress and development, he lived to see the zenith of that period's amazing glory.

It can not be said of Mr. MORRILL that he was a great man in the sense that Webster, Fessenden, and Collamer were great. He had not the strenuous and dominating qualities of Andrew Jackson, nor the imperious force, the almost inspired aptitude, of Abraham Lincoln. But he was a sturdy, honorable, painstaking, vigilant, and loyal public servant. He yielded nothing where principle and conscience were concerned, though his partisanship and his firmness were so clothed in courtesy that he offended none. He won respect and love where others engendered animosity; yet he was, not less than they, a stalwart, faithful, and uncompromising adherent of the Republican organization—an organization of which he had seen the birth, the adolescence, and the perfected maturity and manhood.

His death leaves a more painful and perceptible void than I can well or adequately picture. He had sat here for more than thirty years, always an image of dignity and grace, always an influence for kindness and nobility. Since March 4, 1867, including those who composed the body at that time, 380 different Senators have occupied seats upon this floor. Only one member of this House was a Senator when Mr. MORRILL entered—the Hon. WILLIAM M. STEWART of Nevada—but his service has not been continuous. The career of him whose virtues we celebrate to-day must be regarded as unique, as much so as his personality, his character, and his influence. He was no preacher, but he taught us by his life the usefulness and beauty of a gentle heart. He showed us how easy it was to be a loyal party man and still hold fast the affection and respect of all.

He died, as he had lived, thinking evil of none and by none reviled or held in disesteem. The years that crowned him with their snows brought also the offerings of veneration and the laurels of a pure renown. He sweetened and enriched the atmosphere in which he moved. He exhaled the spirit of charity and toleration. He was the example of the perfect gentleman—a kindly heart, a helping hand, a fount of generous and noble sympathy. The peace he knew in this life was but a foretaste of the higher and diviner peace that waited for him at the grave.

Mr. THURSTON. Mr. President, dying as he lived, in the simplicity of his faith, honored, respected, and beloved by his countrymen, in the fullness of years, ripe with honors, our colleague passed from us to the great beyond.

Death is not always terrible or sad. Sometimes the broken-hearted mother, bending down to catch the last faint breath from baby lips, is glad to know her child is safe from the troubles, the struggles, and the pitfalls of the coming years. Sometimes the husband as he sees the sudden glory of immortality come into the dimming eyes of his beloved is consoled to know that she has gone to those who wait for her upon the other shore. Sometimes when heroes fall beneath the flag, while yet the flush of glorious

victory is on their brows the nation sings a requiem and the world applauds. And always death is beautiful and kind to him who has the harness on, who wears the wreath of rounded efforts, and whose honors are complete.

JUSTIN S. MORRILL served his country and his God for almost four score years and ten. Through all his life he bore a spotless shield. As husband, father, citizen, and statesman he was a shining example to his fellow-men.

To have lived long, neutral, purposeless years is nothing. Old age is not always to be desired. The human vegetable withered at the top and dead at the core is but an object of our pity and regret. But he whose memory we keep retained to the end the full vigor of a masterful intellect and all the kindly impulses of a warm and generous heart.

I know of no grander spectacle in the legislative history of the world than that presented by our colleague in his eighty-ninth year rising to his place in the Senate with a voice that failed him not, and with the vigor of a masterful intellect unimpaired, addressing his countrymen upon the momentous issues which have absorbed our attention during the last eventful year. Even those of us who did not agree with him fully as to the nation's policy and the Republic's destiny listened in breathless reverence and awe, for he spoke with the authority of one who ranked us all in legislative experience, who towered above us all in accomplished statesmanship. And we knew that he spoke from the standpoint of one who had measured the whole height of human ambition, who stood at the close of life, whose sole concern was for posterity, whose only hope was for the permanency of our institutions, and whose abiding faith was in God's providence.

No other man in all the history of our country has so indelibly associated his name with so much of its wisest and best legislation. His was the guiding spirit which shaped the tariff legislation of the United States for an entire generation that marked the most wonderful growth, development, prosperity, and progress the world has ever seen. His ripened experience and wise, conservative counsel, more than that of any other man, directed the financial policy of our country which has kept us on the unshaken foundation of national honesty and honor.

He was the friend and counselor of Lincoln; the associate and peer of all the godlike men who stood with Lincoln in the dark hours of the nation's peril. His heroism in time of public danger was as great as that of those who led the armies of the Republic; his services as valuable as those who won its battles; his work as powerful for his country's weal as that of any whose name is written on the scroll of American fame.

He was born on the mountains, he grew up in the presence of the eternal hills. He inherited the abiding faith, the rugged honesty, the fervent patriotism, the sterling manhood of ancestors who conquered the New England wilderness, who toiled by day and prayed by night; who helped to win American independence, and who put their faith in the civilization of the town meeting, the schoolhouse, and the church of God.

He was the son of a State whose chief product is character— and strength of character and purpose was the one great feature of his public career. He did not win his way by any natural gift of what men call eloquence. The attic bee did not hover on his lips. He convinced men out of the sincerity of his own convictions; by the irresistible logic of his sturdy common sense; by the simplicity and cogency of his presentation. His victories were not over men's hearts, but over men's minds and consciences; and because of this his influence over public opinion was lasting and healthy and helpful. His was the broad conservatism of patriotic thought, patient investigation, and intellectual application. All in all, I have no hesitation in placing him among the truly great, among those who have left lasting impressions for the good of mankind.

It was his good fortune to be in the Congress of the United States in the supreme crisis of our national affairs. He saw the stars go out of the flag; he helped to win them back. He was of those who gave freedom to a race, who made the flag of the Union the flag of liberty. He was of those who said with Grant, "Let us have peace." He was of those who extended the hand of friendship and fellowship to the brave men who yielded to the arbitrament of war. And, thank God, it was his happiness to remain in the Congress of the United States to welcome that glorious time of absolute reconciliation and reunion that came in all its fullness when the veterans and the sons of veterans from North and South marched gladly out under the one flag, keeping step to the mingled strains of Dixie and Yankee Doodle, carrying the salvation of a great and powerful people to the downtrodden and oppressed beyond the seas.

Mr. President, in front of the State capitol of Vermont there stands a godlike statue, carved from the imperishable granite of her green-clad hills. The strong right hand grasps a sword that leaped from its scabbard for daring leadership in desperate times. And gazing on the noble face one can almost hear the stern lips demanding the immediate surrender of old Ticonderoga "in the

name of the great Jehovah and the Continental Congress." Side by side with that heroic figure I would have the dear old State that gave me birth place another granite form, clad in no martial garb, decked in no warlike trappings, with face uplifted and eyes serene, the outstretched hand upon the Constitution of the United States. There let them stand together, challenging forever the admiration of mankind. Hero and statesman, the best embodiments of liberty's achievements in war and peace—Ethan Allen and JUSTIN S. MORRILL.

Mr. PROCTOR. Mr. President, Senator MORRILL had the unique distinction of a longer continuous service in the Senate of the United States and in Congress than any other man. For thirty-two years, lacking two months and four days, he represented his State in this body, and for nearly forty-four years, or exactly two-fifths of its entire constitutional existence, he was continuously a member of one or the other House of Congress. Born only twenty-one years after the first inauguration of George Washington, when, by analogy, the nation was just completing its minority, the beginning of his life was contemporaneous with that of the mature life of the Republic itself. He was five years older than Bismarck and only three months younger than Gladstone, each the most distinguished veteran of his own country, but he was spared to years of active service after they had retired, and survived them both.

On the 4th of March, 1897, when Senator MORRILL began his sixth full term in this body, he lacked but one month and ten days of being 87 years old. It is permitted to few to live so many years and to few of those to continue in active life. Yet the people of Vermont never considered his retirement. If his noble life had been spared to the end of his term, and he himself had not forbade it, he would have been elected to his seventh term just as heartily. Long ago, by tacit consent, the people of my State resolved to make him a life Senator, and they never wavered in that purpose.

Though we dwell with pardonable pride upon the length of his public service and the fullness of his years, they derive their chief significance from the character of that service rather than the measure of that life. Judged by any standard, he was a remarkable man; calm in judgment, wise in counsel, serene amidst strife. His death, at nearly a score of years beyond the allotted life of man, is an irreparable loss to the country, and especially to the Senate, which he so long adorned.

Though he belonged to the whole nation, Vermont in a peculiar sense claimed him as her own. He not only long and faithfully represented her in the national councils, but he was truly typical of the plain virtues and sturdy sense of her people. His antecedents and his education and opportunities were as good and no better than those of the average Vermonter. He spent his whole life, except about two years, and while absent in the public service, in the small country town in which he was born, in a village which the railway has not yet reached. Schooled politically only in that great political university, the New England town meeting, without ever having held an office higher than justice of the peace, he was at the age of 45 years first chosen by the people of his district as their Representative in Congress. He was chosen because he was so truly representative of the great body of his constituency. Though he grew mightily in wisdom, and his wonderful talents and traits of character were greatly ripened by many years of public service, Vermonters love to think that, however great may have been the measure of his character, in kind at least, even unto the end, he was a typical Vermonter. "His name and virtues," said President Buckham in his funeral sermon at Montpelier, "will be cherished in the affectionate memory of the people of Vermont as long as they continue in the pious belief that God's greatest gift to the people of His care is a wise and good man."

One of the first votes that I ever cast was for Senator MORRILL for Representative in Congress. Once it was my privilege to sign his Senatorial credentials. During the many years that I was one of his constituents, as well as the few years during which I have had the honor to be his colleague, he was to me a true friend. To say that I deeply admired him would be but to say that I am an American; to say that I loved him, that I am a Vermonter.

Of his public service others have spoken more fittingly than I could hope to do. They are a part of the public history of our country for more than forty years. As a member of the Committee on Finance, and long its chairman, he exerted a powerful influence upon all financial legislation. For the maintenance of a sound monetary system he was a tireless champion. For his eminent services in connection with the resumption of specie payment the country owes him a large debt of gratitude. Mr. Knox, then Comptroller of the Currency, once remarked that without his powerful cooperation it could hardly have been accomplished at that time.

Any one of the numerous measures originated and successfully advocated by him would be a sufficient basis for enduring fame. His name is permanently connected with the tariff act of 1860,

which has been the model for all subsequent tariff legislation except the Wilson bill of 1894. Whatever may be thought of the wisdom of protection as a continuing system, all must admit that the Morrill act of 1861 was well suited to the exigencies of the occasion then existing, both as a stimulus to home production and for revenue.

In everything that pertained to the city of Washington, and especially to its public buildings, Senator MORRILL took an active interest. He was himself a man of plain and simple tastes, and he would have had the functions of government conducted in a plain and simple manner. It did not lead him, however, into narrowness of view or niggardly economy. He favored public buildings suited to the necessities of their service, and architecturally worthy of our great nation. Though he did not receive a liberal education in his younger days, he was self-educated in the learning of books and a great lover of them. He early saw the necessities of the Congressional Library, and that beautiful structure, so wonderfully adapted to its purpose, and the pride of the whole country, was his conception and owes much to his persistent and intelligent support. It is worthy of notice that his last public utterance in this Chamber was in favor of a suitable building for the Supreme Court.

But the "land-grant act" of 1862, of which Senator MORRILL was the author, is perhaps even more distinctive of the man. The institutions established thereunder have been more commonly known as agricultural colleges, but the purpose of the law and its results are much broader. Its object was declared in the law itself to be "to teach such branches of learning as are related to agriculture and the mechanic arts, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life." It was the beginning of the great movement of these later years toward a higher practical education. Such a measure brought forward at such a time is a wonderful example of the breadth and far-seeing statesmanship of its author.

At a time when the nation was engaged in a death struggle which many thought it could not survive, while at the head of the most important committee of the House of Representatives and immediately charged with the complicated problem of raising revenues to carry on that struggle, he calmly and peacefully looked forward and prepared to lay the foundation for the practical betterment of the people in peaceful pursuits—to give to the great industrial classes to which he belonged an opportunity for a higher education, of which he had been deprived. The colleges which were thus instituted and which are still flourishing are to-day powerful factors in the education of the youth of this country. They now have buildings and other property valued at \$25,500,775.63, and are educating upward of 14,000 students.

Although he was a constructive legislator, I am not sure but that his greatest public service was the quiet influence which he exerted for good upon all legislation during his long Congressional career. Without him how much the whole course of our legislation during all these years would have lost no man can estimate. The impress of his character has touched it at every point.

His was a life not only successful and beneficent in the largest sense, but it was also beautifully complete in its symmetry. Great as he was intellectually, he was morally greater. He devoted himself to the pursuit of that which is good and pure, and from the good and pure, as God gave him to see them, no man could divert him. His motives were always high, and yet his methods were not theoretical, but practical. During forty-four years of active political life he was never touched by a breath of suspicion. Nor were his virtues of the cold and stern character which has sometimes been thought to be the Puritan type.

One of the most marked attributes of his character was his gracious courtesy on all occasions to all people. The humblest citizen and we, his colleagues, were equally the recipients of his unflinching kindness and courtesy. His face, which was so beautifully expressive of his inner soul, was a perpetual benediction to all. He was a man of positive convictions and tenacious in the advocacy and defense of them, but always with proper respect and consideration for the opinions of others. He participated actively in the House of Representatives in those stirring debates which preceded the civil war, and his name is permanently connected with the protective-tariff system which during the last thirty years has been the chief subject of political contention, and yet he never descended into the arena of angry strife, and I never knew even a political opponent to say an unkind thing of him. He was by nature as gentle as he was great.

He was peculiarly happy and fortunate in his family life, and his homes in Vermont and in this city were always hospitably open to his friends. The annual gathering on the anniversary of his birthday had become a notable feature of Washington life. Not only were there present those distinguished officially, but in every walk of life. On such an occasion, in 1896, R. L. B. Clark, a brother of Grace Greenwood, read a short poem in honor of Mr.

MORRILL's eighty-sixth birthday, which so truly characterizes him that I can not do better than reproduce it at this time:

Calm and serene, yet full of native vim;  
Bold in his acts, unknowing how to trim;  
Strong in his purpose, but each purpose just;  
True to his friends and faithful to each trust;  
Broad in his views, and deep as he is broad;  
Honest in all things, and detesting fraud;  
As Hampden, eloquent in his country's cause;  
As Solon, wise in formulating laws;  
Loving and loyal, and by all beloved;  
By man applauded, and by God approved;  
Age addeth wisdom—years new vigor give;  
Long may the statesman and the patriot live.  
Like a tall pine on some green mountain crest,  
Lifting its form in loving verdure dressed,  
High in the Senate—at his country's call  
He stands, the noblest Roman of them all!

Vermont has lost her greatest citizen and most honored servant and all her people a personal friend. There is sorrow at every hearthstone in the State he loved so well. The country, too, has lost a wise and most useful statesman. His colleagues in this Hall will miss his able counsel and kindly presence. But the memory of his noble life will long be cherished by a grateful people, and will ever exert a restraining and uplifting influence in public life.

It came to my knowledge since these remarks were prepared that the following lines were found after Senator MORRILL's death, written in pencil, in his own hand, on a slip of paper in a memorandum book in his pocket. How true was his life to the injunction of the last sentence:

Thee, on thy mother's knees, a new-born child,  
In tears we saw, when all around thee smiled.  
So live, that sinking in thy last long sleep  
Smiles may be thine, when all around thee weep.

Mr. President, I ask unanimous consent that the report made by the Official Reporters of the funeral in the Senate Chamber, Saturday, December 31, 1898, and the report of the funeral service held at Montpelier, Vt., January 2, 1899, be embodied with the report of these addresses.

The VICE-PRESIDENT. Is there any objection to the request? The Chair hears none, and it is granted.

Mr. PROCTOR. I ask for the adoption of the resolutions.

The resolutions were unanimously agreed to; and the Senate (at 3 o'clock and 17 minutes p. m.) adjourned until to-morrow, Thursday, February 23, 1899, at 12 o'clock m.

#### APPENDIX.

Saturday, December 31, 1898.

#### FUNERAL OF SENATOR JUSTIN S. MORRILL.

The funeral arrangements were in charge of the officers of the Senate and a committee on the part of the two Houses, consisting of Senators PROCTOR, HOAR, CULLOM, WOLCOTT, JONES of Arkansas, CHANDLER, GORMAN, TILLMAN, JONES of Nevada, MORGAN, FAIRBANKS, FAULKNER, MITCHELL, and NELSON; and Representatives Dingley, GROUT, POWERS, HITT, FOSS, MCCALL, BANKHEAD, LEWIS, WHEELER, and CATCHINGS.

[Representative Dingley was prevented by illness from attending, and Representative WHEELER was not able to reach the city in time.]

The casket containing the remains of the deceased Senator was brought into the Senate Chamber before the hour appointed for the services.

The Senators assembled in their Chamber at 12 o'clock m., and the members of the House of Representatives were escorted to the seats on the floor provided for them.

They were soon followed by the Chief Justice and associate justices of the Supreme Court of the United States, the members of the diplomatic corps, and the President and his Cabinet ministers, who were respectively escorted to the seats assigned them on the floor of the Senate Chamber.

The members of the family and friends of the deceased Senator were also provided with seats on the floor.

The hymn "Lead, Kindly Light" was sung by the quartette of All Souls' Church, composed of Mrs. H. Clay Browning, soprano; Mrs. James F. Oyster, contralto; Mr. Frederick Knoop, tenor, and Mr. J. Henry Kaiser, basso.

Appropriate selections from the burial service of the Unitarian Church were read by Rev. E. Bradford Leavitt, pastor of All Souls' Church, Washington.

The hymn "I am a Pilgrim and I am a Stranger" was sung by the quartette.

Rev. E. Bradford Leavitt spoke as follows:

In moments of deepest emotion we are instinctively silent. We stand in hushed admiration before the wonders of a Yosemite, a Milan cathedral, a Madonna of Raphael. We listen to a Beethoven symphony, see a glorious sunset-touch, look through a telescope at Saturn swinging on his distant way, or through a microscope at the wondrous world in a drop of water, and "all the

babel of earth's voices dies in hushed stillness" while we pay the tribute of our highest eloquence—the eloquence of silence.

What shall we say, then, when we come as we do here to-day to pay our tribute of love and respect to the memory of a great and good man; when we sit in the presence of this noble life, as it comes up before us, with its long years of glorious achievement; when we realize how much superior is a man to a mountain, to a world—because he thinks the mountain and weighs the stars; when we remember, too, what sort of man this was—how, then, shall our poor words serve us when we would do his memory honor? Better confess it hopeless at the very start. The power, the grandeur, the sublimity, the beauty, the sweetness of a noble human life can not be set down in words—no, not by the very poets and prophets among us. "The unwritten, unspoken, unexpressed part of life is always by far the greater part."

As the disciple says in the very last words of his life of the Master, "There are also many other things which Jesus did," implying by that, of course, that this life of Jesus was far greater than just his description of it—just these few quotations and anecdotes. We all know, you and I, that this is true of every man's life. Having read the biography, having studied the habits of a man's mind and what we could find of his works, even then we know right well that the man was more than all these. "Back and behind all that men see us do or hear us say or hear others say of us are the 'many other things also,' and by these very largely men judge us, and by these God judges us entirely. Reputation is what men see and know of us, and it is passing; character is what God sees and knows of us, and it is eternal."

So—

I will not mock thee with the poor world's common and heartless phrase,  
Nor wrong the memory of a sainted brother with idle praise.  
With silence only as their benediction, God's angels come,  
Where, in the shadow of a great affliction, the soul sits dumb.

But were I to attempt the impossible; were I to try to picture to you who knew him well something of the strength and beauty of this man's life and character, I would speak not of the great public servant, the wise lawgiver, the true politician. I would even pass over (for all men know it well) that splendid half century, almost, of public service here, in which he won the respect and admiration not only of his State, but of the whole nation, and became loved as it is given few men to be loved. I would but refer in passing to the great things he has accomplished in these legislative halls for this city and for this nation—as noble a record as ever man made. And, bewildered by the very superabundance of my material, I would pass over all this, which alone would make any man a great man, just to refer for a moment to the still greater things which made this great man good; for the simplest, yet highest, praise we can give a fellow-being is his—he was a good man.

Many a man can be great at intervals—when he is leading an army, delivering a speech in the forum, when he is up on the mountain and the people are looking up to him as one transfigured—but it is only the very greatest of men who can come down from the mountain into the daily duties and petty worries of the work a day world and be great there. That is the truly sublime test of a man's character. There at the foot of the mountain comes the most terrible temptation, and you find out what he really is. Humanity is never so weak and unnerved as after some tremendous effort of heroism or goodness; the man whose will was iron, whose brain was a map of a battlefield, who rode among shells and bullets as though among the falling fruit of his own orchard—this man, after the battle, succumbs to the pettiest weakness.

Among the greatest orators that these walls have ever heard have been men trivially incompetent to take care of their affairs or to rule their appetites. They have climbed the very highest mountain peak, but they came down tired, fretful, unstrung, and the common task, the ordinary demands of life, were too much for them. Take the soldier from his battlefield, the lawyer from the forum, the orator from the Senate—bring any man down from his mountain, where he has shone as a very god, down where the small duty, the commonplace task, waits to be done, and see what will happen. That is the supreme test. And so we should go into the great man's home—see him at the foot of the mountain as well as upon the top. Is he then the unaffected, unselfish, modest man? That, it seems to me, is the decisive thing in any man's life; that is the terrible trial of great men.

And yet, friends, that was where this man's life was supremely great. He was not only a great Senator; he was a greater man, a man who won men's hearts, and by his childlike, unassuming gentleness and grace charmed even his political opponents into open admiration. I can not say his enemies, for he had no enemies. Did he ever say an unkind word of any man? Has any man ever said an unkind word of him? We have not heard of it. What a beautiful commentary on his life! Proud Vermont! How idle the attempt to eulogize your son. 'Tis simple truth to say here was an ideal American, a grand old man—America's grand old

man—example of civic virtue and integrity, pattern for our young men in the office and in the home, a vision of splendid promise of yet grander things to come in the ever upward and onward life of this great Republic!

A poem recited at Mrs. Morrill's funeral:

MY DEAD.

I can not think of them as dead  
Who walk with me no more;  
Along the path of life I tread  
They have but gone before.

The Father's house is mansioned fair  
Beyond my vision dim:  
All souls are His, and here and there  
Are living unto Him.

And still their silent ministry  
Within my heart hath place,  
As when on earth they walked with me  
And met me face to face.

Their lives are made forever mine;  
What they to me have been  
Hath left henceforth its seal and sign  
Engraven deep within.

Mine are they by an ownership  
Nor time nor death can free;  
For God hath given to love to keep  
Its own eternally.

—F. L. Hosmer.

Rev. W. H. MILBURN, D. D., Chaplain to the Senate, offered the following prayer:

Let us pray.

O Thou with whom doth rest the souls of all those Thy servants that have departed this life in Thy faith and fear, we come into Thy presence this day and in this place with a song of faith and thanksgiving, not overwhelmed with sorrow, not shut in by the darkness of hopelessness and despair, but with joy in the faith of our Lord and Saviour Jesus Christ and the knowledge He hath brought us of everlasting life at Thy right hand. So, as we stand in the presence of this coffin, we raise our thanksgiving to Thee. Ashes to ashes, dust to dust; but the spirit has returned unto God, who gave it.

We know the records of a noble life; of a life dedicated to home, to neighbors, to native State, to the nation, to all with whom he came in contact, whether in public places or in private; a sweet, gracious, gentle man; a man who was to all who knew him as a light shining in a dark place, as a staff which men could lean upon with security, as a power that all could trust. We bless Thee for this benignant life; this life of use and service; this life so simple, yet so sublime; the life of work, of speech, of silence; the life that mastered obstacles and that wrought here on the plane of the dust as though it were above the firmament. We bless Thee for this gracious, benignant, useful, and noble life.

And now we recognize that as the machine was well-nigh worn out the spirit longed for other and higher climes, climes in which were gathered the beloved and the blessed of earlier years, with the companion of so much of life gone before a little earlier. So he has gathered up his feet in our sight and given the world the benediction of his influence and example, and we are to lay away the mortal part, and be sure that the immortal is with God, the Father and the blessed of all times. Let the benediction of Thy consolation be upon his son and upon the sister and upon all related to or connected with him, our friend. And let Thy blessing be upon all of us who have walked in the light of his example and influence.

Grant Thy grace unto Thine honored and beloved servants, the President and Vice-President of the United States, the Chief Justice and other justices of the Supreme Court, the members of the Cabinet and the Senate and House of Representatives, and all who are engaged in the public concerns of the nation. And may all the people of the land take knowledge of this illustrious character and of the means by which his illustrious station was gained—simplicity, honesty, honor, devotion to the best interests of the land, walking in the light of the fear and the love of God, in the love of his fellow-men. And so may we walk this path of human life until the everlasting life, through Jesus Christ our Lord and Saviour. Unto Him that is able to do exceeding and abundantly, above all that we ask or seek, according to the power that worketh in us. To Him be glory throughout all ages, world without end. Amen.

The quartette sang the hymn, "Nearer, My God, to Thee."

MEMORIAL SERVICE AT MONTPELIER, VT., MONDAY, JANUARY 2, 1899.

Vermont honored the memory of her illustrious son in most impressive obsequies at the capital of the Green Mountain State on the second day of the new year. Her tribute of esteem and respect was no lip service, but sincere and heartfelt sorrow over the loss she had suffered in the death of JUSTIN S. MORRILL. Here, among the hills of his native State and under the blue canopy of heaven, his remains and those of his beloved wife were tenderly consigned to rest. It was a memorable day in the history of Vermont, and

the presence at the funeral as mourners of men of national distinction and of hundreds of representative Vermonters who had been friends and admirers of Mr. MORRILL was silent but eloquent testimony to the life and character of Mr. MORRILL.

The city of Montpelier, through its mayor, city council, and board of trade, made complete and proper arrangements for the memorial occasion. Committees were appointed as follows:

General committee: Sergeant-at-arms, T. C. Phinney, H. A. Huse, A. J. Sibley, Arthur D. Farwell, C. A. G. Jackson, and H. W. Kemp.

Statehouse committee: A. D. Farwell, A. J. Sibley, George O. Stratton, J. W. Brock, W. C. Berry, L. B. Brooks, L. H. Greene, C. F. Lowe, J. T. Sabin, J. M. Boutwell, George L. Blanchard, F. M. Puffer, C. P. Pitkin, T. Marvin, S. S. Ballard, Samuel Moss, J. W. Peck, C. C. Pierce, W. G. Andrews, W. T. Dewey, M. E. Smilie, Joseph Morse, C. H. Heaton, Levi H. Bixby, George Leslie, George E. White.

Reception committee: Mayor John H. Senter, Fred Blanchard, president of the board of aldermen; W. E. Adams, president of the board of trade; J. W. Brock, B. F. Fifield, L. B. Cross, Fred A. Howland.

Committee on military escort: Col. O. D. Clark, Thomas Marvin, Capt. W. A. Pattee.

Decorations: C. P. Pitkin, A. C. Blanchard, W. S. Hudson, F. H. Puffer, C. B. Roberts.

Music: T. R. Merrill, C. P. Pitkin, J. G. Brown.

The 2d day of January dawned bright and cold. A mantle of snow covered the earth and brought into stronger relief the decorations and emblems of mourning on every hand in honor of the dead.

The early morning train brought the remains from Washington, accompanied by the bereaved family and relatives and the distinguished honorary escort, consisting of Senator REDFIELD PROCTOR, of Vermont; Senator CHARLES J. FAULKNER, of West Virginia; Senator J. L. MITCHELL, of Wisconsin; Senator KNUTE NELSON, of Minnesota; Senator WILLIAM E. CHANDLER, of New Hampshire; Senator BENJAMIN R. TILLMAN, of South Carolina, and Senator CHARLES W. FAIRBANKS, of Indiana. Also, Congressman H. H. POWERS, of Vermont; Congressman GEORGE EDMUND FOSS, of Illinois; Congressman JOHN J. BANKHEAD, of Alabama, and Congressman JAMES H. LEWIS, of Washington. The funeral train was in charge of Col. R. J. Bright, the Sergeant-at-Arms of the Senate. Accompanying the party were also Mr. Benjamin Durfee, for twenty-three years an attaché of the Finance Committee and the Senator's confidential adviser; Mr. G. M. Taylor, messenger of the Finance Committee, and Rev. E. Bradford Leavitt, Mr. MORRILL's pastor.

The family relatives who accompanied the remains were James S. Morrill, son of the Senator; Miss Louise Swan, sister of Mrs. Morrill; Dr. Swan, and Mrs. J. H. Baxter, a close family friend.

Other relatives present were Senator MORRILL's two brothers, Dr. Wilbur F. Morrill, of New Albany, Ind., 73 years of age, and Sidney Smith Morrill, of Fulton, N. Y., 83 years old, and son Jesse; also Amos Morrill and Henry Morrill, of Strafford; Col. B. B. Smalley, Mrs. Smalley, and Miss Carrie Smalley and Miss Frances Baxter, of Burlington.

From 9.30 until 12.30 the remains of the deceased Senator were allowed to lie in state in the upper lobby. The casket was placed under a canopy of black and white. Several wreaths lay about the edge of the bier and on the coffin. It is estimated 2,000 people viewed the remains. The face of the dead statesman looked very calm and peaceful.

Many private residences displayed emblems of mourning. The National Life and the Vermont Mutual Fire Insurance and the Federal buildings were draped with long black streamers. Over the gate at the entrance of the statehouse grounds was a heavy evergreen arch, surmounted by the State coat of arms draped with crape. The flag on the statehouse was at half mast, and over the main doorway were festooned the State and National flags, caught back by bands of black.

The central portion of representatives' hall, in front of the speaker's desk, was a veritable conservatory of rare exotics and artistic floral emblems. Among them were the State coat of arms surrounded by roses, violets, carnations, Roman hyacinths, lilies of the valley, and asparagus leaves from the city of Montpelier; a wreath of orchids, roses, lilies, ivy, and palms from President and Mrs. McKinley; a large wreath of American Beauty and Golden Gate roses and galax leaves from the United States Senate; a very elaborate piece composed largely of roses and tied with white silk ribbon of American manufacture, embroidered in gold, from the Silk Association of America; a large cluster of white roses from Senator and Mrs. Proctor; a cluster of orchids from the venerable William R. Smith, superintendent of the Botanic Gardens at Washington; a cluster of roses from Senator ALLISON; a holly wreath from Hon. John A. Kasson; a cluster of roses from Senator and Mrs. Hale; a wreath from Mrs. Senator Chandler; orchids from Mrs. Dr. Baxter; orchids and galax leaves from Mrs.

Senator Hearst, and handsome floral pieces from Mrs. Senator Stanford and others.

Representatives' hall was decorated in excellent taste with festoons of black caught up on the front of the gallery and over the windows by rosettes of white.

When the hour for the memorial service arrived, there was assembled in representatives' hall a more distinguished company than had ever before been seen under the dome of the statehouse. The Congressional delegation mentioned previously occupied the chairs at the right of the speaker's desk. Each member wore the regulation mourning, consisting of a long white sash and white gloves. The relatives of the late Senator, elsewhere named, were seated in the body of the hall. They were in charge of Hon. B. F. Fifield. On the left of the speaker's chair were Governor Edward C. Smith, Lieutenant-Governor H. C. Bates, Speaker Kittredge Haskins, Secretary of State F. A. Howland, State Treasurer John L. Bacon, State Auditor O. M. Barber, Hon. W. W. Stickney, Hon. F. S. Stranahan, Hon. N. W. Fisk, Dr. W. Seward Webb, Mr. Percival W. Clement, and ex-Governor William P. Dillingham and Hons. G. G. Benedict, Elias Lyman, Robert Roberts, and Cassius Peck, of the board of trustees of the University of Vermont; Treasurer E. H. Powell and Profs. J. L. Hills and H. A. Storrs.

Other prominent Vermonters present were ex-Governors John W. Stewart, George W. Hendee, Samuel E. Pingree, Carroll S. Page, E. J. Ormsbee; Gen. John G. McCullough, Collector Olin Merrill, Collector Z. M. Mansur, Gen. Julius J. Estey, Hon. Levant M. Read, Hon. Henry C. Ide, Judge J. W. Rowell, Judge J. M. Tyler, C. M. Wilds, esq., Mayor John H. Senter, of Montpelier, and the committee of arrangements.

A double quartette, consisting of A. J. Phillips, Charles F. Lowe, B. M. Shepard, George Knapp, Mrs. Frank H. Puffer, Mrs. F. I. Pitkin, Miss Anna Phinney, and Miss Folsom, sang that old and familiar hymn, "Nearer, my God, to Thee," in an effective manner. President Buckham read appropriate selections from the Scriptures and offered prayer. He then delivered the following able and eloquent sermon:

PRESIDENT BUCKHAM'S SERMON.

This day is for Vermont a day of sadness; it is also a day of pride. In this great nation of ours—theater of great events, of events ever greater and greater—on every day somewhere a great event takes place which draws to it the eyes of all the nation. To-day Vermont, geographically small, in all her history humanly great, bespeaks and receives the respectful and affectionate attention of our whole people. To-day this entire nation is sympathetic with our sorrow—is sympathetic also with our pride. Tell me, you who have come from many and distant States to mingle your memories and tears with ours to-day, you who have seen him sitting among the elders and the wise men of our land, himself the most venerable and peer of the wisest among them; tell me if the State which gave him to you and to the country does not deserve at once the respectful sorrow and the tearful congratulations of our whole nation because of one whom she loses henceforth from among her living sons, but who is still to be a vital part of her dearest and most cherished life forevermore.

It has been often said, and will be said often again, that Mr. MORRILL was a typical Vermonter, and it may be added, I trust without offense, that because he was a typical Vermonter he was the remarkable man he was. To say this is not invidious or disparaging toward remarkable men typical of other States. Our generous and resourceful American blood breeds many types of American manhood all equally American and all claiming and deserving the admiration of all Americans without stint or envy. Neither does this statement mean that our Commonwealth has, by one supreme effort, produced one man in whom all our virtues are gathered and has therein spent her energies and can henceforth produce only men of mediocre quality. Vermont has had in the past, has to-day, and we trust will continue to have, many sons who fairly typify her public and private virtues.

But the Vermont type has been so often misunderstood and misrepresented that it is gratifying to a pardonable State pride to be able to present it to the world in such a man as Mr. MORRILL; to be able to say, one typical Vermonter is a man born of plain parents in a country village; receiving limited educational advantages, but displaying an insatiable thirst for knowledge and indomitable energy in acquiring it; reading widely in the works of the great master statesmen of the formative and critical periods of our history; adding thereto as leisure afforded—leisure stolen from sleep—the best literature in the English language; schooled in political discussion in that primary parliament, progenitor of all Anglo-Saxon legislatures, which debates grave questions of state at the country tavern or store, or in the churchyard of a Sunday afternoon; gaining the respect of his neighbors as having the superior qualities which plain men appreciate and admire and trust, and therefore their man to send to Congress when the time came; as Representative first, then as Senator, industrious, studious of great questions, especially in the domain of finance, wherein he became

an acknowledged master; sound in judgment, judicial rather than brilliant; not eloquent in speech and yet conciliatory and persuasive, relieving a dry financial statement or turning the tables on an opponent in debate by a sally of good-humored wit, learned of his shrewd country neighbors; always courteous, a good party man, but respected by his political opponents, between whom and himself there is on record not a single angry word during all his long career; in presence remarkably commanding and attractive; hospitable in his home, genial as a companion, faithful as a friend; blameless and pure and high-minded in all the relations of life. But I stop, lest you should think that I am drawing an ideal picture, instead of giving you the portrait of the man as he was.

And yet every one of you who knew him will corroborate every word of the description, and will upbraid me rather for my omission than for my excess. But what right have I to say along with all this that he was a typical Vermonter? Perhaps, in addition to other reasons, the best is that, although he was a broad-minded American, who claimed every part of the country as his own, and deemed no remotest corner of it alien to him, he loved and cherished in his heart of hearts the green hills and woods and streams of his native State, her homes and schools, her heroes and heroines, and not least the plain men and women, whose admiration and love and trust were, as he well knew, the source whence all his honors came.

If, in this rapid enumeration of admirable and noble qualities, anything were missed for the equipment of an American statesman, it might be that special high breeding of intellect and taste which comes with liberal culture. But in men of native refinement there is often seen this beautiful compensation—that the consciousness of this lack and the modesty and deference and idealism it breeds are almost an equivalent for the omitted culture. The lack of it was not conspicuously felt in Mr. MORRILL. Few men, without the training of the schools, have absorbed so much of the spirit of learning and letters, from books, from the society of cultivated men and women, from the study of great national and cosmopolitan questions.

No man ever knew him to betray a morbid sensitiveness of deficiency by underrating the value of training in others. But a certain sense of lack he certainly had, and the outworking of this feeling and the expression of it to the world is at once a most beautiful manifestation of the fine spirit of the man, and the most characteristic, the most far-reaching, and the most enduring of his public acts. I mean the incorporation and endowment of the land-grant colleges. It seems strange to us now, looking back, that it was not given to some one of the many men of light and leading in Congress or elsewhere, someone who had drunk deeply of the world's lore in the universities of our own and other countries, to conceive of this plan of national provision for the less favored of his countrymen—that this noble project was reserved for one who had wrought it out of his own sense of deprivation and need.

But even so, it is well. It is well that in all our broad land—in Oklahoma and New Mexico as well as in New York and Ohio—every young man who aspires to that higher knowledge whereby his calling is made more fruitful and his life enriched should see the kindly hand of his nation's Government stretched out to aid him, because a Vermonter, remembering how hard it was to struggle alone in the quest of knowledge, had pleaded with that Government to make this quest easier for every young man who should come after him. Mr. MORRILL rendered many services to his country for which his name will long be held in remembrance, but his most lasting fame and the most endearing remembrance of him will connect themselves with those most significant and weighty words in which the act of 1863 makes provision for the "liberal and practical education of the industrial classes in the various pursuits and professions in life."

Of Mr. MORRILL as a statesman, and of his services to the nation in the field of politics, this is not the fitting time to speak at large. On other occasions and by more competent speakers ample justice will no doubt be done him in these relations. But I shall fear no contradiction in saying that in all the most significant and most fruitful work of the National Legislature for more than a generation past Mr. MORRILL has had a conspicuous and effective and most honorable share, and that if his contribution to good legislation had not been made, or, let me say, if Vermont had been represented in Congress by a man less wise and less influential, the general course of legislation would have suffered a distinct loss of soundness and wisdom.

The matter is put in this way because, I believe, subject to advisement, that Mr. MORRILL's statesmanship did not assert itself in tours de force, in persistent and aggressive action, but in diffusing all through the legislative atmosphere, so to speak, the mild and calm wisdom of which his face and his whole personality was so beautiful an expression. Not that he lacked the power of initiative or of resistance. His finance measures, his college bill, his projects for the improvement of the Capitol building, showed the one; his attitude on currency questions, on Hawaii, and on

the power of the House in treaties showed the other. But speaking generally, and especially of his later years, it may be said that it was Mr. MORRILL's recognized wisdom, the weight of his opinion, respect for his character, which made him the impressive and commanding personality he was in the Senate.

And this brings me to say, what is always the last and best thing to say of any man, when we can say it truthfully, and what all our hearts have been saying all these years in which we have known Mr. MORRILL, that he is greatest and best and dearest to us as a man. This is, I suspect, at the bottom of what we mean when we say of him that he was a genuine Vermonter. We love to think that the virtues we see in him are our own virtues in their finest form, and we admire and love their aggregation and incarnation in him. His simplicity, his gentleness, his fondness for the society of plain people, his love of home and neighbors and friends, his homely speech, his mother wit, the utter absence of affectation or ostentation, his plain living amid the pageantry of the capital, his thorough goodness and kindness of heart, that he was not like many public men, lofty and sour to one and sweet as summer to another—but genial, gracious, natural, frank with all; that with these amiable virtues, he combined a Roman fortitude, a prophet's love of righteousness, a Puritan integrity of conscience, and a Christian's self-sacrifice.

These qualities make up the man who was loved, and is to-day wept for by many who are thought to be incapable of love or tears; this is the man who, perhaps more than any other man of his generation in Vermont, will be missed and mourned in private homes, both high and lowly, all over the State; who will be remembered in family prayers and in the pulpits on Sunday, whose kindly face, perhaps in some poor print, will long be kept on the wall of the living room in humble homes; who will be held up as an example to young men of honorable ambition and of probity in the public service, well rewarded by the people; whose name and virtues will be cherished in the affectionate memory of the people of Vermont as long as they continue in the pious belief that God's greatest gift to the people of His care is a wise and good man.

We bring to-day, also, our respectful tribute to the memory of her whose body lies by the side of the Senator's, in death not long divided from him. Mrs. Morrill's life was not passed much in public view, and therefore does not properly lend itself to public remark. But such a life may have a public value of the highest order by enhancing the effectiveness of the public life to which it ministers. Those who have best known her testify that the companionship of Mrs. Morrill imparted in large to her husband that suavity, serenity, and refinement which added a powerful charm to his virtue and strength. We all owe her more than we can ever know; let us mingle gratitude with our tender farewell.

Voicing, as I have tried to do, the sentiments of the people of Vermont toward our illustrious dead, I may not apologize for what may seem to others a too provincial and domestic view of Mr. MORRILL's person and career. Our people claim for this day at least the luxury of sorrow over a personal bereavement. Mr. MORRILL belongs to the nation, and hereafter in Senatorial and other eulogy he will be claimed by and for the entire nation. But to-day he is brought back to rest with us—to be gathered to his fathers—to sleep by the side of his kindred and of the neighbors he loved. His good deeds are part of the national heritage; his birthplace, his resting place, his honored dust, his personal example, his good name, his memory, are Vermont's own.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 22, 1899.

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, offered the following prayer:

O Thou who hast ever been our refuge and our strength, our inspiration and our guide, we lift up our hearts to Thee in gratitude and love for our Republic and all of its sacred institutions, for that host of patriots who, by their sacrifices, their deeds and heroism, made it possible. And our hearts and our love, as true and loyal sons, turn backward to-day in grateful memory to pay a tribute of respect to him whom we delight to call the Father of his Country; whose deeds will be always a true light to all lovers of liberty; whose life will be an inspiration to high and noble citizenship. And thus may our country live and grow in all that makes a nation great. And to Thee, O Lord, who maketh the nations and guideth their destiny, we will give praise for evermore. In Christ's name. Amen.

The Journal of yesterday's proceedings was read and approved.

### WASHINGTON'S FAREWELL ADDRESS.

Mr. BAILEY. Mr. Speaker, before the House proceeds with its regular business, I ask unanimous consent that there be read at the Clerk's desk the Farewell Address of President Washington. There was no objection.

The SPEAKER. Before the Clerk proceeds with the reading, members will take their seats and the House will come to order, so that the address may be properly heard. The Chair will try (and he hopes the House will sustain him in the effort) to maintain order during the whole time of the reading.

The Address (which will be found in the Senate proceedings of to-day) was read. At the conclusion of the reading there was loud applause.

### LEGISLATIVE APPROPRIATION BILL.

Mr. HEMENWAY. I desire to submit a privileged report. I send to the desk the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 11414) making appropriations for legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900. I ask unanimous consent that the reading of the report be dispensed with and that in lieu thereof the statement of the House conferees be read.

There was no objection.

The Clerk read the statement, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year 1900 submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

On Nos. 1, 2, 3, 4, 5, 6, 7, and 8, relating to the Senate: Appropriates \$1,000 instead of \$1,440 for 1 messenger as assistant librarian, for 1 laborer at \$1,000 in the document room, for 2 additional conductors of elevators at \$1,300 each, and for 40 instead of 35 annual clerks to Senators at \$1,500 each.

On Nos. 9 and 10: Appropriates for 25 instead of 7 Capitol policemen at \$900 each.

On Nos. 11, 12, and 13: Appropriates \$1,000 to continue the employment of a special messenger of the House under resolution of December 16, 1897, and appropriates \$5,000 instead of \$1,000 each for the 2 stenographers to committees, House of Representatives.

On Nos. 14, 15, 16, 17, 18, 19, 20, 21, and 22, relating to the Library of Congress: Appropriates \$1,500 for an assistant in charge of the Smithsonian deposit instead of 1 assistant at \$1,500; increases the salary of the chief clerk from \$2,250 to \$2,500, the salary of the superintendent of the periodical department from \$1,500 to \$2,000, and 1 assistant in the music department from \$900 to \$1,000; strikes out the provision proposed by the House regulating the quality and character of copies deposited in the Library under the copyright law; appropriates \$2,000 for binding and replacing law books damaged in the Law Library, and \$1,500, as proposed by the House, instead of \$2,000, as proposed by the Senate, for contingent expenses.

On Nos. 23, 24, 25, 26, and 27, relating to the Executive Office: Appropriates, as proposed by the Senate, for three clerks of class 4 instead of three clerks of class 3, and strikes out the provision proposed by the Senate increasing the salary of one doorman from \$1,200 to \$1,400.

On Nos. 28, 29, and 30, relating to the Department of State: Appropriates for twenty clerks of class 1, instead of sixteen as proposed by the House and twenty-one as proposed by the Senate, and appropriates \$2,000 for books and maps, instead of \$1,500 as proposed by the House and \$3,000 as proposed by the Senate.

On Nos. 31, 32, 33, 34, 35, 36, 37, and 38, relating to the divisions of the office of the Secretary of the Treasury: Appropriates for one additional assistant messenger, one additional laborer, and one additional clerk at \$900 in the division of loans and currency and the miscellaneous division, and for one clerk of class 3, as proposed by the House, instead of an additional clerk of class 4, as proposed by the Senate, in the office of the disbursing clerks.

On Nos. 39, 40, 41, and 42, relating to the Office of the Comptroller of the Treasury: Appropriates for two additional expert accountants at \$2,000 each from March 1 until the close of the fiscal year 1900, for one additional clerk of class 4 and one typewriter and copyist at \$1,000 in place of a clerk of class 3 and a clerk at \$1,000 transferred from the Office of the Auditor for the War Department.

On Nos. 43, 44, and 45: Makes verbal corrections in the text of the provision proposed by the House prohibiting the detail of clerks from the offices of the Comptroller and six Auditors.

On Nos. 46 and 47: Appropriates for two additional clerks at \$900 each in the Office of the Auditor for the Treasury.

On Nos. 48 and 49: Appropriates for three additional clerks at \$900 each in the Office of the Auditor for the War Department.

On No. 50: Appropriates \$25,000, as proposed by the Senate, for temporary employees in the Office of the Auditor for the War Department to audit the accounts of revenue collected and disbursed by military authorities in the West India Islands.

On Nos. 51 and 52: Appropriates for three additional clerks at \$900 each in the Office of the Auditor for the Navy Department.

On Nos. 53 and 54: Appropriates for four additional clerks at \$900 each in the office of the Auditor for the Interior Department.

On Nos. 55, 56, 57, 58, and 59, relating to the Office of the Auditor for the Post-Office Department: Strikes out the proposed increase of two additional clerks of class 1 and appropriates for two additional clerks at \$1,000 each, five additional clerks at \$900 each, and one additional money-order assenter at \$720.

On Nos. 60 and 61: Strikes out proposed increase of two additional clerks of class 2 in the office of the Treasurer.

On Nos. 62 and 63: Appropriates for three additional clerks at \$900 each in the office of the Commissioner of Internal Revenue.

On Nos. 64 and 65: Strikes out proposed increase of one additional clerk of class 1 in the Bureau of Immigration.

On Nos. 66 and 67: Appropriates for an additional clerk and stenographer at \$720 in the office of the assistant treasurer at Cincinnati.

On Nos. 68, 69, and 70: Appropriates for one additional clerk at \$900 and one additional watchman at \$720 in the office of the assistant treasurer at New York.

On No. 71: Strikes out the provision proposed by the House authorizing the Secretary of the Treasury to supply the mint at Carson, Nev., with silver bullion for conversion into standard silver dollars and smaller denominations of silver, and restores to the bill the alternative provision proposed by the House authorizing the Secretary of the Treasury to operate the mint at Carson on the basis of an assay office.

On Nos. 72, 73, 74, 75, and 76, relating to the mint at Denver: Increases the salary of the assayer in charge from \$2,500 to \$3,000; provides for an additional clerk at \$1,200; increases the appropriations for wages of workmen from \$20,000 to \$22,000, and for incidental and contingent expenses from \$5,000 to \$6,000.

On Nos. 77 and 78: Appropriates \$15,000, instead of \$8,000 as proposed by the

House and \$20,000 as proposed by the Senate, for incidental and contingent expenses of the mint at New Orleans, La., and makes the same available for machinery and repairs.

On Nos. 79 and 80: Appropriates \$1,400, instead of \$1,200 as proposed by the House and \$1,600 as proposed by the Senate, for a clerk in the assay office at Boise, Idaho.

On Nos. 81, 82, and 83, relating to the assay office at Seattle, Wash.: Appropriates for an additional clerk at \$1,200, and increases the amount for wages of workmen from \$16,000 to \$18,000.

On Nos. 84, 85, and 86: Provides for an additional commissioner at \$1,000, to reside in Forty-Mile mining district, Alaska.

On No. 87: Appropriates \$500, as proposed by the House, instead of \$1,000, as proposed by the Senate, for contingent expenses of the Territory of Oklahoma.

On Nos. 88 and 89: Appropriates for an additional clerk of class 4 in the office of the Secretary of War.

On No. 90: Extends until July 1, 1899, the period within which appointments or employments made from the classified service under appropriations for temporary employees shall be vacated.

On Nos. 91 and 92: Appropriates for a clerk to the Adjutant-General, at \$1,800.

On No. 93: Appropriates \$500, as proposed by the House, instead of \$1,000, as proposed by the Senate, for postage stamps for the War Department.

On Nos. 94 and 95: Authorizes the use of not exceeding \$1,000 of the contingent fund of the War Department for temporary labor, and authorizes the purchase of law books of reference and periodicals from the appropriation for contingent expenses of the War Department for the fiscal year 1899.

On Nos. 96, 97, 98, 99, 100, 101, 102, 103, 104, and 105, relating to the Navy Department: Appropriates for an additional clerk of class 2 in the library, and strikes out all other increases of force in the bureaus of the Navy Department proposed by the Senate.

On Nos. 106 and 107: Appropriates for three additional members of the board of pension appeals in the office of the Secretary of the Interior.

On No. 108: Appropriates \$23,940 for the necessary force of watchmen, laborers, and others to care for the General Post-Office building after its occupancy by the Department of the Interior.

On Nos. 109, 110, 111, 112, and 113, relating to the General Land Office: Strikes out the proposed increase of five clerks of class 1, appropriates for four additional clerks at \$1,000 each, and three additional copyists at \$900 each, and appropriates for twenty-one laborers, instead of eighteen, as proposed by the House, and twenty-four, as proposed by the Senate.

On No. 114: Authorizes the delivery of surplus United States maps to the Secretary of the Interior, instead of the Commissioner of the General Land Office, for distribution.

On Nos. 115, 116, 117, 118, 119, and 120, relating to the Indian Office: Appropriates for fourteen instead of fifteen clerks of class 3, strikes out proposed increase of two clerks of class 2, appropriates for two additional clerks of class 1, and one additional clerk at \$1,000 instead of two, and for a stenographer to the Superintendent of Indian Schools, at \$1,000.

On No. 121: Authorizes the allowance of necessary sleeping-car fare to special examiners of the Pension Bureau.

On Nos. 122, 123, 124, 125, 126, and 127: Authorizes expenditures for messenger service out of the respective appropriations for contingent expenses in the offices of the surveyors-general of Florida, Minnesota, New Mexico, North Dakota, and Wyoming.

On Nos. 128, 129, 130, 131, and 132: Makes verbal corrections in the text of the bill, and strikes out the provisions proposed by the Senate for chief of contract division and chief of mail equipment division, at \$2,000 each, instead of two clerks at \$1,800 each, in the office of the Second Assistant Postmaster-General.

On Nos. 133, 134, 135, 136, 137, and 138: Appropriates for one additional clerk of class 3, three additional clerks of class 1, and two additional clerks at \$1,000 each; strikes out the proposed additional clerk of class 2, and appropriates for five clerks at \$900 each instead of four in the office of the Fourth Assistant Postmaster-General.

On Nos. 139 and 140: Strikes out the proposed additional clerk at \$1,000 in the office of the topographer of the Post-Office Department.

On Nos. 141, 142, 143, 144, 145, 146, 147, and 148, relating to the Department of Justice: Appropriates \$4,500 as proposed by the Senate, instead of \$4,000 as proposed by the House, for the Solicitor of the Department of State; provides for an additional assistant messenger: appropriates \$1,750, instead of \$1,500 as proposed by the House and \$2,000 as proposed by the Senate, for books for the law library; \$500 as proposed by the Senate, instead of \$750 as proposed by the House, for purchase of session laws and statutes, and \$1,000 as proposed by the House, instead of \$2,500 as proposed by the Senate, for official transportation.

On Nos. 149 and 150: Appropriates \$1,000 as proposed by the House, instead of \$1,500 as proposed by the Senate, for the reporter of the court of appeals.

On No. 151: Appropriates \$10,000 as proposed by the Senate, for employment of auditors in the Court of Claims.

On Nos. 152, 153, and 154: Makes verbal corrections in the text of section 4 of the bill, and adds thereto the provision proposed by the Senate providing that the thirty days' annual leave of absence with pay in any one year to clerks and employees in the several Executive Departments, authorized by existing law, shall be exclusive of Sundays and legal holidays.

The committee of conference recommend to their respective Houses in the conference report that there be added to the bill, in connection with the appropriation for the additional clerks and deputy collectors incident to the work connected with the act providing for war expenditures, a provision to include the salaries and expenses of 10 additional agents provided for in section 3 and the 20 additional clerks and agents provided for in section 47 of said act. By an error in the submission of the estimates to Congress provision for the employment of these employees was omitted.

The bill as finally agreed upon appropriates in the aggregate \$23,405,740.79, being \$40,696.67 less than as it passed the Senate, \$175,808.33 more than as it passed the House, \$72,727.04 more than the appropriations for the current fiscal year, and \$959,265.07 less than the estimates submitted for 1900.

J. A. HEMENWAY,  
A. M. DOCKERY,

Managers on the part of the House.

Mr. HEMENWAY. Mr. Speaker, I move that the House agree to the report.

Mr. McEWAN. Mr. Speaker, I have objection to some of those items, and I desire to debate them.

Mr. HEMENWAY. I move the previous question. I am requested to do so by gentlemen all around me. I had desired to do so at first.

Mr. McEWAN. I gave notice that I desired to debate this report before the previous question was moved, and the Chair heard me and recognized me for the purpose.

The SPEAKER. The Chair did not recognize the gentleman

from New Jersey [Mr. McEWAN]. He recognized the gentleman from Indiana [Mr. HEMENWAY].

Mr. McEWAN. The Chair recognized me to the extent of listening to what I said.

The SPEAKER. The gentleman from Indiana is in charge of the bill.

Mr. HEMENWAY. I have been on the floor all the time.

Mr. HANDY. I rise to a parliamentary inquiry. If the previous question should be ordered on motion of the gentleman from Indiana, will that leave twenty minutes on a side for debate?

The SPEAKER. It will not. The question has been debated already.

Mr. HANDY. The conference report on the Senate amendments has not been debated.

The SPEAKER. But the object of the rule giving twenty minutes' debate on each side after the ordering of the previous question was that no subject which was entirely new should be presented to the House without an opportunity for some discussion upon it. Where a bill has been debated in Committee of the Whole, no debate is allowed in the House after the previous question is ordered; and where a bill has reached the stage of a conference report, no debate is allowed under the rules if the previous question is ordered. The gentleman from Indiana moves the previous question.

The previous question was ordered; and under the operation thereof the report of the committee of conference was agreed to.

On motion of Mr. HEMENWAY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

#### ORDER OF BUSINESS.

Mr. BOUTELLE of Maine and Mr. DOCKERY addressed the Chair.

Mr. BOUTELLE of Maine. I move that the House—

The SPEAKER. The gentleman from Maine is recognized. For what purpose does the gentleman from Missouri rise?

Mr. DOCKERY. To make a request for unanimous consent.

The SPEAKER. The gentleman from Maine has the floor.

Mr. DOCKERY. I desired to submit some observations, but I did not want to take the time of the House. I therefore ask permission to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks the privilege of extending his remarks in the RECORD.

Mr. HANDY. What remarks?

Mr. McEWAN. When?

The SPEAKER. The Chair did not understand. Is there objection to the request?

Mr. McEWAN. I object until I know what the remarks are about.

The SPEAKER. Objection is made.

#### NAVAL APPROPRIATION BILL.

On motion of Mr. BOUTELLE of Maine, the House resolved itself into Committee of the Whole on the state of the Union (Mr. SHERMAN in the chair) and resumed the consideration of the naval appropriation bill.

Mr. UNDERWOOD. I desire to offer an amendment.

Mr. HOPKINS. There was a point of order pending at the adjournment last night.

The CHAIRMAN. The gentleman from Illinois [Mr. HOPKINS] is correct. Does the gentleman from Alabama [Mr. UNDERWOOD] wish to discuss the point of order?

Mr. UNDERWOOD. No, sir; I wish to offer an amendment when the proper time comes.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois if he desires to discuss the point of order.

Mr. HOPKINS. I presented to the Chair last evening all that I desired to say. I have examined the previous bills, and I find that the suggestion made by the gentleman from Iowa is correct—that this bill covers 1896, 1897, and 1898, in which the amount to be charged per ton for armor plate is limited to \$400. So that the pending proposition is a change of existing law.

Mr. BOUTELLE of Maine. Before the Chair rules, I desire to modify the amendment which was sent up to the desk last evening.

Mr. HOPKINS. The gentleman can not do that under the rules of the House.

Mr. BOUTELLE of Maine. Well, Mr. Chairman, I want to say a word on this point of order before you rule upon it. I want the House to understand the exact aspect of this question; and I should like to have the gentleman from Illinois take his seat and give me his attention, observing that decorum which he has so constantly and vociferously insisted other members of the House should manifest when he was in the chair, by some strange dispensation of Providence which causes our universal and constant wonder. [Laughter.]

Mr. HOPKINS. I yield with pleasure to the gentleman who never speaks. [Laughter.]

Mr. BOUTELLE of Maine. We are authorizing in this bill the construction of some ships for the United States Navy.

The committee have endeavored to provide that these ships shall be good and serviceable when constructed. Of course Congress can send these ships out without any armor at all if it sees fit to do so; or it may decree that the armor provided for them shall be inferior to any other armor on any other ship anywhere in the world. And the efforts of the gentleman from Illinois, from the time he injected himself into the consideration of this bill down to the present moment, have been directed to the accomplishment of one design and no other, and that is to compel the Secretary of the Navy to put on these ships armor which is absolutely inferior, and so recognized, to any other armor in the world.

Now, I do not know whether he understands enough about the question to realize that that is the effect of the exercise of the legislative tactics he has been pursuing. But I do know enough to believe that that is the result of it. It can mean nothing else.

Here is a bill to provide armor for ships already under contract by the Government. It is provided that the armor shall not cost more than \$400 a ton. We have contracts to-day existing for all of the armor for all of the ships authorized in the past not to exceed this sum of \$400 a ton, excepting the three battle ships which were authorized last year and the three new battle ships and the three cruisers that are authorized by the pending bill.

Now, if the gentleman from Illinois insists on the point of order that it is a change of existing law in providing this armor, and that the provision must be ruled out, we must, of course, put on the battle ships authorized in the last appropriation bill armor costing \$400 a ton, which is recognized and which we know to be inferior to that purchased and used by any other civilized nation on the earth. The gentleman from Illinois may want us to build Chinese junks. No; that is a reflection upon the Chinese Government. [Laughter.] The Government of China would scorn and repudiate a suggestion that in finishing one of its great iron-clad ships building in England or in Germany or elsewhere it would allow the contractors to put upon it armor that is inferior to that used by any other civilized nation on the face of the earth.

Now, Mr. Chairman, the Naval Committee are not running this bill as a private enterprise. It is not in any sense of the word a private institution. We have no special pride of opinion about it. We have studied the matter, however, and know what is required. We are trying to accomplish a public purpose. If these ships are to be built at all—and I challenge contradiction of the assertion—there will not be a member on the floor of the House, except, perhaps, the gentleman from Illinois, who would suggest for a moment that there should be anything put on them in the shape of armor but the most formidable and serviceable armor that we may be able to procure.

The *Maine*, the *Missouri*, and the *Ohio*, authorized last year, are as yet unarmored. The armor has not been contracted for for these vessels. There is armor plate in process of manufacture that American shipbuilders are now putting on the Russian men-of-war which are being built in this country. This is acknowledged by all, excepting the Illinois Steel Company, and the gentleman from Illinois, to be at least 25 per cent more powerful in its resisting properties than the harveyized armor which we have been using heretofore, and which has been regarded, until this improvement was made, as about the best in the world. The Cramps, shipbuilders, to-day are putting on the Russian battle ships this improved armor.

Mr. UNDERWOOD. Will the gentleman state, if he will permit an interruption, what is the cost of this armor plate to which the gentleman refers?

Mr. BOUTELLE of Maine. I can not state exactly the cost.

Mr. UNDERWOOD (continuing). Because I do not think—

Mr. BOUTELLE of Maine. Well, now, just allow me to finish—

Mr. UNDERWOOD. I was simply going to say that I do not think that the price—

Mr. BOUTELLE of Maine. Mr. Chairman, I do not care what the gentleman thinks. I do not want to know. The gentleman can state what he thinks when he gets the floor.

Mr. UNDERWOOD. I will.

Mr. BOUTELLE of Maine. He can state what he thinks when he gets the floor, and it won't take long. [Laughter.]

That suggestion of the gentleman embodies the whole subject-matter of the controversy. It is not a question of what people "think." It is a fact we must face. The committee is not trying to "bunco" the House. We are not steering a job through the House. We are not trying to deceive anybody. We are presenting a plain, simple, common-sense, matter-of-fact business proposition. The gentleman from Illinois is simply invoking the technical rules of the House to prevent the committee from exercising its judgment based upon investigation, experience, and observation. We are not declaring that the House shall exercise its judgment in a peculiar way or in a certain way. We do not demand anything of the kind. But we have placed the proposition before

the House, and we ask an opportunity, as a legislative body, to exercise its judgment upon those propositions; and that is all we have suggested in connection with the matter.

And when the gentleman from Illinois [Mr. HOPKINS] arises here and interposes technical objections under the rule that may be invoked in such a way as to prevent this House from considering it; and then when I arise here in the interest of the public business, in the interest of the Navy of the United States, in the interest of getting forward with a great money bill of this country, which has passed through the stages of legislation in this House up to the very last paragraph, and which might be passed in five minutes and sent to the Senate; when in the interest of every possible consideration of public policy and legislative procedure I get up here and propose to make a modification of my amendment to enable the House—and for no other purpose than to enable the House—to facilitate the enactment of this bill, and he proposes to invoke the rule again, I say that he is acting as an obstructionist. [Laughter.]

I say that he is acting against the public policy and the public interest of the United States, and for some reason—Heaven only knows what, I do not, unless he has got a little lonesome because he has been out of the chair for a half an hour or so [laughter] and feels that the public is getting lonesome without him—undertakes to prevent this House from acting upon this matter.

Now, here we are with this appropriation. Unless this House can act upon it in some way we are going to have battle ships without armor, or battle ships with inferior armor.

Now, if this House wants battle ships with inferior armor, it has a right to say so. If it wants to clothe the Secretary of the Navy, as we always have hitherto, with power to procure the best defensive armor to protect our men that can be obtained, it can vote upon that and declare it and put in amendments or modifications that the wisdom of this House may suggest. I insist that for any gentleman to get up here and say that he will introduce technical objection after objection to prevent the possibility of my getting this question before this body in such a way that it can consider it is neither statesmanship nor wisdom nor common sense. In my country it is called demagogism, and it is recognized at sight.

Mr. HOPKINS and Mr. UNDERWOOD addressed the Chair.

The CHAIRMAN. The gentleman from Illinois, who raises the point of order, desires to be heard upon it.

Mr. HOPKINS. Mr. Chairman, my usually placid friend from the State of Maine is evidently in an irritable state of mind this morning. When I raise a parliamentary question here, he undertakes to make it a personal matter between himself and me.

Mr. HENDERSON. Well, settle it on the outside. [Laughter.]

Mr. HOPKINS. If I were in the same frame of mind as my friend from Maine, I presume we would, but I do not propose, in the discussion of a great parliamentary question of this kind, or the consideration of one of these great appropriation bills, to be driven from my duty as I see it, by the sarcasm, the invective, or the abuse of the gentleman who happens to be chairman of the Naval Committee. He says he can appreciate what demagogism is in the State of Maine. I have no doubt of that, Mr. Chairman. I think he is an expert on that subject.

He says, Mr. Chairman, that I am raising technical objections here. I desire to call the attention of the members of this House to the fact that no point has been raised by me on this bill that has not been promptly sustained by the Chair, and the Chair has been sustained by a line of decisions that are unbroken since the time that the appropriations for naval affairs were committed to the Committee on Naval Affairs.

Now, the trouble with the gentleman is that he thinks that nobody outside of the chairman of the Naval Committee should have anything to say on the question of the vast amount of money appropriated for the construction and equipment of these great naval vessels. While we acknowledge his ability and his patriotism, we are not yet prepared to acknowledge that he is the whole House, painful as it may be to make that suggestion to him. [Laughter.]

Mr. Chairman, had the gentleman known anything about the rules that govern the House and anything about the preparation of these great appropriation bills, he would have known better than to bring into this House a bill of the character that he has brought. He has violated this rule again and again in the preparation of this bill, and now grows angry because a member of the House points out that fact. The rule provides that these committees shall not violate existing law in their recommendations in these appropriation bills, and the point that I have made here is simply to make this gentleman and his committee conform to the law—nothing else. If that offends him, I prefer to stand to the orderly procedure of this House and maintain the existing law rather than to follow the caprice and the whim of this eccentric gentleman from the State of Maine. [Laughter.]

Now, another consideration, Mr. Chairman. This gentleman assumes in his remarks that I have some personal reason for

making these objections. Nothing is farther from my mind. I am interested in the construction of these great naval vessels equally with the gentleman himself, and I think that my record in this House, not only upon this bill but upon others, will show that I have never been actuated by personal or selfish motives, either by voice or vote, in expediting the legislation of the House. But when I see gentlemen come in here and persistently violate the rules of this House, then I say it is my duty to call the attention of the Chair to this violation, and if the gentleman desires to appeal to the members of the House, I am willing that they should consider it, too. Now, this question of armor plate is not new—

Mr. BOUTELLE of Maine. No; you have made a record of it. Mr. HOPKINS. Well, I have, and I have made a record in strict opposition to the record made by the gentleman from Maine. [Laughter and applause.] The House sustained my position (and the Senate as well); and it has never followed him when the House has had its attention challenged to the preparation of the bill.

What is the situation, Mr. Chairman? We find that the Naval Committee of the Senate, some four or five years ago, commenced an investigation upon the question as to whether in the furnishing of armor plates for the construction of these vessels the Government was paying more than it ought to pay.

The investigation thoroughly satisfied the Naval Committee of the Senate that too much was being paid. That investigation was printed and placed in the hands of the members of this House in the Fifty-fourth Congress, and a study of that satisfied the majority of the House that the gentleman from Maine was authorizing a larger amount per ton in the payment for armor plate than it is necessary that the Government should pay; and, after deliberate judgment and full discussion upon the part of my distinguished and eloquent friend from Maine, they restricted the amount to \$400 per ton. [Applause.]

In the bill, in the paragraph that I have made the point of order against, is the gentleman's proposition, in violation of the instructions of the House, in violation of the written law of the land, proposing to increase the amount per ton \$145, making the average price for a ton of armor plate \$545. When we look to the record and the reports of the committee, we find nothing that can authorize this. But the gentleman says it is in the interest of the public. Why has he not had those reports printed?

Mr. BOUTELLE of Maine. What reports?

Mr. HOPKINS. Why did he not have the reports and letters printed that satisfy him that he should in this bill authorize the payment of \$545 a ton for armor plate as against \$400 authorized by Congress? What we want to know, if he proposes to change existing law, is upon what basis his action is taken.

Mr. BOUTELLE of Maine. I want to say to my friend, when he has made this point of order, which prevents us considering this proposition, and he asks us why we do not present the reasons, I simply desire to say that we are willing to present all the information we have and all the evidence which I have here before me on my desk; and all we are asking is to have an opportunity for this House to consider this matter and work its will; and he is getting up and making technical points of order for the purpose of saying: "You shall not have an opportunity to consider it." Nobody is deceived by this thing. We are not children.

Mr. HOPKINS. Has it come in the speech of the gentleman from Maine?

Mr. BOUTELLE of Maine. I have the evidence from official authorities.

Mr. HOPKINS. We want that.

Mr. BOUTELLE of Maine. Withdraw your point of order, and we will submit that evidence.

Mr. GROSVENOR. I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GROSVENOR. The gentleman does not wish to answer that question.

Mr. BOUTELLE of Maine. He never will.

Mr. HOPKINS. I think, Mr. Chairman, that on this question the gentleman from Maine is able to take care of himself. Now, Mr. Chairman, I do not desire to occupy the attention of the committee any longer upon this point.

Mr. HENDERSON. That is a good idea. [Laughter.]

Mr. HOPKINS. I simply rose to repudiate the suggestion made by the gentleman from Maine that there is anything factional in the opposition that I have made to the paragraph in the bill. If the evidence is sufficient to satisfy the members of this House that the existing law should be changed, I shall respond to that as quickly as any member of the House; but when a member of the Naval Committee of the Senate tells me, as he has, that the Senate will never allow this bill to become law authorizing the payment of \$545 a ton for armor plate, I think I am not going beyond my duty to my constituents and the public in calling attention to this subject and in insisting upon full information.

The CHAIRMAN. The Chair is ready to rule.

Mr. BOUTELLE of Maine. Mr. Chairman, I submit this question— [To Mr. HOPKINS:] Have you got through?

Mr. HOPKINS. Well, I will allow the gentleman from Maine to go on.

The CHAIRMAN. Undoubtedly, if the provision in the first portion of this section were applied to continuation of the work, the point of the gentleman from Illinois would be well taken. It would then be a statute, and the provision of this bill would "change existing law." The Chair finds that in the consideration of the naval bill last year the point of order was raised against the amendment which the gentleman from Illinois contended to be a fixed statute, and the Chair then overruled the point of order (the present incumbent of the chair), basing his ruling upon the fact that that provision was a limitation which applied to the appropriation contained in that bill only. That being so, the Chair must rule that this amendment is a limitation applying to the appropriation provided in this bill only; and therefore must overrule the point of order. The Chair does so rule, and the question is on the amendment offered by the gentleman from Maine.

Mr. BOUTELLE of Maine. Mr. Chairman—

Mr. HOPKINS. Mr. Chairman, I desire to amend the amendment. I desire to strike out the word "five" and insert the word "four."

The CHAIRMAN. The gentleman from Maine has the floor. The Chair will recognize the gentleman from Illinois at the proper time to offer an amendment.

Mr. BOUTELLE of Maine. Mr. Chairman, the object of this amendment is very simple. I am not going over the history of the armor question. The discussion of this subject in this House for the last two or three years ought to be instructive to members, and I believe it is to most of us. I have in my mind only one or two who do not seem to have been educated by it, but out of the usual kindness of my disposition I am not going to give their names. [Laughter.]

A few years ago the question whether the armor plate manufacturing companies were defrauding the Government by exacting exorbitant prices was raised in both branches of Congress. It was elaborately discussed, and resulted, in the first instance, in the Secretary of the Navy ordering an investigation as to the fair price of armor plate. The result was a delay in furnishing armor plate for a whole session of Congress. At the first session the Secretary made his report and concluded that \$400 a ton would be about right. Congress, after debating it, voted down that proposition. The Committee on Naval Affairs adopted the recommendation of the Secretary as the best information that could be obtained, but the House in Committee of the Whole voted that they would not give \$400 a ton, but would give \$300 a ton and no more. I want to give my colleagues in the House who were then members the full benefit of the justification for their votes at that time, which grieved me exceedingly and which I thought were unwise. I want to give them the benefit of the justification afforded by the fact that the gentleman from Illinois [Mr. HOPKINS] who has recently addressed the House stood on the floor and insisted in making a statement that a wealthy and powerful corporation in his own State was not only ready but anxious to furnish all the armor plate the Government desired in that bill at three hundred and some odd dollars a ton. I did not believe that the company was ready to do that thing. I did not believe that the company intended to do that thing. I came mighty near knowing that they did not intend to do that thing. The RECORD will show the debate. It is safe. The gentleman thanks God for the discussion.

The debate is safe; it is buried where it can be resurrected at any time, in that graveyard of eloquence, the CONGRESSIONAL RECORD. I asked him the specific question if any company in any part of this country had ever made the specific proposition, in good faith, to furnish this plate to the Government at three hundred and some odd dollars a ton, and he stated specifically that the Illinois Steel Company was prepared to do it. I pinioned him to the explicit fact, and I said I believed that this great corporation of the West, angry and smarting under its passion, in controversy with some other great companies over the steel trust that had been suddenly broken up, was coming here and putting in bogus propositions to distract the attention of the House and get a revenge on some former associates in that great trust.

Mr. HOPKINS. Will the gentleman yield to me right there?

Mr. BOUTELLE of Maine. No; I can not yield now.

Mr. HENDERSON. It is not safe and I would not do it. [Laughter.]

Mr. HOPKINS. What is the matter with the gentleman from Iowa?

Mr. HENDERSON. I am for peace. [Laughter.]

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. HOPKINS. Mr. Chairman, I ask unanimous consent that the gentleman from Maine be allowed to proceed five minutes.

Mr. BOUTELLE of Maine. I want to proceed as long as this body wants to hear me and not a minute longer. I have some interesting facts to bring out about now, and I do not think it will

be, perhaps, by unanimous consent; but the most of the members will want to hear it.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. MEYER of Louisiana. Mr. Chairman, I ask unanimous consent that the chairman of the committee be allowed to proceed without limit.

Mr. UNDERWOOD. I would be glad to have the gentleman proceed without limit, but I think we ought to have some understanding as to the time on the other side.

Mr. PAYNE. Mr. Chairman, I ask that the gentleman from Maine be allowed to proceed for fifteen minutes.

Mr. HOPKINS. I ask unanimous consent that the same length of time be accorded to the opposition.

The CHAIRMAN. The gentleman from New York asks that fifteen minutes be accorded to the gentleman from Maine and fifteen minutes to those opposed.

Mr. UNDERWOOD. Is it the understanding that debate will then close?

Mr. BOUTELLE of Maine. I understood that the gentleman from Illinois [Mr. HOPKINS] wanted fifteen minutes.

The CHAIRMAN. The Chair understands that fifteen minutes is requested for the gentleman from Maine and fifteen minutes for the gentleman from Illinois.

Mr. PAYNE. That was not my request, Mr. Chairman. I ask unanimous consent that the gentleman from Maine be allowed to proceed for fifteen minutes and after that the gentleman from Illinois [Mr. HOPKINS] be allowed to proceed fifteen minutes, and that there be no further limit on debate.

Mr. UNDERWOOD. We should feel forced to object to that, as there are gentlemen on this side who want to be heard.

The CHAIRMAN. The Chair will state that the gentleman from New York asks that the gentleman from Maine be permitted to proceed fifteen minutes and that the gentleman from Illinois then have fifteen minutes, but that there shall be no other limitation on the debate. Is there objection to that request?

Mr. HANDY. I ask for the regular order.

The CHAIRMAN. A demand for the regular order is an objection.

Mr. BOUTELLE of Maine. I move to strike out the last word.

The CHAIRMAN. The gentleman's time has not yet expired.

Mr. BOUTELLE of Maine. I trust, Mr. Chairman, that this little discussion will not come out of my time.

The CHAIRMAN. It will not be deducted from the gentleman's time.

Mr. BOUTELLE of Maine. Mr. Chairman, the result of that statement made in this House, unquestionably, in my judgment, from statements made to me by a great many gentlemen here, controlled the vote—

Mr. LEWIS of Washington rose.

Mr. BOUTELLE of Maine. Now I see something ominous on the horizon.

Mr. LEWIS of Washington. What did the gentleman say?

Mr. BOUTELLE of Maine. I have some time accorded to me—

Mr. LEWIS of Washington. I had not addressed the gentleman. I rose to ask my friend from Delaware to withdraw his objection, so that the gentleman from Maine could proceed.

Mr. BOUTELLE of Maine. I thank the gentleman very much.

Mr. LEWIS of Washington. But I would like to know the observation which the gentleman gratuitously made with regard to me.

A MEMBER. It was highly complimentary.

A MEMBER. It was nothing.

Mr. LEWIS of Washington. That is what the gentleman has been saying all the morning. [Laughter.]

Mr. BOUTELLE of Maine. Now, Mr. Chairman, if any other gentleman has a desire to say something witty, I wish he would put it in right here while the House is quiet, so that we can hear it and that I may enjoy it. Then I will go on.

Mr. Chairman, the House voted to limit the price to be paid for armor to \$300. The Secretary of the Navy issued proposals for armor at that price, and when the time came around to open those proposals he sent a report to Congress that he had had no proposals from anybody in the country to make armor at that price. The letter of the Secretary of the Navy to Congress I have here.

I have already cited it in debate. It stated that he had three communications. One was from the Carnegie Company; another from the Bethlehem Company, which had established great plants and had been furnishing armor, stating that they did not desire to furnish armor at \$300 per ton. Then there was the communication of the Illinois Steel Company, which, as the Secretary said, "contained a bid in the form of two general propositions, neither of which the Department feels that it has any authority to consider with a view to acceptance or rejection; while the other two communications received are not bids, but are statements of reasons why bids are not submitted."

Mr. HOPKINS. Does the Secretary state in his letter the

amount for which the Illinois Steel Company were willing to make this armor plate?

Mr. BOUTELLE of Maine. The Illinois Steel Company wrote a letter to the Secretary—

Mr. HOPKINS. Is it published?

Mr. BOUTELLE of Maine. Certainly. It is here, but I am not going to waste time in undertaking to read it and then be called down before I have concluded.

The Illinois Steel Company knows how to make bids. It knew how then. It could have bid if it had wanted to do so. But instead of bidding it wrote a letter to the Secretary proposing that "if," and "if," and "if," and "if," it would do something. If it could have the manufacture of all the armor that the Government would require for twenty years to come, and if the Government would guarantee to purchase of it 6,000 tons a year for twenty years (which was double the amount that we have been purchasing at all), and if certain other things were done, then it would do—what? It would then begin to construct a plant to make this plate, the very construction of the plant requiring from one to two years. Every member of the committee who was here at that time or during the succeeding session knows the facts of that matter.

The result was that we went along without any armor; and finally we brought in the proposition again as the only thing that came to the committee promising to give us armor for our ships. We recommended the granting of \$400 a ton as a limit; and it was granted.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. BOUTELLE of Maine. Have I talked fifteen minutes?

The CHAIRMAN. The gentleman was not given fifteen minutes.

Mr. BOUTELLE of Maine. I could not have asked for only five minutes, because I was entitled to that much.

Mr. PAYNE. I ask unanimous consent that the gentleman's time be extended ten minutes.

Mr. HANDY. I demand the regular order.

Mr. DALZELL. Let me make a suggestion to the gentleman from Delaware. I think we are all interested—I know I am, personally—in hearing the facts that the chairman of the committee was going on to submit with respect to the change of price. And certainly it is not intended that this debate shall be restricted to the chairman of the committee and the gentleman from Illinois.

Mr. UNDERWOOD. I ask unanimous consent that the gentleman from Maine be allowed fifteen minutes.

The CHAIRMAN. If the gentleman from Delaware withdraws his demand for the regular order, the Chair will submit the request.

Mr. HANDY. "The gentleman from Delaware" demands the regular order.

The CHAIRMAN. The regular order is demanded. The time of the gentleman from Maine has expired. The Chair will recognize the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, I have a substitute I wish to offer for the whole section, and which I now send to the desk.

The Clerk read as follows:

Strike out lines 3 to 17, inclusive, on page 61, and insert:  
"That the sum of \$4,000,000 be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of suitable buildings and the purchase of suitable machinery and other material necessary for the establishment and maintenance of a plant for furnishing armor plate for the use of the Navy."

"SEC. 2. That the Secretary of the Navy is hereby authorized to appoint a board, to consist of three officers of the Navy, who shall examine and report what, in their opinion, is the most suitable site for the erection of the plant provided for in the foregoing section of this act, and no money shall be expended until the point so selected shall have been approved by the Secretary of the Navy."

Mr. BOUTELLE of Maine. Mr. Chairman, I make the point of order on that amendment.

Mr. UNDERWOOD. I ask to be heard on the point of order.

Mr. BOUTELLE of Maine. I also wish to be heard upon it.

The CHAIRMAN. The gentleman from Alabama is recognized. The point of order is made on the amendment, and the gentleman from Alabama desires to discuss the point of order, as the Chair understands.

Mr. UNDERWOOD. Mr. Chairman, the proposition made to the House by the amendment I have suggested on this part of the naval appropriation bill is by no means a new one. It may seem on its face that it is in contravention of Rule XXI. But there is no doubt whatever that the House of Representatives, nearly fourteen years ago, decided that a similar proposition was in order under the same rule.

In the second session of the Forty-ninth Congress the Hon. Joseph Sayers, of Texas, reported a bill for the construction of a battle ship. It was brought into the House and offered as an amendment to the then pending naval appropriation bill. Governor McCreary, of Kentucky, was then in the Chair, and, when

the point of order was made, held that as the proposition was in continuation of a public improvement (and the ruling of the Chair is one which has been uniformly adhered to from that day to this, for nearly fourteen years)—that as it was in continuation of a public work already in progress, it was in order under the rules of the House.

Further than that, Mr. Chairman, it has been held all along, in the same line of ruling with that to which I have referred, that an amendment to regulate the hire and employment of sailors on these war ships was in order under Rule XXI for the same reasons given by Governor McCreary.

Now, what is the difference, I ask, in principle between the propositions? If the building of a battle ship is in continuation of a public work already in progress—and the only public work in that direction in progress is the extension of the naval force of the United States—if the building of a battle ship, I repeat, is in continuation of a public work, I would like to ask why an armor-plate factory or a gun factory, to supply armor and guns for the battle ships when constructed, is not entirely in the same line, and absolutely a continuation of the same public work? One is as essential as the other.

What public work does the construction of a battle ship continue? Why, to build a navy. We have already entered upon that work. It is a public work now in progress. The building of a battle ship is the continuation of that work. The preparation of the armor plate for the battle ship is just as necessary as the building of a battle ship itself. We increase our Navy by building more ships. Then, I say, when you come to building any part of a battle ship it is carrying on a public work which is "already in progress."

Why, this construction of armor plate comes nearer to the necessary work of building a battle ship than any other provision that you could apply to the bill. We have to-day six or seven battle ships already in various stages of completion, and it is necessary to provide armor for them. The public work is in progress, the building of the ships has been begun, and this amendment carries on the work which is absolutely essential to their completion.

Now, why should this be necessary? Why is it necessary for us to adopt the amendment that I have suggested? I wish to call the attention of the committee briefly to the circumstances and the reasons which induced the offering of the amendment. The very same reason which is given in favor of the construction of the battle ship and why it should be attached to a general appropriation bill applies with equal force here.

As the gentleman from Maine says, this is no new question in the House of Representatives. For years we have battled over the question. We have attempted to obtain armor for the Navy at a reasonable rate, and we have been met continually by the appropriation bills from the Committee on Naval Affairs advocating an increase in the price to be paid for the armor; and this, too, without giving any reasons for the increase. When the gentleman from Maine so kindly interrupted, or rather refused to hear my question a few moments ago, it was my desire to call his attention to the fact that they come to-day asking \$145 a ton more for the armor plate than we paid last year, and yet they make that recommendation without a line in the report in advocacy of it or as indicating to the House why it should be done!

They come here without a printed hearing, giving no information to this House. They say in a nebulous sort of a way that they want to obtain some new kind of a patent, but where is the gentleman who can give us any information with reference to that patent? I asked the gentleman from Maine on the floor but a few minutes ago what it was going to cost us to obtain these patent rights, and he said he did not know.

Mr. BOUTELLE of Maine. I never have made a statement of the kind to the gentleman at all.

Mr. UNDERWOOD. When I asked you, what did you say?

Mr. BOUTELLE of Maine. I have not any idea what you asked me. I did not hear it.

Mr. UNDERWOOD. Well, then, if the gentleman did not understand, I ask him now, how much is the Government of the United States expected to pay for this Krupp patent right per ton? Answer the question now, if you know.

Mr. CUMMINGS. Not one cent; and I told you that yesterday.

Mr. UNDERWOOD. Very well; I did not hear the gentleman yesterday.

Mr. CUMMINGS. I am reported wrong in the RECORD this morning. When you correct my matter, do not make me say the opposite of what I mean.

Mr. UNDERWOOD. I did not correct your matter, and I was not talking to you.

Mr. CUMMINGS. I appear in the RECORD this morning to state exactly the opposite of what I said.

Mr. UNDERWOOD. I did not hear what the gentleman from New York said. I am sure that what he said will be read by the

country at large. Anything that the distinguished gentleman from New York ever says is of interest to the country, and I beg his pardon. It is through inadvertence that I did not see it in the RECORD this morning.

Mr. CUMMINGS. I thank the gentleman.

Mr. UNDERWOOD. Now, I ask the gentleman to please inform the House.

Mr. CUMMINGS. It does not cost a cent, as I told you.

Mr. BOUTELLE of Maine. The gentleman knows very well that I have been struggling here since I first got the floor for no other purpose than for an opportunity to state just the facts that he is asking about. I have the facts all here.

Mr. UNDERWOOD. I tried to get the gentleman an opportunity.

Mr. BOUTELLE of Maine. If the gentleman will allow me, I will give him the best information I have.

Mr. UNDERWOOD. There is one question I ask the gentleman to inform me. The gentleman from New York [Mr. CUMMINGS] says that this Krupp patent is not going to cost us a cent. Now, is that correct?

Mr. CUMMINGS. Because you can not get it.

Mr. UNDERWOOD. That is all I want to know.

Mr. CUMMINGS. The royalty under the \$545 per ton is paid by the party who contracts to make the armor, whereas the royalty to-day under the \$400 clause is paid by the Government. That is the difference.

Mr. HOPKINS. Now, one moment. I disagree entirely with the gentleman from New York. Under the \$400 arrangement, as I understand it—

Mr. UNDERWOOD. Will the gentleman please tell us in his own time?

Mr. HOPKINS. I want to say to the gentleman from Alabama that if the gentleman from Maine in charge of this bill is unable to give the gentleman from Alabama an answer to his question, I can state—

Mr. BOUTELLE of Maine. I have not yet expressed my inability to state it. I do not want the gentleman from Illinois to occupy the floor to tell what he does not know about me. [Laughter.]

Mr. HOPKINS. The gentleman from Maine now says he can answer the question, and I will allow him to answer the question propounded to him by the gentleman from Alabama, instead of answering it myself.

Mr. BOUTELLE of Maine. I am very glad to have the chance, and I will say—

The CHAIRMAN. The gentleman from Alabama has the floor.

Mr. BOUTELLE of Maine. I thought you wanted me to do something.

Mr. HOPKINS. No, no.

Mr. BOUTELLE of Maine. If the gentleman from Alabama, who has a right to the floor, wants me to make a statement—

Mr. UNDERWOOD. I do want information, and I will ask the chairman of the Committee on Naval Affairs for information now. Let me see if I understand this proposition. The gentleman from New York [Mr. CUMMINGS] says we can not buy the patent, that we are not to get the patent, but that the royalty is to be paid by the companies who make the bid for this armor. Now, I want to know if any contract has been made with any of these companies who bid for this armor; and if so, what do these companies propose to pay for this royalty? Does the gentleman know?

Mr. BOUTELLE of Maine. Why, we are trying to get into Congress far enough to ask Congress to authorize somebody to make a contract.

Mr. UNDERWOOD. You do not know, then, what they are going to pay the Krupps for the armor?

Mr. BOUTELLE of Maine. We do know what we are informed.

Mr. UNDERWOOD. Tell the House. We have been trying to find out that.

Mr. BOUTELLE of Maine. We are informed by two reputable parties that we can have this Krupp armor for \$545 a ton.

Mr. TODD. How much of that is royalty?

Mr. WILLIAMS of Mississippi. How much of that \$545 a ton is royalty?

Mr. HOPKINS. The gentleman has asked a question and I will answer it now.

Mr. UNDERWOOD. The question is what are these companies to pay the Krupps for the royalty?

Mr. BOUTELLE of Maine. My information is about \$45 or \$50.

Mr. HOPKINS. That answers it.

Mr. UNDERWOOD. That is the first information this House has been able to obtain.

Mr. BOUTELLE of Maine. Now I will give you the information, if you will relinquish the floor and permit me to give you the facts as furnished by the highest authorities we have. That would be much better than to have the gentleman from Illinois get up and try to tell us what he thinks we ought to know.

Mr. HOPKINS. Then I would have to occupy the floor all the time.

Mr. UNDERWOOD. Mr. Chairman, if I can continue my remarks—

Mr. BOUTELLE of Maine. Let me make a proposition to the gentleman from Alabama.

Mr. UNDERWOOD. Yes, I will.

Mr. BOUTELLE of Maine. I am going to make a proposition in good faith. We have had lots of fun, some stupidity, and some other things, of which I shall cherish a remembrance long after the gentleman who has exercised his proud privilege has ceased to be remembered in the House. I suggest to the gentleman, in fairness to the House, and the country, and the Department, and to everybody—I have nothing that I want to say to this House if they do not want to hear me—but we have here the facts; the House wants some facts, and the gentleman from Alabama is clamoring for them. I have here a comprehensive statement covering every point the gentleman may have in his mind from the highest authority we have in the Government on this subject. I have the letter of the Secretary of the Navy; I have the letters of the Chief of the Bureau of Ordnance, who has charge of this work, and I have letters from the manufacturers themselves.

Now, I ask the gentleman if he does not really think that he and I would be doing infinitely greater service to the Government by permitting these documents to be read rather than to occupy the time any more?

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, I ask the attention of the chairman of the committee.

Mr. BOUTELLE of Maine. Certainly.

Mr. WILLIAMS of Mississippi. In the interest of eliciting the very facts to which the gentleman has referred, and in the interest of eliciting the facts upon the other side, I ask unanimous consent that there may be half an hour's debate on each side of this amendment, thirty minutes to be controlled by the gentleman from Maine, fifteen minutes by the gentleman from Alabama, and fifteen minutes by the gentleman from Illinois [Mr. HOPKINS].

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that debate on this paragraph be limited to thirty minutes on each side—

Mr. BOUTELLE of Maine. Now you will get the information.

Mr. DOCKERY. All that relates to this amendment.

Mr. DALZELL. I suggest to the gentleman that there is a special order for half past 2 o'clock.

Mr. UNDERWOOD. I understand there is a special order; and I ask the gentleman to allow me to conclude my remarks. We can not finish it to-day.

The CHAIRMAN. The gentleman has already yielded to his colleague to make a request, and, unless some gentleman withdraws it, the Chair will have to submit it.

Mr. WILLIAMS of Mississippi. I withdraw the request.

Mr. UNDERWOOD. Now, Mr. Chairman, I wish to call the attention of this House not only to the increase that has already been given in this matter; that has been given by this committee, but I want to call the attention of the House to the fact as to the amount that we have provided of this armor in the past. The gentleman from Maine has seen fit to say that he thinks it would be good for the country and for the Government if all this testimony were given to this House. I do not know what that information is, yet probably it would have been and will be; but I will say to the gentleman that it would have been wiser to give that information to the House when he reported this bill to Congress, so that we might have had an opportunity to understand it, and not bring it in here at the eleventh hour. I have tried for two days to ascertain how much these armor-plate manufacturers proposed to pay for this Krupp patent that they claim, and this is the first time we have heard that it was to be \$45 or \$50, and even that the gentleman did not seem to know—

Mr. BOUTELLE of Maine. I stated that distinctly when I first opened my mouth.

Mr. UNDERWOOD. When you say \$45 or \$50 that evidently shows there is an uncertainty about it.

Mr. BOUTELLE of Maine. The gentleman is troubled about the question between forty-five and fifty. Well, \$50.

Mr. TODD. Will the gentleman allow me one word?

Mr. UNDERWOOD. Yes.

Mr. TODD. There is nothing in this bill to show that the Secretary of the Navy must buy the Krupp armor. They can simply get the old armor that we have been getting and give \$145 more for it than we did under the last bill.

Mr. UNDERWOOD. I will say this, before proceeding further about this royalty: Gentlemen contend, and come here with a great show and great argument, that we are going to save money by paying \$545 a ton for this armor and get the right to buy armor plate without paying a royalty. Now, the members of the Naval Committee, who make this proposition and ask this, must know—necessarily, it is their business to know—they know what we are paying for the royalty on the harveyized armor. Now,

they must know it. And we find in the reports that I hold in my hand—made by Secretary Herbert, Secretary of the Navy, in 1893—on the 12th day of March he made a contract with the Harvey Company to furnish this Government the right to use their process for harveyized armor at one-fifth of 1 per cent a pound, which means that the Government, if that contract is carried out, should pay the great sum of \$11.20 a ton in addition to \$400, but—

Mr. BOUTELLE of Maine. Will the gentleman permit me to call his attention to an error?

Mr. UNDERWOOD. Permit me to finish my sentence. And they come here now and say because we will not have to pay the \$11.50 a ton in addition to the \$400 it is a great argument why we should increase the price to the manufacturers \$145 a ton.

Mr. BOUTELLE of Maine. Will the gentleman permit me to enable him to make a correct statement?

Mr. UNDERWOOD. If the gentleman can do so.

Mr. BOUTELLE of Maine. I am going to help you to make a correct statement, for the incorrectness of which no one is responsible but the gentleman himself.

Mr. UNDERWOOD. I think I am about as correct in my figures as the gentleman from Maine.

Mr. BOUTELLE of Maine. The gentleman has stated that the Government does not pay the royalty on the harveyized iron.

Mr. UNDERWOOD. I did not state that. I said that here is a contract by which they agreed to pay \$11.50 a ton. I said they paid \$11.50 a ton. The gentleman will see that I am correct in my statement. The difference between the royalty which we are expected to pay for the armor plate we are using now, the harveyized armor, which amounts to \$55,000 on a battle ship, and paying \$50 a ton for the other armor, which is \$200,000 for a battle ship, would be the difference—

Mr. HILBORN. Will the gentleman permit me to correct a mistake he has fallen into?

Mr. UNDERWOOD. Certainly.

Mr. HILBORN. When we were using the harveyized plates the Government owned the patent, but here the two great armor-plate manufacturing companies have bought it themselves. They alone have the right to use the Krupp process in the United States. We understand that they paid a very large sum of money to be permitted to use that process in the United States. They pay \$50 a ton for every ton of armor plate they make; but the United States has never attempted to buy that process, and could not buy it. Another correction I want to make is that the Krupp process has never been patented; it is a secret process.

Mr. TODD. I think the gentleman from California is mistaken as to its not having been patented. I have a copy of the patent of the Krupp process on my desk.

Mr. HILBORN. That is what we are informed.

Mr. UNDERWOOD. Well, I would like to proceed, if the gentleman from Michigan [Mr. TODD] will allow me. It does not make any difference to this House whether the Krupp process has been patented or not.

Mr. HILBORN. Not at all.

Mr. UNDERWOOD. It is a question of what we are going to pay and whether we are going to get full value for what we pay. Now, I notice in the history of this armor-plate business that every time Congress has investigated the matter, every time we have gone to the bottom of the matter and found out what this armor plate really costs, what was a fair compensation to these companies, that they have either come in with a new nickel process, or a harveyized process, or a Krupp process, and clouded it in mystery and insisted that we could not know anything about it for that reason.

They said here was a great secret that was going to control the navies of the world, and if we wanted to keep in touch and in the front lines with our battle ships we would have to come up and pay this great sum of money for compensation in making armor. This committee has kept in line with the committees in the past. They want to cloak the matter in mystery. They come in here without a report telling us anything about it. They come here without a printed hearing. I asked this morning if there was any examination made as to the witnesses on this question, and I understood that Captain O'Neill was called before the committee and made some statement, but his statements were not of sufficient importance, evidently, or were not considered by the committee of sufficient value to even put them in their printed statement of the hearing. That is all we have got on this question that is going to cost the country thousands and thousands of dollars.

Why, Mr. Chairman, I find that this bill carries 3 battle ships of 13,500 tons and 6 armored cruisers of 12,000 tons. That is 9 battle ships. It was stated in the examination and report that it will require about 3,000 tons of armor to armor a battle ship of the Wisconsin type, but it will take nearly 4,000 tons for this type. Now, there are 6 armored cruisers at 4,000 tons for each type, which will make in the neighborhood of 24,000 tons.

Mr. HILBORN. Will the gentleman allow me to interrupt him?

Mr. UNDERWOOD. Certainly.

Mr. HILBORN. Is the gentleman aware that the armor treated by the Krupp process gives us the same ballistic resistance with 25 per cent less weight?

Mr. UNDERWOOD. I do not know whether you are going to make it less weight or not. There is nothing brought in by the committee to show that. On the other hand, I will say to the gentleman that I heard a man who understands the manufacture of iron and steel and armor plate claim that this Krupp process was nothing more than a slight improvement on the old harveyized iron.

Mr. HILBORN. Allow me to say this, that the British Government is now building four first-class battle ships and also four first-class armored cruisers, and they are using this plate, and they are paying more than the American armor-plate manufacturers propose to charge us.

The Japanese Government is having four first-class battle ships built in England and three first-class armored cruisers, and they are to be sheathed with this improved armor. The British Admiralty have asked tenders for four more battle ships and two armored cruisers, and they are to be sheathed, under the contract, with this kind of armor plate. The Russian Government is having built in this country at Cramp's shipyard a battle ship of 12,500 tons, and the two great American armor-plate makers of this country are making armor plate of this kind for that battle ship. And while the armor-plate makers do not disclose the price they are charging the Russian Government, they assure us that we shall have the armor plate for less than that Government is paying.

Mr. UNDERWOOD. Yes; I know it is customary for these gentlemen to charge the Government of the United States less than they charge anybody else. They have been doing that consistently in the past, especially when they sold armor to the Russian Government for \$249 a ton, while they were selling the same kind of plate to us for over \$500 a ton. So that I have no doubt we can rely on the statements made to the gentleman in that regard, and can rest confidently in the belief that they will be carried out. But I am glad to receive the information that the gentleman has given; I am glad he has made this statement as to what these other Governments are getting. I say again, however, that this is information which should have been furnished to us when the committee reported this bill, instead of bringing this proposition before the Committee of the Whole without a particle of information as to why and when this change was adopted.

But, sir, the fact that the British Government is adopting this kind of armor does not prove that it is to be a success.

Mr. HILBORN. The gentleman will allow me to say that our armor-plate makers have made specimen plates which have been turned over to experts of our Government, who have tested them with our own guns at our own proving station at Indian Head, and these experts announce that this plate is 25 per cent better than the harveyized plate.

Mr. UNDERWOOD. Well, this is another new statement, which now comes before the Committee of the Whole for the first time. If all this information could stand the test of investigation, why was it not brought before the House in the proper way, so that we might have an opportunity to look into it and find out whether it would stand the test of investigation?

Yesterday, toward the close of our proceedings, I asked the gentleman from Maine to point out to me where such information could be obtained, whether the Naval Committee had ever caused it to be printed, and I was told that I could not get it, that it was not in print. And now at the eleventh hour these gentlemen come in here with fulsome statements in reference to this matter. But I ask the House to remember that we have had experience in the past in reference to the increased cost of battle ships; and I say that whether this particular kind of armor is an improvement or not, it is wrong to the constituencies that we represent to take any chances in this matter. Before we agree to make a contract of this kind for armor plate to the amount of more than 24,000 tons at an additional cost of \$145 per ton, amounting to between three and four million dollars, for the battle ships we are actually ordering in this bill—before such action as that is taken by this House we should investigate the matter, as it seems the Naval Committee has not investigated it.

Mr. HILBORN. Will the gentleman allow me?

Mr. UNDERWOOD. Yes, sir.

Mr. HILBORN. If a new discovery has been made and the armor-plate makers of the world are turning out plate that is 25 per cent better than that which we are now using, and if other nations of the world have adopted it, does not the gentleman think that we should do the same? Does he not think that the best is poor enough for this Government?

Mr. UNDERWOOD. The gentleman supposes a case—

Mr. HILBORN. I am stating facts.

Mr. UNDERWOOD. If the statements made in regard to the superior quality of this armor plate should on investigation prove to be true—if the facts should be laid before this House in a proper

and orderly way so that members may examine them and come to a just conclusion in reference to the matter—then I would say if this armor plate is better, of course we ought to buy it, and buy it at a reasonable figure. But, according to the admission that has been dragged from the Committee on Naval Affairs before the House this morning, these companies are now paying only \$50 a ton additional for the use of this process for improved armor plate; and if we are to be called on to pay \$145 a ton additional, in other words, to pay these armor-plate makers \$95 a ton additional for the mere fact that they have made a negotiation with Krupp for the use of this process, I say it is going a little too far.

Mr. HILBORN. Will the gentleman allow me just a moment?

Mr. UNDERWOOD. Certainly.

Mr. HILBORN. The committee will understand, of course, that this being a secret process, we can not manufacture the plates ourselves; nor can we mathematically fix the actual cost of making a ton of armor plate under this process.

Mr. UNDERWOOD. But I understood the gentleman from Maine to say, when he was on the floor, that the difference of \$50 a ton would cover the difference in cost, or would pay the royalty.

Mr. TODD. Here are the facts, if I may be permitted to interrupt the gentleman. It is not, in any sense of the word, a secret process. The whole matter is laid bare in these patents now on my desk.

Mr. HILBORN. The armor-plate makers take this position: If \$400 per ton is a fair price for the armor now being used, an armor with 25 per cent more resistance—ballistic resistance—25 per cent better, is worth 25 per cent more. This would bring the price up to the amount fixed in the bill—that is, \$500 a ton for the plate itself.

Now, we have always paid a royalty for the use of the Harvey process, and they therefore expect us to pay a royalty of \$50 a ton upon this improved armor plate. This brings the price of the armor up to \$550 per ton.

Mr. UNDERWOOD. In other words, we are to-day paying a large royalty for the use of armor plate under the Harvey process, and we are expected to pay a still higher royalty on account of the patents to which the gentleman from Michigan [Mr. TODD] has just referred.

Mr. HILBORN. I know, as a matter of fact, that the American companies, when they purchased the right to manufacture this armor plate, sent competent and experienced men across the ocean for the purpose of being instructed in the manufacture, and the secret of the process was only communicated to them—to a very few persons who alone understand how it is conducted. This carbonizing process, by which the carbon is injected into the metal, is an unknown process excepting to those who have been initiated in the manner I have suggested.

Mr. TODD. It is not a secret process. Here are the patents fully explaining it.

Mr. HILBORN. Under the old process the carburization penetrated the plate from one-half an inch to one inch and a half. By this new process carbon is injected at least 4 inches into the plate and we get 4 inches of hard metal on the face of the armor plate, and perhaps more.

Mr. TODD. In response to the gentleman from California, if the gentleman from Alabama will allow me a further interruption, I have before me the patents which cover precisely the entire process. They show the method by which the hardening process is accomplished, and the gentleman from California is entirely mistaken in his conclusion.

Mr. UNDERWOOD. It seems that there is no very great secret about the whole matter. It is simply a process which is apparently well known to the manufacturers of armor plate. It is a process of applying heat, according to a well-known plan, by pulverized charcoal, bringing the metal to a high temperature, when, under certain conditions, it is cooled rapidly, leaving a hardened surface which may extend several inches below the face of the plate.

Mr. HILBORN (interrupting). The gentleman from Alabama is describing what is known as the Harvey process. That is not the plan adopted at all by the new process.

Mr. TODD. It is not exactly the same process, but the result is the same—only the new process is cheaper, as they use cheap petroleum for heating, which is less expensive than gas or charcoal.

A MEMBER. The gentleman is entirely mistaken.

Mr. TODD. It is hardened, I expect, by the petroleum method—a method of heating the plates—which is cheaper than either by the use of gas or coal.

Mr. UNDERWOOD. There is no reason to believe that it will cost a dollar more than the old process, and there is no reason why the Government should pay a single dollar more than for the old harveyized plates.

Mr. TODD. The patent of Mr. Krupp specifies that his armor may be made by the Harvey process. If it is found desirable and

is profitable to do so, it will be done in that way. It is a simple process of carbonizing the metal by using gas or crude petroleum to effect the heating.

Mr. BOUTELLE of Maine. I must ask, Mr. Chairman, that this debate be limited. We have had a long time upon this proposition.

The CHAIRMAN. The gentleman from Alabama is still entitled to the floor.

Mr. UNDERWOOD. Mr. Chairman, it is said that the discussion of the harveyized process has no place in the consideration of this bill. I wish to call the attention of the committee, however, to a few facts to show what has been done in that connection in the past.

The great cost that these gentlemen claim is involved in the making of armor plate is in the interest charges. I can read to the committee in a very few moments the various charges that are involved for materials and other expenses involved in this manufacture. I want to call your attention to the fact that in the manufacture of the armor plate the materials cost only \$30.13 a ton. I find in the Government report I hold in my hand a statement that the materials consumed in the manufacture are claimed to amount to \$56.75 a ton. The coal and other fuel used are stated at \$81.30 a ton; the labor cost is \$43.65 a ton, and other expenses, including contingent expenses, shop expenses, and experimental work, make the total cost from \$196 to \$200 a ton. This is a report by a board of Government engineers—competent men—in the employ of the Navy, who were sent to examine and report upon the question presented, and they submit their report showing the total cost to be between \$196 and \$200 a ton.

And everything above that, every single charge that they put in above that, is for taxes, interest, insurance, and profits. Well, now, at \$400 a ton, with the labor and the materials consumed costing only about \$200 a ton, is it not sufficient for them to get their interest, their taxes, their insurance, and their profit out of the other \$200 a ton? Is there any other manufacturing establishment in this country that would want more or expect as much?

But let me call your attention to the reason why they want this amendment. I find that the Bethlehem works claim that they have a working capital of \$519,000 and a capital stock of \$4,087,521, making a total of \$4,606,521; that the Carnegie Company have a capital of \$3,000,000. The total capital of the two plants is \$7,606,521. The capacity of those two plants put together is only 6,000 tons.

Now, the Government of the United States some years ago appointed a board of naval officers to investigate the question as to how much an armor-plate factory could be built for. They investigated the question, went into the minutest details, and reported fully to Congress, with all the plans and specifications. They say that to make a complete Government plant will only cost \$3,447,912, a plant that will turn out 6,000 tons of armor-plate for the Government. These two companies that to-day have a monopoly of this business are claiming that they should be paid interest on a capital stock of \$7,600,000, whereas the Government engineers say that you can build a plant of equal capacity and latest improvements for \$3,800,000.

Mr. WILLIAMS of Mississippi. Having a capacity equal to both of them.

Mr. UNDERWOOD. Having a capacity equal to both the other plants.

Mr. OGDEN. May I ask the gentleman from Alabama a question?

Mr. UNDERWOOD. Yes.

Mr. OGDEN. Assuming that the Government should build an armor plant, can they buy the right to use this Krupp process, or have these two companies the exclusive right to use it in the United States?

Mr. UNDERWOOD. I do not know anything about that now.

Mr. OGDEN. I am asking in good faith, because I favor the gentleman's substitute, but I want to know what I am doing.

Mr. UNDERWOOD. When the Government refuses to contract with the two companies and builds its own plant, those who own the process will be glad to sell it, because they will have nobody else to use it.

Mr. WILLIAMS of Mississippi. Or to sell the royalty.

Mr. UNDERWOOD. They are bound to sell the royalty if it exists. We have a contract now for harveyized armor at \$11.20 a ton, which the Government can use to-day, and that armor made a splendid test on our battle ships in the war with Spain. This Krupp armor has never been tested in battle, but the harveyized armor that we use to-day has been tested, and not a single American ship has gone down under the test.

Mr. OGDEN. I do not want the gentleman to misunderstand me. I am in favor of the Government building its own plant. I favored that project two years ago, and I favor the substitute.

Mr. UNDERWOOD. The battle ships used by Spain were supposed to be as good cruisers as any made. Now, Mr. Chairman, I want to say this in conclusion: We can build an armor-plate factory for \$3,600,000. We can thereby save an immense cost. We can save the profits that are now being dragged out of us by these

companies. There is no man on the floor of this House who does not remember that when we passed the last appropriation bill, carrying \$400,000, that it was in the midst of war and we had to surrender to the armor-plate factories. We could do nothing else.

Mr. HILBORN. Will the gentleman allow me to ask him a question?

Mr. UNDERWOOD. Certainly.

Mr. HILBORN. I did not hear your answer to the question that was propounded by the gentleman a moment ago. Supposing that the two great armor-plate manufacturers of the country have purchased of the Krupps the exclusive right to make this plate, what would the United States do if we put up a plant of our own?

Mr. TODD. Blow those factories to pieces with our cannon.

Mr. OGDEN. Do these two companies own the exclusive right to use this process in this country?

Mr. HILBORN. That is what we understand.

Mr. HOPKINS. Give the source of your information.

Mr. OGDEN. We should like to know what information you have on that subject and where you get it.

Mr. HILBORN. We get it from the companies themselves. That is the only way we get it. They say they have that right.

Mr. OGDEN. They are all honorable men and all honorable companies, and that information is undoubtedly correct.

Mr. HENRY of Mississippi. And they are looking out for their own plants.

Mr. UNDERWOOD. There is no doubt in the world that if the two companies could buy the right from Krupp, and that if we go to manufacturing armor, they will have no more use for the process, and there is no doubt that they would sell it.

Mr. HILBORN. Why would they have no more use for the process? They are furnishing armor to other countries.

Mr. UNDERWOOD. Well, if they are furnishing armor to other countries—

Mr. BOUTELLE of Maine. What about their own country?

Mr. UNDERWOOD. Their own country?

Mr. BOUTELLE of Maine. The Krupps. They make armor for their own country.

Mr. UNDERWOOD. Well, I say that with that armor-plate factory these Carnegie and Bethlehem companies will no longer have any armor to make for our country, and we will make it ourselves.

Mr. HILBORN. But they are making it now for Russia.

Mr. UNDERWOOD. I am not denying that they are making it for Russia; but the thing I contend for is, that we should make our own armor plate. We have a right to use the harveyized process now, and if we can not negotiate with the Krupps in getting the use of this process, if it is better, why not go on using the harveyized process, which has proven a success? But I doubt not, if it was necessary and the time came, we would get the use of the Krupp process.

Mr. WILLIAMS of Mississippi. Will the gentleman pardon me for interrupting him?

Mr. UNDERWOOD. Certainly.

Mr. WILLIAMS of Mississippi. If the owners of the Krupp process are willing to make a contract with these two companies, whereby in consideration of the payment of a certain royalty they shall have the right to use the Krupp process, what reason is there in common sense that they would not make the same contract with the United States Government?

Mr. UNDERWOOD. None whatever. I am thoroughly satisfied on that point.

Now, Mr. Chairman, I only wish to say this to the committee: I say that these armor-plate factories have had this Government by the throat before. They have repeatedly held us up here and refused to furnish us with armor plate at the amount which the committees of Congress and the Government officials, after careful investigation, have reported as a fair and just amount to pay them. When the war with Spain came on, we had the case presented a year ago when there was nothing that we could do but surrender to the trust. We do not have to surrender to the trust to-day. These battle ships do not need their armor plate to-day, and will not need their armor plate for two years to come; and if they did need it, they could lie on the dock for a few years without any great depreciation.

The time is opportune for the people of this country to take control of this matter themselves, and not wait until another great war comes on, and then to force the prices that these trusts demand from them. We can build an armor-plate factory for a little over \$3,000,000 and control the process ourselves; and we have found in the past that every time the Government has taken hold the manufacture of its own implements of war that it has reduced the cost and made better guns and better manufactured articles. The same argument in reference to the building of a plate factory that is made here was made when we built this gun factory down here in the navy-yard. It was contended on the floor of this House that we could not build the great guns for the Government—could not do it; that we would never have a gun fit for

service; and yet to-day, within site of this Capitol, we are turning out the best guns that are made in the world, and at the cheapest price.

Everything points to the fact that the time is opportune for the Government to take hold of this matter and build its own armor-plate factory and tear the hands of this trust away from the throat of our Government. Therefore, Mr. Chairman, I contend, and I shall ask the Chairman to consider in that light that this amendment is in line with the amendment that was offered to the general naval appropriation bill that provided for the building of the gun shop, that if the putting of a provision on one of these bills to build a battle ship is not in contravention of Rule XXI, then I say that a provision in here to build a factory for the manufacture of any of the articles needed in the construction of the battle ship is not in contravention of Rule XXI; and therefore, under the rules, we have got the right to offer this amendment, and the time has come when we should adopt it.

Mr. GROUT. I call the attention of the gentleman from Maine in charge of this bill to the special order for this hour.

Mr. BOUTELLE of Maine. In view of the fact that a special order has been assigned for this time, I will defer my statement on the point of order. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12122, the naval appropriation bill, and had come to no resolution thereon.

#### ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 3425. An act for the relief of George A. Dickel & Co., at Nashville, Tenn.;

H. R. 11785. An act for relief of certain tobacconists of Lynchburg, Va.;

H. R. 8997. An act granting an increase of pension to John W. Brisbois;

H. R. 6551. An act withdrawing from entry and sale and granting unto the State of Wisconsin certain lands therein described; and

H. R. 11414. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

#### NAVAL PERSONNEL BILL.

Mr. BOUTELLE of Maine. Mr. Speaker, I am directed by the Committee on Naval Affairs to report back what is known as the naval personnel bill, with amendments of the Senate, and recommend that the amendments be nonconcurrent in, and that the conference asked by the Senate be agreed to.

Mr. GROUT. Mr. Speaker, I call attention to the special order for this hour, being the resolutions relating to the death of Senator MORRILL. If this is not going to take any time, I will yield; but it is already very late.

Mr. BOUTELLE of Maine. It will not take long.

The SPEAKER. It will require unanimous consent.

Mr. BOUTELLE of Maine. I ask unanimous consent that the amendments of the Senate may be nonconcurrent in formally, and that the conference asked for by the Senate be agreed to.

The SPEAKER. The gentleman from Maine reports back the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States with Senate amendments thereto. The gentleman asks unanimous consent that the amendments of the Senate shall be nonconcurrent in and that the House consent to the conference asked for by the Senate. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the following conferees: Mr. FOSS, Mr. DAYTON, and Mr. MEYER of Louisiana.

#### GENERAL RIGHT OF WAY THROUGH INDIAN RESERVATIONS.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that the Senate amendments to the bill H. R. 11868, which is on the Speaker's table, the bill granting a general right of way through Indian reservations, be nonconcurrent in and that a conference be asked with the Senate.

The SPEAKER. The gentleman from New York asks unanimous consent that the Senate amendments to the following bill be nonconcurrent in and that the committee of conference asked for be granted.

The title of the bill was read, as follows:

A bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the following conferees: Mr. CURTIS of Kansas, Mr. LACEY, and Mr. LITTLE.

#### EULOGIES ON THE LIFE AND CHARACTER OF THE LATE SENATOR MORRILL.

Mr. GROUT. Mr. Speaker, I ask for the reading of the resolutions.

The Clerk read as follows:

Whereas the House of Representatives has heard with profound sorrow that the Hon. JUSTIN SMITH MORRILL, a Senator from the State of Vermont and formerly a member of this body, died at his home in this city on December 27, 1898; Therefore, be it

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. JUSTIN S. MORRILL, late a member of the Senate of the United States.

Resolved, That, as a particular mark of respect to the memory of the deceased and in recognition of his eminent abilities as a distinguished public servant in both Houses of Congress, the House at the conclusion of these memorial proceedings shall stand adjourned.

Resolved, That a copy of these resolutions be transmitted to the family of the deceased.

Ordered, That the Clerk communicate these resolutions to the Senate.

The resolutions were unanimously agreed to.

Mr. GROUT. Mr. Speaker, JUSTIN SMITH MORRILL, long a distinguished figure at both ends of this Capitol, was the legitimate and natural product of the State from which he came.

Near the close of the last century there went into the northeastern portion of Vermont from the other New England States a set of hardy pioneers who were every way the equals of those remarkable men who founded the State and who had already made her name famous in the annals of that time. Their descendants are still found on the farms and in the villages and are proud to trace their lineage to the first settlers who felled the forests and brought the rugged hillsides under cultivation. This movement of population into northeastern Vermont set in soon after the close of the Revolutionary war, but was given fresh impulse in 1791 by the admission of the State into the Union.

In 1795, among the sturdy, stalwart men who pushed back into the wilderness and into the very heart of what is now Orange County was Smith Morrill with a wife and seven children—five sons and two daughters—and he there set up his household gods. All five of the sons settled in Strafford, and there the Morrills are still to be found. They came from Chichester, N. H., but the family traces to Salisbury, Mass., and is undoubtedly of Puritan stock—Anglo-Saxon stock—which is fast encircling the earth with its victories and its civilization. In 1812, with true Anglo-Saxon spirit, this hardy frontiersman started with four of his sons, including Nathaniel, the father of JUSTIN, who was then and for a long time afterwards colonel of militia, to meet the British at Plattsburg, but was too late for the battle, though in season to join in pursuit of the fleeing British squadrons.

JUSTIN SMITH MORRILL was born in Strafford, Vt., April 14, 1810. He entered Congressional life March 4, 1855, as a member of this body, and died a Senator December 27, 1898, having been continuously in public service forty-three years and nine months, only a little less than one-half of his entire lifetime, and for the longest consecutive period of any man in the history of the country.

Here is a remarkable career as to length of service. It is no less remarkable for its rich legislative products and its beneficent influence on the industrial and economic conditions of the American people.

But before speaking of him as a public man and statesman let us for a moment look at him as a boy and the prosperous young man of business. He was the eldest of a family of ten children, which his father, the village blacksmith, clothed, fed, and educated by his daily toil at the forge and anvil.

Indeed, blacksmithing seems to have been a favorite trade in the family. That was the occupation of Smith Morrill, who, with his son Nathaniel, the father of JUSTIN, lived together and had a shop at Strafford Upper Village; and of Joseph, another son of Smith, who established a shop at the Lower Village. And later still it was the trade of Amos, the brother of JUSTIN S.

But these men were more than the ordinary blacksmith whose well-developed arm—

With steady sledge  
Smites the shrill anvil all day long.

They did this, but they wanted a heavier blow with a larger hammer. They saw the waters of the riotous Ompomposuc flowing past and harnessed them in each village to a trip-hammer and supplied the farmers with axes, hoes, and scythes, rude of construction, of course, but up with the times. And such was the enterprising industry of these men that to this day among the traditions of the town one will learn how, with no eight-hour law in the way, the early morning slumbers of the villagers were broken by the well-accentuated music of these trip-hammers.

From this glimpse of his ancestry it will be seen that Senator MORRILL came of working stock; and how well he kept the family record let the industry and diligence of his whole life make answer. He was emphatically a self-made man. His education was quite limited. It was, in fact, ended and he was out of school at 14. It was acquired at the district school, with two terms at the

academy. Rather scant scholarship, the boys of to-day would think, on which to start in business or statesmanship; and yet Senator MORRILL made a great success of both, not through accident or luck, but by faithfully and ably performing the things that befell him to do, and by all the time being a learner. He had not only the spirit of inquiry, but no trace of dogmatism, which always bars the way to both knowledge and wisdom.

But Nathaniel Morrill's family was increasing in numbers, and JUSTIN was old enough to help in its support, or at least to support himself, and he was hired out to Judge Harris to work in his store for two years on a salary of \$30 for the first year and \$40 for the second. He had enough to do, had plain food, and was really well used, and yet he frequently importuned his father to relieve him of the monotonous rigor of the contract. But his father knew that the discipline was making a man of the boy, and it undoubtedly did much toward laying the foundation for his success in after life.

He faithfully completed the contract, and his service was so intelligent and reliable that four years afterwards, he having been meantime in Portland, Me., as a clerk, Judge Harris took him in as partner, and together they conducted a large and successful business for about fifteen years, when both retired with large profits. Judge Harris at the time of forming the partnership was already a rich man for those days, and he furnished the money and young MORRILL took charge of the business. It is the testimony of a cotemporary that by his courteous treatment of customers and his absolutely truthful representations to them he rapidly became the most popular merchant in town and did double the business of any other.

On his retirement from business he purchased and improved as a farm a tract of land abutting on the village street, on which he erected a modest but elegant home, and in 1851 married Miss Ruth Swan, a Massachusetts lady of cultivation and refinement, who gracefully dispensed a homelike hospitality that well supplemented the unostentatious life of her husband. She passed away only a few months in advance of him, beloved and mourned by all who knew her.

In 1834 Andrew Tracy, of Woodstock, who had served a single term in this body, declined a renomination, and JUSTIN S. MORRILL, the retired merchant and quiet but studious cultivator of the soil, was presented by his friends for the nomination and received it. He was but little known outside of Orange County, and even there had taken no part in public matters, though he had been mentioned in connection with several offices, including the lieutenant-governorship. During the fifteen years he was in trade he devoted himself unremittingly to his business, his only diversion being found in his constantly increasing library of standard English authors. He never read works of fiction. He frequently said, "Life is too short to waste upon them;" but was a constant reader of substantial works. During all this time, including the six or seven years he was establishing a home and setting his little farm in order, if he felt any of the stirrings of ambition there was no betrayal of them to the public. He still held aloof from politics, the only public office he ever held before his nomination to Congress being that of justice of the peace.

Andrew Tracy, the outgoing member, was one of the ablest lawyers in the State, and his immediate predecessors were William Hebard, also a prominent lawyer, and Jacob Collamer, eminent as lawyer and jurist and afterwards as Senator, whose statue now stands in Statuary Hall. As might naturally be expected, with this array of talent preceding him the nomination of this unknown Orange County farmer was not entirely acceptable to the district, and resulted in a bolting candidate, who drew off some 2,000 votes. Mr. MORRILL, however, was elected by a small majority—100—and took his seat December 4, 1835, and never thereafter was he troubled with bolting candidates. He was six times elected to the House, and once after squarely declining, and six times to the Senate, and every time with the united support of his party. When the people of Vermont found him out they were as zealous in his support as were his Orange County friends when they first presented him to the district and their heart was in their vote every time.

Representative MORRILL came into public life at the very opening of an important epoch of American history. The "irrepressible conflict" between freedom and slavery was asserting itself as never before. The Missouri compromise had been repealed and Kansas and Nebraska thrown open to slavery. Kansas already had quite a population, and the question whether it should come into the Union as a free or slave State was the absorbing one North and South. The settlers were already arrayed on either side and collisions were frequent, and more than once Sharp's rifle in the hands of free-State men spoke in defense of their cabins and in behalf of liberty. In the very first session of Mr. MORRILL's service the question of the admission of Kansas was up, and it was upon this subject, June 28, 1836, that he made his maiden speech in the House. Among his opening words are the following:

The South has its sins quite the color of scarlet, but ought not to be made to bear these and the sins of the North also, which are not altogether white as

wool. The South say—and I believe truly—that if they have slaves Northern traders greatly aided in their introduction. The race of Northern traders is not yet extinct. If the slave power has increased, it is because Northern traders have largely contributed to that result. Northern doo-faces—the Buck-  
anans—for the purposes of thrift and political ambition, have sneaked into the camp of the South and tendered from time to time various outposts of liberty, and yet we heap the chief obloquy upon those who were merely the recipients of such disgraceful generosity. As well might we find fault with the British for not kicking Arnold out of their presence when he offered to surrender West Point. As well taunt the receiver of stolen goods and let the thief go unrebuked!

I propose to discuss the propriety of the immediate admission of Kansas as a State of this Union, and, to some extent, the hindrances thrown in the way by the vexed question of slavery—not all of which are Southern men alone responsible for.

This well-timed conciliatory exordium was followed by convincing reasons for the prompt admission of Kansas under the free-State constitution presented by the Topeka legislature; and at the same time he paid his compliments to the code of slave laws enacted by the rival Le Compton legislature. This speech presented in a clear and attractive manner the great issue which then overshadowed all others, and must have produced a favorable impression alike upon the House and the country. Among his closing words were the following, which show better than any statement of mine the broad, charitable, statesmanlike temper of the man:

Why postpone action upon this subject? Are there any gentlemen hoping something better will turn up? I appeal to the sound sense of the House, whether the present angry agitation of the subject of slavery will pay? Gentlemen have eyes, and each must see and judge for himself whether slavery is likely to win any strength not already lodged in the Constitution in a policy of persistent aggression or not; and, if to win even temporarily, at what future cost. If slavery has nothing to win, can there be any mode of more gracefully closing the contest than by a speedy admission of Kansas as a free State? Will not sectional pride suffer less humiliation by such an adjustment than by any decision to be obtained by civil war, executive power, or by a legislative restoration of the Missouri compromise?

But the contest was not to be thus "gracefully" closed, and no thought seemed to have been taken whether greater or "less humiliation" was to follow. The free-State constitution was rejected by Congress and the slave constitution submitted by Congress to Kansas was rejected by the people of that State by more than 10,000 majority. Here at the capital, the storm center of public opinion, the free-State men were jubilant and those from the slave States were defiant. The debates in the two Houses grew more acrimonious and the relations between the social sets of the two sections every day became more strained and embarrassing. The great issue was rapidly approaching a crisis. Abraham Lincoln was elected President, and the Southern States, throwing aside all restraint, one after another passed their ordinances of secession and commenced organizing a military force, and at last it became plain to all that we were swiftly drifting into the maelstrom of civil war. Some replied harshly to the withdrawing Senators and Members; but on the report of the committee of thirty-three, one from each State, to consider the situation, among other things, Mr. MORRILL said:

Let me appeal to all parties to try and live under that Union a little longer. \* \* \* Give us another span of seventy years and prolong the hopes of mankind in the possibility of man's power of self-government. Do not let us break up the model which patriots, though with unequal steps, in contiguous as well as far-distant countries, have struggled and are struggling to mold institutions like those among which our own still live the leading example. But if our attempts to put off the evil day shall fail, and this matchless form of free government is to be put to the extremest peril, it will rally all the vigor remaining in its Constitution in behalf of self-preservation. It can not abnegate its power, and it will not die willingly. The great heart of the nation will confront all dangers and survive, I trust, to cover friends and foes with countless blessings.

How completely is the prophecy of these closing words being fulfilled. Verily the nation has survived, "to cover friends and foes with countless blessings." But the noticeable thing, and that which is characteristic of the man, is that there is no trace of the bitterness and venom of that spiteful time in it. It is, in every word and line, an appeal with no semblance of a threat. The majority of the committee of thirty-three were for compromise and concession—anything to avert war. The minority were for war, without parley or delay.

Representative MORRILL, foreseeing that war was inevitable, and believing in the self-preservation power of the national sovereignty over all the States, spoke forth in sorrow and not in anger the "words of truth and soberness;" and through it all, like a thread of gold, ran the message, "Peace on earth, good will toward men." The speech of Mr. MORRILL and of a few others on that occasion stand out as a green spot in the tempestuous waste covered by the angry proceedings of that day.

But as wise and statesmanlike as was the course of Representative MORRILL in the dark, uncertain days of 1861, and as able as he proved himself to be after the war as a member of the Joint Reconstruction Committee, history has already placed far above this service, and rightfully, too, his contributions to the educational, financial, and tariff legislation of the country.

Mr. MORRILL's fiscal and tariff record is truly wonderful. It began in his very first term of service in his opposition to the tariff of 1837, which still further reduced the low duties of the Walker tariff of 1846. He made an able speech against the bill, and was almost the only New England member who voted against it, so feeble at that time was the protection sentiment, which, under

his leadership, soon became the settled policy of the new Republican party, just then springing into being and into control of affairs.

This new tariff became a law March 3, 1857, and in the fall of that year came what is known in history as the financial and industrial crash of 1857, the effects of which hung like a pall over Buchanan's entire Administration. Trade and industry were paralyzed. The Treasury was empty. The revenues of the Government fell far short of its current expenditures, and national bankruptcy stared the American people in the face. And to intensify this dismal condition of affairs already could be heard the portentous mutterings of the fratricidal war that soon followed.

In the midst of these financial difficulties the deliverer came. JUSTIN S. MORRILL, the plain merchant-farmer from the little State of Vermont, prepared and reported from the Committee on Ways and Means, though he was not then chairman, a bill entitled "An act to provide for the payment of outstanding Treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes."

He carried it through the House. It finally passed the Senate, the free trade strength of that body having become weakened by the withdrawal of the Senators from the cotton States, and it was signed by James Buchanan only forty-eight hours before his term expired. This act has since become known in history as the Morrill tariff of 1861; and it was this tariff, supplemented by certain additional acts and by a system of internal taxation and by loans, all of which came from Mr. MORRILL's committee and most of which were reported by him, that kept the Treasury in funds during the war and at its close enabled the Government to commence at once the payment of the vast debt it had incurred, and enabled it also in the twenty years that followed the war to pay on that debt in principal and interest over \$3,500,000,000.

To the casual reader of history it will seem a little strange that Mr. MORRILL could have secured the passage of this high protective tariff within four years from the passage of the tariff of 1857, the lowest since 1812 and with which the majority of all parties were at the time satisfied; and especially is it strange that it should have commanded the approval of a Democratic President. Mr. Blaine, in his Twenty Years of Congress, in speaking of this, says:

It was a singular combination of circumstances, which on the eve of the Southern revolt led to the inauguration of a policy that gave such industrial and financial strength to the Union in its hour of dire necessity, in the very crisis of its fate.

It was truly "a singular combination," not the least feature of which, as I believe, was the man who piloted this measure along the shoals, between the rocks, and through the breakers of legislation to a place on the statute book. Verily, here was a time when the occasion and the man met.

Mr. MORRILL was then in the prime of life—tall and erect, of fine presence and winning manners; with a face that beamed in every line with kindness and without a single trace of acerbity in it; of a quiet, mild temperament, but industrious and alert; never self-assertive or aggressive, but at the same time self-reliant and firm as the everlasting hills of his native State; modest, but never shirking responsibility; not an orator,

He would not flatter Neptune for his trident,  
Nor Jove for his power to thunder,

but he always spoke wisely and well. No questions could be asked about the schedules of his bill or of the thousands of items they contained that he did not promptly and pleasantly answer. Indeed, he knew as completely about these thousands of items as he did about the thousands of articles in the Strafford store, from which it would seem he graduated for this very work. Others, of course, assisted, but not only was he the father of the bill, he was also its sponsor at every point; and while his associates were wrangling over sectional questions he was constant in his devotion to this protective measure; and when most in earnest was still suave and persuasive; and the House stood by him, not alone because he aroused no antagonisms, but because they had confidence in the man, in his wisdom, and in his transparent honesty.

Whoever will examine the proceedings of Congress covering that time will be constrained to admit that had there been no JUSTIN S. MORRILL in the House, no protective tariff measure would have been enacted until after the inauguration of the Republican Administration. But as it would almost seem Providence had ordered, one was already on the statute book furnishing the sinews for the terrible war that soon followed. Mr. Blaine, in his book, says:

The passage of the Morrill tariff was an event which would almost have marked an era in the history of the Government if public attention had not been at once absorbed in the struggles which were far more engrossing than those of legislative halls. It was, however, the beginning of a series of enactments which deeply affected the interests of the country, and which exerted no small influence upon the financial ability of the Government to endure the heavy expenditure entailed by the war which immediately followed.

For the first time in tariff legislation, this bill contained provisions imposing specific and ad valorem duties on the same article,

thus taking a middle course between the contending factions for these two methods of levying duties. This middle or compound system recognized all there was to the ad valorem argument, and by means of the specific provision guarded against undervaluation, if not wholly, to such an extent as was satisfactory to the advocates of specific duties; and without doubt it facilitated the passage of the bill. This new and important feature of that bill bears loud testimony to the wisdom and constructive genius of Mr. MORRILL, and the testimony is continued to the present day, for it is now a well-recognized feature of every protective-tariff bill.

There are other features of this bill I would like to speak about, but will not delay the House.

Of his tariff work it must suffice to say that the Morrill tariff and the name of its author are together embalmed in history, and will there remain as long as governments exist among men.

Mr. MORRILL was placed on the Committee on Ways and Means by Speaker Orr in the Thirty-fifth Congress, where he remained until he went to the Senate, though he did not become chairman until the Thirty-ninth Congress, when a new committee, viz, on Appropriations was formed, and Thaddeus Stevens, another distinguished Vermonter, but representing a Pennsylvania district, was made chairman of the new committee and Mr. MORRILL chairman of Ways and Means. During the war Mr. Stevens had been chairman of this committee, but the two worked together like brothers. Mr. Stevens always recognized Mr. MORRILL as an authority on tariff and finance; he was also conscious of his matchless influence in committee and on the floor, and when anything difficult was to be accomplished this great debater and skillful parliamentary leader deferred to Mr. MORRILL, whose word he knew to be law and gospel with his fellows. A third of a century ago the name of the great commoner, Thaddeus Stevens, was upon all lips, and traditions of his eloquent harangues, filled with brilliant sallies and biting witticisms, still linger in this Hall, and what place he may take in history I will not undertake to say; but sure it is that his quiet, unpretending, industrious compeer already has assigned to him a niche in the temple of fame.

The idea of permanently endowing out of the public lands an institution of learning in each State for instruction in agriculture and science is believed to have been original with JUSTIN S. MORRILL. But whether or not the conception was his, certain it is that he is the man who put the land-grant-college act upon the statute book. It seems to have been an early and favorite project with him. It is not generally known how long and patiently and against what reverses he struggled with this pet measure. It passed both Houses in the Thirty-sixth Congress, but was vetoed by Buchanan on the ground that it was unconstitutional and that the Treasury was already empty.

It was reintroduced in 1862, and through his skillful management became a law, and to-day 64 land-grant colleges in all the States and Territories, representing an aggregate capital invested of \$25,500,775.63, with 1,522 teachers and 25,069 students, constitute the fruit of this legislation. The first fruit—but who will measure the far-reaching influence of this galaxy of industrial colleges upon the future of the American people? Who will compute the results?

The central purpose in founding them was to furnish the tiller of the soil such information and aid as would just a little lighten his burdens and if possible increase his profits, the former of which Mr. MORRILL knew to be heavy and the latter small.

His experience with his little farm in Strafford had revealed to him how little is known of the science of agriculture, really the chemistry of nature; how little is known of those hidden processes by which the harvest is made ready, but not always worthy of the sickle.

He saw also how scientific research alone could throw any light upon these problems, and how, too, not the farmer alone but all mankind were interested in their solution.

And then, too, born and reared among a working people and himself a worker, his sympathies naturally went out toward those who win their way by honest toil, and he said to himself: "Let us establish institutions of learning to fit this class the better to act their part in the battle of life; not by giving them instruction in the ancient classics nor in belles-lettres, but, in the language of the act itself, 'in agriculture and the mechanic arts, and to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.'"

Ordinarily he who founds an institution of learning is entitled to large credit. What shall be the measure of honor for the man who founded these thirty-eight colleges, from which goes out an army of educated men every year to mingle in the walks of life? What a legacy not alone to the present but the generations that shall go marching down the stretch of time! What a monument, too, to the wisdom and large-hearted statesmanship of the man who so amply provided for the "liberal and practical education of the industrial classes!" And what wonder that when he came to die, these institutions, their officers, professors, and students, all

felt that they had indeed lost a friend, as did also the agriculturist and his coworkers throughout the length and breadth of the land, from the dairymen of California to the horticulturists of Illinois, who sent to the family resolutions laudatory of the dead statesman and expressive of their sense of personal bereavement?

The death of but few public men has so touched the hearts of the American people as the death of the man to whom we to-day pay tribute; and this was in large part because he had succeeded in accomplishing something in a public way for his fellow-men.

These two great public measures, of which Mr. MORRILL was the author and finisher, and of which I have spoken somewhat at length, because I think all will concede that they give him a place in his country's annals clearly above the average legislator, were both completed while he was still a member of this body, where he served for twelve years, ending March 4, 1867, at which time he took his seat in the Senate, and by reason of his long and distinguished record in the House he at once took higher position and rank in that body than is usual for the new Senator. His committee assignments were soon the very best, Finance, Public Buildings and Grounds, and Education and Labor being among the number.

When John Sherman left the Senate for the Treasury portfolio under President Hayes in 1877, Mr. MORRILL became chairman of the great Committee on Finance, which he retained until his death, except for the short time when the opposition was in control. And as the head of this great committee the Senate and the country had the benefit of his large experience and ripe judgment on all the financial questions of the day. He was indeed a recognized authority on finance, and his opinions had great weight alike with the Senate, at the Treasury Department, and with bankers and capitalists and solid men of business throughout the country.

He was strongly urged by President Hayes to take a seat in his Cabinet, but preferred to remain in the Senate as the servant of the little State he loved so well.

But time forbids that I follow in detail, as I would like, Mr. MORRILL's long Senatorial career, which is everywhere luminous with wisdom of both speech and action, and nowhere clouded with distrust or the faintest breath of suspicion. The people of his State were not only proud of him but they believed in him, and with one voice called him again and again to the high trust he so ably and honorably kept. But meanwhile—

The muffled tramp of years  
Come stealing up the slope of time,

and the erect figure of 44, when he entered public life, would hardly be recognized in the venerable form of 88, with its slight literary stoop, but the face always fine, a model for the artist, was the same, only grown finer still from the moldings of the gentle, just spirit within. Mr. MORRILL was always a student, was never idle, and when not absorbed in public duties, or with his farm in Strafford, for mental recreation he turned to standard literature, and as the result was the possessor not only of much literary information, but of excellent literary taste. The little book he prepared for his friends a few years ago, entitled "The Self-Consciousness of Noted Persons," shows a wide range of careful reading, which he kept up until the day of his death. And as an illustration of his industry and literary taste he left in manuscript, not quite complete, in his chaste handwriting almost as plain as print, a new and enlarged edition of this book, in which he gives such additional instances which he had found in his later readings as would illustrate its title.

It is only natural that a man in whom there was not the slightest trace of conceit, and in whom modesty itself seemed personified, should have noticed in his reading those passages where distinguished persons betrayed consciousness of their importance; and it is fit that such a man should make a collection of them for amusement and instruction. In fact this little book is only a literary embodiment of the well-known pleasant and humor of its author, which continued unabated to the last. Surely his was a beautiful, triumphant old age. His temperate, well ordered life had brought to his closing years more than usual vigor of mind and body; and on the anniversary of his birth thousands of friends were wont to assemble with cordial greetings and congratulations, so that this annual gathering in honor of the aged Senator came to be a settled social function of the capital.

These occasions called out the very elite of official and social life, Members, Senators, cabinet ministers, Justices of the Supreme Court, foreign legations, and Presidents also paid their respects, and the grace and dignity with which the venerable Senator and Mrs. Morrill received their guests would have done honor to a prince and princess of the blood. The distinguished character of this annual gathering illustrates better than any words of mine the high place held by this grand old man in the confidence and esteem of all classes, high and low, for to them were also bidden the plain, common people, who were made equally at home with those high in rank.

Notwithstanding his advancing years, Mr. MORRILL's mental vigor was as great as ever.

The older he grew in body the younger he seemed to grow in

spirit, his bright sunny nature shining out as though no shadow was near. He was, in very truth, a young old man, retaining all of the purity and much of the imagery and harmony of youth. But the—

Inaudible and noiseless foot of time—

was steadily carrying him toward the dark valley, and in his serene and peaceful old age, with one foot already in the border land, he could well have said, in the words of Longfellow, to whom, by the way, he was related in blood:

Age is opportunity no less  
Than youth itself, though in another dress,  
And as the evening twilight fades away  
The sky is filled with stars, invisible by day.

But at last in the merry Christmas time, full of years and full of honors, as a child falls asleep he passed away. And on this anniversary of the birth of the Father of His Country, a fit day for these memorial exercises, the two Houses of Congress have suspended business for the purpose of reviewing his work, recounting his virtues, and paying tribute to his memory. Meanwhile he sleeps with his kindred in the narrow valley where he first saw the light and with the people he loved and served, and who in turn loved and honored him. And now we bid our kind, benevolent, lovable friend a tender good-bye until we meet again, as was his belief, in that celestial country where at last shall be found—

The day that hath no evening,  
The health that hath no sore,  
The light that hath no ending  
But lasteth evermore.

Mr. POWERS. Mr. Speaker, the status which the small States should occupy in the proposed new government was one of the troublesome questions that vexed the deliberations of the Constitutional Convention of 1787. The debate upon this question was long drawn out, exciting intense interest, and at times seemed to place in peril the objects for which the convention assembled. It was solved at last by incorporating into the Constitution a provision, irrevocable by amendment, that in the Senate all the States, large and small, should have an equal voting strength.

Vermont was admitted into the Union in 1791, when the history of this contention in the constitutional convention was fresh in the minds of her people. Some of her people were anxious over this question and hesitated about linking her fortunes with those of the other States. Vermont was an inland State, had but little promising commercial growth, and having a population of only 30,000 people, was clearly exposed to the danger apprehended by the smaller States of the original thirteen. But having determined to join the new Union, she resolved to make her equality in the Senate something more than mere voting strength. She resolved to make an equal impress on legislation, and selected as her first Senators Moses Robinson, a graduate of Princeton, who had been chief justice of her highest court for ten years, and Stephen R. Bradley, a graduate of Yale, who had been a judge of the same court, and one of the foremost lawyers of his day. The standard of Senatorial equipment thus set up has been followed to this day.

Vermont was admitted into the Union one hundred and eight years ago. During this time 24 different persons only have been sent by her to the Senate. Of this number, 10 have been chief justices of her supreme court. Five others have been distinguished members of the same court, and 3 of the 15 have been district judges of the United States court. Of the remaining 9 in the list, the names of 2 familiar to the present generation, George F. Edmunds and JUSTIN S. MORRILL, need only to be mentioned to show that the first conception of a Senatorial ideal has continued to guide the choice of Vermont throughout the century's length. There is not an inferior man, there is not an average man, in the entire list. On the contrary, every one in his day and generation has been preeminently better equipped than any other of her citizens for this high office.

According to the Vermont standard, Senators, like poets, are born, not made. No scandal has ever in her history attached to the choice of a Senator. No one in the list ever sounded his own praises nor employed others to do it for him nor ever paid one farthing to promote his candidacy. Each has attracted the public eye and won public confidence by his intrinsic merit and his lofty character, unaided by the arts of the petty politician. When, therefore, on the 4th of March, 1867, Vermont commissioned Mr. MORRILL to represent her in the Senate of the United States she certified to that ample equipment in character and attainments which entitled him to a place on her most illustrious roll of honor. That her confidence was not misplaced is known of all men. Nearly all those who preceded and have followed him were college-bred men and members of the legal profession.

Mr. MORRILL lacked the advantages of both qualifications so essential in the peculiar work of the Senate, but he overcame this disadvantage by a course of study which he adopted in his early manhood. He was a man of the widest range of reading, and thus became, according to the standard of Bacon, "a full man."

His natural tastes led him into the field of constitutional study. Long before he entered political life he procured and carefully studied Blackstone's Commentaries upon English Law. He discovered the basic principles of the common law of England, the great unwritten code that limits and defines all the rights and measures, all the duties, of freemen in their relations to the government under which they live and in their relations with each other—that great compendium of personal liberty upon which, as a foundation stone, has been erected the superstructure of English and American statutory and constitutional law. He gave much study to what might properly be called the philosophy of taxation—that most subtle of sciences that has vexed the statesmanship of all civilized nations for centuries.

The wisdom of man has not yet devised a scheme of taxation that will rest with equal pressure and exact justice upon all the proper objects of contribution to the public revenue. Mr. MORRILL's studies of legal and economic questions were stimulated by his natural fondness for such learning. It was not a means to an end, for he never contemplated a life of public service. He had at this time no ambition for political office. He never even had a seat in either house of the State legislature. But in 1854 an unexpected vacancy occurred in the representation of his Congressional district in this House, and by common consent Mr. MORRILL was selected for the vacancy.

He was 44 years old when he entered the House. He brought to the discharge of his new and unaccustomed duties a vast treasure house of learning upon the special subjects involved in general legislation, and he soon took high rank among his associates as a member admirably equipped for public service. He came to Congress at a critical epoch in our history. The country was in the throes of bitter strife over the question of American slavery. Mr. MORRILL, while in full sympathy with the moral aspects of the question which underlay public sentiment at the North, stood where Lincoln stood, ready to leave slavery where the Constitution had placed it, with no disposition to interfere with it as a domestic institution.

Mr. MORRILL was the author of two public measures while serving in the House which demonstrated his claim to rank among the foremost statesmen of his generation—one, the act establishing land-grant colleges; the other, the tariff act which bears his name. The land-grant college act will perpetuate his name and fame among the plain people of the country for centuries to come. Born and bred among this class of people, identified with them and one of them, conscious of his own lack of educational advantages in the formative period of life, he conceived the plan of appropriating a part of the proceeds of the sales of public lands to the educational uses of that large portion of American citizenship that belongs to the industrial classes.

The act contemplated the establishment of colleges in every State, with a curriculum of study primarily designed to meet the wants of every industrial class, but involving, as well, the arts and sciences and military tactics. He himself was a living example of what culture will do for the industrial class. The farmer, the artisan, the wage-earner of whatsoever name, is entitled to the same opportunities in the race of life as their more fortunate fellow-citizens. Under our system of government, where every citizen is a sovereign and where the industrial classes are the majority dictators of public sentiment, it is of the highest importance—nay, it is vital—that this majority should be guided by that conservatism that follows in the wake of education. The plan, therefore, accomplished a high patriotic purpose. It promoted the good of the whole body of citizenship by the elevation of a part to a higher level and a wider plane in the conduct of public affairs. Sixty-four of these colleges are now in successful operation, thus attesting the wise foresight and beneficent purpose of the author of their creation.

The Morrill tariff act became a law in the closing days of Mr. Buchanan's Administration. When passed, American industries were paralyzed, American labor was a wandering tramp in the land, American credit was so low that Government paper was sold at a discount of 12 per cent. This is not the time nor here the place to attempt any analysis of the causes operating to produce the results that the history of the times records. Whatever may be said of the theories of financial legislation that guided Mr. MORRILL in framing the tariff act referred to, it will be conceded that its simple enactment changed the entire face of the industrial situation. It marked a radical change in fiscal policy. In the short time that followed its enactment before the outbreak of the civil war it had put new life into American industry and restored the credit of the Government. As Webster said of Hamilton, Mr. MORRILL by this act "smote the rock of the national resources, and abundant streams of revenue gushed forth. He touched the dead corpse of public credit, and it sprang to its feet."

Mr. MORRILL's early studies, already alluded to, especially fitted him for a work of this kind. To discriminate between the various classes of imports, to determine the pressure that each should bear, to adjust such pressure in a way to encourage im-

portations, and thus make revenue certain, and at the same time to preserve and encourage home industries, to generalize the system so that it may adjust itself to the innumerable interests of the whole people, thus keeping it within the bounds of constitutional limitation, called for statesmanship of the highest order. No higher tribute can be paid to Mr. MORRILL's financial genius than to say that at the outbreak of the civil war, which suddenly called for enormous revenues, the Morrill bill, so far as such revenues were to be raised by the taxation of imports, was made the model of the new legislation. So comprehensive, so scientific, and so equitable had been its construction that no change in the framework of his plan was even suggested. By it war revenues were as easily raised and their burdens distributed as peace revenues. The same general plan has been followed in subsequent legislation, and the Dingley Act now in force is grounded upon it. For the first time in our history Mr. MORRILL blended specific and ad valorem duties into one symmetrical whole, coordinating the best features of both and eliminating the faults of each.

The fame of Senator MORRILL in the homes, in the shops, and on the farms of our people will doubtless rest primarily upon his authorship of the land-grant college act, while in the halls of legislation and in the closets of doctrinaires it will rest primarily upon his authorship of financial legislation.

Mr. MORRILL was a lover of art. He was even a connoisseur. To him more than any other are the American people indebted for the conception and erection of that magnificent home of the Congressional Library, which foreigners concede to be the finest building of its kind on earth and which will be to our people "a thing of beauty and a joy forever."

Senator MORRILL's position on the Committee on Public Buildings and Grounds gave him the opportunity to carry out his plans for beautifying the national capital. He was ambitious to see erected on the square opposite the Congressional Library a building for the accommodation of the Supreme Court of the United States, the Department of Justice, and other Federal offices. Such a building was demanded by the needs of this great court and, if constructed, would make the curtilage of the Capitol building itself more symmetrical.

His last speech in the Senate, which was made a few days before his death, was in favor of his bill to construct this building. It was my pleasure to listen to this speech. Surrounded by Senators, many of whom were in their boyhood when he first entered the Senate, and each of whom was greatly his junior in years and in service, Mr. MORRILL rose to urge his bill. His very presence inspired respectful attention. His sincerity of purpose excited a kindly sympathy. His earnest words compelled conviction. He was looked upon, thought of, and revered by his colleagues as a venerable man who had come down to them from a former generation. It required but a few earnest words—a plain recital of facts—and the bill received a unanimous vote. This was his last work. He had finished his course, and a few days later his long service in the councils of the nation, unparalleled in the history of the Government, was at an end.

As the brilliancy of the diamond is best reflected in the beauty of its setting, so a notable public career is best exalted and longest revered when it reflects the colorings of a pure and virtuous life.

Little need be said of Senator MORRILL as a man. His private life illumined his public career. His private character was absolutely free from stain. He was generous in disposition, affable in manner, dignified and courteous in all the relations of life. His home was the abode of hospitality and the temple of domestic joy. Of him, as of few men, it can be said that envy never distorted his views of the merits of others, nor led him to magnify his own. He won the love and confidence of his political opponents by his judicial fairness in the investigation and decision of controverted questions. In all the years of his long public life, amid scenes of stormy turmoil and crises of anxious foreboding, in all the care and vexations of private life, true as the needle to the pole, he went forward with even pace, with malice toward none, and with charity for all.

Mr. MORRILL was a worker. Until recently he was in his seat doubtless more hours than any other Senator. His analytical mind easily detected the weak points of a pending proposition. He was never swept off his feet by specious theory nor by ad captandam appeals. He was conservative by nature, and his study and experience made him more so.

"His genius," as Lamartine said of Mirabeau, "was the infallibility of good sense." As a speaker Mr. MORRILL had neither the polish nor the ornate diction of Sumner, nor the withering sarcasm and fiery invective that have made others of his colleagues in the Senate famous in history. But he had a clear conception in his own mind of the merits of a proposition and the happy faculty of stating his conclusions in clear and terse language. His power of illustration was remarkable, and he enlivened his discourse by frequent sallies of keen wit. If by eloquence you mean

the power of moving men to action, Mr. MORRILL was eloquent. He won the sympathy of his hearers by his attractive personality and convinced their understanding by his candid and logical line of reasoning.

Such was the manner of man, public and private, that Vermont points to as her ideal for Senatorial honor.

On the last day of the last year, in the Senate Chamber of the nation, the President of the United States with his Cabinet, the Chief Justice and associate justices of the Supreme Court, the General of the Army with his staff, the ambassadors and ministers resident of foreign nations, Senators and Representatives in Congress, the élite of Washington society in official and civil life, were met to do honor to the work of the dead Senator in the very place of its consecration. Few men in our history have won such a tribute of official respect.

But there was another mourning circle bound to the dead Senator by closer ties and feeling a more personal sorrow—his loving constituency at home. Upon their demand, his remains were taken to the capitol of the State he had so long served, and on the first Monday of the new year, in the beautiful hall of our house of representatives, that hall where for six consecutive times he had been proclaimed as the first and only choice of our people for his high office, were met the officials of state and the nobility of our citizenship from every corner of our Commonwealth to look upon that face that had always in life been to them a benediction, and to pay the last grand honors to the servant who had so long held their confidence. No demonstration like this had occurred in our history as a State. It was an outpouring of universal love. It was a coronation. And now his body shall sleep in the sacred soil of the State he loved so well and whose honor he has so long upheld, in the shadows of her grand old mountains, whose everlasting foundations typify the solidity of his personal character and whose towering heights symbolize the lofty ideals which guided his public career.

His private life will be to our children a precept. His public life will be to his successors a model. The little State of Vermont, small in area, small in commerce, small in population, small in many things that excite the pride of men, has been made both great and grateful by the luster shed upon her annals by the eminent men she has sent to the Senate. To-day the whole country mourns the loss of him who was longest in her service.

The name of the grand old man of Europe will not longer linger in the lap of memory than that of the grand old man of America.

Mr. WALKER of Massachusetts. Mr. Speaker, I can only emphasize in a few words what has been said by the sons of Vermont. JUSTIN S. MORRILL went to his reward full of honors and bearing the love not only of his relatives and neighbors, but of all in the wide circle in which he was known.

He was unique in his endowment and acquirements. Not because he was an eminent specialist in religion, law, business, or even in statesmanship, but unique in that just balance of qualities that constitute great wisdom.

In all things he proved himself a good and great man. He was preeminently a safe man. His highest art was simple truth. Witnessing the great qualities exhibited by great men in executive places in great exigencies, proving them to have phenomenal endowments, those who have known Mr. MORRILL best are justified in believing that few men of the past generation would have acquitted themselves any more to the satisfaction of their countrymen, had he been called to such a place, than JUSTIN S. MORRILL, of Vermont.

No man in public life excelled him in the power to so blend true wit, humor, fact, and argument in dignity and power as to make each the complement of the other and all one symmetrical whole.

The crystal purity of his life and the high plane of his public service give to his great qualities a power possessed by few men of most brilliant but less symmetrical parts. It is said the world is really moved by cranks and specialists, who, forgetting the one great whole, strive to secure exceptional progress in a part.

Many such men are noble and self-sacrificing to an eminent degree, and fill great and honorable places.

Having the qualities of such men in equipoise, Mr. MORRILL did not belong to their class.

He was of the men who conserve and make practical everything already attained, with a mind and heart ever open to accept and adopt the new. He could not be cajoled, persuaded, or forced to let go the slightest good approved of by experience for the most alluring promise of a better.

If there ever was a man who perfectly obeyed the injunction to "judge not according to appearances, but judge righteous judgment," and to "prove all things and hold fast that which is good," it was JUSTIN S. MORRILL, of Vermont.

All the noblest qualities vouchsafed to man were in him so equally developed that his greatness failed to fully impress itself on the casual observer. By those closest to him was he most admired.

Finally, he was all that is conveyed to the mind by the fullest and most noble conception of the meaning of the words, a good son and brother, a good husband and father, a good citizen, a great statesman, and a pure patriot.

Mr. PAYNE. Mr. Speaker, thoughtlessly we often use the expression "the good die young." Now and then "a good old man" is summoned, and we are reminded that death is no respecter of persons. Within a week the coordinate branch of Congress paid a fitting tribute to one of the youngest, ablest, and best members of the House—Mr. Simpkins, of Massachusetts.

To-day we pay tribute to one of the oldest, ablest, and best of the people's representatives in either branch of Congress. There was little in JUSTIN S. MORRILL's early life that gave promise of his remarkable career. As a clerk and partner in a country store, afterwards a Vermont farmer, he passed nearly one-half of his long life. Graduated from the common schools of Vermont, he was after that entirely self-educated.

There is no better place for self-education than on a New England farm. If the newspapers are few and far between, they are the more highly prized. If the books are rare, they are read more closely and pondered more carefully. The mind has time to digest; each book stimulates thought and arouses a keener thirst for knowledge. The farmer's boy naturally becomes a politician, who afterwards takes the post-graduate course in the village store. Here the neighboring embryo statesmen, seated on the barrels and boxes which adorn a country store, hold nightly sessions for the settlement of all questions, State and national. And in such rude parliament as this, out of the heated discussion and keenest debate, is often born the thought that guides the destinies of the nation.

Mr. MORRILL in the forty-fourth year of his age was called to represent a district in this House. He had never held office other than that of justice of the peace; and yet he had impressed himself upon the people of his district as an earnest and thoughtful student, a man of keen intellect, ripe judgment, and strong common sense, honest, capable, and able. He was elected as a Whig, but before he had taken his seat had taken part in the formation of the Republican party of Vermont, of which he was ever after a staunch supporter.

In his letter accepting the Whig nomination he did not hesitate to declare that he was "opposed to the admission of any more slave States into the Union" and was "in favor of prohibiting slavery in all the Territories belonging to the United States." He took his seat in December, 1855, in the Thirty-ninth Congress, and was serving his sixth term when elected to the Senate in 1866. He took the oath as Senator in March, 1867, and was, therefore, a member of that body for nearly thirty-two years. He had the longest continued service of any United States Senator.

His first speech in the House attracted wide attention, and was made in opposition to the tariff act of 1857. He never lost his interest in that great economic and revenue question. He afterwards served on and became chairman of the Committee on Ways and Means in the House, and from 1877, whenever his party was in power in the Senate, he was chairman of the Committee on Finance of that body.

He was largely instrumental in framing the tariff act of 1861, which bore his name, and all the war-revenue legislation while he was a member of the House; while every measure of revenue and finance that has been enacted into law since he became a member of the Senate has received the impress of his labor and thought.

Doubtless suggested by his own inability to avail himself of a collegiate education, he early became interested in the encouragement of higher education in the various States of the Union. He conceived the idea of great land grants in aid of colleges, and to him is largely due the credit of creating the legislation which has resulted in the building of 47 land-grant universities and colleges in the different States, both great and small, with each now turning out an army of young men with thorough intellectual equipment for the duties of life.

He served many years as chairman of the Committee on Public Buildings and Grounds in the Senate, and was largely instrumental in the erection of many of the great and beautiful buildings which adorn the national capital. His crowning effort in this respect was in the creation of the grandest work of art in Washington, the Congressional Library building. The last speech he made in the Senate, on the 18th day of December, was in advocacy of a new Supreme Court building, to be erected on the square opposite the Congressional Library.

His period of service covered all the years of the war of the rebellion and the reconstruction period. During those trying years in the country's history his wisdom and business sagacity were always potent in the counsels of his party. He not only passed through all the exciting days and scenes of that wonderful period in our history, but he was spared to see the crowning days of reconciliation and peace in all sections of his country.

Such is a brief résumé of the life of a man who, after he had passed his meridian, gave almost half a century to the public

service. He was a part of the most exciting and interesting events of our history. He confronted the gravest questions with which the country has had to deal. He contributed to the solution of these questions the most untiring research, an exhaustive array of facts, sound logic, wisdom, and unselfish patriotism.

It is said that he has made more than a hundred speeches in Congress, each one of which was instructive and useful. His speeches were noted for brevity and force. He never wasted the time of the public in unlimited deliberation and debate. His was the sincere work of an everyday American statesman, leaving a record of usefulness and honor which the greatest might emulate.

His was the best type of American manhood. His career was remarkable and unique. To his own State and to his country he lived the "grand old man" among American statesmen.

[Mr. BANKHEAD addressed the House. See Appendix.]

Mr. GROW. Mr. Speaker, in December, 1855, JUSTIN S. MORRILL took his seat in the old Hall, a Representative in Congress from the State of Vermont. The two great political party divisions of the American people were then Whig and Democratic. Mr. MORRILL took his seat on the Whig side of the House. For four years preceding I had occupied a seat on the Democratic side. But during the eight weeks' contest for the election of Speaker, we both voted for Nathaniel P. Banks. From that time to his death we were coworkers in the Republican party, with a personal friendship devoted and sincere and never in the least degree impaired.

I come now to lay an offering of affectionate sorrow upon his new-made grave, with a sadness such as falls upon the heart when a lifelong friend whispers that last earthly farewell as the spirit's frail bark puts off into the unknown dark, but with an abiding consciousness and unwavering faith that we shall meet again. For the world's Redeemer, in His teachings on the seashore and along the hillsides of Judea, bade the desponding of earth's pilgrims take courage, for the grave is not the end of man.

Mr. MORRILL's life was contemporaneous with that of all the Presidents except Washington. The death of both Jefferson and John Adams, the first after that of the "Father of his Country," was on the 4th day of July, 1826. At that time Mr. MORRILL was 16 years old, just entering upon the threshold of young manhood.

Our history since the adoption of the Constitution in 1789 can be divided into three important epochs or periods of about one-third of a century each, marking the formation and distinctive action of political parties, into which the American people have been divided during this hundred years. Each of these periods or epochs had its distinctive political agitation on grave questions of national welfare. The first of these periods ended in 1824 with four Presidential candidates and with the disintegration of the old political parties, known as Federal and Republican, and the formation of new ones, which finally took shape under the party name of Whig and Democratic, continuing thus until the repeal of the Missouri compromise in 1854. Since that time the two controlling political party divisions have been known as Republican and Democratic.

In each of these epochs or periods the country was engaged in war. In the first, from 1812 to 1816, was the second war of American independence with the "proud mistress of the seas," resulting in the establishment forever of the inviolability of American citizenship by any foreign power. In the second period was the war with Mexico, resulting in a vast expansion of our territorial area, reaching from ocean to ocean. In the last of these three periods is the war with Spain, which marks a new era in the history of the nations.

In each of these periods or epochs, in addition to its war, great political questions have agitated the public mind on the hustings and in the forum, all of which have been comparatively settled except those in this last epoch, now just ended.

In the first was the question of the fundamental principles of the more perfect Union formed by our fathers, represented on one side by Thomas Jefferson and James Madison, on the other by John Adams, Alexander Hamilton, and John Marshall. In the second was the financial policy to be finally established in the Government and the constitutional limits of legislation between the government of the Union and that of the States. In the third, more intense and excitable than all others, was the question of the constitutional limits and restrictions on the expansion of slave-labor institutions, which finally culminated in the mightiest conflict of arms in the history of the race, ending with an indivisible Union and a country without a slave.

Mr. MORRILL's life began in the first of these three epochs or periods of national existence and ended with the third. His service in both the House and the Senate was a little over forty-three years, exceeding by six years that of any other person in continuous service. In the last two it can be said of him what Æneas said of himself in describing to Queen Dido the trials and the great deeds at the siege and fall of Troy, "quorum pars magna fui"—

of which I was no insignificant part. In the legislation and the events of our country's history in these last two epochs of over fifty years Mr. MORRILL has been a conspicuous figure. By his untiring industry and unselfish devotion to the best interests of his country he impressed himself upon this great historic period and has linked his name inseparably to most of its useful and enduring legislation.

His private worth, his amiable traits of character, and his public services have been specifically so faithfully portrayed that no additional words of mine are needed. Whoever by heroic or great beneficent acts stamps his character upon the pillars of the age in which he lives can never die. Though wrapped in the shroud, he will live in the affections of the present and the gratitude of coming time.

It can be truly said of Mr. MORRILL, what is the highest possible praise that can be bestowed on individual statesmanship, "He never gave to party what belonged to his country."

The battle of our life is brief—  
The alarm, the struggle, the relief—  
Then sleep we side by side.

But in that brief battle man is permitted by a kind Providence to perform deeds of greatness—deeds that live long after the marble crumbles and the brass fades.

The State of Vermont, with fitting and well-becoming pride, can engrave the name of JUSTIN S. MORRILL on the mountain sides of its polished marble and enduring granite, in her long list of distinguished citizens who, by their eminent services to their country, have made their names immortal.

The SPEAKER. In accordance with the resolutions already agreed to, the House, as a further mark of respect to the memory of the late Senator MORRILL, stands adjourned until to-morrow at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of appropriation for a tower clock in the public building at Memphis, Tenn.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War, submitting an estimate of deficiency appropriation for the Western Branch of the National Home for Disabled Volunteer Soldiers—to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. STEVENS of Minnesota, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 4110) to amend the act entitled "An act to provide for the location and satisfaction of outstanding military bounty land warrants and certificates of location, under section 3 of the act approved June 2, 1853," reported the same without amendment, accompanied by a report (No. 2228); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BUTLER, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 1227) for the relief of Julius A. Kaiser, reported the same without amendment, accompanied by a report (No. 2225); which said bill and report were referred to the Private Calendar.

Mr. McDONALD, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4670) to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle, reported the same with amendment, accompanied by a report (No. 2226); which said bill and report were referred to the Private Calendar.

Mr. RIXEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 10390) for the relief of John L. Smithmeyer and Paul J. Pelz, reported the same with amendment, accompanied by a report (No. 2227); which said bill and report were referred to the Private Calendar.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 9298) to remove the charge of desertion against Thomas G. Ellmaker; and the same was referred to the Committee on Naval Affairs.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CUMMINGS: A bill (H. R. 12162) to prohibit the placing of advertisements upon public documents—to the Committee on Printing.

By Mr. LENTZ: A bill (H. R. 12163) to provide for the revival of the grades of admiral and vice-admiral in the United States Navy—to the Committee on Naval Affairs.

By Mr. JENKINS: A bill (H. R. 12164) authorizing the Milwaukee, Neillsville and Lake Superior Railroad Company to construct and operate a railroad through an Indian reservation in Sawyer County, Wis., in townships 39 and 40, ranges 7 and 8 west—to the Committee on Indian Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 12165) to amend section 23 of an act approved June 28, 1898, entitled "An act for the protection of the people of the Indian Territory, and for other purposes," so as to permit the use of grazing lands until said lands are finally allotted among the Indians—to the Committee on Indian Affairs.

By Mr. MERCER: A resolution (House Res. No. 413) providing for the enlarging and improvement of the House restaurant, and appropriating money therefor—to the Committee on Accounts.

By Mr. HANDY: A memorial from the assembly of the State of Delaware, favoring the exclusion of any polygamist from Congress or any other United States office—to the Committee on Elections No. 1.

By Mr. GRIFFITH: A memorial from the senate and assembly of the State of Indiana, favoring the amendment of the internal-revenue laws in relation to corporations paying their revenue tax—to the Committee on Ways and Means.

## PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GIBSON: A bill (H. R. 12166) to pension John W. Phillips—to the Committee on Invalid Pensions.

By Mr. MAXWELL: A bill (H. R. 12167) granting an increase of pension to \$40 per month to B. N. Cleveland—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: A bill (H. R. 12168) for the relief of W. C. Taylor, of Mobile—to the Committee on Claims.

By Mr. OTJEN: A joint resolution (H. Res. 369) to authorize the appointment of Philip S. Brown a second lieutenant in the Marine Corps—to the Committee on Naval Affairs.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of the Bricklayers and Masons' International Union of America, favoring the right of suffrage in the District of Columbia—to the Committee on the District of Columbia.

By Mr. ACHESON: Resolutions of the State Association of Retail Grocers, at Reading, Pa., January 11 and 12, 1899, favoring the passage of the Brosius pure food and drug bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Washington County (Pa.) Wool Growers' Association, urging the passage of the Hanna-Payne shipping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of J. K. Ritenour and 193 citizens of Uniontown, Pa., and D. H. Wakefield and 231 citizens of Redstone, Pa., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petitions of the First United Presbyterian Church and the Woman's Christian Temperance Union of McKeesport, Pa., and 37 societies of the Woman's Christian Temperance Union of Allegheny County, Pa., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ARNOLD: Petitions of Wilcox Post, No. 594, Grand Army of the Republic, of Elk County; the Woman's Christian Temperance Union of Foxburg, Clarion County, and the Methodist Episcopal Church of Johnsonburg, Pa., to prohibit the sale of

liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BRUNDIDGE: Petition of fourth-class postmasters of Prairie County, Ark., in favor of the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. CLARDY: Petition of the county officers and citizens of Henderson, Ky., favoring the passage of a bill to equalize the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. CURTIS of Kansas: Petition of members of the Quapaw Indians, in the Indian Territory, for an appropriation for the education of white children in the Quapaw Agency—to the Committee on Indian Affairs.

By Mr. DAVIDSON of Wisconsin: Petition of the Young People's Society of Christian Endeavor of Rosendale, Wis., in relation to the Philippine Islands—to the Committee on Foreign Affairs.

By Mr. DE VRIES: Petition of E. Stone and others, of Yankee Hill, Cal., to prohibit the sale of intoxicating liquors in Government buildings and maintain prohibition in Alaska, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. FARIS: Petitions of fourth-class postmasters of Hendricks and Vigo counties, Ind., for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. GROSVENOR: Resolutions of Memorial Post, No. 141, Grand Army of the Republic, of Cleveland, Ohio, urging the passage of Senate bill No. 3256, relating to civil-service appointments—to the Committee on Reform in the Civil Service.

Also, petition of citizens of Ohio, urging the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Ohio Association of Union Ex-Prisoners of War, favoring the passage of House bill No. 306, granting pensions to soldiers confined in Confederate prisons—to the Committee on Invalid Pensions.

Also, resolutions of the Reorganized Church of Jesus Christ of Latter Day Saints of Creola, Ohio; petition of the Methodist Episcopal Sunday School of Hallsville, Ohio, and citizens of Athens and Chillicothe, Ohio, against the seating of B. H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. HANDY: Petition of ministers of the gospel of Wilmington, Del., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. HEATWOLE: Protests of Nathan Hale Chapter, Daughters of the American Revolution, and the Minnesota State Woman's Christian Temperance Union, J. H. Ramsey and others, A. Schmid and others, Mrs. J. Lundsten and others, all of the State of Minnesota, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petitions of the Minnesota State Woman's Christian Temperance Union, favoring the Ellis bill and for the maintenance of prohibition in Alaska and the Indian Territory, and to extend the same to our new dependencies—to the Committee on Alcoholic Liquor Traffic.

By Mr. KERR: Petition of the Church of Christ, J. A. Warnock, clerk, to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. MERCER: Petition of individuals and corporations of Havana, Cuba, representing business firms in Nebraska and elsewhere, for change in the revenue laws—to the Committee on Ways and Means.

Also, resolutions of Thornburg Post, Grand Army of the Republic, of Clarks, Nebr., urging the passage of Senate bill No. 3256, relating to civil-service appointments—to the Committee on Reform in the Civil Service.

Also, resolutions of Cigar Makers' Union, No. 93, of Omaha, Nebr., favoring the passage of the eight-hour bill—to the Committee on Labor.

By Mr. MIERS of Indiana: Petition of A. E. Daniel and other fourth-class postmasters of Lawrence County, Ind., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Reformed Presbyterian Church of Bloomington, Ind., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. NORTON of Ohio: Petition of J. C. Parker and 13 others of Erie County, Ohio, and E. E. Kerr and 4 others of Wyandot County, Ohio, all fourth-class postmasters, in favor of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. OTJEN: Paper to accompany House bill relating to the case of Philip J. Brown—to the Committee on Naval Affairs.

By Mr. SHOWALTER: Petition of the Woman's Christian Temperance Union of New Wilmington, Pa., against the seating of

Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of the Methodist Episcopal Church of Bruin, Butler County, Pa., favoring the passage of the Ellis bill, to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. STEELE: Petition of the First Baptist Church of Kokomo, Ind., E. G. Shouse, pastor, against the appropriation of money for sectarian schools for the Indians—to the Committee on Indian Affairs.

Also petition of George H. Schwan and 63 citizens of Cass County, Ind., in favor of the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

## SENATE.

THURSDAY, February 23, 1899.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. McMILLAN, and by unanimous consent, the further reading was dispensed with.

### PROMOTION OF OFFICERS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War transmitting, in response to a resolution of the 16th instant, a list of the officers of the Subsistence Department promoted in pursuance of the act of July 7, 1898, and the stations of the same since January 1, 1899; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

### DISTINCTIVE PAPER FOR BONDS AND NOTES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting, in response to a resolution of the 27th ultimo, information relative to the adoption of the distinctive paper upon which United States bonds and notes are printed, and also the facts in his possession concerning the letting of the first contract for a supply of such distinctive paper in the year 1879; which, with the accompanying papers, was referred to the Committee on Finance, and ordered to be printed.

### NATIONAL SOCIETY OF DAUGHTERS OF THE AMERICAN REVOLUTION.

The VICE-PRESIDENT laid before the Senate the annual report of the National Society of the Daughters of the American Revolution; which was referred to the Committee on Education and Labor, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, returned to the Senate in compliance with its request the following bills:

A bill (S. 1649) granting an increase of pension to Francis Scott; and

A bill (S. 5446) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve.

The message also returned to the Senate, in compliance with its request, the message of the Senate recalling the bill (H. R. 10403) to organize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States.

The message further announced that the House had passed the joint resolution (S. R. 252) to prevent the spread of contagious diseases in the District of Columbia.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 11771) to amend section 1 of an act to provide for the entry of lands in Greer County, Okla., to give preference right to settlers, and for other purposes; and

A bill (H. R. 12042) granting right of way to the Gulf and Northern Railroad Company through the Indian Territory and through certain Indian reservations in Oklahoma Territory.

The message further announced that the House had passed the bill (S. 5076) authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes, with amendments in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUD, Mr. SMITH of Illinois, and Mr. SWANSON managers of the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 5260) to amend an act entitled "An act to reimburse the governors of the States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MAHON, Mr. OTJEN, and Mr. COOPER of Texas managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11868) to provide for the acquiring of right of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CURTIS of Kansas, Mr. LACEY, and Mr. LITTLE managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FOSS, Mr. DAYTON, and Mr. MEYER of Louisiana managers at the conference on the part of the House.

The message further transmitted to the Senate the resolutions of the House upon the death and as a tribute to the memory of Hon. JUSTIN SMITH MORRILL, late a Senator from the State of Vermont.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 3425) for the relief of George A. Dickel & Co., at Nashville, Tenn.;

A bill (H. R. 6551) withdrawing from entry and sale and granting unto the State of Wisconsin certain lands therein described;

A bill (H. R. 8907) granting an increase of pension to John W. Brisbois;

A bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes; and

A bill (H. R. 11785) for the relief of certain tobaccoists of Lynchburg, Va.

### CREDENTIALS.

Mr. HANSBROUGH presented the credentials of Porter J. McCumber, chosen by the legislature of North Dakota a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

Mr. SEWELL presented the credentials of John Kean, chosen by the legislature of New Jersey a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Manufacturers' Club of Cincinnati, Ohio, praying for the construction of the Nicaragua Canal by the Government; which was ordered to lie on the table.

He also presented the petition of Thomas A. Stewart, adjutant-general of the Grand Army of the Republic, praying for the enactment of legislation to establish a national military park at Vicksburg; which was ordered to lie on the table.

Mr. PLATT of New York presented a petition of sundry citizens of Jefferson County, N. Y., praying that a pension be granted to Adolphus Stirling, of Company A, Ninety-fourth Regiment New York Volunteers, and of Company D, Twentieth Regiment New York Cavalry Volunteers; which was referred to the Committee on Pensions.

He also presented the petition of Harriet A. Mills and sundry other citizens of Syracuse, N. Y., praying that the right of suffrage be granted to women in Hawaii; which was referred to the Select Committee on Woman Suffrage.

He also presented the petition of Charles Nitze and sundry other citizens of New York, praying for the passage of the eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Fort Ann, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes and in immigrant stations and Government buildings; for the maintenance of prohibition in the Territory of Alaska; and to prohibit the election of polygamists to the Congress of the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of the Gilbert S. Graves Debating Club, of Buffalo, N. Y., and a petition of the Woman's Christian Temperance Union of Glendale, Wis., praying for the maintenance of the prohibition law in the Territory of Alaska; which were referred to the Committee on Territories.

He also presented a petition of Ounquagua Grange, No. 518, Patrons of Husbandry, of New York, praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Hudson; of the Gilbert S. Graves Debating Club, of Buffalo; of the congregations of the Methodist Episcopal Church of North Cohocton, the Presbyterian Church of Atlanta, and the Hanson Place Baptist Church, of Brooklyn; of Richard S. Collins, of New York; of the Grand Lodge, Independent Order of Good Templars, of Syracuse; of W. T. Cornish and sundry other citizens of Cohocton, and of A. L. Gilbert and sundry other citizens of Cohocton, all in the State of New York, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. McMILLAN presented a petition of S. M. Stevens Lodge, Brotherhood of Locomotive Firemen, of Marquette, Mich., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

Mr. ALLEN presented a petition of the legislature of Nebraska, praying for the enactment of legislation to facilitate and expedite the speedy connection of the Port Arthur Canal with the Gulf of Mexico; which was referred to the Committee on Commerce.

He also presented petitions of Local Union No. 33, Pork Butchers' Union, of South Omaha, Nebr.; of the Central Labor Union of Omaha, Nebr.; of Local Union No. 36, United Brotherhood of Carpenters and Joiners, of Oakland, Cal., and of the Journeymen Bakers and Confectioners' International Union, of Brooklyn, N. Y., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

Mr. FAIRBANKS presented the petitions of George C. White and 201 other citizens of Mount Zion, Ind., praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorials of Walter J. Gross and 19 other citizens, of W. V. Baltzer and 19 other citizens, of Stewart Clark and 19 other citizens, and of S. B. Nolan and 19 other citizens, all in the State of Indiana, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

He also presented the petitions of F. L. White and 30 other citizens, of T. A. Hollingsworth and 83 other citizens of Dayton, of A. L. West and 40 other citizens of Burrows, C. J. Buchanan and 32 other citizens of Indianapolis, F. L. Carter and 44 other citizens of Indianapolis, and of William Kamping and 50 other citizens of Dillsboro, all in the State of Indiana, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. GALLINGER presented a petition of the New Hampshire Society for the Prevention of Cruelty to Animals, of Portsmouth, N. H., praying for the passage of Senate bill No. 1552, for the prohibition of vivisection in the public schools of the District of Columbia and otherwise restricting and controlling the practice in the District; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Raymond, N. H., and a petition of the Woman's Christian Temperance Union of Franklin, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Franklin, Raymond, and East Colebrook, all in the State of New Hampshire, praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Raymond, East Colebrook, and Franklin, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and

Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of New Hampshire, praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new half-civilized dependencies; which was referred to the Committee on Territories.

Mr. NELSON (for Mr. DAVIS) presented a petition of the congregation of the Grace Methodist Episcopal Church of St. Paul, Minn., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. NELSON presented a petition of the Board of Trade of Minneapolis, Minn., praying that the civil-service rules be applied to the force to be employed in taking the Twelfth Census; which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Epworth League and the Woman's Christian Temperance Union of Spring Grove, Minn., praying for the maintenance of the prohibition law in the Territory of Alaska and the Indian Territory, and to extend it to our new half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Board of Trade of Minneapolis, Minn., and a petition of the congregation of the Bethania Norwegian Lutheran Church, of St. Paul, Minn., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. BURROWS presented petitions of the congregations of the Presbyterian, the Congregational, the Baptist, and the Methodist churches, and of the Woman's Christian Temperance Union, all of Pontiac; and of 139 citizens of Holly, all in the State of Michigan, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented petitions of the Woman's Club of Adrian, of the Woman's Christian Temperance Union of Adrian, of 38 citizens of Grand Haven, of 37 citizens of Detroit, of the Woman's Christian Temperance Union of Buchanan, the Woman's Christian Temperance Union, the congregations of the Baptist, the Congregational, the Presbyterian, and the Methodist Episcopal churches, all of Pontiac; and of 73 citizens, all in the State of Michigan, praying for the maintenance of the prohibition law in the Territory of Alaska; which were referred to the Committee on Territories.

He also presented petitions of the congregations of the Methodist Episcopal Church, the Friends Church, and the Presbyterian Church, all of Tecumseh; of the congregation of the Wesleyan Methodist Church, of Pittsford, and of 86 citizens, all in the State of Michigan, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented a petition of the State Congress of Mothers of Michigan, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on the Judiciary.

Mr. HARRIS presented a petition of 80 citizens of Wichita, Kans., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of 80 citizens of Wichita, Kans., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of 84 citizens of Wichita, Kans., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new half-civilized dependencies; which was referred to the Committee on Territories.

#### EXPORT BOUNTY.

Mr. ALLEN. I present a very carefully prepared document by David Lubin on the subject of export bounty. It is very interesting and also very small, and I move that it be printed as a document.

The motion was agreed to.

SENATOR FROM WEST VIRGINIA.

Mr. FAULKNER. I present the memorial of John T. McGraw, of Grafton, W. Va., remonstrating against the seating of Hon.

Nathan B. Scott as a Senator of the United States from the State of West Virginia for the term beginning March 4, 1899. I move that the memorial be printed as a document.

The motion was agreed to.

#### REPORTS OF COMMITTEES.

Mr. ELKINS, from the Committee on Commerce, to whom was referred the amendment submitted by Mr. ROACH, February 3, 1899, proposing to give two years' pay to the widow and children of Joseph W. Etheridge, late superintendent of the Sixth life-saving district, who died from pneumonia contracted in the line of duty, intended to be proposed to the sundry civil appropriation bill, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. PRITCHARD, from the Committee on the District of Columbia, to whom was referred the bill (S. 448) to provide for the formation of cooperative business corporations in the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 5351) to amend the act of Congress approved July 8, 1893, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia," reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 4833) relating to electric lighting in the District of Columbia, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 4784) to extend Sixteenth street in the District of Columbia, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2484) for the relief of Old Dominion Granite Company, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1749) for the prevention of bastardy in the District of Columbia, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1084) to further regulate the sale of milk in the District of Columbia, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1085) for the prevention of smoke in the District of Columbia, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1657) to authorize and require the extension of the lines of the Metropolitan Railroad Company of the District of Columbia, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2713) to authorize the extension of the Metropolitan Railroad, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 930) for the relief of Esther A. Keyser, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1841) to amend an act entitled "An act to provide for the settlement of all outstanding claims against the District of Columbia, and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes," approved June 16, 1890, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. McMILLAN. The above bills were reported adversely because corresponding House bills have been acted upon.

I am directed by the Committee on the District of Columbia, to whom was referred the amendment proposing an appropriation of \$45,000 for grading, regulating, and curbing the street on the west border of the Zoological Park from Woodley road to Cathedral avenue, intended to be proposed to the sundry civil appropriation bill, to report it with an amendment. I move that it be referred to the Committee on Appropriations and be printed.

The motion was agreed to.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the amendment submitted by Mr. FAULKNER January 31, 1899, proposing an appropriation of \$3,000 for arrearages of rent in connection with the municipal building, No. 464 Louisiana avenue, for use of the Commissioners of the District of Columbia, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. McLAURIN, from the Committee on Indian Affairs, to whom was referred the amendment submitted by Mr. HANSBROUGH on February 21, 1899, proposing to appropriate \$10,000 for the relief of the Devils Lake Sioux Indians, of North Dakota, upon the Devils Lake Indian Reservation, in that State, and also \$15,000 for the relief of the Turtle Mountain band of Chippewa Indians, in North Dakota, for subsistence and other necessities, and for expenses incurred by them in their delegation to Washington, D. C., regarding their claim for unceded lands, etc., intended to be proposed to the general deficiency appropriation bill, reported it with an amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. ROACH, from the Committee on Pensions, to whom was referred the bill (S. 3370) granting a pension to Benjamin F. Trapp, of South Omaha, in the State of Nebraska, reported it with amendments, and submitted a report thereon.

Mr. MONEY. I am directed by the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 5560) providing for an annex to the Federal building at Jackson, Miss., to report it favorably without amendment, and I ask for its present consideration. It will take but a moment.

Mr. ALLEN. Let it be read for information.

Mr. LODGE. There are many public-building bills on the Calendar, and various Senators have an interest in them. I think if we are to pass any of the public-building bills, proper time should be given to all of us who have bills on the Calendar and not run the chance of picking one out here and there. It seems to me that course would be a great deal fairer.

Mr. MONEY. Of course if the Senator objects, that will be the end of it. This is not a bill for the erection of a public building; it is simply for necessary improvements in a building already constructed.

Mr. LODGE. I have a bill of exactly the same character for an addition. It seems to me that we ought to take all of them together. That is the fair way.

Mr. HAWLEY. The regular order.

Mr. MONEY. I submit from the committee a report adopting the House report.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 2258) granting a pension to Mary E. Taylor, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 10605) to increase the pension of Annie Cusack, reported it without amendment, and submitted a report thereon.

He also (for Mr. CANNON), from the same committee, to whom was referred the bill (S. 4006) for the relief of Joseph B. Presdee, reported it with amendments, and submitted a report thereon.

Mr. THURSTON, from the Select Committee on International Expositions, to whom was referred the bill (S. 5500) to encourage the holding of a pan-American exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the amendment submitted by Mr. HARRIS February 16, 1899, proposing to appropriate \$50,000 for the erection of barracks, quarters, gun sheds, and stables for one battery of light artillery at Fort Leavenworth, Kans., intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the Committee on Irrigation and Reclamation of Arid Lands, to whom was referred the amendment submitted by Mr. STEWART February 8, 1899, proposing to aid the public-land States in the reclamation of desert lands therein, and more especially to enable them to secure a revenue wherewith the lands granted to them by section 4 of the act of Congress approved August 18, 1894, may be fully and effectively reclaimed, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 752) to provide for the construction of a public building at Salem, Oreg., reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5554) for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J.;

A bill (S. 5559) for the erection of a public building at Norwich, Conn.;

A bill (S. 5556) authorizing and directing the construction of an

addition to the United States post-office in the city of Minneapolis, Minn.;

A bill (S. 5457) for the erection of a public building in the city of Elgin, Ill.; and

A bill (S. 5527) to provide for a public building at Winston, N. C.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the joint resolution (S. R. 253) to authorize the appointment of Charles S. Hatch a second lieutenant in the Marine Corps, reported it with amendments, and submitted a report thereon.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (S. 5474) granting a pension to Ellen Hardin Walworth, reported it with an amendment, and submitted a report thereon.

Mr. GORMAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 10667) to change name of Capital Railway Company, reported it with amendments, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1417) for the relief of Thomas Mullen, reported it without amendment.

Mr. STEWART, from the Committee on Claims, to whom was referred the amendment relative to the claims of the William Cramp & Sons Ship and Engine Building Company for damages and losses sustained by it, etc., submitted by Mr. PENROSE on the 4th instant, intended to be proposed to the general deficiency appropriation bill, reported it without amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. LODGE, from the Committee on Printing, reported an amendment to provide that hereafter all printers and bookbinders employed in the Government Printing Office shall be paid at the rate of 50 cents per hour for time actually employed, intended to be proposed by him to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

#### REPORT ON "THE COLONIAL SYSTEMS OF THE WORLD."

Mr. LODGE, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. FAIRBANKS on the 18th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate of the United States (the House of Representatives concurring), That there be printed 10,500 copies of the report entitled "The Colonial Systems of the World," prepared by the Bureau of Statistics, Treasury Department, 5,000 copies for the use of members of the House of Representatives, 3,000 copies for the use of members of the Senate, and 2,500 copies for the use of the Bureau of Statistics, Treasury Department.*

#### BUREAU OF ENGRAVING AND PRINTING INVESTIGATION.

Mr. LODGE, from the Committee on Printing, to whom was referred the resolution submitted by Mr. MASON on the 21st instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved, That 2,000 copies of the testimony of the following witnesses, taken before the Lyman investigating committee that investigated the Bureau of Engraving and Printing in 1897, be printed for the use of the Senate: Claude M. Johnson, Director of the Bureau; Thomas J. Sullivan, Assistant Director of the Bureau; Alexander G. Morgan, paymaster of the Bureau; Ernest Gibbons, paymaster clerk of the Bureau; J. McGill, chief of the bindery of the Bureau; Emile Huck, William McKinney, and Isaac Gerrodette, foremen in the plate-printing division of the Bureau; also Peter Bain, Peter McGirr, William Peck, Chris Bollinger, Nathan King, George P. Jackson, T. C. Ray, James Turner, James Erwin, William Hay, and Mr. — Childs.*

#### RETENTION OF REGIMENTAL COLORS.

Mr. HAWLEY. I am instructed by the Committee on Military Affairs, to whom was referred the bill (S. 5533) to permit volunteer regiments to retain their colors, to report it favorably without amendment.

Mr. SPOONER. I ask unanimous consent for the immediate consideration of that bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill just reported from the Committee on Military Affairs?

Mr. ALLEN. What is the bill?

Mr. SPOONER. It is a bill authorizing volunteer regiments to retain their flags, to be deposited in the statehouses of the various States. It is recommended by the War Department and by the Adjutant-General.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### NORTHERN CHEYENNE INDIAN RESERVATION.

Mr. MANTLE. I am directed by the Committee on Indian Affairs to report back favorably, without amendment, the bill

(S. 5561) establishing the boundaries of the Northern Cheyenne Indian Reservation, Mont., and making appropriations for purchasing improvements thereon and certain land situated therein, for purchasing cattle, fencing the reservation, and for other purposes; and I am also instructed by the committee to ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. KYLE introduced a bill (S. 5562) granting a pension to Harry J. Hall; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MASON introduced a bill (S. 5563) to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN introduced a bill (S. 5564) to provide for the appointment of honorary attachés of legation to serve without compensation; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. CULLOM introduced a bill (S. 5565) to provide for the erection of a public building at Freeport, Ill.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

Mr. GEAR introduced a bill (S. 5566) to authorize the President to place Andrew Geddes on the retired list with the rank of captain; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ROACH introduced a bill (S. 5567) to pension Ella S. Manix; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MCENERY introduced a bill (S. 5568) authorizing the President to place on the retired list of the Navy, as chief engineer, the name of P. J. McMahon, late chief engineer in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BURROWS introduced a bill (S. 5569) to prohibit advertising in the official publications of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also (for Mr. JONES of Arkansas) introduced a bill (S. 5570) for the relief of Frances E. Childs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SULLIVAN introduced a bill (S. 5571) for the relief of Mary E. Gray; which was read twice by its title, and referred to the Committee on Claims.

Mr. GRAY introduced a bill (S. 5572) providing for increasing the rank of distinguished retired officers of the Regular Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TILLMAN introduced a joint resolution (S. R. 254) authorizing the Secretary of War to lend 10,000 cots to the executive committee of the United Confederate Veterans' Reunion to be held at Charleston, S. C., May 10, 1899; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a joint resolution (S. R. 255) to authorize the appointment of Philip S. Brown a second lieutenant in the Marine Corps; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate \$10,000 each to August Bolten and Gustav Richelien, American seamen, disabled as the result of false imprisonment at Santiago de Cuba in the year 1895, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McBRIDE submitted an amendment directing the Secretary of the Treasury to pay \$1,000 to John G. Brady, governor of Alaska, to reimburse him for expenses incurred in appearing before the committees of the Fifty-fifth Congress relative to the laws of Alaska, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to pay \$1,000 out of the appropriation for "Enforcement of the Chinese-exclusion act" to the collector of customs at Portland, Oreg., as additional compensation for duties in connection with the enforcement of said Chinese-exclusion act, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate

\$300,000 for continuing the improvement of Yaquina Bay, Oregon, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$2,500 for the purchase or construction of a launch for the customs service for use at and in the vicinity of Astoria, Oreg., and also \$100,000 for the construction of a revenue cutter for service at or near the mouth of the Columbia River and on Puget Sound, and limiting the cost of said revenue cutter to \$225,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WARREN submitted an amendment proposing to appropriate \$25,000 for additional expenses of public building at Cheyenne, Wyo., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$100,000 for the construction of a military post at or near Sheridan, Wyo., and limiting the cost of said post to \$360,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. GRAY (by request) submitted an amendment providing for the payment of additional rent, at the rate of \$200 per month, for the building occupied by the Bureau of Chemistry, Department of Agriculture, and also for additional rent, at the rate of \$50 per month, for the building occupied by the Bureau of Animal Industry, Department of Agriculture, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. TURLEY submitted an amendment authorizing the Secretary of War to expend part of the amount appropriated for "Shiloh National Military Park" to construct a gravel road from Selmer, on the Mobile and Ohio Railroad, to Pittsburg Landing, on the Tennessee River, in Tennessee, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. BAKER submitted an amendment proposing to appropriate \$35,000 for one new brick building and furniture at the Western Branch of the National Home for Disabled Volunteer Soldiers, at Leavenworth, Kans., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SIMON submitted an amendment proposing to appropriate \$650,000 for the completion of the custom-house at Portland, Oreg., and increasing the limit of cost for said building to \$1,200,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. NELSON submitted an amendment, to strike out the name "Santos" and insert in place thereof the name "Sao Paulo," in the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FORAKER submitted an amendment authorizing the Secretary of the Navy to place the name of "American Boy" upon any one of the vessels authorized to be constructed in the naval appropriation bill, and also authorizing the Secretary of the Treasury to receive any contributions that may be made for the construction of said vessel, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. PLATT of Connecticut submitted an amendment proposing to appropriate \$16,000 to enable the Commissioner of Patents to have printed and bound by contract an alphabetical list or index of patentees from 1790 to 1873, inclusive, and also authorizing him to dispose of any publications in the Scientific Library not required for the use of the Patent Office, and such models of expired patents as are not required for the further use of the office, the proceeds to be used in procuring publications essential for the proper conduct of the work of the Patent Office, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate \$5,000 to enable the Secretary of Agriculture to investigate and report upon the physiological action and nutritive value of alcohol and alcoholic beverages, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. LINDSAY submitted an amendment proposing to pay two months' extra pay to officers and enlisted men comprising the temporary force of the Navy during the war with Spain, etc., intended to be proposed by him to the naval appropriation bill; which was

referred to the Committee on Naval Affairs, and ordered to be printed.

#### PROCEDURE IN CERTAIN PENSION CASES.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 86) entitled "An act providing procedure in certain pension cases."

ELIZABETH V. LITZENBERG.

Mr. GALLINGER submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring)*, That the President be requested to return to the Senate the bill of the House of Representatives No. 4508, granting an increase of pension to Elizabeth V. Litzenberg.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 21st instant approved and signed the following acts:

An act (S. 821) to increase the pension of Thomas J. Hangle; An act (S. 1373) for a public building at the city of Altoona, Pa.;

An act (S. 1357) for the relief of the legal representatives of Edwin De Leon, deceased, late consul-general of the United States in Egypt;

An act (S. 1827) granting an increase of pension to Stephen M. Davis;

An act (S. 1964) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.;

An act (S. 2616) granting a pension to Harriette F. Hovey;

An act (S. 2673) for the relief of William A. Cowles;

An act (S. 4231) granting an increase of pension to Millie A. Berry;

An act (S. 5186) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the subport of Miami, Fla.; and

An act (S. 5355) to amend an act entitled "An act authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex."

#### HOUSE BILLS REFERRED.

The bill (H. R. 11771) to amend section 1 of an act to provide for the entry of lands in Greer County, Okla., to give preference right to settlers, and for other purposes, was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 12042) granting right of way to the Gulf and Northern Railroad Company through the Indian Territory and through certain Indian reservations in Oklahoma Territory was read twice by its title, and referred to the Committee on Indian Affairs.

#### ORDER OF BUSINESS.

Mr. BACON. I ask the consent of the Senate to call up House bill 11867, which is simply to build a bridge for a railroad which is now in process of construction. It has been favorably reported by the Committee on Commerce, and will not cause any debate whatever.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill referred to by the Senator from Georgia?

Mr. FRYE. I am instructed by the Committee on Commerce to object to any request for unanimous consent this morning.

Mr. BACON. Then I withdraw it.

The VICE-PRESIDENT. Objection is made.

Mr. FRYE. I am very sorry, but I am obliged to do so.

The VICE-PRESIDENT. The morning business appears to be closed.

Mr. FRYE. I move that the Senate proceed to the consideration of the bill known as the river and harbor bill.

Mr. ALLEN. I rise to a parliamentary inquiry. What becomes of the military bill?

Mr. FRYE. That does not come up until 2 o'clock.

Mr. ALLEN. The Senator proposes to consume the morning hour, to the exclusion of other bills, in considering the river and harbor bill. I should like to make a request to have an early day set when the Calendar can be taken up and unobjected cases considered. I ask unanimous consent that on Monday next the morning hour be devoted to the consideration of unobjected cases on the Calendar after the conclusion of the morning business.

The VICE-PRESIDENT. The Senator from Nebraska asks unanimous consent that on next Monday, immediately after the routine business, the Calendar of unobjected cases may be taken up in the morning hour.

Mr. ALLISON. Not to interfere with any appropriation bills that may be ready.

Mr. ALLEN. There ought to be a day when these matters may be considered. There are some very important bills pending.

Mr. McMILLAN. I suggest to the Senator from Nebraska that we take up House bills when we take up the Calendar.

Mr. ALLEN. No; I do not see why we should take up House bills to the exclusion of others.

Mr. ALLISON. If the Senator will allow me a moment, I will state that at this late day in the session, unless appropriation bills shall have practically the right of way, it will be impossible to complete them before the hour of final adjournment. Therefore, unless appropriation bills are excepted, I must, for the present at least, object.

Mr. FRYE (to Mr. ALLEN). Except them.

Mr. ALLISON. Otherwise I must object to any assignment by unanimous consent.

Mr. ALLEN. I will except the appropriation bills, although I do not want to do so.

Mr. CARTER. Exception should also be made of the pending Army legislation. I do not think we can at this time consent to any order of business which would displace that legislation, which all hands concede is imperatively necessary in some form or other, and unless exception is made as to the Army legislation I shall feel constrained to object.

Mr. ALLEN. There will be no exception made as to the Army reorganization bill, I will say to the Senator from Montana.

Mr. CARTER. I did not put the exception in that way, although my exception would include the pending bill.

Mr. ALLEN. Then there will be no exception so far as the request is concerned.

Mr. HAWLEY. I do not quite understand the request.

The VICE-PRESIDENT. The Senator from Nebraska asks unanimous consent—

Mr. ALLEN. I ask unanimous consent to cover the period between the close of the routine morning business and the close of the morning hour on Monday with the consideration of unobjectionable bills on the Calendar.

Mr. HAWLEY. I do not believe that ought to be done for several days at this stage of the session.

Mr. ALLEN. I withdraw the request.

Mr. HAWLEY. In any event I shall be careful—

The VICE-PRESIDENT. Is there objection to the request of the Senator from Maine [Mr. FRYE]?

Mr. CARTER. What is the request of the Senator from Maine?

The VICE-PRESIDENT. The request is that the Senate proceed to the consideration of the bill known as the river and harbor bill.

Mr. CARTER. I understand the regular order comes up at 2 o'clock.

Mr. HAWLEY. I wish to say something about that.

Mr. MILLS. The Senator from Maine has moved to proceed to the consideration of the bill. That takes a majority vote.

Mr. HAWLEY. I wish to say that the course proposed by the Senator from Maine is entirely to my satisfaction. I contemplated stating at 2 o'clock that I would ask that the Army bill might go over for a day, retaining its place as the unfinished business.

Mr. CARTER. I understand that the request of the Senator from Maine does not preclude the regular order from remaining as the unfinished business before the Senate at 2 o'clock.

Mr. FRYE. It does not.

#### RIVER AND HARBOR BILL.

The VICE-PRESIDENT. The Chair will put the motion of the Senator from Maine. The question is on the motion to proceed to the consideration of the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

Mr. FRYE. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments of the committee to be first acted on.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Maine? The Chair hears none. The Secretary will proceed with the reading of the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Commerce was, on page 2, line 2, to increase the appropriation for continuing the improvement for construction of breakwater from Mount Desert to Porcupine Island, Maine, from \$10,000 to \$20,000.

The amendment was agreed to.

The next amendment was, on page 2, line 8, after the word "report," to strike out "of Maj. S. W. Roessler, of January 19, 1899," and insert "printed in House Document No. 160, Fifty-fifth Congress, third session;" so as to read:

Improving harbor at Cape Porpoise, Me., in accordance with the report

printed in House Document No. 160, Fifty-fifth Congress, third session, \$70,000.

The amendment was agreed to.

The next amendment was, on page 3, line 2, after the word "of," to insert "Great Head and other;" in line 4, after the word "sea," to insert "and including the project to provide for a channel 1,200 feet wide and 30 feet deep from the main ship channel in President Roads through Broad Sound;" in line 10, after the word "may," to insert "use \$5,000 thereof and;" in line 12, after the word "improvement," to strike out "recommended by Lieut. Col. S. M. Mansfield, November 19, 1897, and," and insert "in accordance with the project recommended;" in line 15, after the word "on," to strike out "page" and insert "pages;" in line 16, after the word "eighty-seven," to insert "et sequentes;" and in line 22, after the word "and," to strike out "\$81,941.57," and insert "\$50,000;" so as to make the clause read:

Improving harbor at Boston, Mass.: Continuing improvement, \$75,000: *Provided*, That this sum may, in the discretion of the Secretary of War, be used in the preservation and improvement of said harbor, including the protection of Great Head and other headlands and islands in and about said harbor, to prevent further washing away by the sea, and including the project to provide for a channel 1,200 feet wide and 30 feet deep from the main ship channel in President Roads through Broad Sound: *Provided further*, That \$5,000 of this sum may, in the discretion of the Secretary of War, be used in improving Chelsea Creek: *Provided further*, That the Secretary of War may use \$5,000 thereof and enter into a contract or contracts for such materials and work as may be necessary for the completion of the improvement in accordance with the project recommended printed on pages 887 et seq. of the Report of the Chief of Engineers for 1898; such improvement to provide for a channel 1,200 feet wide and 30 feet deep from the main ship channel in President Roads through Broad Sound Channel, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$450,000, exclusive of the amount herein and heretofore appropriated.

Mr. FRYE. In line 15, after the word "recommended," I move to insert the words "in the report."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 4, line 10, after the word "dollars," to insert:

For repairs made necessary by the great storm of November, 1898, according to plans and estimate submitted by Col. Charles R. Suter January 30, 1899, \$75,000.

So as to make the clause read:

Improving harbor at Plymouth, Mass.: For maintenance, \$10,000; for repairs made necessary by the great storm of November, 1898, according to plans and estimate submitted by Col. Charles R. Suter January 30, 1899, \$75,000.

Mr. FRYE. In lines 12 and 13 I move to strike out the words "by Col. Charles R. Suter," and also to strike out the word "thirtieth" and to insert in lieu thereof the word "twentieth."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 4, line 18, after the word "maintenance," to insert "and repairs," and in the same line, before the word "thousand," to strike out "four" and insert "fifteen;" so as to make the clause read:

Improving harbor at Scituate, Mass.: For maintenance and repairs, \$15,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 21, to insert:

Improving harbor at Manchester, Mass., in accordance with the project submitted by Col. S. M. Mansfield July 30, 1897, \$5,000.

Mr. FRYE. I move to strike out the words "by Col. S. M. Mansfield," in lines 23 and 24.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in the clause making appropriations for continuing improvement of harbor of refuge at Sandy Bay, Cape Ann, Massachusetts, on page 5, line 5, after the word "dollars," to insert the following proviso:

*Provided*, That contracts may be entered into by the Secretary of War for such materials and labor as may be required for prosecuting such improvement, not to exceed in the aggregate \$1,000,000, to be paid for as appropriations may from time to time be made by law.

The amendment was agreed to.

The next amendment was, on page 5, after line 11, to insert:

Improving harbor at Duxbury, Mass., and for repairs made necessary by storm, \$12,000.

The amendment was agreed to.

The next amendment was, on page 5, line 18, after the word "report," to strike out "of Maj. D. W. Lockwood, December 23, 1896," and insert "printed on page 930 of the Annual Report of the Chief of Engineers for 1897;" so as to make the clause read:

Improving harbor at New Bedford, Mass.: Continuing improvement under the approved project of 1895, \$10,000, and to complete the channel east of Fish Island in accordance with the report printed on page 930 of the Annual Report of the Chief of Engineers for 1897, \$34,000.

The amendment was agreed to.

The next amendment was, on page 6, line 4, after the word "plan," to strike out "proposed by Maj. D. W. Lockwood, and submitted by Gen. John M. Wilson, Chief of Engineers, May 25, 1897, and by him designated as plan;" and in line 7, after the word "two," to insert "in report printed on pages 931 et seq. of the

Annual Report of the Chief of Engineers for 1897;" so as to make the clause read:

Improving the harbor of Fall River, Mass., in accordance with the plan No. 2 in report printed on pages 931 et seq. of the Annual Report of the Chief of Engineers for 1897, \$30,000.

The amendment was agreed to.

Mr. LODGE. I observe that there is no appropriation made in the bill for the improvement at Lynn, Mass., a continuing improvement which has been going on for some years. I should like very much if the chairman would state to me why that is omitted in this bill.

Mr. FRYE. There was no estimate made for that improvement by the Engineer Department, and under the rules of the committee an appropriation could not properly be made.

Mr. LODGE. The engineers did not ask for any further provision?

Mr. FRYE. They did not.

The next amendment was, on page 6, line 11, after the words "Rhode Island," to strike out "For maintenance of breakwater, \$2,500," and insert "Continuing improvement and maintenance, \$10,000;" so as to make the clause read:

Improving harbor at Block Island, R. I.: Continuing improvement and maintenance, \$10,000.

The amendment was agreed to.

The next amendment was, on page 6, line 18, after the words "Rhode Island," to strike out "Continuing improvement, \$25,000," and insert "Completing improvement, \$50,000;" so as to make the clause read:

Improving harbor at Great Salt Pond, Block Island, R. I.: Completing improvement, \$50,000.

The amendment was agreed to.

The next amendment was, on page 6, line 20, after the words "Improving harbor at Sakonnet Point, R. I.," to strike out "For maintenance and repair of breakwater, \$10,000," and insert:

Completing improvement according to the plan submitted June 24, 1897, \$25,000.

The amendment was agreed to.

The next amendment was, on page 7, line 9, to reduce the total appropriation for continuing the improvement of the harbor at Bridgeport, Conn., from "\$288,327" to "\$250,000."

The amendment was agreed to.

The next amendment was, on page 7, line 13, after the word "project," to strike out "submitted by Maj. Smith S. Leach, dated June 23, 1897, and;" and on page 8, line 1, before the word "thousand," to strike out "ninety-five" and insert "fifty;" so as to make the clause read:

Improving New Haven Harbor, Connecticut, in accordance with the project printed as House Document No. 52, Fifty-fifth Congress, first session, \$50,000: *Provided*, That the Secretary of War may enter into a contract or contracts for materials and work necessary to complete so much of said project as includes a channel 20 feet deep through Long Island Sound from Tomlinson's Bridge, including three interior basins affording separate anchorages with depths of 20, 16, and 12 feet, respectively, and connected by adequate channels, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$250,000, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 8, line 19, after the words "one hundred and," to strike out "ninety-eight thousand one hundred and thirteen dollars and eighty cents" and insert "seventy-five thousand dollars;" so as to make the clause read:

For improvement of the Buffalo entrance to Erie Basin and Black Rock Harbor, New York, \$50,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary for the completion of said project, in accordance with the recommendation of the Secretary of War, House Document No. 72, Fifty-fifth Congress, first session, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$175,000, exclusive of the amount herein appropriated.

The amendment was agreed to.

The next amendment was, on page 9, line 6, before the word "thousand," to strike out "sixty" and insert "thirty-five;" and in the same line, after the word "dollars," to strike out "of which amount \$10,000 may be used for repair of the breakwater;" so as to make the clause read:

Improving harbor at Oswego, N. Y.: Continuing improvement, \$35,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to strike out:

Improving New York Harbor, New York: For maintenance, \$100,000. For improving said harbor by a deep channel, 2,000 feet wide and 35 feet deep from the Narrows, by the so-called East Channel across Sandy Hook Bar to the open sea, in accordance with the recommendations contained in House Document No. 159, Fifty-fifth Congress, third session, \$1,000,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary for the completion of said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$1,510,000, exclusive of the amount herein and heretofore appropriated.

And to insert:

Improving New York Harbor, New York: For maintenance, \$100,000. For improving said harbor by a deep channel, 2,000 feet wide and 40 feet deep from the Narrows, by the so-called East Channel across Sandy Hook Bar to the

open sea, in accordance with the recommendations contained in House Document No. 159, Fifty-fifth Congress, third session, \$1,000,000: *Provided*, That the Secretary of War may forthwith enter into a contract or contracts for such materials and work as may be necessary for the completion of said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$3,000,000, exclusive of the amount herein and heretofore appropriated.

If, however, the Secretary of War shall be unable to make contract or contracts for the completion of said work for a sum within the limitations above specified, then the said \$1,000,000 herein appropriated, or so much thereof as may be necessary, shall be applied by him to the construction or purchase of such dredges, steamboats, and other plant, machinery, and appliances as may be necessary to complete the project, and shall cause the work to be done by hired labor, to be paid for as appropriations may from time to time be made by law, and \$250,000 additional are hereby appropriated to prosecute the work under this last provision.

Improving Bay Ridge Channel and Red Hook Channel, in the harbor of New York: Continuing improvement, \$100,000: *Provided*, That the work shall be begun at the 40-foot curve at the southerly end of Bay Ridge Channel and be continued through it along the Brooklyn shore to Twenty-eighth street until the said Bay Ridge Channel shall have a uniform depth of 40 feet at low tide and a width of 1,300 feet; and the improvement of the Red Hook Channel shall be begun on its southerly end and at its junction with the Bay Ridge Channel, and be continued through it to its junction on its northerly end with the Buttermilk Channel until said Red Hook Channel shall have been made to a depth of 40 feet at low tide and a width of 1,300 feet: *And provided further*, That contracts may be entered into by the Secretary of War for the completion of said Bay Ridge Channel and Red Hook Channel, to be paid for as appropriations may from time to time be made by law, not exceeding in the aggregate \$2,400,000, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 11, line 20, before the word "Niagara," to strike out "at" and insert "and;" so as to make the clause read:

Improving Tonawanda Harbor and Niagara River to the north line of the village of North Tonawanda, N. Y.: Continuing improvement, \$75,000.

The amendment was agreed to.

The next amendment was, on page 12, line 3, after the words "Improving Port Chester Harbor, New York," to strike out "\$25,000, to be expended in enlarging the channel below and up to Town Dock to a depth of 12 feet and a width of 70 feet, and from Town Dock to the steamboat dock to a depth of 9 feet and a width of 60 feet" and insert:

Completing improvement, \$5,000.

The amendment was agreed to.

The next amendment was, on page 12, line 11, to reduce the appropriation for completing the improvement of the channel between the Staten Island and the New Jersey shore, New York and New Jersey, from "\$32,000" to "\$15,000."

The amendment was agreed to.

Mr. FRYE. On page 12, line 10, before the word "improvement," I move to strike out "Completing" and insert "Continuing."

The SECRETARY. On page 12, line 10, before the word "improvement," it is proposed to strike out "Completing" and insert "Continuing;" so as to read:

Improving channel between Staten Island and the New Jersey shore, New York and New Jersey: Continuing improvement, \$15,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 12, line 17, to reduce the appropriation for continuing the improvement of the harbor at Gowanus Creek Channel, New York, from \$35,000 to \$15,000.

The amendment was agreed to.

The next amendment was, on page 12, line 20, to reduce the appropriation for continuing the improvement of the harbor at Peekskill, N. Y., from \$10,000 to \$5,000.

The amendment was agreed to.

The next amendment was, on page 12, line 21, after the words "New York," to insert "Completing improvement;" in line 22, after the word "project," to strike out "submitted by Maj. H. M. Adams, and;" and in line 25, before the word "thousand," to strike out "twenty" and insert "forty;" so as to make the clause read:

Improving Wallabout Channel, New York: Completing improvement in accordance with the project printed as House Document No. 90, Fifty-fifth Congress, third session, \$40,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 2, to strike out: Improving harbor at Paltneyville, N. Y.: For maintenance, \$2,000.

The amendment was agreed to.

The next amendment was, on page 13, line 7, after the word "New York," to insert "to be expended;" and in line 8, after the word "approved," to strike out "and modified project for the improvement thereof, fifty" and insert "project, or such modification thereof as the Secretary of War may approve, twenty-five;" so as to make the clause read:

Improving harbor at Cape Vincent, N. Y., to be expended according to the approved project, or such modification thereof as the Secretary of War may approve, \$25,000, in addition to any balance on hand.

The amendment was agreed to.

The next amendment was, on page 13, after line 11, to strike out:

Improving harbor at Larchmont, N. Y.: For continuing improvement, \$50,000: *Provided*, That said sum, or such part thereof as may be necessary,

may be used by the Secretary of War on such project under any modified plan that may hereafter be adopted by him.

The amendment was agreed to.

The next amendment was, on page 13, line 18, after the words "Improving harbor at Raritan Bay, New Jersey: Continuing improvement, \$65,000," to insert "of which \$40,000 may be used in dredging the channel from South Amboy to Great Beds Light."

The amendment was agreed to.

The next amendment was, on page 13, after line 22, to insert:

Improving Absecon Inlet, New Jersey, according to the plan submitted by the Chief of Engineers January 21, 1898, \$10,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such material and work as may be necessary for the completion of the improvement according to said plan, to be paid as appropriations may from time to time be made by law, not to exceed in the aggregate \$450,000, including the amount hereby appropriated.

The amendment was agreed to.

The next amendment was, on page 14, line 9, after the word "dollars," to insert "to be expended;" in line 10, after the word "the," to strike out "modified and approved;" and in line 11, after the word "project," to insert:

Printed in House Document No. 70, Fifty-fifth Congress, first session, or such modification thereof as the Secretary of War may approve.

So as to make the clause read:

Improving harbor at Erie, Pa.: Continuing improvement, \$125,000, to be expended in accordance with the project printed in House Document No. 70, Fifty-fifth Congress, first session, or such modification thereof as the Secretary of War may approve.

The amendment was agreed to.

The next amendment was, on page 14, after line 13, to strike out:

Improving harbor at Pittsburg, Pa.: Completing improvement in accordance with the report of the Chief of Engineers, dated December 6, 1897, \$110,662.90.

The amendment was agreed to.

The next amendment was, on page 14, line 25, after the word "the," to strike out "approved project of;" in the same line, after the word "improvement," to insert:

In accordance with the project submitted by the Board of Engineers in its report of October 3, 1896, and including the removal of rock from the channel, as recommended in the annual report of the Chief of Engineers for 1897.

On page 15, line 7, before the word "hundred," to strike out "one" and insert "two;" and in line 8, before the word "thousand," to strike out "seventy" and insert "five;" so as to make the clause read:

Improving harbor at Wilmington and Christina River, Delaware: Continuing improvement, \$45,000, of which amount \$20,000, or so much thereof as may be necessary, shall be used for maintenance, and the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the improvement, in accordance with the project submitted by the Board of Engineers, in its report of October 3, 1896, and including the removal of rock from the channel as recommended in the Annual Report of the Chief of Engineers for 1897, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$25,750, exclusive of the amount herein and heretofore appropriated, that being the amount reported by the Chief of Engineers as necessary to complete said project.

The amendment was agreed to.

The next amendment was, on page 15, line 13, to reduce the appropriation for continuing the improvement of the harbor at Cape Charles City, Virginia, from \$20,000 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 15, line 15, after the word "the," to strike out "approved project of February 4, 1895," and insert "project printed in House Document No. 299, Fifty-fifth Congress, third session;" so as to make the clause read:

Improving harbor at Milford Haven, Virginia: Completing improvement in accordance with the project printed in House Document No. 299, Fifty-fifth Congress, third session, \$12,500.

Mr. FRYE. I move to amend the amendment, in line 18, on page 15, before the word "Congress," by striking out "Fifty-fifth" and inserting "Fifty-third."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 15, after line 19, to insert:

Harbor of refuge, Cape Lookout, North Carolina: The Secretary of War is hereby authorized to appoint a board of three Army engineers to make examination, survey, plan, and estimate for a harbor of refuge at or near Cape Lookout, North Carolina; and \$5,000 is hereby appropriated to pay the cost of the same.

The amendment was agreed to.

The next amendment was, on page 16, line 2, after the word "project," to strike out "submitted by Maj. E. H. Ruffner" and insert "of November 18, 1898;" so as to read:

Improving Charleston Harbor, South Carolina, in accordance with the project of November 18, 1898, as modified and approved by the division engineer.

The amendment was agreed to.

The next amendment was, on page 17, line 23, after the word "plan," to strike out "of Capt. O. M. Carter, February 21, 1897, House Executive" and insert "presented in House;" on page 18,

line 1, after the word "session," to strike out "Appendix N, Engineer's Report, 1897;" so as to make the clause read:

Improving Doboy Bar, Georgia, in accordance with plan presented in House Document No. 13, Fifty-fifth Congress, first session, \$70,000.

The amendment was agreed to.

The next amendment was, on page 18, line 5, after the word "project," to strike out "submitted December 17, 1896, by William P. Craighill, Chief of Engineers," and insert "printed in the Annual Report of the Chief of Engineers for 1897, pages 1655 and those that follow;" so as to make the clause read:

Improving harbor at Apalachicola Bay, Florida, in accordance with the project printed in the Annual Report of the Chief of Engineers for 1897, pages 1655 and those that follow, and for maintenance, \$30,000.

The amendment was agreed to.

The next amendment was, on page 18, line 15, after the word "Pensacola," to strike out "in accordance with the existing project," so as to make the clause read:

Improving harbor at Pensacola, Fla.: Continuing improvement and for maintenance, \$70,000; the same to be used toward securing a channel depth of 30 feet at mean low water, from the Gulf of Mexico to the dock line at the east end of the city of Pensacola.

The amendment was agreed to.

The next amendment was, on page 18, after line 16, to insert:

For improving the harbor of Miami, on Biscayne Bay, Florida, with a view to obtaining 18 feet of water, in pursuance of a project submitted by Lieutenant-Colonel Benyard, dated January 31, 1897, and contained in House Executive Document No. 295, Fifty-fourth Congress, second session, and denoting a route through Norris Cut into said harbor, \$100,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the said project recommended in said report, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$900,000, exclusive of the amount herein appropriated.

Mr. FRYE. I move to amend the amendment of the committee, in line 19, on page 18, by striking out the words "by Lieutenant-Colonel Benyard."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. PASCO. In connection with the amendment just adopted I ask that the statement which I send to the desk may be printed in the RECORD without being read.

The VICE-PRESIDENT. That order will be made, in the absence of objection.

The statement referred to is as follows:

The principal arguments in favor of improving Miami Harbor in the interests of commerce are:

1. The city of Miami has in two years grown from a single residence and the ruins of Fort Dallas to a town of 3,000 inhabitants, with three regular steamship lines carrying passengers, freight, and mail to Havana, Nassau, and Key West, respectively, and a commerce of a general character, constantly increasing as the deepening of the harbor by private capital has afforded it facilities for entrance.

2. It is the southern terminus of the Florida East Coast Railroad system, 125 miles farther south than any other railroad point in the United States. It is twelve hours nearer Havana than any other point of departure by established routes in the country. For all other Cuban and Porto Rican ports the location of Miami on the east coast gives it still greater advantages over all lines, which, by reason of their situation on the Gulf, must round Cape Sable and the southern keys. To Matanzas this advantage is fifteen hours; to Santiago de Cuba, twenty-four hours; to San Juan, Porto Rico, twenty-six hours. The port on the Atlantic coast next nearest to these points is Jacksonville, 367 miles north. This reduction of distances offers important advantages favorable to a regular and speedy mail service to the islands that are under our control as a result of the recent war with Spain.

3. From Jacksonville to Key West it is 530 miles by the shore line. There is not a harbor of refuge between these two points. Miami divides this distance 170 miles north of Key West. It is manifest that a good harbor at Miami would have saved to the merchant marine many millions in ships and cargoes which, for want of such a haven, have been wrecked in these waters by tropical storms, and that in view of the probable vast increase in West Indian and South American traffic such a distance of coast ought not to be neglected. The location of Key West is such that any ship navigating between American and West Indian or South American ports must go 100 miles out of her course to put in there for repairs or safety, while Miami is within sight of the Gulf Stream and all this traffic passes within 10 miles of the proposed harbor while north bound and within 2 miles when south bound.

4. A channel from Miami around Cape Florida has been dredged to a depth of 12 feet by private capital, at an expense of \$200,000. The engineer reported that this would cost \$845,000. The error arises very largely from classifying the substance underlying these waters as rock. It is a formation not met with elsewhere on our coasts. The surface is hardened by contact with water or exposure to sun, but the crust being broken, the exposed portion to any depth can be removed like any other sand.

The project to produce a depth of 18 feet in a harbor inside Norris Cut with a basin, as denoted by the engineer, estimated to cost \$3,000,000, can be accomplished with one-third of that sum, and responsible parties familiar with the location and the underlying substance are ready to enter into a bond to undertake the work at that price. Some have erroneously construed the estimates in the engineer's report of \$1,600,000 and \$1,000,000, respectively, to be for 15 and 18 feet around Cape Florida, over 10 miles of dredging, but a careful examination of the report makes it clear that this route is rejected, and the estimates are based on a channel by the shorter route through Norris Cut and up to the mouth of Miami River.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 20, line 4, after the word "project," to strike out "submitted July 23, 1898," and insert "printed in House Document No. 545, Fifty-fifth Congress, second session;" so as to make the clause read:

Improving Hillsboro Bay, Florida, in accordance with project printed in House Document No. 545, Fifty-fifth Congress, second session, \$125,000.

The amendment was agreed to.

The next amendment was, on page 20, line 20, after the word "estimate," to strike out "of Maj. William T. Rossell" and insert "printed in House Document No. 120, Fifty-fifth Congress, third session," so as to make the clause read:

Ship Island Pass, Mississippi: To complete dredging a channel through Ship Island Pass, with a depth of 26 feet, in accordance with the report and estimate printed in House Document No. 120, Fifty-fifth Congress, third session, \$40,000.

The amendment was agreed to.

The next amendment was, on page 20, after line 23, to strike out:

Gulfport, Miss., to Ship Island Harbor: The Secretary of War is hereby authorized to enter into a contract or contracts with the Bradford Construction Company, or any persons or corporations which will undertake to do the work, to dredge a channel 19 feet deep from the anchorage at Ship Island Harbor, on the Gulf of Mexico, to Gulfport, in Harrison County, in the State of Mississippi, and to construct at the end of said channel next the shore an anchorage basin of similar depth not less than 2,640 feet by 1,320 feet in area, at a cost not to exceed \$150,000, which shall be paid whenever an engineer to be designated for that purpose shall report that said channel and anchorage have been made as contracted for; and if said contractor shall maintain the same thereafter for five years he shall be paid the sum of \$10,000 for each of said five years, payable annually, during which the same shall be so maintained.

And insert:

Gulfport, Miss., to Ship Island Harbor: The Secretary of War is hereby authorized to enter into a contract or contracts to dredge a channel 300 feet wide and 19 feet deep at mean low water from the anchorage at Ship Island Harbor, on the Gulf of Mexico, to Gulfport, in Harrison County, in the State of Mississippi, and to construct at the end of said channel next the shore an anchorage basin of similar depth not less than 2,640 feet by 1,320 feet in area, at a cost not to exceed \$150,000; and the Secretary of War is further authorized to contract for the maintenance of said channel for the term of five years after its completion, for the sum of \$10,000 annually.

Mr. FRYE. I offer the amendment which I send to the desk, to be inserted after the word "channel," in line 3, on page 22 of the committee amendment.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the amendment of the committee, on page 23, in line 3, after the word "channel," by inserting the words "and anchorage basin."

The amendment to the amendment was agreed to.

Mr. FRYE. I also move to insert, after the word "annually," at the end of the committee amendment, in line 5, on page 22, what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add to the amendment of the committee, after the word "annually," in line 5, on page 22, the following proviso:

*Provided*, That the necessary expenses for such examinations, surveys, and inspections of the work as may be required from time to time to determine whether the channel and anchorage basin are dredged and maintained as required by this act shall be paid from the permanent indefinite appropriation made by section 4 of the river and harbor act approved July 5, 1864: *And provided further*, That the depth provided for shall be at mean low water, as determined by the engineer officer in local charge of the work.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 23, line 7, to increase the appropriation for continuing the improvement of the mouth and passes of Calcasieu River, Louisiana, from \$35,000 to \$50,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 7, to strike out:

Improving outlet of the Mississippi River by constructing a sill across Pass a Loure and by constructing and operating two dredges, \$50,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry on such improvements, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$450,000, exclusive of the amount herein appropriated. A board of four engineers shall be appointed by the President, of whom at least two shall be from civil life, who shall prepare and report, as soon as conveniently may be done, a project for securing a navigable channel of suitable width and of 35 feet depth at mean low water of the Gulf of Mexico throughout the Southwest Pass of the Mississippi River; said board of engineers shall submit detailed estimates of the cost of each and every feature of the project, and they shall report especially whether it is necessary to construct inner jetties; and if, in their judgment, inner jetties should be constructed, they shall provide for the location of the same, so as to involve the least cost consistent with the safety and efficiency of the work hereby contemplated. The sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated to defray the cost of said board and of the preparation of said project.

The amendment was agreed to.

The next amendment was, on page 23, after line 7, to insert:

Improving the Southwest Pass of the Mississippi River: For the purpose of securing a navigable channel of adequate width and of 35 feet depth at mean low water of the Gulf of Mexico throughout the Southwest Pass of the Mississippi River, in accordance with the plan submitted in House Document No. 143, Fifty-fifth Congress, third session, or any modification of such plan that may hereafter be made by the Secretary of War, including the construction or purchase of dredges, \$600,000; and the Secretary of War is hereby authorized to enter into contract or contracts for such materials and work as may be required for prosecuting such improvement, not to exceed in the aggregate \$1,000,000, exclusive of the amount herein appropriated, to be paid for as appropriations may from time to time be made by law.

The amendment was agreed to.

The next amendment was, on page 23, after line 24, to strike out:

Improving Galveston Ship Channel and Buffalo Bayou, Texas: For im-

provement of the Galveston Ship Channel and Buffalo Bayou, by dredging or otherwise, from the jetties at Galveston, Tex., up through the present ship channel and Buffalo Bayou to the proposed harbor site at Houston, Tex., to be provided by the citizens of Houston, \$250,000: *Provided*, That out of said sum a suitable dredge may be constructed for said work.

And insert:

For commencing the improvement of the water route from the mouth of the jetties at Galveston, through the existing ship channel and up Buffalo Bayou to Houston, Tex., including harbor at Houston, in accordance with project submitted by the Board of Engineers in report of survey dated November 3, 1897, \$250,000: *Provided*, That contracts may be entered into by the Secretary of War for the whole or any part of such materials and work as may be required for prosecuting said improvement, or the said materials may be purchased and the work done otherwise than by contract, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$2,000,000: *Provided further*, That out of said sum two dredges may be constructed for said work.

The amendment was agreed to.

The next amendment was, on page 24, after line 23, to strike out:

Mouth of Brazos River, Texas: The Secretary of War is hereby directed to cause an examination and such survey as may be necessary to be made to determine the cost of improving the mouth of Brazos River, Texas, and to report the same to Congress, together with a report as to such rights, privileges, and franchises as the Brazos River Channel and Dock Company may surrender to the United States, including such an amount of wharf property fronting on said river as said company may be willing to surrender to the United States, and upon what conditions the same will be surrendered, and report the same to Congress as soon as practicable, the expense thereof to be paid from the general fund herein appropriated for surveys.

And insert:

Mouth of Brazos River, Texas: For dredging, \$85,000; and for extending the jetties 1,000 feet, \$115,000: *Provided*, That no part of said sum shall be expended until the Brazos River Channel and Dock Company shall file with the Secretary of War a transfer to the United States of the jetties, auxiliary works, and all rights conferred upon it by its charter, and shall convey to the United States a tract of land one-half mile long and 300 feet wide on each side of the river and fronting the same, to be selected by an engineer of the United States, subject to the right of said company to lay railway tracks on 50 feet of said ground farthest from the river. The Secretary of War shall determine the value of the works constructed by the Brazos Channel and Dock Company, and report the same to Congress for its action on the first day of the first session of the Fifty-sixth Congress; and the Secretary of War is directed to have an examination made of the mouth of the Brazos and the jetties, and report to Congress the estimated cost of extending the jetties one-half mile, and the estimated depth and width of the channel to be obtained by such extension, and the estimated cost of obtaining 20 feet of water and a channel 150 feet wide by dredging.

Mr. FRYE. I move to amend the amendment of the committee, in line 9, on page 26, after the words "150 feet wide," by striking out the words "by dredging."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 26, after line 9, to insert:

Deepening the channel from Galveston Harbor to Texas City, Tex.: The Secretary of War is hereby authorized to enter into a contract or contracts for deepening the present channel north of Pelican Island from Galveston Harbor to Texas City, Tex., to a depth of 25 feet and 100 feet wide at the bottom, at a cost not to exceed \$250,000, of which amount \$100,000 shall be paid whenever it shall satisfactorily appear to the Secretary of War, through Army engineers, that said channel has been deepened to a depth of 21 feet, and the remainder of the price shall be paid when the whole work has been completed in a manner satisfactory to the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 26, line 23, after the word "For," to strike out "the" and insert "dredging and other;" so as to read:

Improving Aransas Pass, Texas: For dredging and other improvement of Aransas Pass Harbor, \$60,000.

The amendment was agreed to.

The next amendment was, on page 27, line 19, to increase the appropriation for straightening, widening, and otherwise improving the main ship channel, Sabine Pass, Texas and Louisiana, from \$50,000 to \$100,000.

Mr. FRYE. I move to amend the amendment of the committee, in line 19, on page 27, by inserting, after the word "hundred," the words "and fifty;" so as to make the amount of the appropriation \$150,000.

Mr. MILLS. That is right.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 27, after line 19, to strike out:

Corpus Christi and Padre Island Harbor, Texas: Section 2 of "An act to promote the construction of a safe deep-water harbor on the coast of Texas," approved February 9, 1891, and as amended January 23, 1893, is hereby amended so as to extend the time to locate and commence the construction of the said Corpus Christi and Padre Island Harbor, off Padre Island, on the coast of Texas, two years from February 9, 1890.

The amendment was agreed to.

The next amendment was, on page 28, line 17, after the word "report," to strike out "of Col. Jared A. Smith;" and in line 21, after the word "hundred," to strike out "and forty-five thousand five hundred dollars" and insert "thousand dollars;" so as to make the clause read:

Improving harbor at Black River (Lorain), Ohio: Continuing improvement,

\$50,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the project designated as Plan B in the report dated November 1, 1897, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$500,000, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 28, line 25, after the word "report," to strike out "of Col. Jared A. Smith;" so as to make the clause read:

Improving harbor at Cleveland, Ohio, according to the report of January 10, 1899, \$75,000, of which amount such sum as may be necessary may be used in dredging between the Government piers.

The amendment was agreed to.

The next amendment was, on page 29, line 5, to reduce the appropriation for continuing the improvement of the harbor at Conneaut, Ohio, from \$100,000 to \$75,000.

The amendment was agreed to.

The next amendment was, on page 29, line 7, to reduce the appropriation for continuing the improvement of the harbor at Fairport, Ohio, from \$100,000 to \$75,000.

The amendment was agreed to.

The next amendment was, on page 29, line 11, after the word "submitted," to strike out "by Col. Jared A. Smith," and in line 13, before the word "thousand," to strike out "eighty" and insert "sixty;" so as to make the clause read:

Improving harbor at Sandusky, Ohio: Continuing improvement in accordance with plans submitted February 23, 1898, \$50,000.

The amendment was agreed to.

The next amendment was, on page 29, line 18, after the word "project," to strike out "recommended by Col. Jared A. Smith" and insert "dated;" in line 21, before the word "thousand," to strike out "and fifty," and in line 25, before the word "thousand," to strike out "and fifty-five;" so as to make the clause read:

Improving harbor at Toledo, Ohio, by providing a straight channel through Maumee River and Bay 400 feet in width and 21 feet deep, in accordance with the project dated December 16, 1897, \$100,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed \$500,000, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

Mr. FORAKER. With respect to all these items relating to Ohio and Ohio appropriations, I will state that I am permitting them to go by now without objection because my colleague [Mr. HANNA] does not appear to be in the Chamber, and I wish to confer with him in regard to them. But I want to reserve the right to call them up hereafter for further consideration before the bill is finally disposed of.

Mr. WHITE. As I understand the matter, the bill is now in the Senate as in Committee of the Whole and will hereafter be subject to revision in the Senate.

The VICE-PRESIDENT. The bill will be subject to amendment.

Mr. WHITE. I presume the Senator's rights will be reserved.

Mr. FORAKER. I want to reserve all rights.

The VICE-PRESIDENT. The Chair so understands.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in the item for improving outer harbor at Michigan City, Ind., on page 30, after the word "modified," to insert the following proviso:

*Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$195,000, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, in the item for improving harbor at Waukegan, Ill., on page 30, line 19, after the word "Illinois," to strike out:

Continuing improvement, \$7,000; of which so much as may be necessary shall be used by the Secretary of War to cause a survey of said harbor with a view to obtaining a channel 300 feet wide and 20 feet deep, together with an estimate of the cost thereof.

And insert "For maintenance, \$5,500."

The amendment was agreed to.

The next amendment was, on page 31, line 2, to strike out "seventy-five" and insert "one hundred;" and after the word "dollars," in line 2, to strike out the following proviso:

*Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said project for the improvement of said harbor according to the recommendations of Maj. W. L. Marshall, in his report of July 16, 1897, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$377,823, exclusive of the amount herein and heretofore appropriated.

So as to make the clause read:

Improving Chicago Harbor, Illinois: Continuing improvement, \$100,000.

The amendment was agreed to.

The next amendment was, on page 31, line 15, before the word "thousand," to strike out "and fifty;" and in line 20, before the

word "thousand," to strike out "and fifty-nine;" so as to make the clause read:

Improving Calumet Harbor, Illinois, according to the project of February 21, 1896: Continuing improvement, \$100,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$500,550, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, in the item for improving harbor at Muskegon, Mich., on page 32, line 17, after the word "dollars," to insert the following proviso:

*Provided*, That any portion of the above sum may be used, at the discretion of the engineer in charge, in sheet piling or otherwise, to prevent erosion and preserve the channel at any point where it may be necessary between Lake Michigan and Muskegon Lake.

Mr. FRYE. In line 19 I move to strike out the words "engineer in charge" and insert "Secretary of War."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Commerce was, on page 34, line 5, before the word "improvement," to strike out "Continuing" and insert "Completing;" and in the same line, before the word "thousand," to strike out "ten" and insert "forty-five;" so as to make the clause read:

Improving harbor at South Haven, Mich.: Completing improvement, \$15,000.

The amendment was agreed to.

The next amendment was, on page 34, line 13, before the word "Document," to strike out "Executive;" so as to make the clause read:

Improving harbor at Ludington, Mich., in accordance with the report and plan submitted in House Document No. 273, Fifty-fourth Congress, second session, \$25,000.

The amendment was agreed to.

The next amendment was, on page 35, line 3, before the word "thousand," to strike out "by Capt. George A. Zinn, ten" and insert "thirteen;" so as to make the clause read:

Improving harbor at Ahnapee, Wis.: Continuing improvement according to Plan A, submitted under date of December 31, 1896, \$13,000.

The amendment was agreed to.

The next amendment was, on page 35, line 5, after the word "dollars," to strike out:

Of which sum \$6,000 is for maintenance, and of the balance of said sum 75 per cent may be expended in improving the channel from the mouth of Fox River to the city of Greenbay, and 25 per cent may be expended, if necessary, on the further improvement of Fox River from the city of Greenbay to the city of Deperre.

So as to make the clause read:

Improving harbor at Greenbay, Wis.: Continuing improvement, \$28,600.

The amendment was agreed to.

The next amendment was, on page 35, line 14, before the word "January," to strike out "reported by Capt. James G. Warren" and insert "dated;" in line 18, before the word "January," to strike out "reported" and insert "dated;" in line 19, after the word "ninety-seven," to strike out "by Capt. George A. Zinn;" and in the same line, after the word "dollars," to strike out the comma and insert "of which \$3,000 may be used for maintenance;" so as to make the clause read:

Improving harbor at Kenosha, Wis., according to the project dated January 12, 1899, and the project for deepening the basin and widening and deepening said harbor, based upon the removal of the present north pier, dated January 23, 1897, \$50,000 of which \$3,000 may be used for maintenance.

The amendment was agreed to.

The next amendment was, in the appropriation for improving harbor at Milwaukee, Wis., on page 36, line 16, after the word "dollars," to insert:

For deepening the channel at the entrance in accordance with the project submitted November 23, 1896, \$12,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 21, on page 36.

Mr. SPOONER. I ask that the next two items, improving the harbor at Racine, Wis., and improving the harbor at Sheboygan, Wis., may be passed over for the present.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The reading of the bill was resumed, beginning with line 23, page 37.

Mr. FRYE. On page 37, after the word "dollars," in line 24, I move to insert what I send to the desk.

The SECRETARY. In the appropriation for improving harbor at Ashland, Wis., after the word "dollars," in line 24, page 37, it is proposed to insert:

Of which so much as shall be necessary may, in the discretion of the Secretary of War, be expended in completing the shore end of the breakwater now partly constructed and connecting it with the land.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 38, line 9, to reduce

the appropriation for continuing improvement of Sturgeon Bay and Lake Michigan Ship Canal from \$30,000 to \$15,000.

Mr. SPOONER. I should like to ask the chairman of the committee why the appropriation for the Sturgeon Bay and Lake Michigan Ship Canal is cut in two—reduced from \$30,000 to \$15,000?

Mr. FRYE. Because the Engineer Department in its estimates of what could be expended this year made the amount about \$100,000,000.

Mr. SPOONER. The aggregate?

Mr. FRYE. The aggregate \$100,000,000. Therefore, it is impossible, as the Senator will see, to come up to the estimates in every case. Wisconsin is up to the estimates in nine out of ten cases, and here we have given half, which is more than the average given throughout the bill; and it is not a very important place, either.

Mr. SPOONER. I do not know about that. Upon that basis of reasoning I should think the argument would be very sound, but I hardly feel able to give my assent to the basis. There may be some appropriations that ought to be diminished and can be without any detriment to the public interest, but I respectfully submit to my friend the Senator from Maine that this is not one of them. I send to the desk and ask to have read a letter upon the subject. It is a very important matter.

Mr. WHITE. If I may make a suggestion to the Senator from Wisconsin, can we not allow the matter to go over until the bill reaches the Senate? Possibly the Senator from Wisconsin may be able to communicate with the chairman of the committee and look the subject over without delaying the Senate. The bill is now in the Senate as in Committee of the Whole, I understand.

Mr. FRYE. I should rather it would be acted upon now.

Mr. WHITE. Very well, if the chairman so desires.

Mr. FRYE. In my judgment, no State has been treated so abundantly under the pending bill as the State of Wisconsin. Every request, I think, made by the Senator from Wisconsin was complied with by the committee. They had a member of the committee in the House also who took care of Wisconsin.

Mr. SPOONER. I know, but that hardly touches this proposition. I am not asking this as a favor. If it is not right I do not want it.

Mr. FRYE. It would be right to appropriate the entire amount estimated by the local engineer, which was \$50,000. The Chief of Engineers then reduced the amount to be used this year to \$25,000. Of course it would be right to appropriate that, but we can not do it, because it would make a river and harbor bill of \$100,000,000.

Mr. SPOONER. There ought to be some discrimination from that standpoint as to the necessity of the improvements. I have no doubt there are some items which could be cut down. I do not think Wisconsin, having regard to navigation and tonnage and all that, is treated with any greater generosity in the pending bill than other States. I think I could mention States not far from Wisconsin which have fared quite as well. I have no complaint to make of the committee. In fact, it is true, as the chairman states, that almost every request I made has been complied with; but I want the Senate to hear the letter, which I have no doubt is perfectly accurate, and I think when the Senator learns the amount of the commerce there, and the real situation, he will agree with the Engineer Department that the amount passed by the House and the amount recommended by the Department should be kept in the bill.

Mr. FRYE. The Senator from Wisconsin may be certain he will not.

The VICE-PRESIDENT. The Secretary will read as requested. The Secretary read as follows:

#### STURGEON BAY AND LAKE MICHIGAN SHIP CANAL.

Sir: The total amount expended for this waterway up to June 30, 1897, was \$115,749.50. The amount recommended by the War Department that can be profitably expended in fiscal year ending June 30, 1900, is \$30,000, and this amount was allowed by the Committee on Rivers and Harbors in the House. The importance of this waterway can be measured best by the number of vessels, with their measured tonnage, that have annually passed through the canal since a depth of 14.6 feet of water has been secured throughout the length of the canal. According to the reports of the superintendent of this waterway that were submitted to the War Department for the season of 1897 and 1898, about five thousand vessels of various sizes, and with a measured tonnage approximating 2,000,000 tons, in each of these years passed through the canal.

There is every reason to suppose that when the final project is completed, providing for a depth of 18 feet of water, not less than five millions of measured tonnage will avail itself of this waterway. At the present time it is conceded by those who have a personal knowledge of the maritime situation on the Great Lakes that this canal ranks only second in importance to the Sault Ste. Marie. It will be proper to say that the banks of this canal are, on the average, 20 feet in height, and of beach-sand formation, so that the slightest disturbance of the water in the canal undercuts the banks, causing the sand to slide into the canal in large quantities, and this alone emphasizes the necessity for revetment the entire length of the waterway. About two-thirds of the revetment is completed.

The \$15,000 recommended by the Committee on Commerce would probably remove the sand that would cave into the canal during the coming season of navigation, but further improvements that could be made with this amount of money would be slight at best.

It is therefore of the utmost importance that not less than \$30,000 be appropriated for this important waterway.

I desire to add that this canal is within 2 miles of the boundary line of the city in which I reside; that prior to the date of purchase from a private corporation of this waterway by the United States I was connected with the canal, and for eight years had immediate charge of it. I assume, therefore, that it will be conceded that I speak from a personal and practical knowledge of the true situation touching this important improvement, for which I appeal to the Senate to reinstate the original amount recommended by the Secretary of War and carried in the bill as it passed the House of Representatives.

E. S. MINOR, M. C.,  
Eighth Wisconsin District.

HON. JOHN C. SPOONER,  
United States Senator.

FEBRUARY 20, 1899.

Mr. SPOONER. Mr. President, I hope this letter will satisfy the chairman of the committee and the Senate that in this case—I do not say it because it happens to be in Wisconsin—the amount recommended by the Engineer Department ought to be retained in the bill. This letter shows that 5,000 vessels pass through the canal. It also shows that the banks of the canal are on the average 20 feet in height and of beach-sand formation, so that the slightest disturbance of the water in the canal undercuts the bank, interfering with the channel. It will take fully \$15,000, Mr. MINOR says, to keep the canal clear of the sand, leaving a very small amount for the improvement. Mr. MINOR is now the member of Congress from that district. He is himself a navigator, and was connected with this improvement before the Government purchased it, and I know of no man who is more accurately informed upon the subject and the necessities of that channel than he is. He agrees entirely with the recommendation of the Department, and I hope the chairman of the committee will not object to retaining the amount in the bill.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Commerce.

The amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 38, line 14, after the word "ninety-seven," to strike out "by Lieut. Col. W. R. King;" so as to read:

Completing harbor at La Crosse, Wis.: Continuing improvement according to the project reported January 11, 1897, \$12,000, exclusive of \$5,000 appropriated by river and harbor act of June 3, 1896.

The amendment was agreed to.

The next amendment was, on page 39, line 8, to increase the appropriation for continuing the improvement by dredging in the inner harbor at Humboldt, Cal., from \$35,000 to \$50,000.

The amendment was agreed to.

The next amendment was, on page 39, line 13, after the word "made," to strike out "by Col. Charles R. Suter;" and, in line 20, before the word "dollars," to strike out "five hundred and thirty-eight thousand six hundred and twenty" and insert "five hundred thousand;" so as to make the clause read:

Improving San Francisco Harbor, California: By removing Arch Rock and Shag Rocks numbered 1 and 2, all to a depth of 30 feet below mean low water, according to the report made October 13, 1897, \$100,000: *Provided*, That the Secretary of War may enter into a contract or contracts for the materials and work necessary for the completion of said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$500,000, exclusive of the amount herein appropriated.

The amendment was agreed to.

The next amendment was, on page 39, line 23, to increase the appropriation for continuing improvement of Tillamook Bay and Bar, Oregon, from \$17,000 to \$25,000.

The amendment was agreed to.

The next amendment was, on page 39, after line 23, to insert:

Mouth of Siuslaw River, Oregon: Continuing improvement, \$30,000.

The amendment was agreed to.

The next amendment was, at the top of page 40, to insert:

Improving entrance to Coos Bay and Harbor, Oregon: Continuing improvement, \$150,000.

The amendment was agreed to.

The next amendment was, on page 40, after line 7, to insert:

Improving Pearl Harbor, Hawaii, in accordance with the report submitted by Rear-Admiral Walker July 11, 1894, and contained in Senate Executive Document No. 43, Fifty-third Congress, third session: Completing improvement, \$100,000.

The amendment was agreed to.

The next amendment was, on page 40, after line 15, to insert:

Improving Penobscot River, Maine, in accordance with the project submitted May 3, 1897: Completing improvement, \$28,000.

The amendment was agreed to.

The next amendment was, in the appropriation for improving Union River, Maine, on page 41, line 2, after the word "dollars," to insert the following proviso:

*Provided*, That the Secretary of War may enter into contract or contracts for such material and work as may be necessary to complete the present project, to be paid for as appropriations may from time to time be made by law, not exceeding in the aggregate \$115,000, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 41, after line 12, to insert:

Improving Exeter River, New Hampshire, in accordance with project submitted May 3, 1897: Completing improvement, \$12,000.

The amendment was agreed to.

The next amendment was, on page 42, line 8, before the word "thousand," to strike out "fifty" and insert "twenty-five;" and in line 9, after the word "to," to strike out "approved project" and insert:

The project printed in House Document No. 178, Fifty-fifth Congress, third session.

So as to make the clause read:

Improving Mystic River, Massachusetts, below the mouth of Island End River, \$25,000, according to the project printed in House Document No. 178, Fifty-fifth Congress, third session.

The amendment was agreed to.

The next amendment was, on page 42, line 15, after the word "the," to strike out "improved and modified project" and insert "project submitted May 5, 1897;" and in line 17, before the word "thousand," to strike out "forty" and insert "twenty-five;" so as to make the clause read:

Improving Merrimac River, Massachusetts: Continuing improvement in accordance with the project submitted May 5, 1897, \$25,000.

Mr. LODGE. Mr. President, in regard to reduction on the Merrimac River, I hope the committee will be willing to allow the appropriation to stand at the House figure. The improvement of that river affects the city of Haverhill, which is one of the largest shoe manufacturing towns in the State. On the strength of the improvements there ordered by the Government, the whole improvement amounting to only \$171,000, a steamship company was started, with the result of reducing freight from 10 cents per hundred pounds, which the railroads then charged, to 5 cents per hundred pounds. But owing to the extreme slowness of the Government improvements and the difficulties of the channel of navigation, the steamship company lost two vessels there, lost the cargoes, was obliged to suspend its operations, and immediately the freight rates were put up. The average amount of freight carried there in summer by water is 126 tons daily. It is a very great improvement to that city, and unless the appropriations are made in sufficient amounts to enable the work to go forward, it will be impossible for them to get the benefits from it.

There are two companies now ready to start steamship lines. It makes an immense saving to the people of that city, and the delay in making the improvement is extremely prejudicial. It ought to have been a continuing improvement, but as it is not, I hope the chairman of the committee will allow the House amount to stand. I have no desire to be unreasonable. I have not questioned any of the other decisions of the committee, and I hope that in this case they will be willing to allow the amount to stand as the House fixed it—\$40,000.

Mr. BERRY. Mr. President, the committee spent about two weeks hearing everybody, trying to reconcile differences, and to satisfy, as far as possible, all the interests in every State. We were compelled to strike out a number of items which the House put in. There was a reduction in my own State, a reduction in the State of the Senator from Missouri [Mr. VEST], both of whom are on the committee, and in a number of other cases. If the Senator is going to put back all the appropriations that the House had in, and in addition put in others, it will be impossible to pass the bill. Senators should not insist on getting all they ask for, because if they do get all the bill, outside of the Nicaragua Canal, will amount to \$100,000,000, and then we can not pass it. The Senator from Massachusetts, no doubt, makes a good showing, but I have no doubt any Senator on this floor can make a good showing for any improvement asked for or for anything that was put in by the House. I hope the Senate, if it expects to pass the bill, will stand by the chairman of the committee.

Mr. LODGE. I made no request in regard to the Merrimac Harbor, and I was never notified that there was any intention of touching that appropriation. The committee never even heard us in regard to it. They cut it down without any notice to us at all, and that is the only reason why I present it here.

I should have been glad to have had an opportunity to present it before the committee. I do not ask for anything extra here. I supposed of course that the House appropriation would remain unless some notice was given to the Senators from the State. But as none was given, and the appropriation was cut down, I have brought this matter up. There is a reduction of \$25,000 in a Massachusetts item just above that, which was made in the same way, and which I have not contested.

As the Senator from Wisconsin said, there are differences in these cases and there must be some discrimination. But this is a case where great absolute injury is being suffered by the failure to push the improvement, where vessels have been lost, where freight rates have been changed, and where the business of a great city is directly affected, where men have invested money in shipping on the faith of the Government improvement, and the Government improvement has been carried forward in such a

slack manner that it has resulted in great loss to the people who invested their money on the strength of that appropriation.

As I have said, we asked for no increase here and made no request. All we desired was to retain what was granted in the House, and which I do not think was an exceptional or a very large amount.

Mr. FORAKER. Mr. President, I wish to say, in answer to some of the suggestions that are involved in the remarks which have just been made by the Senator from Massachusetts, that we have had a similar experience with regard to the appropriations for Ohio. I supposed if there was to be any attack upon the appropriations made by the House the Senators from that State would have some notice and some opportunity to be present and to protest against it.

I do not wish in this way to insinuate any complaint against the committee, but simply to state the fact that we did not have any such notice and did not have any such opportunity. When the bill was reported, I was very much surprised to find that in some eight or nine cases, all of them important harbors, there had been reductions similar in amount to the reduction made in the case that has just been spoken of by the Senator from Massachusetts.

We have reserved our right in regard to these matters, as I understand it, to have them further considered when the bill is in Committee of the Whole for revision, before being reported to the Senate; but for the present I want it understood that we stand upon the same footing precisely, and have the same ground of complaint precisely, in so far as the merit of the case may make us equal, with the case in Massachusetts.

I have learned from this experience that if we do not want our appropriations attacked by the committee without our notice we ought to be present in the committee room all the while. I supposed I was doing the committee a favor by staying away and not haunting it, assuming that we would not be interfered with without some notice to us.

Mr. FRYE. Now, Mr. President, just a word. If the Senate Committee on Commerce in considering this bill believed that certain amendments should be made to the bill as it came from the House, decreasing the amounts appropriated, and then notified the Senators from the States interested, there never would be any reduction whatever.

The Senator from Ohio has a chairman of the committee in the House knowing all about the Ohio appropriations, and the bill came over here with Ohio treated in it as anybody might naturally expect it would be treated, with the chairman of the committee representing the State.

As to the case which the Senator speaks of, there were two dams, and they were both authorized to be completed by continuing contracts. The committee did not believe there was any necessity of completing those two dams this year. This is a bill for only one year. Ordinarily it is a bill for two years. We supposed that Ohio could stand off one year the building or construction of one dam under a continuing contract and that there was no harm done in cutting out that other continuing contract.

Mr. FORAKER. I did not say anything about the dam that the Senator from Maine has now alluded to. I was speaking about other appropriations which the committee saw fit to make changes in. I stated in that connection that I was not making any complaint against the committee, although I might have said that I had a right to expect that I would have notice before any liberties were taken with this appropriation, because the Senator will admit that I went to him and said that I was interested, as he might assume I was, in all these appropriations, and that I did not want to stand about the committee room haunting it and annoying the committee unless there was some necessity for it, but if there should be any objection in his committee to any of the House appropriations I would be glad of an opportunity to be heard. I supposed that was understood and that that was enough for me to say. I did not get any notice.

I am not making any complaint about it; but I am simply placing in the RECORD, alongside of the remarks made by the Senator from Massachusetts, a statement which shows that I stand in the same relation to this matter in which he stands, and that I have the same right to complain of the action of the committee that he may have. I do not mean to complain of it, in the sense that the action of the committee was taken in any improper way, but only that the action of the committee expressed a different judgment from that which had been expressed in the House and from that which I wanted here to stand for. But, as I said, it is all passed over now, and I speak of it only that I may have in the RECORD a full reservation of my right to consider it when we come to that point.

So far as the fact is concerned which has been adverted to, that the bill in the House was in the hands of a member from Ohio, that is true; but I do not think it follows from that, certainly not necessarily, and I do not think it does in fact, that Ohio has been any better treated than she ought to be.

When we come to the matter of the dams, I will ask the consideration of the Senate upon that point. I think the dams ought to be built, both of them.

Mr. FRYE. Does the Senator think that all the rest of them ought to be built?

Mr. FORAKER. Yes, in time.

Mr. FRYE. Why two now? Why not wait?

Mr. FORAKER. This is a long story, and when we come to it I will take it up and discuss it; but inasmuch as the Senator now asks the question, I will answer him.

These dams are but a part of a great number of dams that have been provided for in the system which has been entered upon for the improvement of the Ohio River. Six of these dams in the upper waters of the river have been constructed and are in operation with great good results. Two of these dams which the House provided for are located, one at Wheeling and the other at Marietta.

The engineer by whose recommendation the committee must have been guided recommended that there should be two dams and that the first dam built should be the one at Marietta. The committee departed from that recommendation and provided for the dam at Wheeling. I do not object to the provision for the dam at Wheeling; I think it ought to be built; but I shall contend that we ought to have the dam at Marietta. An appropriation amounting to \$850,000 and involving the improvement of one of the most important rivers in point of commerce in the United States certainly ought not to have been stricken out of the bill without some opportunity having been given to the Senators from that State for a hearing of the matter.

I do not care, as I said a while ago, about the smaller matters. They are not so especially important, although important to the full extent that matters of such magnitude are; but this is a matter of very great importance, and it is a matter about which I supposed I would have a hearing in the committee. I did not have it. I shall ask for the hearing here, and take the judgment of the Senate upon that subject, and not be bound, unless I am compelled to be bound, by the action of the committee.

Mr. LODGE. Mr. President, I had no intention of complaining in the least of the action of the committee in not sending for me to be heard upon this Merrimac River improvement. I know very well that they do not send for everybody on all these items. But the fact that it was stricken out without my having the opportunity to present the case of course obliges me to ask for the reasons. I can not afford, and I do not think any Senator can afford, to allow the appropriations affecting his State to pass without a word, and not at least enable his constituents to know the causes of the action.

I do not think I have been unreasonable. I asked the chairman for an explanation in regard to the omission of the appropriation for the improvement of the harbor of Lynn, which is in my immediate neighborhood. He gave me an absolutely sufficient explanation. I am perfectly willing to accept an explanation and any proper reason for a reduction which seems to me suitable. I have raised no question about the other reductions.

But in this particular appropriation I think there are especial reasons for retaining the House amount. The only reason which has been given is that we must keep the appropriations down to a certain level or we lose the bill. If that is the case, Mr. President, the next item is doubled; \$15,000 is added to it. I have no doubt it is a proper increase and I have no doubt it was done on special grounds, and of course it must have been done on especial reasons, because we have not made a horizontal cut in all the amounts suggested by the House. Some have been increased, some have been left the same, others have been decreased; and I think each case stands on its own merits. In this particular case it seems to me that the reasons justify the retention of the House amount. In a case just above I have no question that the reasons justify a reduction of the House amount.

I do not think it is possible to lay down one general rule concerning these items; and where a Senator has had no opportunity in regard to it—I do not complain of not being heard at all, but, as I was not heard, in justice to myself and to my constituents, I think I at least ought to have an opportunity to show to my State that I am trying to look after what they consider to be their interests. It is for that reason that I have made this point about the Merrimac River improvement. Involving the interests of a great city in which money has been invested and lost on the faith of the Government continuing the improvement at a proper rate, it seemed to me that I could fairly ask for the House amount, whereas in another case I do not ask for the House amount and accept the decision of the committee.

Mr. ELKINS. Mr. President, I do not think this is the time to discuss this amendment or the action of the committee. I am a member of the Commerce Committee. But so far as the improvement of the Ohio River is concerned, I join heartily with the Senator from Ohio [Mr. FORAKER] in asking for that improvement.

The fact is that the Ohio River does not belong to Ohio, but it belongs to West Virginia, and it ought to have been put in the bill under West Virginia. The State of West Virginia is very much interested as well as Ohio in the improvement of the river. Not only are these two States interested, but thirteen or fourteen States of the Union are dependent somewhat upon the cost and the supply of coal affected by the improvement of the Ohio River. When that item is reached regularly I hope that some arrangement will be made, satisfactory to the chairman of the committee and the Senator from Ohio, about the appropriation for the dam which was stricken out by the committee.

Mr. FRYE. Anything is satisfactory to the chairman of the committee which the Senate does. It may make an appropriation of \$100,000,000. The chairman cares nothing about it at all; not the slightest.

Now, as to this Massachusetts improvement, the Senate committee increased the Massachusetts improvements very largely and complied with about every request that was made by the Massachusetts Senators, and it properly did so.

Mr. HOAR. Will my honorable friend answer a question at that point?

Mr. FRYE. With pleasure.

Mr. HOAR. Is it not true that the Massachusetts improvements which the committee so properly and wisely increased were improvements on the coast where the general commerce of the country and of the States north and south of us is interested quite as much as the local commerce of Massachusetts?

Mr. FRYE. That is true.

Mr. HOAR. The great single increase was at a point for a harbor of refuge where 70,000 vessels pass annually, from all parts of the country and of the world, almost; and where there have been between thirty and forty wrecks in a single storm, and hundreds of lives lost. So I ask my friend if it is quite fair to speak of that as a Massachusetts improvement?

Mr. FRYE. I did not speak of that as a Massachusetts improvement. We made quite a number of increases in Massachusetts and put in new items on account of the destruction by the recent storm.

Mr. HOAR. But they are all—

Mr. FRYE. There was a suggestion of complaint on the part of the Senator from Ohio and on the part of the Senator from Massachusetts that the Committee on Commerce had not been dealing fairly with them. That is what I resent.

Mr. FORAKER. Mr. President—

Mr. LODGE. I made no such suggestion. I disclaimed it in words.

Mr. FORAKER. So did I. There is not a word in anything that was said by me which would justify the Senator from Maine in making such a statement as that, and I take this opportunity to correct him at once. There was no such intention on my part, as I stated at the time.

Mr. FRYE. Now, as to the Merrimac River. There was a project for the Merrimac River. It was completed and ended, and everything obtained by it that was expected to be obtained by it. Then in the last river and harbor act a survey was made. A new project was recommended by the engineer, upon which no money had ever been expended. The whole of it was only one hundred and seventy-odd thousand dollars. In the judgment of the committee, with a new project, without any estimate at all, with no recommendation at all as to how much could be expended this year by the engineer, the committee thought they were treating the matter fairly and justly when they gave \$25,000 to commence this new project.

Mr. LODGE. If it had been made a continuing contract, so as to assure the continuance of the work, I should have been very content to get on with a small appropriation. It was because it is not made a continuing project, and will lead, I am afraid, to the same results that occurred before, that I hoped the committee would give us the House amount.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes.

Mr. HAWLEY. I had already signified my consent that the Army bill shall go over until to-morrow. Let it go over for the present, with the right to call it up at any time.

Mr. FRYE. Let it be temporarily laid aside for the consideration of the pending bill.

Mr. HAWLEY. To be called up as the unfinished business at any time.

The VICE-PRESIDENT. If there be no objection, that will be the order. The pending amendment before the Senate is the one reported by the Committee on Commerce, on page 43, in line 17, to strike out "forty" and insert "twenty-five;" so as to read:

Improving Merrimac River, Massachusetts: Continuing improvement in accordance with the project submitted May 5, 1897, \$25,000.

Mr. LODGE. My attention has been called to the fact that this is a continuing improvement. I understood from the Senator from Maine, when he spoke just now, that it was a new project for which this was the first appropriation. I see the bill states that it is a continuing improvement.

Mr. FRYE. But it is a new project.

Mr. LODGE. How can it be a continuing improvement, then, unless there is a provision to make it so?

Mr. FRYE. Because there have been improvements in the river heretofore. That improvement has been completed. We do not say "commencing an improvement." The Senator will not find in the river and harbor bill anywhere "commencing a project."

Mr. LODGE. I supposed this was a continuance of the project, on which appropriations had already been made.

Mr. FRYE. It is entirely a new project.

Mr. LODGE. By making it a continuing improvement, may I ask, does that permit them to contract for the whole amount?

Mr. FRYE. Oh, no.

Mr. LODGE. That is exactly what I supposed.

Mr. FRYE. No; that is a contract.

Mr. LODGE. That is, putting it on the contract list. That is what I supposed it did not.

Mr. FRYE. No.

Mr. LODGE. If it had had that feature I should have been glad to take a very moderate amount there. I want to assure the continuance of it, so that the people who are investing money in navigation there, and who have already lost two vessels from the failure to keep it up, may know what they have to depend upon. I think this appropriation is too small for that purpose.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The Secretary continued the reading of the bill. The next amendment of the Committee on Commerce was, on page 43, line 19, to increase the appropriation for continuing the improvement of Pawtucket River, Rhode Island, from \$15,000 to \$30,000.

Mr. FRYE. I wish to offer an amendment to the amendment. On page 43, line 19, after the word "dollars," I move to insert:

*Provided, That so much of this sum as may be deemed necessary by the engineer in charge may be used in straightening the channel between the mouth of Ten-Mile River and Bucklins Island.*

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 43, line 23, to increase the appropriation for continuing the improvement of Housatonic River, Connecticut, from \$10,000 to \$15,000.

The amendment was agreed to.

The next amendment was, on page 43, line 12, to increase the appropriation for continuing the improvement of Pawcatuck River, Rhode Island and Connecticut, from \$10,000 to \$15,000.

The amendment was agreed to.

The next amendment was, on page 43, after line 12, to insert:

*Sakonnet River, Rhode Island: Completing improvement, \$20,000, with authority to use the unexpended balance.*

The amendment was agreed to.

The next amendment was, on page 43, after line 15, to strike out:

*Improving Connecticut River between Hartford, Conn., and Holyoke, Mass.: For the purpose of further examination and report upon the project for improving the Connecticut River between Hartford, Conn., and Holyoke, Mass., a board of three officers of the Engineer Corps, to be designated by the Secretary of War, shall personally make examination of the improvement proposed by the engineer in charge, and report thereon, with reference to the probable cost of said proposed improvement, to the commercial advantages, if any, to be derived from such improvement, and such other information as the board may deem essential; and \$25,000, or so much thereof as may be necessary, is hereby appropriated to pay the expenses of said board and for any surveys ordered by said board.*

Mr. HOAR. Mr. President, I hope the committee will be good enough to listen to what I have to say, and that the members of the Senate will do me the favor to listen.

This matter is not the case of a failure to be heard, although the Massachusetts Senators had no such opportunity, but it is a matter of a sheer mistake on the part of the committee, as I think, and of hearing simply another side without hearing us. Supposing that the matter was one which affected Connecticut and not Massachusetts, finding that the Connecticut Senators did not care to have the paragraph stand in the bill, or were opposed to it, it was stricken out without any notice to us. I suppose I am not invading the proprieties of debate when I say that there was a full hearing on this matter before the committee of the House of Representatives. The Connecticut Representatives were present, and after hearing the Massachusetts Representatives, making no objection, the House put in this provision.

Mr. HAWLEY. Oh, Mr. President, there was strenuous opposition before the House committee.

Mr. HOAR. I have the written authority of one of my colleagues who was present.

Mr. HAWLEY. I was there myself.

The PRESIDING OFFICER (Mr. Pasco in the chair). Does the Senator from Massachusetts yield to the Senator from Connecticut?

Mr. HOAR. There was opposition made by a mill man on the river, but the Connecticut Representatives in the House, although present at the hearing, did not oppose this appropriation. I have a letter.

Mr. HAWLEY. Mr. HENRY, representing the district in which this improvement or alleged improvement is to occur, was a strenuous opponent.

Mr. HOAR. Now, let us come to the merits. This is simply a proposition for a survey, and nothing else. It is for a survey for the improvement of the Connecticut River above Hartford, above the last city in Connecticut. It is to enable the water freights which now stop at Hartford to continue by water to Springfield instead of being unshipped—the brick, lime, coal, lumber, and stone, all the things that come by water to go up to Springfield to serve a community made up of four populous cities, several towns, and amounting to between 140,000 and 150,000 people: the city of Springfield, the city of Holyoke, one of the most rapidly growing cities in the country, the great town of West Springfield, and the city of Chicopee, besides Long Meadow and some other substantial towns, where there are large factories.

Now, there was a survey in the ordinary way and a recommendation of an expenditure of \$1,800,000 on this improvement, and it stands recommended by the War Department. Then there was a question of the possibility of its injury to some dams and mills on the river, although the real question is the old river and harbor bill—question of paying high freights to a great railroad, the Connecticut River Railroad, or small freights by water. This proposition is to have another and further survey, for which the engineers, in their discretion, are authorized to expend a sum not exceeding \$25,000, but they are not compelled to expend that sum. That survey, if made, will ascertain whether the previous recommendation ought to stand unqualified or whether there is anything of injury to any local interest or structure or community which will require its not going any farther.

I believe there has not been an instance in the history of the Senate where such a survey, a mere inquiry to report, has been denied to any Senator on his sole authority. If any Senator can remember such an instance, I wish he would mention it.

Mr. President, this was done without hearing the Massachusetts Senators. The Connecticut Senators were present before the committee and expressed their views. The committee understood, as they have told me, that it was a matter which affected Connecticut, when, in fact, it is just as if there were an improvement close to the Louisiana line for the benefit of Arkansas. I do not think my friend from Arkansas on that committee would consider that he was not entitled to a hearing somewhere under those circumstances.

As I said, these great manufacturing communities, which are not only great now, but are growing like weeds, except that they are of more valuable growth, have a very important interest, and the question is whether we are entitled to have for some future consideration the results of an inquiry into this matter. If we are denied, we are for the first time in the history of the Senate of the United States denied an opportunity to have the Senate know what the facts are, and we are denied that opportunity in regard to a matter affecting 140,000 or 150,000 people; we are denied that opportunity without a hearing; we are denied that opportunity in a case commended to at least the respectful consideration of the Senate by the fact that there has been a unanimous report of the engineers recommending the work.

Mr. HAWLEY. What engineers?

Mr. HOAR. The engineers of the Department; the authority of the Department. We are denied that when we have not had any hearing; we are denied that when the committee thought that the work affected another State than ours when it affects our State, if not wholly, chiefly.

Mr. HAWLEY. I rise to correct what I think is an entire misapprehension on the part of the Senator. The committee knew where these improvements began and to what place they were to extend. They knew they would go up by Springfield and up to Holyoke. They understood that perfectly.

Mr. HOAR. Two members of the committee, now on the floor, have told me that they supposed it was a Connecticut case, and that is the reason they heard the Connecticut Senators and did not notify the Senators from Massachusetts or hear us. Both the Senator from Arkansas [Mr. BERRY] and the Senator from Maine [Mr. FRYE] told me that.

Mr. HAWLEY. The Senator from Maine knows all about this case.

Mr. HOAR. How can a man know all about a case when he will not hear what the engineers say or inquire as to what they have said?

Mr. HAWLEY. There [exhibiting] is one of the reports.

Mr. HOAR. Favorable or unfavorable?

Mr. HAWLEY. Unfavorable. Here is another [exhibiting] about eleven years old.

Mr. HOAR. Very well. There are two reports, then. Mr. President, the danger of this gross injustice is not in anybody denying what we ask for if they listen; the danger is in the Senate not listening. That is all.

Let me repeat, you have this great community affected. You have, as the Senator says, two reports from the Department; at any rate, he says there has been one recently; and that is enough. What we ask is simply that there shall be a further inquiry by the Engineer Department, not to expend a dollar unless they find it necessary, and not to expend more than \$25,000 in any event. We ask that there shall be a further inquiry by the Engineer Department to see whether the objections of the people below are well grounded.

My honorable friend from Connecticut, who is a just and honorable man, if ever one lived, would not do an injustice to Massachusetts or to anybody else, and he will not say that this is just. He will not say—of course such a motive could not enter his soul—that all this freight should be taken out of the water at Hartford and taken on the cars of the railroad running right along the banks of this great natural waterway and avenue of commerce until it reaches Springfield and Holyoke, West Springfield, Chicopee, and the other towns, when you could do it for half price by water. It is not a question of a few dollars more or less in the price of coal. It is a question of the growth of great communities, the cheapness of great manufactures, the wages of thousands and thousands of workmen, the comfort of happy homes.

In the great competitions of this world the American manufacturer competes with his English, his German, and his Belgian rival according as he can get his motive power dear or cheap; and that depends, of course, on the price of coal; that depends upon freights; and will not the Senate look into the question when we ask in the name of these great manufacturing communities simply to have the facts presented? Will they say they can not examine them, and turn upon us and say, "We did not hear you in committee; we heard the Connecticut Senators, not you, and therefore we will stand by this result, no matter whether it is just or unjust?"

Mr. President, it has been said by the Senator from Maine, and I do not know but by my honorable friend from Arkansas, that Massachusetts has been very well taken care of in this bill; that she has had large increases in it. With the exception of \$75,000 to our numerous rivers and local harbors, every item in this bill which comes under the head of "Massachusetts" is a matter in which Galveston and New Orleans and Baltimore and Philadelphia and New York and Maine have quite as deep an interest as we have. It is the great pathway through that stormy and windy and bleak and desolate coast, as my honorable friend from Michigan [Mr. McMILLAN], who hears me, knows as well as I do, because he is familiar with this question. It is a thoroughfare of the ocean commerce of the world.

The principal increase in this bill is for a harbor of refuge at Sandy Bay. At the very mouth of that harbor, which is now in process of construction, pass 70,000 ships a year—great steamers, great ships of great burden, bearing the great commerce of the world. We have had within a short time two storms there. There was one last November, when there were 30 vessels wrecked and hundreds of lives destroyed. If we had had that harbor of refuge, the steamer *Portland*, with its passengers, its crew, and captain, belonging to the city of Portland, in the State of my honorable friend from Maine, would not have gone to destruction.

It is not fair to count that improvement up to Massachusetts. If Massachusetts were a desolate spot, without commerce or manufactures or population, there is not one of those Massachusetts works, except the bare appropriation of \$75,000, that would not be built by the rest of this country for its own protection.

When my honorable friend gave a hearing and a day as to those works, the men who were heard were seafaring men, shipmasters, and shipowners, the representatives of property from the city of Portland, Me. When the construction was originally begun, the leading advocate for it was a great company of underwriters in the city of Philadelphia. I repeat, there is but \$75,000 in this bill which is properly and fairly to be charged up to Massachusetts. So there is nothing in the contention which the Senators from Connecticut have made.

I say again, I do not see how any Senator or how any member of the committee can say, when we ask you simply to inquire into this matter, "We will slam the door in your faces," they having heard the Senators from Connecticut and not having heard us.

Mr. FORAKER. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. HOAR. Yes, sir.

Mr. FORAKER. Allow me to ask on what ground the Senators from Connecticut oppose this appropriation?

Mr. HOAR. I was not present. How can I know the grounds of their opposition when I did not hear them?

Mr. FORAKER. I thought possibly you had heard.

Mr. HOAR. I have been told that the work would injure the dam and manufacturing appliances of somebody at Windsor Locks in Connecticut, and some bridges which are in Massachusetts, belonging to private companies, and that possibly the work might be so constructed as to flood a part of the city of Hartford.

Mr. PLATT of Connecticut. Allow me to say that this survey has been made over and over again, and the work has been reported against.

Mr. HOAR. But we want a more thorough working survey to answer the objections which have been raised. The only thing submitted to the War Department is the question whether they think there should be a further survey; and they are authorized not to expend a dollar unless they think there should be one. I repeat, this further working survey will show whether there is anything in the objections which have been made, whether the work can not be done without injury to manufacturing establishments, and whether the work can not be done without any possible risk to any part of the city of Hartford. Then the Senate will know. Do you not want to know that fact when we ask you to make an appropriation to construct this work? Our request is a request in the interest of fairness and justice.

If we had happened into that committee when the hearing was had before the members of the committee and had stated that this affected Massachusetts' interests and not those of Connecticut, I do not believe there is a member of that committee who would for one moment have refused to give to my colleague and myself the usual courtesy which, I say again, has not been denied to a Senator from the beginning of the Government, so far as I have ever heard.

I should like to ask my honorable friend from Nevada [Mr. STEWART], who knows more about the courtesy, customs, and usages of the Senate than any other man since our friend from Maine [Mr. FRYE] has left the Chamber, whether he ever heard of the Senate refusing the request of the Senators from a State for a mere survey?

Mr. STEWART. Such requests are usually granted as a matter of course. I do not think I ever heard of such a request being refused when the Senators from a State merely asked for a survey.

Mr. HAWLEY. Mr. President, the people of Connecticut, especially those whom I particularly represent in Hartford and about Hartford on the Connecticut River for 25 miles before it enters Massachusetts, do not care so much about a survey as they do about the project itself, and we are fighting that project in limine—at the threshold.

This survey is needed no more than a last year's bird's nest. Some few years ago the Connecticut River was thoroughly surveyed by Brig. Gen. Theodore G. Ellis, a very accomplished engineer. To be sure, the canal in question was on the other bank of the river, but this is substantially the same scheme; and he thought that to carry out his plan would cost \$1,250,000 or \$1,300,000; but the project fell through. The people of Connecticut did not want it; they did not push it.

I hold in my hand here the report of a survey which is not two years old. It is dated in December, 1897. It goes over every step of the river and all the ground concerned here—the Ellis survey. It gives the depth of water every 100 feet. It is a perfect and complete survey. I have had an accurate copy in my hands within two months.

We do not believe in this work for several reasons. It is a question whether the so-called improvement would be worth the money. It is calculated by the engineer that the Government could afford to take coal for Springfield on board the cars at New Haven, take it up to Springfield in bags, give it to the consumers, and save money upon the operation, receiving pay on the basis of the property.

The cost of completing the work is estimated at \$2,000,000. Four per cent interest on that sum would be \$80,000, and it is estimated—and it is an underestimate—that it will take only \$8,000 to keep in good order the stretch of river and the dams involved, repairs, etc. That would make \$88,000 a year for this improvement.

Mr. HOAR. Which engineer was that?

Mr. HAWLEY. There was but one engineer, Mr. Leach. He may have had a young assistant. I do not know anything about that.

Mr. HOAR. The Senator says there was but one engineer.

Mr. HAWLEY. The last report is made by the very capable engineer, Colonel Leach. The plan begins at Hartford with a dam right across the river near the upper part of our city. That dam would back the water 13 miles—so the engineers say—and it would overflow a portion of the city of Hartford, where we have fine new ground that we have dedicated for a park. There is nothing said about paying for that, but I presume this generous Government would not take it away from us without payment.

The back water would rush into the wheels of some of the factories.

There are \$3,000,000 invested in profitable manufacturing at Windsor Locks. The buildings of the nine factories are situated upon the canal that avoids the rapids. The survey proposes four dams in the 34 miles from Hartford to Holyoke. There are thirteen bridges across the river now between Hartford and Holyoke, only two of which have draws. I suppose other draws could be supplied, but it would be at very considerable expense.

The report says:

The second dam is to be built just above the mills in Windsor Locks, and this dam will flood the water of the river to a point opposite Kings Island, lying between the towns of Enfield and Suffield.

The third dam is placed opposite Kings Island, and will flood the water back to Holyoke.

The fourth dam extends from the head of Kings Island to the river bank in the edge of the town of Suffield. This is to be a fixed dam. The others are known as "beaver" dams, and are, to a certain extent, movable—they adjust themselves to high stages of water.

The plan involves the destruction and removal of the dam across said river, now owned and maintained by the Connecticut River Company, at Enfield Falls, which diverts the water of the river into the canal.

Whence this great water power comes.

The Connecticut River Company obtained a charter generations ago from the State, empowering it to improve navigation, and authorizing it to own and sell water power, water rights, and water lots on the bank of the Connecticut River. This company constructed a canal 6½ miles long, with several locks, upon which has grown up the thriving town of Windsor Locks.

For many years barges carried freight through the canal and up and down the river, and the old-fashioned stern-wheel steamers ran through it; but it is too small for the modern barges and it has fallen into disuse for those purposes.

The dam was formerly 39 feet above zero at the Hartford docks. The company had the right to raise the dam at the head of the canal, and did so raise it, so that its crest was, and now is, 40.31 feet above zero mark at Hartford. This right to raise the dam was questioned by the Holyoke Water Power Company, and that company brought suit in the United States circuit court, at Hartford, to determine this right of so raising said dam.

The Connecticut River Company won the suit.

Up to about twenty years ago the Government used to dredge the river between Hartford and the lower end of this canal for the purpose of enabling the barges and similar craft to go up the river to the canal and thence through it into the pool above.

But there was little interest in it, and so little profit in the business that the dredging was suspended after a while.

On July 1, 1881, there was an unexpended balance available for this kind of work of \$13,600.80. This sum has been diminished from time to time since then by reason of surveys and some slight work, until the present time, when there appears to be left the sum of \$5,000.

Now, what do we want with a survey, when we have an admirable and excellent survey? That sum ought to be enough, and more than enough, to examine the work of Engineer Leach. The clause under consideration proposes to appoint three engineers to examine Colonel Leach's work. I do not see why, as nobody has disputed Leach's report, it is necessary now to give \$25,000 to examine it—to examine Leach, who was the examiner of General Ellis's survey.

Mr. HOAR. If the Senator will pardon me, I understand the proposition of the House is to authorize the Department, in its discretion, to make a further inquiry.

Mr. HAWLEY. The word "discretion" is not in there.

Mr. HOAR. It is in this bill.

Mr. HAWLEY. The paragraph, wisely, I think, stricken out by the committee says:

Improving Connecticut River between Hartford, Conn., and Holyoke, Mass.: For the purpose of further examination and report upon the project for improving the Connecticut River between Hartford, Conn., and Holyoke, Mass., a board of three officers of the Engineer Corps, to be designated by the Secretary of War, shall personally make examination of the improvement proposed by the engineer in charge—

I suppose that to be Colonel Leach—

and report thereon, with reference to the probable cost of said proposed improvement—

Leach is as careful as any three engineers they can get, and he says the work will cost \$2,000,000.

The paragraph which the Senate committee has struck from the bill continues:

to the commercial advantages, if any, to be derived from such improvement, and such other information as the board may deem essential; and \$25,000, or so much thereof as may be necessary, is hereby appropriated to pay the expenses of said board and for any surveys ordered by said board.

I believe I have run over the most important part of the report of Colonel Leach, which is the foundation of this scheme. It is based on the survey and map of General Ellis, to whom I referred a while ago. Now, we want to place another report on top of the Leach report—making a three-story report. If any further surveys are needed, the unused balance of \$6,000 certainly might be used in looking out what Leach did to see whether Leach was correct.

Nine large manufacturing establishments have been built on the banks of the river at Windsor Locks between the river and this canal, and they rent their power from the Connecticut River Company.

The company sells 5,000 horsepower for \$5 each, receiving \$90,000 therefor. I suppose that somebody will have to be handsomely compensated when that water power is seriously injured.

This improvement is supposed necessary to lower the rate charged for freights, which freights are almost entirely coal, and

it will cost only \$8,000 a year to keep that in order, Colonel Leach says, whilst now it costs \$20,000 a year to keep the river in order between Hartford and Middletown. We have alluvial soil there, and it has to be dug out frequently. That costs about \$20,000 annually. It is 16 miles from Middletown to Hartford; and while the expenditure for that distance is \$20,000, we are told that the 34 miles from Hartford, which includes the four dams and the canal, will cost but \$8,000 annually. It is quite impossible that it can be done for \$8,000.

The freight charge on a ton of coal from tide water at New Haven to Hartford is 75 cents, and it is precisely that amount to Springfield, Hartford and Springfield being the same as to facilities for getting freight from tide water by rail.

In the year 1898, 147,290 tons of coal came to Hartford by river. The amount which came to Hartford by rail during the same year was 60,000 tons.

The cost of bringing a ton of coal by river to Hartford in barges is 75 cents. There is a fixed charge of 15 cents a ton for transferring the coal from the barges to the "pockets" on the wharves. It therefore appears that the cost of placing a ton of coal upon the wharf at Hartford, coming by river and available for commerce, is 90 cents per ton.

The Connecticut Western Railroad Company, which is now leased and run in connection with the Philadelphia and Reading Railroad Company, and which extends from Hartford to the coal regions, brings coal to Hartford and lands it at the factories of consumers for \$1 per ton.

That railroad charges \$1, which gives an advantage of only 10 cents per ton in favor of river carriage.

The Connecticut Western Railroad is now extending its tracks to Springfield, and is within 12 miles of that city. When this track is completed, this company will deliver coal in the market at Springfield at \$1 per ton for the freight. However much it may improve the Connecticut River—

This is a statement prepared for me by a gentleman of the utmost credibility, a large manufacturer on that canal—

no company owning barges can afford to bring coal to Springfield, 34 miles above Hartford, at \$1 per ton placed in pockets on the wharves of that city.

Mr. HOAR. Is he an attorney?

Mr. HAWLEY. No, sir. Do not try to sneer at me. I am trying to read from a gentleman of the highest standing, a large manufacturer, having great interest, of course, in this matter, as many of the rest of us have. He is not an attorney. He might very well be one, and he would be an able one.

I will not trouble the Senate by reading any further. I simply say that we have had surveys enough, and that another survey can only be intended as a sort of entering wedge to an appropriation of millions of dollars, in my judgment, for what would not be worth 1 per cent a year as a private investment.

Mr. LODGE obtained the floor.

Mr. HOAR. Before my colleague proceeds, I am authorized by the Representative from that district to say that Mr. Leach—I am not quite sure whether it is in the report—the man who made the previous survey, declares that there ought to be a further survey before the question of entering upon the work is definitely considered.

Mr. HAWLEY. Who said that?

Mr. HOAR. Leach, the man who made the survey. I am so told by my colleague in the other House from that district. I think it will be found somewhere in this report, but I have not the time to search for it. Here it is in Mr. Leach's report:

The available data . . . are still insufficient as a basis for detail estimates of the cost of the structures proposed on the sites provisionally selected.

There is just this one proposition: A survey is being asked for by a hundred and forty or a hundred and fifty thousand people, as represented by their Senators and Representatives, there having been one survey lately and several others before recommending the work, and thinking that it is expedient. The survey now being asked for is asked for at the suggestion of the engineer who made the old one, that a further survey should be made before the work is taken up. The question is whether the Senate is going to refuse it to us, after the House, on hearing both sides, put it in, merely because, without hearing from us, hearing one side only, the Senate committee struck it out.

Mr. HAWLEY. To show how much references to the House are worth, the House in the first place decided that way, and a very able Congressman or ex-Congressman came down, and they decided the other way. We have a report on each side from the House.

Mr. HOAR. The final report is here, after both sides were heard.

Mr. LODGE. Yes; the provision is certainly in the House bill.

Mr. HAWLEY. Just a remark. I do not think both sides were heard on the last hearing.

Mr. PLATT of Connecticut. Mr. President—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Connecticut?

Mr. LODGE. Certainly.

Mr. PLATT of Connecticut. I do not think there ought to be any misapprehension about the matter so far as the House committee is concerned. There was a hearing had in which both sides were represented, Massachusetts asking for the appropriation for this project and Connecticut asking that it should not be

made. It was decided against an appropriation. The Connecticut people went home. Nothing was said about a survey. After that the committee, without any hearing, put in the survey.

Mr. LODGE. I understand from the member of the House representing that district that there never has been a hearing on the appropriation; at least he never had one. Of course he is the one most immediately interested. The only hearing was on the survey, as I am informed by those who were present; that is, our Representatives from Massachusetts know of no other, and I suppose it is likely they would have been called.

The Senator from Connecticut has kept saying, "We have a survey; we have another survey; why do you have a third survey?" Mr. President, because he is opposing it. That is why we want a third survey. The surveys have all been favorable to the proposition as we advocated it. Every engineer who has examined it, so far as I am aware—that is, General Ellis and Major Leach—has reported favorably; but the opposition from below the Connecticut line has been so strong and their allegations of the damage that would be done have been so earnest that we ask for a further survey in greater detail, so that we may be able to demonstrate that it would not injure Connecticut's interests, which we have no desire to injure at all. I realize that there is an important manufacturing village at Windsor Locks. I have no question that it has a business of two or three millions a year. I should be the last to urge anything that should injure it; but there are four cities in Massachusetts affected by this improvement, which have a business of \$24,000,000 a year, and the interest of those people is certainly fair to consider.

Mr. President, this idea that they can get their coal cheaper by the railroad is a total mistake; and when the argument is made about how cheaply the railroad carries the coal you can see whence the opposition to this improvement comes. The opposition comes from the railroads—the great New York, New Haven and Hartford and the Boston and Albany, corporations that control the business; and if I were in their places I would fight water carriage. I do not blame them. That is business. They want to get to be able to charge the freights, and those towns are at the mercy of those corporations. There is no railroad competition at all. The roads have all been absorbed within the last few years, and of course they desire to keep control of the freights.

In Springfield and Holyoke there were in 1895 about 20,000 families, and of these families approximately 15,000 buy their coal at retail in small quantities of from 4 to 10 tons annually. Granting a saving of only 50 cents a ton, and an average consumption of 6 tons each yearly, or 90,000 tons in all, and we have a total of \$45,000 saved to those people. There would be a saving on the coal alone to the industries in the cities I have named of \$175,000 a year. On the 2,000,000 tons of freight that go into those great cities there would be a saving of \$480,000 a year on the same calculation.

Mr. President, I think the inhabitants of those cities, I think those great industries, those great manufacturing establishments, have a right to be considered; and I deny absolutely the doctrine that in this country the State at the mouth of the river has the right to say what the treatment of the river shall be. Will anyone argue that the State of Louisiana is to say what the treatment of the Mississippi River shall be? Rivers that affect different States must be considered with reference to the interests of all the States and all the communities along their borders.

Mr. HAWLEY. Will the Senator allow me to interject a remark there? That is all right about the Mississippi River, but what will he say about the city of New Orleans?

Mr. LODGE. That is why we want the survey. The engineer says it can be arranged so that it will not hurt Windsor Locks or any Connecticut interest, but the Senator from Connecticut states from the brief which he has read that it will hurt them. That is exactly what we want to know. We do not want to hurt a single thing in Connecticut. We want to help the business there by water navigation. We do not want to injure anybody. If it can not be demonstrated that this improvement can be made without injuring the manufacturing industries of Connecticut, without injuring the public park in Hartford, we do not want to press it—not the least. But we are perfectly willing to reduce railroad freights. We hear no objection whatever to that. That is why we want another survey. Every survey that has been made has been favorable to us.

What is the argument as the Senator from Connecticut makes it now? He says, "True, they have had one survey and another, and they have been favorable, but we, who are not engineers and who have not examined it, say it will flood Hartford Park and will injure the manufacturing interests at Windsor Locks." We say in reply, "Very well; have another board of engineers; go into the details, as Major Leach asks that you go into the details." He says a further examination is necessary. Do that. We do not ask for the appropriation of a dollar, although we have the entire right to ask for an appropriation on the existing survey. We ask simply for a further and a fuller survey. We have asked for that purpose \$25,000. The War Department need not spend a dollar

of it if it does not want to. There is not the slightest occasion for it.

The Senator from Connecticut says he is going to fight this in limine; that we shall not have a survey; that we shall not even know the facts from a further survey. He is opposed to giving us anything on all the favorable surveys that have come along so far, and we are not to have another survey. I have never known a survey to be refused in either House of Congress in my experience. I never heard of a suggestion of such a thing. All States and all projects have been held entitled to a further survey.

Mr. President, I return to the argument which I was trying to make when I was interrupted. I do not think any State which holds the mouth of a river has a right to shut off and say the States above shall not be considered, that their interests shall not be treated. There are 350,000 people, according to the report of the major of engineers, directly affected by this improvement. They have rights. Their rights are just as extensive as those of the people of Connecticut. They have no more and no less. I do not see why we should not have a survey as is given us by the House.

Now, as to the bridges, I believe every bridge above Hartford, in the State of Connecticut—I think it so appears in the report, on page 6—is owned by a private corporation, so that no public interests are interfered with. Private companies building a bridge across a navigable stream, as the Connecticut has always been held to be, do so at their own peril, as is well known. Within the bounds of Massachusetts I do not suppose they will be worried about bridges.

Mr. President, I think I have shown very clearly that there is an immense body of people, that there are very large industries—Holyoke is the great paper-manufacturing center of the entire country—directly affected by this improvement. We have had two surveys, one by General Ellis and one by Major Leach, both favorable, but the Representatives of Connecticut oppose it on the ground that it will injure them at manufacturing towns along the river and in the public park at Hartford. We say in reply, "Very well, we do not think this will be the case." The engineer denies in his report that such will be the case.

We do not want to be unreasonable about this matter. We ask for a further report which shall cover the whole matter. I want the Senate to understand that we do not ask for the appropriation of a dollar for the purpose of beginning the work. We commit the Government to absolute nothing. We ask simply for a further and fuller survey. We do not oblige them to spend the small amount appropriated for the survey. We only ask for a survey which shall satisfy all representatives along the line of the river of the feasibility or nonfeasibility of the scheme. We believe we can convince everybody along the river, if we can have proper time and proper surveys, that it is to the advantage of every interest to have this improvement made. If the board reports against us, we shall have nothing further to say. We have not had any report against us yet. No engineer, nobody with any authority or any right to speak as an expert, has said that it would injure interests lower down than Holyoke or that it is an impossible project. Nobody has said so who has the slightest technical authority in the matter.

But, Mr. President, there is this great question of the saving in freight; and there is where this thing turns, really—on the question of saving of freight. I do not, as I have said, blame the railroads for wishing to maintain control of the freight, but I do think the inhabitants of that section of my State are entitled at least to have this survey, and I do not see any reason why the Senate should suddenly depart from all its practices and refuse a survey of a river project, which is always granted, no matter how unlikely the project may be, and which is asked in this case after two favorable surveys, in order to remove, if possible, all doubt that may yet remain.

Mr. HAWLEY. A word of explanation just here, for fear I may forget it. The Senator has referred, with considerable emphasis, to the railroads as having something to do with this matter. A railroad is supposed to be innocent until proved guilty of some offense. But I have not heard a word from any officer of a railroad upon this question. The people who come to me have represented, some of them the interests of Hartford, some the interests at Windsor Locks. The people along the shores do not like very well to have their lowlands flooded.

Mr. PLATT of Connecticut. Mr. President, I ought not to consume any time, and I shall not to any great extent. The chairman of the committee can scarcely, as it seems to me, have represented to the Senators from Massachusetts that the reason why this was stricken out of the House bill was because the committee supposed it to be a Connecticut project, with which Massachusetts had nothing to do, because the chairman of the committee knows all about this matter, and he knows about this river from Holyoke to its mouth—from Holyoke to Hartford, certainly. If he made any suggestion that this was supposed to be a Connecticut project only, I should be very much surprised.

Whatever may be the rule with regard to the country which is situated up a river having a right to be heard with reference to

the improvement of the river, certainly the Senator from Massachusetts will not claim that the State through which the river runs has not some interest in it if its citizens are to be largely damaged.

Mr. LODGE. Will the Senator from Connecticut allow me? All I claimed was that the State which has the mouth of the river has no right to deny all rights to the inhabitants of the river above.

Mr. HOAR. That is just what we want to know—whether they will be largely damaged. That is what the inquiry is for—to determine whether they will be damaged.

Mr. PLATT of Connecticut. We believe they are to be, and we have been taken to task here, as I understand, because we entered any objection to this scheme, which is for the benefit of Massachusetts, which has 9 miles of this river in it below Springfield. The Senators from Massachusetts seem to carry the idea that we have not anything to say about it; that we are really interfering with their project when we suggest that we are interested.

Mr. HOAR. My honorable friend will pardon me. No Senator from Massachusetts has made any such suggestion.

Mr. PLATT of Connecticut. I did not say any such suggestion was made.

Mr. HOAR. I thought the Senator did.

Mr. PLATT of Connecticut. That is the whole drift of the talk.

Mr. HOAR. If my honorable friend will pardon me, all we have said or intimated is that we think under such facts as the Senator states the Senators from both States should be heard somewhere.

Mr. PLATT of Connecticut. The Senators from Connecticut were heard because they had notice that at a certain time the items relating to New England would be considered. They went there under that notice, and I supposed Senators from all the States had similar notice.

Mr. ELKINS. During the consideration of the bill the chairman gave notice to all Senators.

The VICE-PRESIDENT. Senators must address the Chair. It is impossible for the reporter to hear at the desk.

Mr. HOAR. No such notice was ever given to me. I have never heard of it until this morning.

Mr. ELKINS. Notice was given.

Mr. HOAR. I had notice that they were going to take up the whole bill.

Mr. PLATT of Connecticut. If New England Senators wanted to be heard, the notice was that they could be heard at a certain time. That is the notice we got.

I wish to clear away one or two of these matters. Massachusetts seems to insist that this is a Massachusetts project, and therefore Connecticut ought not to be very much considered in the matter. One other suggestion is that it is a railroad fight. So far as I know, the railroad which runs from the Sound to Springfield has never indicated any interest whatever in this project, and Senators ought not to come here and say that we are representing railroads, that we are reading from the briefs of railroad lawyers.

Mr. LODGE. I did not say and never should think of saying that anybody here represented the railroads. I said the railroads were opposed to the improvement, and they are, in my judgment.

Mr. PLATT of Connecticut. If they are, they have never indicated that fact either to my colleague or to myself.

Mr. LODGE. I assume that.

Mr. PLATT of Connecticut. Nor has anyone in behalf of them. I do not suppose the railroads care a ha'pence about this matter.

The railroad delivers coal at Springfield for precisely the same rate at which it does at Hartford, 28 miles below. Where Hartford meets water competition, 75 cents per ton, they meet the water communication and transportation at Hartford with a 75-cent rate, and they give Springfield the benefit of that rate.

Mr. HOAR. How is it at Holyoke?

Mr. PLATT of Connecticut. I am not informed. So I think that settles the question that the railroads are not opposing this project.

Having disposed of those points, I want simply to refer to one other matter. This is not the ordinary case where a preliminary survey is asked for. That is always granted as a matter of course. This is a case where Massachusetts has been trying for years and years to get this large amount of money expended on the improvement of the Connecticut River, and where the people along the river who are to be damaged have been remonstrating. It is not a new case, where a survey is asked for as a matter of course. It is an old case. Whatever may have been the immediate question before the committee in the House, as to whether there should be an appropriation for the whole project or whether it should be merely for a survey—and I am bound, upon the statement of the member from the Massachusetts district, to say that the question was whether there should be a survey or not—I think I am correct in saying that this whole project was argued before the committee of the House—the question of the feasibility of it, the propriety of it, the cost of it, whether it would justify such a cost by any possible improvement. I think that was done, and whenever that question has been argued before a committee they have decided

against the project, and the committee in the first instance decided against this survey.

Mr. HOAR. Let me ask my honorable friend a question. Was it ever argued before a committee?

Mr. PLATT of Connecticut. Before the House committee.

Mr. HOAR. On the project itself?

Mr. PLATT of Connecticut. I think the entire question was gone over before the committee.

Mr. HOAR. I should like to ask my honorable friend if he states, and if he does so state to give the authority, that this question was ever argued before a committee anywhere on the merits or decided on the merits.

Mr. PLATT of Connecticut. My colleague was there. I can therefore only speak from hearsay, but I understand that all the arguments in favor of and against the scheme were brought up there.

Mr. HAWLEY. The statistics of population, manufacturing, quantity of coal, probable quantity of other freight—every item that could enter into the discussion of this matter was brought up before the committee of the House. I do not care about quoting another House so often. This committee and this Senate decided against the project.

Mr. HOAR. Now, may I inquire if "this committee and this Senate" ever heard the friends of the project at any time? Was the project ever discussed except by one side? I beg the Senator's pardon, if he will yield to me a moment. It seems to me we are entitled to have a little justice in statements. My honorable friend the Senator from Connecticut [Mr. PLATT] stated that whenever this has been argued before a committee on the merits they decided against it. I asked him if he had authority that it was ever so argued or decided against, and he says, in reply to that, that he does not know, but he thinks his colleague does. His colleague gets up and says that the question was discussed before the committee of the House; and on being inquired of where they decided against it, it appears that the committee of the House recommended the survey. Then, on calling attention to the fact that that statement is utterly unfounded, I am met with the statement that at any rate the Senate committee decided against it. I now call the attention of my honorable friends, who do not mean to do anybody injustice, to the fact that the Senate committee never heard our side.

Mr. PLATT of Connecticut. I do not often complain of interruptions, and if I did it would not make any difference. It may not be exactly proper to refer to what occurred in the House committee, but one thing is certain. I think it will not be denied that after the hearing there, at which my colleague was present, the committee voted against putting the survey into the bill. There was no hearing thereafter, and why they changed their vote I think I will not say here.

I think I have said all that it is necessary to say on the subject. There is an ample survey here. There is money to make a further survey, if a further survey is necessary, and this project is for the simple purpose of trying to keep alive this scheme, in which we feel certainly a very great interest and think it ought not to be adopted.

Mr. HOAR. Mr. President, I am very sorry to trouble the Senator further, but I wish I could have the attention of Senators to this one proposition. A survey was ordered. There was a favorable report on the project. There have been two surveys, both of them favorable. The engineer who made the last survey says in his report that there ought to be a further inquiry before the matter is definitely decided, and the House put in on the hearing a proposition for a further inquiry. The Senate committee, without hearing the Massachusetts Senators, struck it out, and it stands, therefore, on the simple proposition, Will the Senate deny us, on our request, what they never denied a Senator before, a survey in the discretion of the Department, when the House has recommended it, and when the engineer who made the first survey reported favorably upon the project? That is the whole proposition in a nut shell.

Mr. PLATT of Connecticut. I do not know that I am anxious to get the last word in this matter, but the Senator from Massachusetts now says that the engineer who made the survey states that there ought to be another one. I want to read what he does say.

Mr. HOAR. He tells my colleague, Mr. GILLET, so. Now read what he says in his report also.

Mr. PLATT of Connecticut. I do not know what he tells your colleague.

Mr. HOAR. I do.

Mr. PLATT of Connecticut. I do not know what he might say about that outside of his report, but what he says in his report is the following:

The available data, though unusually elaborate and complete, considered as a general survey of the river, are still insufficient as a basis for detail estimates of the cost of the structures proposed on the sites provisionally selected. The locks in view are of the usual type, with mitered gates maneuvered by hand; but the fact that the locality supplies stone for good masonry makes the character of construction to be adopted depend on local inquiry,

and possibly on alternative bids. It is necessary to base preliminary estimates upon actual experience with similar constructions in other localities. Data obtained from trustworthy sources are used, and the figures given below are believed to be adequate and to be in excess rather than in defect of the probable actual cost.

All he says in his report is that he has not got the detailed data from which to make the estimates, but that, judging from similar work in other places, he makes the estimates, and they are believed to be above rather than below the cost.

Mr. LODGE. I will state that the Senator from Connecticut did not finish that paragraph, because at the end of it Major Leach says:

So far as can be foreseen, every interest that is affected at all is to be benefited.

The point is, and I desire to make it once more, we are perfectly willing to stand on this report and on the previous one. We are perfectly willing to ask for an appropriation on it and to work in the usual way to get an appropriation in order to begin the improvement. It is a large project. We can not get it now, as the chairman takes occasion to remind us, but we could have gotten it; and we are still able to make trouble; and we can get it in the future. Some of us may survive long enough to try again.

But, Mr. President, the objection that is made comes from the opponents of the survey. We want, if possible, to have a survey that will make it clear there is no reasonable objection. All we ask is a survey. We do not commit the Government to anything. We do not even commit them to spending this money. The Secretary of War may determine that it is not worth while to spend it. But we do think that it is not too much to ask, in view of the great interests involved, that we should have at least this opportunity to see what the improvement will possibly cost.

I am sorry to have detained the Senate at all, but we were never heard before the committee; our side was never presented there, and our only way was to present it here and ask the decision of the Senate on our case.

The VICE-PRESIDENT. The question is on the amendment of the committee to strike out the paragraph beginning on page 43, in line 16.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE], and therefore withhold my vote.

Mr. CHILTON (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS].

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL]. I withhold my vote in his absence.

Mr. KENNEY (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. PENROSE]. As he is absent from the Chamber, I will withhold my vote.

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. I will transfer that pair to the Senator from Arkansas [Mr. JONES] and vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON], who is absent. I will transfer my pair to the Senator from Indiana [Mr. TURPIE], and vote "nay."

The roll call was concluded.

Mr. SULLIVAN (after having voted in the negative). I forgot at the moment that the Senator from Illinois [Mr. MASON] is paired with me. I therefore withdraw my vote.

Mr. KENNEY. I am informed that if the junior Senator from Pennsylvania [Mr. PENROSE] were present, he would vote "yea." I will therefore vote. I vote "yea."

Mr. GEAR. I am paired with the Senator from New Jersey [Mr. SMITH], and withhold my vote.

Mr. BURROWS. I am paired with the senior Senator from Louisiana [Mr. CAFFERY].

The result was announced—yeas 30, nays 28; as follows:

## YEAS—30.

Berry,	Hawley,	Morgan,	Ross,
Carter,	Kenney,	Murphy,	Sewell,
Cullom,	Kyle,	Nelson,	Teller,
Deboe,	McBride,	Pasco,	Vest,
Elkins,	McMillan,	Platt, Conn.	Warren,
Fairbanks,	Mallory,	Platt, N. Y.	White,
Frye,	Mills,	Pritchard,	
Gallinger,	Mitchell,	Rawlins,	

## NAYS—28.

Allen,	Gray,	McEnery,	Simon,
Bate,	Hanna,	McLaurin,	Spooner,
Butler,	Harris,	Money,	Stewart,
Chandler,	Helford,	Perkins,	Tillman,
Clark,	Hear,	Pettus,	Turley,
Clay,	Jones, Nev.	Proctor,	Turner,
Foraker,	Lodge,	Ronch,	Wellington.

## NOT VOTING—32.

Aldrich,	Cockrell,	Jones, Ark.	Shoup,
Allison,	Daniel,	Lindsay,	Smith,
Bacon,	Davis,	Mantle,	Sullivan,
Baker,	Faulkner,	Martin,	Thurston,
Burrows,	Gear,	Mason,	Turpie,
Caffery,	Gorman,	Penrose,	Wetmore,
Cannon,	Hale,	Pettigrew,	Wilson,
Chilton,	Hansbrough,	Quay,	Wolcott.

So the amendment was agreed to.

The reading of the bill was continued. The next amendment of the Committee on Commerce was, on page 44, line 7, after the clause "Improving Hudson River, New York: Continuing improvement, \$100,000," to insert:

And the Secretary of War may make such changes in the project for location and width of channel at and near Troy as in his opinion the interests of navigation may require: *Provided*, That contracts may be entered into by the Secretary of War for such materials and labor as may be required for prosecuting such improvement according to approved project, not to exceed in the aggregate \$1,000,000, to be paid for as appropriations may from time to time be made by law.

The amendment was agreed to.

The next amendment was, on page 44, line 16, after the word "improvement," to strike out "twenty-five thousand dollars" and insert:

One hundred thousand dollars. And the Secretary of War is authorized and directed to take such action as may be most advantageous to the United States regarding the unused stone originally excavated for this improvement and now stored on leased ground known as Dyckmans Meadows, and so much of the appropriation herein made as may be necessary may be used for such purpose.

So as to make the clause read:

Improving Harlem River, New York: Continuing improvement, \$100,000. And the Secretary of War is authorized and directed, etc.

The amendment was agreed to.

The next amendment was, on page 45, line 1, to increase the appropriation for continuing the improvement of East River and Hell Gate from \$100,000 to \$250,000.

Mr. FRYE. I offer an amendment to the amendment. I move, in line 1, after the word "improvement," to insert the words "including the removal of Man of War Rock."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 45, line 15, to reduce the appropriation for continuing the improvement of Bronx River, New York, from \$20,000 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 46, line 7, after the words "New Jersey," to strike out "Continuing improvement, \$3,000" and insert "Completing improvement, \$8,000;" so as to make the clause read:

Improving Goshen Creek, New Jersey: Completing improvement, \$8,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 11, to strike out:

Improving Rancocas River, New Jersey: Continuing improvement, \$2,000, to be expended in the Lumberton branch thereof.

The amendment was agreed to.

The next amendment was, on page 46, line 16, after the word "the," to strike out "report of the Chief of Engineers, dated December 6, 1897," and insert "project presented in;" and in line 19, before the word "thousand," to strike out "ten" and insert "twenty-five;" so as to read:

Improving Mantua Creek, New Jersey, in accordance with the project presented in House Document No. 123, Fifty-fifth Congress, second session, \$25,000: *Provided*, etc.

The amendment was agreed to.

The next amendment was, on page 47, line 7, after the clause "Improving Delaware River from Trenton to its mouth, Pennsylvania and New Jersey: Continuing improvement, \$300,000," to insert:

Of which the Secretary of War may use so much as may, in his opinion, be required between Trenton and Christian street in Philadelphia, and the balance shall be available for obtaining a channel 600 feet wide and 30 feet deep from said Christian street to deep water in Delaware Bay, in accordance with the report printed in House Document No. 319, Fifty-fifth Congress, second session, or such modified project as shall hereafter be recommended by a board of engineers and approved by the Secretary of War: *Provided*, That the total cost of the work shall not be increased thereby: *And provided further*, That the Secretary of War may enter into contract or contracts for such materials and work as may be required for prosecuting such improvement, not to exceed in the aggregate \$1,000,000, to be paid for as appropriations may from time to time be made by law.

Mr. FRYE. I move to strike out "three," in line 13, and insert "two;" so as to read "House Document No. 219."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 47, line 25, before the word "crib," to strike out "moving" and insert "mooring;" so as to read:

Improving Monongahela River: For the enlargement and improvement of Lock 6 on the Monongahela River, and for extension of existing fender and mooring crib 300 linear feet above Lock 3, and building a deflecting dike 1,800 feet above said lock on said river, and for a new repair steamer with

snagging appliances, and for a new dredge boat and two dump scows, \$50,000: *Provided, etc.*

The amendment was agreed to.

The next amendment was, on page 48, line 17, after the word "improvement," to strike out "\$5,000" and insert:

Eight thousand dollars, of which \$3,000 shall be used in reopening the mouth of St. Jones River, Delaware, and removing from said river the obstruction therein known as Calamus Shoal.

So as to make the clause read:

Improving Murderkill River, Delaware: Continuing improvement, \$8,000, of which \$3,000 shall be used in reopening the mouth of St. Jones River, Delaware, and removing from said river the obstruction therein known as Calamus Shoal.

The amendment was agreed to.

The next amendment was, on page 49, line 5, after the word "Maryland," to strike out "Continuing improvement, \$1,500" and insert "Completing improvement, \$3,300;" so as to make the clause read:

Improving Chester River, Maryland: Completing improvement, \$3,300.

The amendment was agreed to.

The next amendment was, on page 49, line 13, before the word "hundred," to strike out "three" and insert "two;" and in the same line, after the word "dollars," to insert:

For the purpose of obtaining a channel 30 feet in depth, in accordance with the project submitted December 1, 1894, as amended by the report of December 8, 1896, and the Secretary of War may enter into contracts for such material and labor as may be required for prosecuting such improvement, not to exceed in the aggregate \$1,000,000, to be paid for as appropriations may from time to time be made by law.

So as to make the clause read:

Improving Patuxent River and channel to Baltimore: Continuing improvement, \$200,000, for the purpose of obtaining a channel 30 feet in depth, etc.

Mr. FRYE. I move to strike out "eighth" and insert "three" in line 17; so as to read "December 3, 1896."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 50, line 2, before the word "thousand," to strike out "fifty" and insert "one hundred;" and in line 3, after the word "may," strike out:

In his discretion, expend such part thereof, as well as of any balance on hand, as may be necessary, according to the plan and estimate set forth in report of survey of said river, dated November 6, 1891, and printed in the Annual Report of the Chief of Engineers for 1892.

And insert:

Enter into a contract or contracts for the materials and work necessary for the completion of the improvements below the city of Washington, in accordance with the project submitted November 6, 1891, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$150,000.

So as to make the clause read:

Improving Potomac River at and below the city of Washington, D. C., \$100,000: *Provided*, That the Secretary of War may enter into a contract or contracts for the materials and work necessary, etc.

The amendment was agreed to.

The next amendment was, on page 50, after line 16, to insert:

Improving the Anacostia River and the reclamation of its flats in conformity with the project contained in House of Representatives Document No. 87, Fifty-fifth Congress, third session, on page 13, estimate No. 1, as reported to the Congress in said document, agreeable to the provisions of joint resolution entitled "Joint resolution making an appropriation for the improvement of the Anacostia River and the reclamation of its flats," approved April 11, 1898, \$200,000.

Mr. FRYE. I move to strike out the words "of Representatives" in line 18, before the word "Document;" so as to read, "House Document No. 87."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 51, line 8, to reduce the appropriation for continuing the improvement of the James River, Virginia, from \$150,000 to \$100,000.

The amendment was agreed to.

The next amendment was, on page 51, line 10, to reduce the appropriation for continuing the improvement of Nomini Creek, Virginia, from \$10,000 to \$6,000.

The amendment was agreed to.

The next amendment was, on page 51, after line 10, to strike out:

Improving Deep Creek, Virginia, from the South Branch of the Elizabeth River to the new lock at the Dismal Swamp Canal, Turners Cut Level, Croatan Sound, and Pasquotank River, North Carolina, \$25,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the project for the said improvement as submitted by Maj. Thomas L. Casey, to be paid for as appropriations may, from time to time, be made by law, not to exceed in the aggregate \$22,450, exclusive of the amount herein appropriated.

The amendment was agreed to.

The next amendment was, on page 51, line 24, to reduce the appropriation for continuing the improvement of Rappahannock River, Virginia, from \$15,000 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 52, line 1, before the word

"Creek," to strike out "Urbanna" and insert "Urbana;" so as to make the clause read:

Improving Urbana Creek, Virginia: Continuing improvement, \$3,000.

The amendment was agreed to.

The next amendment was, on page 52, after line 8, to insert:

Improving Nandua Creek, Virginia: Completing improvement in accordance with the project submitted June 17, 1896, \$3,000, in addition to the amount heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 53, line 18, after the word "For," to strike out "maintenance, \$1,000," and insert "clearing obstructions and maintenance, \$743;" so as to make the clause read:

Improving Little Kanawha River, West Virginia: For clearing obstructions and maintenance, \$743.

The amendment was agreed to.

The next amendment was, on page 53, line 1, after the word "Wilmington," to strike out "For maintenance, \$2,500," and insert "Continuing improvement and maintenance, \$5,000;" so as to make the clause read:

Improving Cape Fear River, North Carolina, above Wilmington: Continuing improvement and maintenance, \$5,000.

The amendment was agreed to.

The next amendment was, on page 53, line 10, to increase the appropriation for improving the Neuse River, North Carolina, from \$5,000 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 53, line 15, to increase the appropriation for improving the Trent River, North Carolina, from \$1,000 to \$2,500.

The amendment was agreed to.

The next amendment was, on page 53, line 17, to increase the appropriation for improving Black River, North Carolina, from \$1,500 to \$2,000.

The amendment was agreed to.

The next amendment was, on page 53, line 22, after the words "North Carolina," to strike out "For maintenance, \$2,000" and insert "Completing improvement, \$7,750;" so as to make the clause read:

Improving Fishing Creek, North Carolina: Completing improvement, \$7,750.

The amendment was agreed to.

The next amendment was, on page 54, line 4, to reduce the appropriation for continuing the improvement of Santee River, South Carolina, from \$20,000 to \$15,000.

The amendment was agreed to.

The next amendment was, on page 54, line 8, to increase the appropriation for improving Wateree River, South Carolina, from \$2,500 to \$6,000.

The amendment was agreed to.

The next amendment was, on page 54, line 9, after the words "South Carolina," to strike out "Continuing improvement, \$1,500" and insert:

From Gervais Street Bridge, Columbia, to Granby, in accordance with plan submitted January 2, 1894, \$50,000: *Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said improvement, to be paid for as appropriations may from time to time be made by law, not exceeding in the aggregate \$200,000 exclusive of the amount herein appropriated.

So as to make the clause read:

Improving Congaree River, South Carolina, from Gervais Street Bridge, Columbia, to Granby, in accordance with plan submitted January 2, 1894, \$50,000: *Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said improvement, to be paid for as appropriations may from time to time be made by law, not exceeding in the aggregate \$200,000 exclusive of the amount herein appropriated.

The amendment was agreed to.

The next amendment was, on page 55, line 9, before the word "thousand," to strike out "twenty" and insert "ten;" and in the same line, after the word "dollars," to strike out the following proviso:

*Provided*, That a contract or contracts may be entered into by the Secretary of War to complete the present project of improvement, namely, the project proposed in the report of a preliminary examination and survey of Capt. O. M. Carter, printed in House Executive Document No. 215, Fifty-first Congress, first session, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$136,000, exclusive of amounts herein and heretofore appropriated.

So as to make the clause read:

Improving Ocmulgee River, Georgia: Continuing improvement, \$10,000.

The amendment was agreed to.

The next amendment was, on page 55, line 20, to increase the appropriation for continuing the improvement of Oconee River, Georgia, from \$5,000 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 56, line 2, after the word "ninety," to strike out "printed in Executive Document No. 213, Fifty-first Congress, first session;" and in line 6, after the word

"sixty-three," to insert "or the required materials may be purchased and the work done otherwise than by contract;" so as to make the clause read:

Improving Savannah River between Augusta and Savannah: Continuing improvement, \$30,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for the materials and work that may be necessary to complete the existing project of improvement, namely: The project provided by the survey of 1890 and published in the Appendix to the Report of the Chief of Engineers, 1890, pages 1228 to 1263, or the required materials may be purchased and the work done otherwise than by contract, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$250,000, exclusive of the amounts herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 57, line 1, after the word "dollars," to strike out "shall" and insert "may, in the discretion of the Secretary of War;" so as to make the clause read:

Improving Choctawhatchee River, Florida and Alabama: Continuing improvement, \$16,000; of which amount \$10,000 may, in the discretion of the Secretary of War, be expended for the improvement of the river between Newton and Geneva.

The amendment was agreed to.

The next amendment was, in the clause making appropriations for continuing improvement of St. Johns River, Florida, on page 57, line 15, after the word "dollars," to insert:

*Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary for the completion of the jetties contemplated in the project submitted February 27, 1895, and contained in House Executive Document No. 346, Fifty-third Congress, third session, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$1,339,750.

The amendment was agreed to.

Mr. PASCO subsequently said: I ask that the accompanying statements be added in connection with the St. Johns River improvement, on page 57, without being read.

Mr. FRYE. Let it be inserted in the RECORD.

Mr. PASCO. I desire to have it inserted in the RECORD.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The Senate has heard the request of the Senator from Florida, that the document he has sent to the desk be inserted in the RECORD. Is there objection? The Chair hears none, and it is so ordered.

The paper referred to is as follows:

There has been a very marked increase in the number of steamships and sailing vessels as a result of the improvements of the St. Johns River. The Clyde Steamship Company is now running a triweekly line of five fine steamers, the tonnage of which has increased from 2,600 to 3,500 tons.

The following statement of the business of the port in 1883 and 1893 will afford a comparison to show the growth and advancement that have resulted from the improvement of the river:

Year.	Vessels.			Value of commerce.
	Entrances.	Clearances.	Tonnage.	
1883	812	292	147,678	\$3,500,000
1893	490	437	847,551	15,000,000

A saving of distance between Northern ports and other Atlantic seaboard ports has been effected, so that not only have the productions of Florida found a Northern market through Florida, but also cotton and wool from Texas, Louisiana, and Georgia.

Not only this, but by every steamer large quantities of merchandise are coming from the North and being forwarded to Texas, Arkansas, Colorado, and up the Mississippi to St. Louis.

As to the future probabilities, it is only necessary to deepen the river according to the project of Major Handbury to insure the annual shipment, through Jacksonville, of 150,000 to 200,000 tons of phosphate now going to other ports.

The lumber interest, which has always been a leading feature in the business of Jacksonville, will be heavily increased, the attention of some of the great business firms of the Northwest having already been induced to locate here, attracted by the prospect of the further improvement of the St. Johns River.

Besides the six railroads already coming into Jacksonville, the Atlantic, Valdosta and Western will be completed and ready for business in February next, and this is a first-class road in every respect. This road extends from south Georgia to this city, and its managers estimate that with 24 feet of water in the St. Johns River that they could bring a largely increased tonnage to Jacksonville.

Another railroad is also projected, which will run through Duval, Baker, Bradford, Alachua, and Levy counties, over which will be shipped 450,000,000 feet of lumber, besides wood and cross-ties and 1,400,000 tons of phosphate, and the same tonnage of lime rock, besides naval stores, cotton, and sugar cane as soon as vessels of sufficient draft can sail from here to foreign ports.

It is believed from the estimates of conservative business men that the completion of this project will add not less than 300 per cent to the tonnage passing over the St. Johns Bar. This statement shows that this work is one of extraordinary importance, not only to the shippers of the immediate section, but to the whole country.

The bar at the mouth of the St. Johns River, deepened as proposed, would afford the United States Government a naval station much needed in case of war, as no other port is available, all others farther south being easily within reach of an enemy's guns.

It being also a competitive port enables the Government to use it as a distributing center for men, coal, and other supplies, thereby avoiding the evil so manifest at noncompetitive points. To these advantages should be added the fresh water, giving immunity from the terebo, so destructive to vessels and docks. It also has machine shops, foundries, marine railways, and other things so essential to a naval station.

The next amendment of the Committee on Commerce was, on page 59, line 10, after the word "dollars," to insert:

And the unexpended balance of the amount heretofore appropriated may

be expended in the construction of training wall or piling for the protection of the dredged channel.

So as to make the clause read:

Improving Indian River, Florida: By dredging channel at Negro Cut near Indian River Inlet, \$5,000; and the unexpended balance of the amount heretofore appropriated may be expended in the construction of training wall or piling for the protection of the dredged channel.

The amendment was agreed to.

The next amendment was, on page 58, line 22, after the word "mouth," to strike out "in accordance with the project submitted, \$2,000," and insert:

So much of the unexpended balance as is necessary in the opinion of the Secretary of War is hereby reappropriated for maintenance in accordance with the existing project.

So as to make the clause read:

Improving Holmes River, Florida, from Vernon to its mouth: So much of the unexpended balance as is necessary in the opinion of the Secretary of War is hereby reappropriated for maintenance in accordance with the existing project.

The amendment was agreed to.

The next amendment was, on page 59, line 11, after the word "the," to strike out "west coast of Florida" and insert "coast of Florida and the waters tributary thereto;" so as to make the clause read:

The sum of \$35,000, or so much thereof as may be necessary, is hereby appropriated, to be expended, in the discretion of the Secretary of War, in the purchase or construction of a suitable dredge, with snagging outfit, to be used in connection with the several works of river and harbor improvement on the coast of Florida and the waters tributary thereto.

The amendment was agreed to.

The next amendment was, on page 59, after line 12, to insert:

The sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, to be expended under the direction of the Secretary of War, for the construction of a boat suitable for operating on the navigable streams of the State of Florida in removing therefrom the aquatic plant known as the water hyacinth so far as it is an obstruction and hindrance to interstate or foreign commerce; also \$1,000 for log booms to be used as adjuncts to such steamer, and \$10,000 for conducting the necessary operations, making \$35,000 in all, according to the estimate and recommendation of the War Department as found in House Document No. 91, Fifty-fifth Congress, third session.

The amendment was agreed to.

The next amendment was, on page 60, line 14, before the word "thousand," to strike out "and twenty;" and in line 14, after the word dollars, to strike out:

*Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to construct three locks and dams next below Tusculocosa, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$440,000, exclusive of the amount herein and heretofore appropriated.

So as to make the clause read:

Improving Warrior and Tombigbee rivers, Alabama: Continuing improvement of Warrior River, \$300,000.

Mr. PETTUS. Mr. President, this amendment, I hope, will not be adopted. This is one of the most important pieces of work that is being done under this bill. The work embraced in this particular item is for the purpose of enabling the miners in Alabama to transport their coal and iron to Mobile by water. This industry is going to be one of the largest in the United States. The supply of coal and iron from the immediate banks of this river is now an immense trade. It is carried almost entirely at the present time by rail from Birmingham and the surrounding country to Pensacola and Mobile.

Already, Mr. President, the iron production in that region has been so great and so advantageously conducted that the iron transported by rail to the Gulf of Mexico is being shipped to England and largely to Asia and other places. This industry does not in very large degree interfere with the particular trade of other sections of the country, because it supplies places which they can not supply. Other parts of the country can not ship their iron to England, because they can not produce it at a price which will enable them to do so. It is true that there is not such a large output at the present time from these mines as from mines in other sections of the country, but there is an immense output at this time, and it is growing daily. Very large plants of the greatest importance to the iron trade are being almost continually built in and around Birmingham and that section of the State. One of the large steel plants of the United States is being constructed there to-day, a matter of immense importance to the Government itself outside of the general interest of the people of the United States.

The supply of coal and iron in Alabama is perhaps larger than in any other State in the Union. I have no doubt it is larger in all respects. It is true we have no anthracite coal; but outside of anthracite coal we have the best steam-making coal that can be found, and that has been decided by the United States. It exists in immense quantities. There are five or six of the counties of the State of Alabama which lie on a coal bed. There are two immense areas in the State; one is called the Cahawba coal field, which is about 30 miles in diameter and nearly round, and banded all around with iron ore, banded all around also with limestone as a flux for making this iron, and the valleys all through that region of country supply the very best sort of fire clay.

Everything, it seems, that goes to make up the iron trade in its

natural state is there, and there together. Iron ores of various qualities are there. The brown hematite is spread over whole regions of country. It extends from Briarfield, in Bibb County, down into the southern part of Dale County, and all the way up to Rome, Ga., a band of iron perhaps one-half mile wide; and through the whole length between Briarfield and Rome there is an immense quantity of brown hematite, and, as I have told you, it bands both of these large coal fields. The Warrior coal fields, which this stream runs through, are of immense extent and of great richness.

Mr. President, it seems to me, where we need the production of this metal and of the steel which is made in such quantities, where the United States itself needs it for its own use, where the people of the country need it, and where it contributes so largely to the commerce of the country, there ought to be something done for the development of that particular branch of industry.

The Warrior River runs through the whole length of the Warrior coal fields. The coal crops out on every bank from Tuscaloosa upward, or within 15 miles of Tuscaloosa. The improvements have already run into the coal fields, but only for a few miles. They have not reached the best of the coal. This provision, which was inserted in this bill in the House of Representatives on the recommendation of the Secretary of War, it seems to me, ought to stand.

It is true that the committee has put in another amendment on the next page concerning an examination and survey, but that does not relate to this coal business or to the iron business at all. That relates to the Tombigbee River, which runs substantially on the line between Mississippi and Alabama almost the entire navigable distance from above Fulton, in Mississippi, down through Mississippi and Alabama until it joins the Warrior River near Demopolis. This amendment, which the committee has put in as a substitute, providing for a survey of Tombigbee River, is well enough; and that ought to be done because it is an important piece of work; but it does not concern either the iron or the coal trade until after it reaches Demopolis, which is about 40 or 50 miles below the southern boundary of the coal fields.

Mr. President, I told you about the Cahawba coal field, about 30 miles in diameter. The Warrior coal field is of much larger extent; it is of much greater length, and it, like the Cahawba coal field, is banded all around with the brown hematite ore. You can not go out of the coal field without going onto the iron. In addition, on the eastern side, about a mile from Birmingham, there is a mountain of the red ore, which extends back a large part of a hundred miles right along up nearly to Chattanooga, Tenn. That supply ought to be developed; and it ought to be developed not only for the benefit of the people there, but it ought to be developed for the benefit of all the people of the United States to make this thing, universally used of all men of all degrees, and very largely employed now in the construction of ships—it ought to be made as cheap as it can be made, and the carrying of it by water transportation, as you all know, is of vast importance in cheapening the price to the consumer.

If the Warrior River can be opened up to this coal field, and it can be very easily done by the appropriations which have been made for the work which has been commenced on it—it is already, as I say, built 15 miles above the falls of Tuscaloosa—it ought to be continued, and it ought to be continued by the appropriation of a sum sufficient to bring this vast amount of wealth for the use of the people as rapidly as it can reasonably be done.

This provision was estimated for by the engineers and by the Secretary of War. It was put into this bill by the committee of the House of Representatives after mature deliberation and careful examination. I was present, and I heard the engineers themselves testify before the committee, and also the people who are acquainted with the business. Having been so carefully considered, I do not think that the Senate committee ought to cut it down. They only cut down the appropriation \$20,000, but they cut down the most important part of it. The committee has eliminated the continuing-contract idea, which ought to be carried into this bill for the benefit of the world, not merely for the benefit of Alabama and those who own these vast sources of wealth.

Mr. President, I do not know the reasoning of the committee by which this was done, and therefore can not answer it; but it seems to me that there are worse appropriations in this bill, of vastly less importance, where there is four or five times as much expended as is proposed to be expended here. It may be that the committee had some reason for striking out this appropriation which I have not been able to conceive, but I will confess that I see no reason upon which this provision ought to be stricken out which would not strike out more than two-thirds of this bill in other respects.

I do not want the committee to suppose that the survey which they have ordered of the Tombigbee River will be of any benefit whatever to the coal and iron trade. It will be of very little benefit. True, the Tombigbee River, which runs along the edge of the Alabama line in Mississippi, is not any very great distance from the coal fields, but it is not in them: it does not touch them;

it does not touch a foot of the coal fields or of the iron ore. The navigable part of the Tombigbee River goes, as I stated before, from above Fulton between 30 and 40 miles above Aberdeen. From Fulton down to Aberdeen it runs through a pine woods country, but from Aberdeen it runs through the richest black-land farming country that I know of down until it enters the State of Alabama, in Pickens County, a little above Pickensville, and from there down it runs through a black-land country until it gets below Demopolis, in Marengo County.

I am not objecting at all to the improvement of that river. It is of vast importance to the farming interests of that country to have it developed, but it is the Warrior coal fields that would be of the greatest benefit to all the people of the world by cheapening the price of iron. They have already cheapened it to that degree that they can sell it as an article of commerce in every part of the world cheaper than anybody else can sell it. If they had this water transportation, they could and would develop a large amount more.

Mr. President, in fact the production of that coal and iron field has been wonderful in its growth. I have a little pamphlet containing a statement of the increase in the production. The production of iron ore in Alabama advanced from the sixteenth place in the States in 1870 to the second place in 1889, being exceeded only by Michigan, and that position has been easily held ever since. The output of iron has increased during the years of general depression as follows: In 1894, 592,392 tons; in 1895, 854,667 tons; in 1896, 922,170 tons; in 1897, 932,918 tons. Now you will see from this table the great increase. It doubled in the four years, and in the four years of the least activity in the iron business that we have had.

You all know that the iron business was greatly depressed in the years I have named, and yet the output in Alabama just about doubled in the four years, and since there has been an increased demand for the iron the increase in the output is almost marvelous. It grows out of the fact that there is a better demand all over the world for iron and the further fact that this iron is so located and so surrounded with charcoal and bituminous coal and fire clay and everything else that goes to make up the work in the rough iron; and if there is some encouragement given in the way of cheap transportation, Alabama can almost furnish iron enough to supply the United States, and we will supply a very considerable part of the world.

Mr. President, I am not talking about digging out a creek in a Congressional district or in a State where they want some money expended for the benefit of the people. I am talking about the most important iron and coal country in the United States and, so far as I have ever heard, in the world. It ought to be developed, and I hope that this amendment will not be sustained—striking out the continuing improvement hereafter by contract on the Warrior River.

Mr. MORGAN. Mr. President, I desire to submit a few remarks on this matter. The chairman of the Committee on Commerce has done more for the commerce of the United States since I have been here than, I think, every other man in the Senate. His attention has been riveted upon every proposition that seemed to give any promise at all of success in the exportation of our products from the interior to foreign countries, and I am a little surprised that he or the committee should have found a reason for altering the plan of the House in regard to this particular improvement. I must attribute it to the fact that he has not looked carefully enough into the real merits of this proposition.

There is not a more important communication in the United States for the commerce of this country than this little plan here—it has cost only \$220,000—of connecting the great coal-producing and iron-producing fields around Birmingham with the outside world. Why do I speak of it as the outside world in this connection? For the reason that that district, acting in concert, I will grant you, with the great Pennsylvania, Ohio, Illinois, and other iron-mining districts of the United States, has produced an effect on the commerce of the United States in one of the great staples that may well be called an absolute or a perfect revolution. We have been here for a hundred years raising cotton and having it priced in Liverpool. We have been raising the grains—wheat and corn—in competition with Russia and the Argentine and various other places, and we have not until recently, and then only in a single production in the United States, so mastered one of the great elementary industries as to be able to price the products of that industry in all foreign countries. I am making a statement of the utmost degree of importance to the commerce of the United States and to the people of the United States at large. Iron and steel, but more particularly iron, are the most elementary of all productions. There is no valuable industry that can be based on anything else than iron. The price of iron has much to do with the profit and value of that industry and every industry of a leading character in this country and in all other countries.

Now, what have we accomplished from Birmingham, not discarding, by any means, the assistance that comes from other iron

and coal producing fields in the world? What have we accomplished?

We are shipping into Liverpool, and in fact into every European port and into every Asiatic port in the world that has any consequence at all, pig iron and other iron productions of our own mines and factories and are underselling the foreigners in their own harbors and in their own ports. That is a fact which the Senate of the United States has not had time to consider. The truth of it has not been developed except within the last two or three years, but I state to you a proposition that is absolutely true and is conclusively established by an experience that is undeniable and that has been gained under the handicap of heavy rates of transportation adverse to this industry and the transportation of its products to Europe and Asiatic countries.

The business man of the great Tennessee Coal, Iron and Railroad Company, with its headquarters located at Birmingham, is a man of great ability. He is an Englishman who was reared and educated in Great Britain until he was about 30, in one of the most important manufacturing centers, at Middlesbrough, in that country. He is a very accomplished metallurgist and manufacturer of iron. He is a man of great ability and of the highest possible integrity. I had Mr. James Bowron to write answers to certain questions which I put to him last summer when I was home, in order to get to the attention of the world the real facts in regard to this great industry. His letter in reply to me came out and has been published in the *Manufacturers' Record*, of Baltimore, with very commendable commentaries—in fact, commentaries that have drawn the attention of the manufacturing and industrial men of the United States to the vastness of this proposition. He says:

In reply to your question as to the ports to which iron is being shipped and the extent of the movement, I will say that for the eighteen months ending January 1 the sales were about 297,000 tons.

That is, from his own works, not from other places.

Some parties have doubted statements of this kind and have pointed to export figures of the United States Government, which have shown smaller results. My answer to that is that I am quoting sales and not shipments. It is obvious that when one commences at zero, with no tonnage on the books, and runs up to the present time with perhaps 250,000 to 300,000 of export business on the books of the various producers of this country, there must have been a great deal more iron sold than there has been shipped. I make this statement to disprove in advance idle charges of exaggeration, such as have been made in the past.

The movement for the year 1898 has not yet been completed, and it is impossible for me to state exactly how it will wind up as compared with 1897. The average of sales for the eighteen months above quoted is 16,533 tons per month; for this year, 1898, I have before me figures not of sales, but of actual shipments, which for the past nine months amount to 117,135 tons. This is undoubtedly below the tonnage for 1897 for the same period, owing to the absolute cessation during the period of the Spanish war, during which time no iron could be shipped except in neutral bottoms, and with the disadvantage of war risks paid in addition. The sales have been extremely heavy for the past two months, the sales of our own company alone for export from the 1st of August to the present date being more than 90,000 tons.

That is, two months.

I am satisfied that the aggregate sales for 1898 would exceed those for 1897, although, owing to the hiatus in shipments during the spring and early summer, the actual movement shown by the United States custom-house figures may be less this year than last.

The port to which these shipments have been made—

Now, mark you, from Birmingham—

The ports to which these shipments have been made have been substantially, and quoting in about the order of their importance, as follows: Liverpool, Manchester, Genoa, Hamburg, Rotterdam, Trieste, Antwerp, Copenhagen, Stockholm, Venice, Belfast, Bristol, Glasgow, Hull, London, Marseilles; in the Orient the shipments have been made chiefly to Yokohama, Melbourne, Tokyo, Kobe, Nagasaki, Shaghai, Hongkong, and Calcutta.

Now, the producing point of the metal, to say nothing of the coal that we are trying to find a way out for to the Gulf of Mexico, is at Birmingham, or close in that vicinity. Has the Senate given any attention at all to the fact that Birmingham, with all the disadvantages of having nothing but railway transportation, has been sending her iron and her steel, too—but these remarks relate to iron—to these various foreign cities and is doing so to-day and underselling them in their ports and making a profit upon the enterprise?

That thing has never occurred in regard to corn or wheat or cotton or any other of the great leading productions of the United States, not even sugar. But here we in the South have set the pace and we have actually established this trade in foreign countries, and now when we come here and ask that the Warrior River, which runs right out of the bosom of these mines, shall have a small allowance the committee have chosen to cut it down. They have not heard, I think, all that was said before the House committee. Perhaps they did. I was not present. My colleague was. How much has it been cut down? Twenty thousand dollars. What was the appropriation? Two hundred and twenty thousand dollars. Now, I think that is a mighty close calculation and a very unnecessary shave upon the estimates of the engineers. The other part that was taken out I will read:

Provided, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to construct

three locks and dams next below Tuscaloosa, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$440,000, exclusive of the amount herein and heretofore appropriated.

Suppose this work should cost the Government of the United States \$440,000 in the outcome. It will be paid in the savings of a single month of the work of these men in that great interior of iron and steel which my colleague has so properly described here to-day. A month's saving will pay the whole sum. That provision ought to be allowed to remain there, I respectfully suggest to the committee, for the reason that it gives permanency to the improvement. But I dare say that there will never be a dollar spent on this improvement in excess of \$440,000, and it is a mere bagatelle compared with the vast, the enormous interests we have already developed and that have enabled this country to do what it has never been able to do heretofore in its history, to control the price in all the markets of this world of one of the great staple elements of our country, for no products are more widely scattered and more abundantly found throughout our country than coal and iron, and particularly iron.

I want the committee to consent to reinstate that item. When they go back to the House of Representatives with this amendment, if they shall go there with it, I have no doubt it will be reinstated; but I want the committee of the Senate to do justice to that country, to put back the \$20,000, and then to allow that portion which provides for this as a continuous improvement to remain there, for I assure the honorable chairman of the committee and the body of the committee and the Senate that there is not to-day anywhere in the United States a more important interest than this to the general welfare of the people of the whole country or more creditable to our enterprise, or for which we should be more grateful to the providence of God. The committee have added here at another place the following:

The Secretary of War is hereby authorized and directed to appoint a board of five engineer officers, whose duty it shall be to make an examination and survey and submit plan and estimate for the general improvement of so much of the Tombigbee River as embraces the several reaches appropriated for in this act.

I am perfectly willing for that clause to remain in the bill; I wish it would stay in. At the same time the committee of five engineers, when they have gone over this work, will probably add nothing at all to the knowledge and information that the two Houses have now before them in regard to this improvement and the manner of handling it. The Warrior River is not a very large stream. At the same time it is one of those streams that is capable of being made navigable at all seasons of the year at very slight expense.

The greater length of it, after you leave Tuscaloosa, going to the southward, runs through a level country of prairie formation and what is called rotten limestone rock, where the banks of the river are seldom lower than the measurement up to this gallery here. The channel or canal, which occasionally fills up at places, runs over some shallows, perhaps where there is some transverse seam of rock of different character a little harder than that in which the bed of the river is formed—it runs across those and makes it shallow. It is only necessary to put in a lock and dam at two or three places there to have continuous navigation from the very heart of the Warrior coal field clear down to Mobile.

What is coal worth to-day in Mobile, with all this inconvenience and all this drawback and without the competition of railroads to reduce the rates of freight? What is the price at Mobile of the best steaming coal in the United States? It is \$1.25 a ton. The fleet in the waters of the Caribbean Sea and the Gulf of Mexico that we had to have there doing our war could have been easily coaled from Mobile, Ala., through this difficult process of getting it out south, at one-half the cost we paid for it. The Government of the United States has lost at least 100 per cent upon the amount that ought to have been paid for coal for that fleet. We have already lost in the failure of this Government to avail itself of that coal at \$1.25 a ton, deliverable at Mobile from an elevator, more than three times the money that we ask for here—yes, more than five times the money we are asking for here to make this little improvement.

Now, if I felt that I was bringing forward something new or something inconsiderate, a mere venture to get some money spent in my State, I would not interrupt the course of this great bill. But I am quite sure the committee and the Senate are likely to overlook a matter of enormous importance, not merely to the State of Alabama—that is the smallest part of it, perhaps—but to the whole country, for surely we ought to be able, if we can deliver coal at Mobile at \$1.25 a ton, and the Government will furnish us some facilities for transportation, to get it down there at \$1 a ton or 90 cents a ton. That is something in which the whole people of the United States are interested.

We have got into a condition now where we can not do without coal. Coal is now the true element of commerce in respect to transportation. It is the great motive power. The winds have ceased to blow upon our sails, almost, and our ships are run almost exclusively by coal. There are, I may say, really

illimitable fields of production situated in proximity—I may almost say close proximity—to the great Gulf of Mexico, furnishing an opportunity for fuel for all the steam fleets of the United States and the other parts of the world; and we ought to see to it that they get the advantage of that. We are setting back the prosperity of the country by giving out these little doles and refusing to give as much as is absolutely necessary to carry on a work of this kind.

There is one other paragraph here that is stricken out. I do not know why. I can not see why.

Provided, That the same or so much thereof as may be necessary shall be used to complete the lock at McGrews Shoals.

There is a lock there, and it is incomplete, and it needs to be completed. It was put there in pursuance of regular surveys, regular estimates, and by vote of Congress on that subject. There is money enough to complete it, and the work ought not to be allowed to run to waste. So you appropriate \$50,000 for improving Tombigbee River from the mouth to Demopolis without designating that any part of it is to be used on McGrews Shoals. I think it was a very careful provision to prescribe that that shoal should be taken care of out of the \$50,000 appropriation. But it neither makes a larger or smaller appropriation to put that language in or leave it out. It is a designation of the purpose to which the money ought to be applied. I think it wise, and it ought to be kept in there.

Now, I hope the chairman of the committee will feel authorized to say that he will not controvert this point with us—as to the \$20,000 and as to allowing a continuous contract. It is a matter of convenience. It will relieve the engineers from coming here and reporting from time to time. The evidence upon which this work has been projected in the House of Representatives is conclusive, full, complete, and undeniable. That is the situation, and, really, I am at a loss to understand why the committee has stricken out the \$20,000.

If it is not asking too much, I desire to put this letter of Mr. Bowron's into the RECORD. It contains a great deal of very important information from a man whose means of knowledge are fine and whose character is above reproach.

The PRESIDING OFFICER. The Senator from Alabama requests permission to print in the RECORD the letter to which he refers. Is there objection? The Chair hears none, and it is so ordered.

The letter is as follows:

At the request of United States Senator MORGAN, Mr. James Bowron, of the Tennessee Coal, Iron and Railroad Company, has written an interesting letter touching the industrial outlook in Alabama, as follows:

"Whilst the export of pig iron is a very interesting subject to us at present, it is much less so than the subject of steel, to which your communication so largely refers. Answering, however, your inquiries on the subject of pig iron, I take pleasure in saying:

"First, as to quality, that the iron of this district largely resembles the well and favorably known foundry iron produced in Scotland, which for half a century was supposed to be essential to the production of clean, sharp castings, especially architectural work, stoves, etc., and was used for the purpose of giving fluidity in combination with irons of almost every other district in the world. Birmingham iron is better than that produced in Middlesboro, which is the principal seat of manufacture in the Old World. Our iron is extremely like it, except in the one element of phosphorus, which is an objectionable metalloïd, and our proportion is not more than one-half that of the contents in Middlesboro pig. This has the desirable result of making our iron stronger and causing less shrinkage in the casting when it cools. The pattern makers' rules by which patterns are measured are made specially with an extra allowance of length to provide for this shrinkage, and the allowance in the rule used in the Cleveland district of England is double that in the rule used here.

"Our iron has been subjected to the usual amount of vilification which attends the use of almost any competitive product in a new field, but we have lived down in the East, the Chicago district, in St. Louis, and now in the foreign field, the doubts of timid or captious buyers, and our iron is recognized as standard in quality all the world over.

"Where the iron is known it sells at a parity with brands of local production, and sometimes at a higher price. We have sold tens of thousands of tons in this country at from 50 cents to 75 cents per ton above the prices prevailing at the point of delivery for irons locally produced, and this has been caused by the necessity on the part of the buyer of having our iron in his mixture to correct the failings of local brands, to add fluidity, or to reduce the relative percentage of sulphur.

#### THE EXPORT TRADE.

"In reply to your question as to the ports to which iron is being shipped and the extent of the movement, I will say that for the eighteen months ending January 1 the sales were about 297,000 tons. Some parties have doubted statements of this kind, and have pointed to export figures of the United States Government, which have shown smaller results. My answer to that is that I am quoting sales and not shipments. It is obvious that when one commences at zero with no tonnage on the books and runs up to the present time with perhaps 250,000 to 300,000 of export business on the books of the various producers of this country, there must have been a great deal more iron sold than there has been shipped. I make this statement to disprove in advance idle charges of exaggeration, such as have been made in the past.

"The movement for the year 1898 has not yet been completed, and it is impossible for me to state exactly how it will wind up as compared with 1897. The average of sales for the eighteen months above quoted is 16,533 tons per month; for this year—1898—I have before me figures not of sales, but of actual shipments, which, for the past nine months, amount to 117,135 tons. This is undoubtedly below the tonnage for 1897 for the same period, owing to the absolute cessation during the period of the Spanish war, during which time no iron could be shipped except in neutral bottoms, and with the disadvantage of war risks paid in addition. The sales have been extremely heavy for the past two months, the sales of our own company alone for export from the 1st of August to the present date being more than 90,000 tons.

"I am satisfied that the aggregate sales for 1898 would exceed those for 1897, although, owing to the hiatus in shipments during the spring and early summer, the actual movement shown by the United States custom-house figures may be less this year than last. The ports to which these shipments have been made have been substantially, and quoting in about the order of their importance, as follows: Liverpool, Manchester, Genoa, Hamburg, Rotterdam, Trieste, Antwerp, Copenhagen, Stockholm, Venice, Belfast, Bristol, Glasgow, Hull, London, Marseilles; in the Orient the shipments have been made chiefly to Yokohama, Melbourne, Tokio, Kobe, Nagasaki, Shanghai, Hongkong, and Calcutta.

#### THE COAL OUTPUT.

"Now, in answer to your inquiry as to the production of coal. The immediate Birmingham district is at present producing nearly 500,000 tons of coal per month, and I am free to say that it would be quite as easy to produce 1,000,000 tons per month. The reason why more coal is not produced here is because there is an inadequate market for that which is already produced. There have been too many coal mines opened in this district, and the coal has been sold consequently at such unremunerative prices that many producers have failed in business and their property has passed into the hands of their creditors. The coal deposits of the Pratt, Blue Creek, and Cahawba coal fields are so extensive and so accessible that, with a price to afford any reasonable margin of profit, and with a steady and continuous market offered to the owners of the land, capital and labor will be very rapidly combined together in sufficient volume to meet any requirement that the exigencies of business would suffer to arise. There need be no question nor hesitation upon this subject.

#### INDORSED BY FACTS.

"Its quality being thus established in our own country as the result of years of experiment and demonstration, I can not believe otherwise than that, as the months go by, the price in the foreign field will similarly rise to a parity with the English, Scotch, German, and Spanish brands of pig iron, which our own is gradually replacing and supplementing and against which it must be sold in the open market. It is true, however, that from the inception of the foreign movement until the present time the prices of Alabama pig have habitually been below those of the foreign production against which we have competed.

"This has been due partly to the necessity for offering some inducement to the distant buyer to try a product with which he is not familiar and partly to the greater difficulties attendant upon its delivery. We can not make deliveries in Europe with the same punctuality and regularity as the European producer, and a lower price is demanded quite naturally by the buyer to compensate for such inconvenience as he may incur. We are dependent upon the occasional movement of great staples, such as the cotton crop, and at another period the tobacco crop, and at other times the movement of ocean tonnage is irregular and unsatisfactory.

"It is quite correct, as you suggest in your memorandum, that the salient factors in the production and exploitation of Alabama pig iron are so stable and regularly controlled by the producers that their fluctuations are not likely to militate against the continuance of this export movement. The danger which threatens our continuance lies in another direction, namely, in the subsidence of the present favorable conditions which exist in metallurgical circles in the countries of the Old World and a return to those starvation prices which have prevailed for several decades, as a general proposition, and have been largely responsible for the failure of the English iron producers to improve their works and bring them up to what we consider a modern standard.

"It would be arbitrary and dogmatic on my part to undertake to give a categorical answer to your question as to whether the movement would continue permanently or not. I can readily see that if prices should unfortunately return in England and Germany to the lowest point ever known, there would be no profit whatever left to the Alabama producers, even in selling against those rock-bottom European prices we should still continue to receive, as we now receive, several shillings per ton below their parity. If, on the other hand, history should repeat itself, and as the result of their greater familiarity with our brands the English and continental buyers should then be willing to pay us the full parity of their own brands, I am tolerably satisfied that we would be able to continue to hold the trade and to make a small margin of profit even under the most adverse circumstances. If to this condition I might add the hope of the Warrior River being, by slack-water dams, made navigable up to the Kansas City Railroad bridge, so that iron might be conveyed to Mobile by barge at one-half the lowest feasible cost of railroad carriage, then I would confidently predict the fullest continuance and development of the present movement.

#### THE STEEL OUTLOOK.

"With respect to the numerous and interesting questions which you propounded on the subject of steel, I beg to state that every experiment that has been made in the production of steel from Southern iron has been entirely satisfactory. Steel which was made in Chattanooga by the Southern Iron Company in 1890 and by ourselves at the vacant plant of the Jefferson Steel Works, North Birmingham, in 1892, and by Mr. Cullom at Fort Payne in 1895, was produced on an experimental scale, regardless of cost, but answered every requirement and met every imposition of the most technical men either in this country or abroad. Having thus before us a large number of favorable opinions of the highest metallurgists in the world as to the feasibility of what we propose to do—these opinions, including Andrew Carnegie and Sir Lowthian Bell—we undertook in 1892 and thenceforth to raise the necessary capital, but were delayed in doing so from disturbed political, fiscal, and social conditions until 1898.

"In the meantime the movement crystallized on a larger but still on a comparatively small scale by the construction of two 25-ton furnaces by the Birmingham Rolling Mill Company, which plant has been in operation for one year and a half, making an entirely satisfactory quality of metal, and producing an average of 100 tons per day. The iron which we have made in the city of Birmingham we have been supplying producers of open-hearth steel all over the United States and in England, Italy, Germany, and Russia, thence delivered to the Birmingham Rolling Mill, there converted into steel, thence delivered to the Birmingham contractors, who have bent and drilled the plates and are now erecting the same as part of the new works at Ensley.

"The cumulative testimony as to the suitability of the basic iron now produced here for the manufacture of basic open-hearth steel has led to the provision of \$1,100,000, which money is now being expended at Ensley, a suburb of this city, in the finest open-hearth steel plant in the world, with the sole exception of that now in existence at Homestead, belonging to the Carnegie Company. I had the pleasure this morning of seeing a squad of men at work preparing timber and burning brush and getting land ready for the engineers, who will to-morrow or next day commence to drive their stakes for the construction of the plant of the Alabama Steel and Wire Company. This company has raised a capital of \$1,000,000, contributed by gentlemen from Chicago, Cleveland, Ohio, and Joliet, Ill., who have been respectively prominent officers, filling high executive positions in the American Steel and Wire Company, which is to-day the largest, most powerful concern of its kind in the world.

"They have exhibited to myself and other officers of this company samples

of the wire and of the wire nails produced from our steel which have been subjected to intensely destructive tests. They have shown the toughness and strength of the Alabama steel as compared with Bessemer steel, having subjected various nails to the same test of hammering the heads until the heads of all the Bessemer nails were hammered off, without succeeding in breaking off the head of a single nail produced from Alabama steel. Their own experiments have been conclusive as to the tensile strength and ductility of our steel. Anyone can make hard steel—that is simply a question of adding a sufficient amount of carbon in the bath or in the ladle. It is not everyone, however, who can make soft steel. There is no question whatever as to the ability of this district to provide in sufficient quantity large masses of steel of great purity and homogeneity. The adoption of the open-hearth process in itself guarantees the latter, and as to quantity, it is only necessary for me to state that we are now constructing at Ensley ten 50-ton open-hearth furnaces in a row, with a capacity of 500 tons of soft steel every ten hours. This plant can be increased indefinitely.

"Ship plates, channels, angles, and T or I beams can be produced for the purpose of shipbuilding more cheaply at this place than at any other place on the face of the globe, and could be laid down at Mobile for less money than at any other shipyard existing to-day in the world. Ship plates are being sent from Pittsburg and Chicago to the shipyards in Belfast and Glasgow to-day, and yet we are shipping from Birmingham pig iron to Pittsburg and Chicago to be made into steel at those points. The freight to these two points is three times as great as it is to Mobile, say, \$3.10 to Chicago or \$3.30 to Pittsburg, as against \$1 to Mobile, the latter being the export rate; but it is certain that our railroad companies would be sufficiently broad minded to make that a local rate if by so doing they could establish a shipbuilding enterprise on a large scale at Mobile.

"In such case the matter stands that the shipbuilding material could be laid down at Mobile at a saving in freight of \$2.10 as compared with Chicago, plus the whole of the freight from that point to Glasgow, and at a saving of \$2.90 per ton as compared with Pittsburg, plus the entire cost of freight from that point to Belfast, and yet this Mobile shipyard might obtain the same prices for its vessels from the buyers of the world as can be obtained in Belfast or in Glasgow. In this country, it is needless to say, they would not have Scotch or Irish competition to face.

#### ORDNANCE AND ARMOR PLATE.

"There is no trouble whatever in producing of the requisite quality the steel that would be required for the manufacture of ordnance and of armor plate. I am not in a position to say whether any of the ultimate treatment given to steel in preparing it for such use could be controlled by makers in this district. There may be processes for which the United States Government holds a right, and there may be others which are under the control exclusively of the Northern firms now engaged in this manufacture. For example, the Krupp process, which is being applied to the armor plate, can not be used by anyone in this district without making satisfactory arrangements with the Krupp Company, and probably with its ally or licensee, the Bethlehem Iron Works, of Pennsylvania.

"With respect, however, to the manufacture of ordnance my belief is that nothing would be requisite except the application in the initial production of the soft steel of such processes of tempering and hardening as the ordnance officers of the Government are fully conversant with, and that such processes would be conducted under their inspection and direction, so far as they were performed by the independent producers at all. It might well be that the producers of steel would simply furnish the Government with the rough forgings, which would be a very simple matter-of-fact undertaking, and then they would be specially treated by the Government itself. It is only a question of time when everything will be done in Alabama in the way of carrying to higher forms of manufacture its present crude products of iron and of steel that is now done or will be done in Pennsylvania. We have substantially the same natural resources plus the inestimable blessings of greater contiguity, greater concentration of these resources, and of mild, benignant, though temperate, climate, together with the presence of a large and docile colored population valuable for heavy work and not susceptible to climatic interference."

Mr. FRYE. Mr. President, I do not think the Senators from Alabama have any reason to complain of the action of the committee. In the first place, the continuing contracts for the smaller improvements are all contrary to the general principle of continuing contracts. When that was inaugurated, it was intended that it should be applied only to contracts of large importance from a national point of view, where time was of as much essence as money. But another body than this has seen fit in the pending bill to apply it to twenty, thirty, or forty of the smaller and more local improvements which have been suggested. I think they have made a very profound mistake and that all of these smaller continuing contracts should have been stricken from the bill. I urged that upon the Committee on Commerce. I did not succeed in prevailing with them that it should be done.

Mr. MORGAN. The Senator will allow me to remark that this is not a small contract.

Mr. FRYE. It is only \$400,000. That is pretty small in a bill of this size.

Mr. MORGAN. It runs over a number of years.

Mr. FRYE. In a bill that has the Nicaragua Canal appropriation of \$115,000,000, \$400,000 is a very small item.

Mr. MORGAN. And that appropriation could not have been there but for the very great patriotism of the Senator from Maine, which I am happy to acknowledge on all occasions.

Mr. FRYE. I do not care to carry my remark in that direction.

Mr. MORGAN. What I want to say is that this appropriation is small only in the amount appropriated. The amount is \$240,000, but as to the usefulness of the work for commercial purposes, there is not a work provided for in this bill that is larger, except the canal.

Mr. FRYE. Mr. President, I am just as familiar with the Tombigbee River as I am with the way from the Hamilton House down to this Chamber.

Mr. MORGAN. This is the Warrior.

Mr. FRYE. Both the Tombigbee and the Warrior. They have been before me now for the last eighteen years, and we have been pretty liberal with them all, and liberal with them because we

recognize the vast importance of the improvements to be made in them touching coal and iron.

Mr. MORGAN. Now, if the Senator will allow me—

Mr. FRYE. If the Senator will just allow me, I wish to say—

Mr. MORGAN. I wish to appeal to the Senator on one other proposition. Does the Senator from Maine feel very proud that I am able to stand on this floor and tell him that from the mines in the vicinity of Birmingham, in cooperation with other mines in the United States, we have become able at last to price pig iron in every market in the world?

Mr. FRYE. I am proud of the State of Alabama that it permits the Senator from Alabama to be on this floor, and I hope it will permit him to be here as long as he lives, for few broader Senators can be found than he.

I wish to call the Senator's attention to the fact that these river and harbor bills for the last ten years have been made each for two years and all the estimates of expenditure have been for two years. This bill is now an exception to that rule. It is an estimate for one year, and one only, because there will be another river and harbor bill at the first long session of the next Congress. So here we are providing for one year where ordinarily we provide for two years.

The entire estimate of the engineer, when he supposed that it was to be for two years, was an expenditure of \$350,000 on the Warrior and Tombigbee in two years. We have allowed in this bill an expenditure of \$300,000 for one year. I claim that you can not expend on the Tombigbee River over \$200,000 in one year by any possibility, and then the next year we will all be ready to go on with the Tombigbee River again. I expect to go on with it. If my people let me stay here, I expect to go on with it just as long as I live. It is going to open those great coal beds of Alabama to the world. The Nicaragua Canal is to be built, and instead of coal being seven, eight, or nine dollars a ton over on the Pacific coast we are going to bring it from Alabama and sell it for four, five, or six dollars a ton, and supply Chile and every other country. We are going to supply coal from Alabama. I recognize all that.

Mr. MORGAN. Long life to you!

Mr. FRYE. All right. Now, I hope the Senators from Alabama will be content to allow this, I assuring them that if I am alive the Tombigbee shall be taken care of in the next river and harbor bill.

Mr. MORGAN. I can not call for the yeas and nays on the amendment. I hope the Senator will withdraw it.

Mr. FRYE. I do not like to withdraw it. I can not withdraw it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, in line 13, after the word "hundred," to strike out the words "and twenty," so as to read "\$200,000." The amendment was agreed to.

The next amendment was, on page 60, line 14, after the word "dollars," to strike out the following proviso:

*Provided, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to construct three locks and dams next below Tuscaloosa, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$400,000, exclusive of the amount herein and heretofore appropriated.*

The amendment was agreed to.

The next amendment was, on page 61, line 7, after the clause "Improving Tombigbee River, Alabama, from mouth to Demopolis: Continuing improvement, \$50,000," to strike out the following proviso:

*Provided, That the same, or so much thereof as may be necessary, shall be used to complete the lock at McGrews Shoals.*

The amendment was agreed to.

The next amendment was, on page 61, after line 9, to insert:

*The Secretary of War is hereby authorized and directed to appoint a board of five engineer officers, whose duty it shall be to make an examination and survey and submit plan and estimate for the general improvement of so much of the Tombigbee River as embraces the several reaches appropriated for in this act.*

Mr. PETTUS. I move to amend the amendment of the committee by inserting, in line 14, after the words "Tombigbee River," the words "and the Warrior River."

Mr. GALLINGER. There is no objection to that amendment, Mr. President.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued. The next amendment was, on page 61, line 19, after the words "by the," to strike out "report of Maj. William T. Rossell" and insert "reports dated December 28, 1896, and August 29, 1898, respectively;" and on line 23, after the word "dollars," to strike out the following proviso:

*Provided, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the plan of improvement so recommended, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$267,000, exclusive of the amount herein and heretofore appropriated.*

So as to make the clause read:

Pascagoula River, Mississippi, and Horn Island Harbor: Improving the

same as recommended by the reports dated December 28, 1898, and August 29, 1898, respectively, \$50,000.

Mr. MONEY. Mr. President, I dislike to have any contention with the committee upon this or any other measure. I did not go before the committee, because I was satisfied that the money which had been given by the House would be sufficient in this bill, knowing, as the Senator in charge of the measure said, that there would be another bill within a year. I mentioned to some of my friends on the committee that I would not take up the time of the committee, as they were very much pressed and hurried, and that I would be perfectly content if what was given in the House could be retained. I thought that that would be the case. I was not aware that there was any difficulty about it until the bill was reported and printed, when I found that the continuing-contract clause near the bottom of page 61 had been stricken out.

I know the committee were under the necessity of excluding a great deal that Senators insist upon as being necessary for the local interests of their States, and I know the difficulty they will have in conference. I sympathize with them, but this amendment of the committee, I think, arose from a misunderstanding of the report of the committee and of the language of the text. It says:

Pascagoula River, Mississippi, and Horn Island Harbor: Improving the same as recommended by the report of Maj. William T. Russell, \$50,000.

And then proceeds:

Provided, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the plan of improvement so recommended, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$267,000, exclusive of the amount herein and heretofore appropriated.

That is all one project. There have been two surveys, one in the effort to secure a 17-foot channel up to 3 miles above the mouth of the Dog River, in Pascagoula, to enable ships of some size to come to the wharves and load, and the other from the end of that survey out to the harbor under the lee of Horn Island to make a suitable channel. But it is really the same improvement. At last with this appropriation, which is recommended by the engineers and which in the House is made a continuing contract, we secure constant work upon this measure. There was not sufficient water to bring up, especially the Norwegian and Swedish ships, ships of large burden, that carry lumber all over the world.

Out of that river mouth go 150,000,000 feet of lumber every year, with the business constantly increasing, but it is retarded in a great measure by this lack of water. Those people are confident that if they can get 17 feet of water, which they ask for, there will be an enormous increase of output of lumber there, and I have no doubt of it myself. However, the engineers, after having reported upon a 17-foot channel, have reported also that they were instructed by the Secretary of War or the Chief of Engineers to report upon a 12-foot channel. So it is a 12-foot channel that has been adopted by the engineers. The reports estimate the expenditure at \$267,000, in addition to the \$50,000 now appropriated by the bill.

In striking out this continuing contract there is not a dollar taken out of the bill. Just as much money is carried by the bill now as would have been carried had the text been allowed to remain as it came from the House. So there is no further appropriation this year but simply what has been considered heretofore.

I was rather surprised at this action when the Senator from Maine, who has charge of it, said it was found to work well, and that the continuing contract had been very economical. I know that under General Casey and under General Craighill the engineers said repeatedly that it would be economical, running from 30 to 50 per cent, to have a continuing contract with any amount of money because of the economy in the plant. When a man has the assurance that he can get the bid for a number of years he can afford a plant there that will greatly economize his work, and can afford to bid very much cheaper. That is a fact so obvious that it needs no argument nor any explanation.

This calls for \$267,000 more, which will be expended, because I know that Congress will not permit this work to stop, it is so necessary to the welfare of that coast, to the lumber interest there which is increasing so fast. I know the money will be appropriated, and it is in the interest of economy that this continuing contract should be left in the bill just as it came from the House.

The engineer who reports upon this measure reports a 12-foot channel, 150 feet wide above the railroad bridge and 300 feet wide below the bridge, 669,000 cubic yards, at 40 cents, \$267,600. For a 17-foot channel he reports \$1,050,222. It is only a question of dollars and cents. Of course the people who are interested in this work will feel very much assured and confident if they know the contract is to continue. It is to be left to the discretion of the Secretary of War. He need not continue it if it does not seem to be a proper thing to do in his judgment. But if he is allowed that discretion and can make a contract to continue instead of calling for a larger appropriation it will call for a smaller appropriation than is provided for in the report of the engineers.

Nothing, as I said, will be taken from or added to the bill by this amendment of the committee; but, on the contrary, the \$50,000 will remain in the bill just as much a part of the appropriation as though the whole had been under one survey. I do not see, in other words, what is to be gained by striking it from the bill. Certainly nothing is gained in the immediate appropriation, and certainly there will be an expense above what will be incurred if the bill remains as it came from the House.

Therefore I submit to the Senate and to the committee that it would be better that this provision should remain in the bill. I have no desire to contend with the committee upon these matters. I know that they are generally disposed to be as liberal as they can be. But in this measure it seems to me they can see very easily after this explanation that nothing is to be made by cutting the provision out of the bill. I hope, therefore, that the Senate will not agree with the committee in this proposed amendment.

Mr. SULLIVAN. Mr. President, I desire to say a few words with respect to this proposed amendment striking out this continuing-contract feature. We all understand that anything which is done by wholesale is done cheaper than by retail. We all understand that if a contract is made by which an improvement begun to-day is to be continued, better terms can be had than if only a portion is to be let, with nothing for the future.

This particular contract will improve a stream that covers a very large portion of the State of Mississippi, not a county, not two counties, but many counties, absolutely a territory larger than many of the New England States, a territory that not only needs the appropriation, but a territory that has no railroad of any kind. I do not believe that if the real facts were known anyone would be willing to vote against the contract that is provided for in this bill.

As was well said by my colleague, by the adoption of the provision in the bill as it came from the House you do not add a single dollar to be paid out. There is not a single dollar further to be paid out under the present bill, but a contract is entered into and continued for the improvement of this stream. The money that is to be spent as presently provided for will be worth very little if that is to be the end of it. The money will be spent to little purpose if it is to go only that far. On the other hand, if this contract is entered into the work will be done upon a basis that will be not only fair and right to the Government, but of great and immense benefit to the people in that section.

The depth of channel that was asked for has been wiped out by the committee, and instead of 17 feet a provision for a 12-foot channel has been inserted. That is the depth of channel that is now provided for even if this proviso were allowed to remain in the bill; but by a stroke of the pen the whole provision for the continuing contract is wiped out.

I desire to say to those who are interested in the appropriations in the river and harbor bill that there is not a more meritorious measure, there is not one that really, if known to them, would appeal more strongly to their sense of fairness than this one; and requiring no present money to be paid out, but merely a continuation of the contract, it appears to me that the interest of the Government, to say nothing of the interest of those down there, demands that it should not be stricken out, but should remain in. The hearing was full and complete and exhaustive in the House before the Rivers and Harbors Committee.

Gentlemen appeared there and testified orally and were catechized even like a witness upon the stand in an ordinary court of common law as to the propriety, the necessity, and the expediency of this appropriation and of this work. The Committee on Rivers and Harbors in the House did not accept exactly what they said, but as a matter of compromise reported the bill as it originally came to this Chamber. This is not all we are entitled to there, but it is a modified provision, and one with which we have made up our minds to be content if it can be had. For these reasons I think that not only should it be passed as it was originally reported here, but there should not be a question about the propriety of voting down the amendment as proposed.

Mr. MONEY. I call for a vote on agreeing to the amendment of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee at the bottom of page 61.

Mr. SULLIVAN. On that I ask for the yeas and nays.

Mr. FRYE. I hope the Senator will not do that. If he wants to reserve the amendment for a vote in the Senate, let him do so, but I ask him not to press for a vote now.

Mr. SULLIVAN. Very well. I will withdraw the call for yeas and nays.

The amendment was agreed to.

The reading of the bill was continued.

Mr. ALLEN. I ask the Senator from Maine to yield to me for a moment, that I may have a little bill passed to correct a military record. It will not lead to any debate.

Mr. FRYE. I understand the Senator from Nebraska is called away from the Chamber.

Mr. ALLEN. Yes, sir. It is House bill No. 2668.  
Mr. FRYE. Under those circumstances I will yield.

WILLIAM HENRY JOHNSON.

Mr. ALLEN. The Senator from Maine gives way, and I ask that the Senate proceed to the consideration of the bill (H. R. 2668) for the relief of William Henry Johnson.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to remove the charge of desertion from the military record of William Henry Johnson, of Ceresco, Saunders County, Nebr., who served under the name of Henry Johnson, of Company H, Second Pennsylvania Cavalry (Fifty-ninth Pennsylvania Infantry), transferred to Company H, First Pennsylvania Provisional Cavalry, and to grant him an honorable discharge to date April 30, 1865. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PASADENA AND MOUNT WILSON RAILWAY.

The PRESIDING OFFICER (Mr. PASCO in the chair) laid before the Senate the bill (S. 5446) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve, returned to the Senate in compliance with its request.

Mr. WHITE. Mr. President, as I understand a House bill covering that subject has already passed, I move the indefinite postponement of the Senate bill.

The motion was agreed to.

FRANCIS SCOTT.

The PRESIDING OFFICER laid before the Senate the bill (S. 1649) granting an increase of pension to Francis Scott, returned by the House of Representatives to the Senate in compliance with its request.

Mr. SPOONER. I ask the Senate to take up the motion I made some days since to reconsider the vote by which that bill was passed.

The PRESIDING OFFICER. The Senator from Wisconsin [Mr. SPOONER] heretofore entered a motion to reconsider the vote by which Senate bill 1649 was passed. The question now is on the motion to reconsider.

The motion to reconsider was agreed to.

Mr. SPOONER. Both Houses have passed an identical bill. I therefore move that the Senate bill be indefinitely postponed.

The motion was agreed to.

SIoux CITY AND OMAHA RAILWAY.

Mr. ALLEN. I ask the Chair to lay before the Senate Senate bill 5076, which has been returned from the House of Representatives with amendments, for the purpose of moving concurrence.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 5076) authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes, which were, on page 5, line 16, to strike out "ten" and insert "fifty;" to strike out all of section 5 and in lieu thereof to insert:

SEC. 5. That said company shall cause maps showing the entire route of its located lines through the said Omaha and Winnebago Reservation to be filed in the office of the Secretary of the Interior, which maps shall be approved by said Secretary before any rights shall vest in said company under this act. After the filing of said maps and approval thereof by the Secretary of the Interior no claim for a subsequent settlement and improvement upon the right of way shown by said maps shall be valid as against said company: Provided, That when a map showing said railway company's located line is filed and approved, as herein provided for, said company shall commence grading said located line within six months thereafter, or such location shall be void.

On page 7, in line 5, to strike out "three" and insert "two;" and on page 7, line 6, to strike out "five" and insert "three."

Mr. ALLEN. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

CODE FOR ALASKA.

Mr. CARTER. Mr. President, I desire to call attention to the progress made some days ago in the partial reading of the bill providing for a criminal code for the district of Alaska. I wish again to emphasize the imperative necessity of passing some sort of a criminal code for that district at this session of Congress; and, with a view to making progress, I ask unanimous consent that at the hour of 6 o'clock this evening we may resume the reading of the Alaska code bill. I think it can be finished this evening. We will not ask the Senate to pass on any amendments to-night. My request for unanimous consent is qualified with the suggestion that no other business shall be transacted than the formal reading of the bill after the hour of 6 o'clock.

Mr. BERRY. I hope we shall be permitted to get through with the river and harbor bill.

Mr. FRYE. We can not get through with it to-night.

Mr. BERRY. We can get through with the reading of the bill to-night, even if we can not finish its consideration.

Mr. BATE. I think the reading of the Alaska code bill should be continued and completed.

Mr. BERRY. Very well.

Mr. BATE. I think it proper that we should to-night at 6 o'clock have the reading proceeded with.

Mr. BERRY. Very well; I make no objection.

The PRESIDING OFFICER. The Senator from Montana asks unanimous consent that the reading of the bill providing a code for Alaska be resumed at 6 o'clock this evening, with the understanding that after that hour no other business shall be transacted. Is there objection?

Mr. GALLINGER. With the understanding that no other business shall be transacted and no amendments be acted upon.

Mr. BATE. There will be no amendments acted upon to-night.

Mr. CARTER. No amendments to be acted upon to-night.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Montana, and that order will be made.

RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 63, line 19, after the word "necessary," to strike out "shall" and insert "may, in the discretion of the Secretary of War;" so as to make the clause read:

Improving Yazoo River, Mississippi: Continuing improvement, \$20,000, of which so much as may be necessary may, in the discretion of the Secretary of War, be expended in removing the bar at Yazoo City.

The amendment was agreed to.

The next amendment was, on page 63, line 4, after the word "the," to strike out "approved;" and in the same line, after the word "project," to insert "dated December 23, 1896;" so as to make the clause read:

Mouth of Pearl River, Mississippi: Completing improvement in accordance with the project dated December 23, 1896, \$18,199.80.

The amendment was agreed to.

The next amendment was, on page 63, line 17, after the word "improvement," to strike out "according to the plan of Maj. J. H. Willard;" and in line 18, before the word "thousand," to strike out "and fifty;" so as to make the clause read:

Improving Red River, Louisiana, Arkansas, and Indian Territory: Continuing improvement, \$100,000. And an examination shall be made of the harbor of Alexandria, and a report as to what improvement, if any, should be made thereof, together with an estimate of the cost thereof.

The amendment was agreed to.

The next amendment was, on page 64, after line 7, to insert:

The sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, to be expended under the direction of the Secretary of War, for the construction of a boat suitable for operating on the navigable streams of the State of Louisiana in removing therefrom the aquatic plant known as the water hyacinth, so far as it is an obstruction and hindrance to interstate or foreign commerce; also, \$1,000 for log booms to be used as adjuncts to such steamer, and \$10,000 for conducting the necessary operations, making \$36,000 in all, according to the estimate and recommendation of the War Department as found in House Document No. 91, Fifty-fifth Congress, third session.

The amendment was agreed to.

The next amendment was, on page 65, line 7, after the word "improvement," to strike out "\$10,000" and insert "by removal of the raft at its mouth, \$20,000;" so as to make the clause read:

Improving Bayou Courtableau, Louisiana: Continuing improvement by removal of the raft at its mouth, \$20,000.

The amendment was agreed to.

The next amendment was, on page 68, line 6, after the word "specifications," to strike out "reported and recommended by Capt. William L. Sibert" and insert "submitted in report printed;" and in line 10, after the word "dollars," to insert:

And the Secretary of War may also enter into contract or contracts for the completion of Dock No. 2, according to same plan, at a cost not to exceed \$150,000, to be paid for as appropriations may from time to time be made by law.

So as to make the clause read:

Improving Upper White River, Arkansas: For the construction of Lock and Dam No. 1, on Upper White River, at or near Batesville, according to the project, plans, and specifications submitted in report printed in House Document No. 73, Fifty-fourth Congress, second session, to complete said lock and dam, \$160,000, and the Secretary of War may also enter into contract or contracts for the completion of Lock No. 2, according to same plan, at a cost not to exceed \$150,000, to be paid for as appropriations may from time to time be made by law.

Mr. FRYE. After the word "Lock," in line 11, on page 68, I move to insert the words "and dam."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 68, line 20, after the

word "specifications," to strike out "of Capt. William L. Sibert" and insert:

Printed in the Annual Report of the Chief of Engineers for 1898, page 1994 et seq.

So as to make the clause read:

Improving Buffalo Fork of White River, Arkansas: For completion of improvement, according to project, plans, and specifications printed in the Annual Report of the Chief of Engineers for 1898, pages 1994 et seq., \$3,500.

Mr. FRYE. I move to amend the amendment on page 68, line 22, by striking out the date "1898" and inserting "1897."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 69, line 21, after the word "dollars," to insert:

And so much thereof as may be necessary may be used for the construction and equipment of a dredge boat

So as to make the clause read:

Improving Tennessee River below Riverton, Ala., \$100,000; and so much thereof as may be necessary may be used for the construction and equipment of a dredge boat.

The amendment was agreed to.

The next amendment was, on page 70, after line 12, to insert:

Improving Tennessee River at Colbert Shoals and Bee Tree Shoals: Continuing improvement, \$250,000.

The amendment was agreed to.

The next amendment was, on page 70, line 21, to reduce the appropriation for maintenance of improvement of Forked Deer River, Tennessee, from \$3,000 to \$2,000.

The amendment was agreed to.

The next amendment was, on page 71, line 4, before the word "in," to strike out "one lock and dam" and insert "two locks and dams;" in line 9, before the word "hundred," to strike out "two" and insert "four;" in line 18, after the word "of," to strike out "site" and insert "sites;" and in line 19, after the word "above-named," to strike out "lock and dam" and insert "locks and dams;" so as to make the clause read:

Improving Big Sandy River, Kentucky and West Virginia: Continuing improvement, \$32,500: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete two locks and dams in the Big Sandy River between Louisa and the mouth of the Big Sandy River, in accordance with the report of Major Bixby, April 27, 1898, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$420,000, exclusive of the amount herein and heretofore appropriated: *Provided further*, That of the amount authorized to be expended, \$1,000 may be expended for maintenance on Levisa Fork, and \$1,500 on Tug Fork, and \$20,000, or so much thereof as may be necessary, for a detailed survey of the Big Sandy River and Levisa and Tug forks of the same in Kentucky and West Virginia: *Provided*, That the rest of the amount may be used for the local survey, acquisition of sites, and commencement of construction of the above-named locks and dams.

The amendment was agreed to.

Mr. FRYE. On page 71, line 6, after the words "report of," I move to strike out the name "Major Bixby."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 73, line 3, to increase the appropriation for the continuation of the repair of the embankment of the Ohio River at Lawrenceburg, Ind., from \$15,000 to \$25,000.

Mr. FRYE. I ask the Senate to disagree to that amendment.

The amendment was rejected.

Mr. FRYE. That restores the amount of \$15,000 instead of the \$25,000 recommended by the committee. In line 4, on page 73, after the word "Indiana," I move to strike out "\$15,000" and insert "\$25,000."

The amendment was agreed to.

The reading of the bill was resumed.

Mr. FRYE. In line 24, on page 73, I move, after the word "report," to strike out the words "of Maj. W. H. Bixby."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 74, after line 8, to strike out:

Improving Ohio River: Continuing improvement at Dam No. 18, \$50,000, to be used for the local survey, acquisition of site, and commencement of construction of said dam in accordance with the report of Maj. W. H. Bixby, of December 28, 1898: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$800,000, exclusive of the amount herein appropriated.

The amendment was agreed to.

Mr. FORAKER. We have already had some discussion on the provisions in regard to the improvement of the Ohio River, so far as the dams are concerned. I suggest, as a compromise of the differences, that the provision as to the Wheeling dam, which is No. 13, be changed so as to read "\$400,000" instead of "\$800,000" for the continuing contract.

Mr. FRYE. In line 7?

Mr. FORAKER. In line 7, on page 74. I also ask that the pro-

vision put in the bill by the House of Representatives as to Dam No. 18 be allowed to stand as the House made it, with a change to \$400,000 instead of \$800,000 for the continuing contract.

The result of these two amendments would be that each of these dams would be provided for, \$50,000 being appropriated for each and \$400,000 for each as a continuing contract.

Mr. FRYE. Without consulting the committee, I am inclined to accept that proposition.

The PRESIDING OFFICER. The amendment of the Committee on Commerce striking out the paragraph on page 74 from line 9 to line 20, inclusive, will be regarded as reconsidered for the purpose of the motion offered by the Senator from Ohio [Mr. FORAKER], if there be no objection; and the amendments offered by the Senator from Ohio striking out the word "eight," in line 7, on page 74, and substituting "four," and in line 18 striking out "eight" and substituting "four" will both be regarded as agreed to, in the absence of objection.

Mr. FRYE. Now, in line 4, on page 74, I move to strike out the word "complete" and insert "prosecute."

The SECRETARY. In line 4, on page 74, after the words "necessary to," it is proposed to strike out "complete" and insert "prosecute;" so as to read, "as may be necessary to prosecute said improvement," etc.

The amendment was agreed to.

Mr. FRYE. In line 16, on page 74, I move to strike out "complete" and insert "prosecute."

The SECRETARY. On page 74, line 16, after the words "necessary to," it is proposed to strike out "complete" and insert "prosecute;" so as to read:

That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to prosecute said improvements, etc.

The amendment was agreed to.

Mr. FRYE. In line 12, on page 74, after the word "report," I move to strike out the words "of Maj. W. H. Bixby."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 74, line 21, before the word "River," to strike out "Bell" and insert "Belle;" so as to make the clause read:

Improving Belle River, Michigan: Completing improvement, \$10,000.

The amendment was agreed to.

The next amendment was, on page 75, line 18, to reduce the appropriation for continuing the improvement of Saginaw River, Michigan, from \$40,000 to \$25,000.

The amendment was agreed to.

The next amendment was, on page 77, line 25, after the date "1896," to strike out "by Capt. George A. Zinn;" so as to make the clause read:

Improving Menominee River, Michigan and Wisconsin: According to the second, or dredging, plan, reported November 30, 1898, \$18,920.

The amendment was agreed to.

The next amendment was, on page 78, line 5, before the word "thousand," to strike out "five" and insert "ten;" so as to make the clause read:

Improving Red River of the North, Minnesota, and its tributaries: Continuing improvement, \$25,000, of which sum \$10,000, or so much thereof as may be necessary, shall be used in improving the navigation of the Red Lake River.

The amendment was agreed to.

The next amendment was, on page 78, after line 11, to insert:

For removing a sand bar at the mouth of Warroad River, Minnesota, \$3,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, at the top of page 79, to insert:

For making a further survey of Big Stone Lake and Lake Traverso, Minnesota and South Dakota, with a view to construct reservoirs therein for the improvement of the navigation of the Minnesota River, and an estimate of the cost of such improvements, \$5,000.

The amendment was agreed to.

The next amendment was, on page 79, line 11, after the word "dollars," to strike out the following proviso:

*Provided*, That the expenditure of said money shall be made upon said river from the mouth thereof to the forks in said river.

The amendment was agreed to.

The next amendment was, on page 79, line 15, to reduce the appropriation for continuing the improvement of the Illinois River from \$100,000 to \$75,000.

The amendment was agreed to.

The next amendment was, on page 80, line 2, before the word "report," to strike out "Maj. W. L. Marshall in his;" so as to make the clause read:

Illinois River and Des Plaines River, Illinois: The Secretary of War is directed to appoint a board of three engineers, which board shall make a survey and estimates of cost for the improvement of the Upper Illinois River and Lower Des Plaines River, in Illinois, with a view to the extension of navigation from the Illinois River to Lake Michigan at or near Chicago; said board of engineers shall report the estimates of cost for a channel 7 feet deep,

and also for a channel 8 feet deep, throughout said proposed route; said survey and estimates of cost shall be made in pursuance of and according to the recommendations of report of January 27, 1897, and there is hereby appropriated for the expenses of said board and such survey the sum of \$30,000, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. FRYE. On page 80, line 1, after the word "recommendations," I move to strike out the word "of" and insert the word "in;" so as to read:

According to the recommendations in report of January 27, 1897.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 81, line 24, after the word "improvement," to insert "or said material may be purchased and the work done otherwise than by contract;" so as to make the clause read:

Improving the Mississippi River, between the Chicago, St. Paul, Minneapolis and Omaha Railroad bridge at St. Paul, and the Washington Avenue Bridge at Minneapolis: Continuing improvement, \$150,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said improvement, or said material may be purchased and the work done otherwise than by contract, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$815,579.33, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 82, after line 6, to insert:

For improving the Missouri River from its mouth to Sioux City, Iowa, according to plans and specifications of the Missouri River Commission, \$100,000: *Provided*, That of this amount the following sums, or so much thereof as may be necessary, in the discretion of the Secretary of War, shall be expended for continuing improvements at the following places, namely: For work at the mouth of Kaw River, in Missouri, \$5,000; for work on the right bank above the mouth of Little Blue River, in Missouri, \$7,500; for work above Glasgow, Mo., \$12,500; for work near Huntedale, Mo., \$10,000; for work in Pelican Bend and vicinity, in Missouri, \$30,000; for local works above Kansas City, Mo., not yet completed, \$30,000; for repairs on works and contingencies, \$15,000.

Mr. VEST. I move certain amendments to that clause as reported by the committee, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendments proposed by the Senator from Missouri will be stated.

The SECRETARY. It is proposed to amend the amendment on page 82, line 16, before the word "thousand," by striking out "seven" and inserting "five;" after the word "thousand," by striking out "five hundred;" in line 17, before the word "thousand," by striking out "twelve" and inserting "ten;" after the word "thousand," by striking out "five hundred;" and in line 19, after the word "dollars," by striking out "for work in Pelican Bend and vicinity, in Missouri, \$30,000;" so as to make the clause read:

For improving the Missouri River from its mouth to Sioux City, Iowa, according to plans and specifications of the Missouri River Commission, \$100,000: *Provided*, That of this amount the following sums, or so much thereof as may be necessary, in the discretion of the Secretary of War, shall be expended for continuing improvements at the following places, namely: For work at the mouth of Kaw River, in Missouri, \$5,000; for work on the right bank above the mouth of Little Blue River, in Missouri, \$5,000; for work above Glasgow, Mo., \$10,000; for work near Huntedale, Mo., \$10,000; for local works above Kansas City, Mo., not yet completed, \$30,000; for repairs on works and contingencies, \$15,000.

The amendments to the amendment were agreed to.

Mr. VEST. At the end of the amendment just adopted, I offer the amendment which I send to the desk. I will state this does not change the amount appropriated by the committee.

The SECRETARY. At the end of the amendment just adopted, on page 82, line 22, it is proposed to insert:

*Provided also*, That of said amount of \$100,000, the sum of \$35,000 may be expended in operating snag boats on the Missouri River between Sioux City and its mouth, in removing snags, wrecks, and other obstructions.

Mr. FRYE. There is no objection to that amendment. As I understand, it is simply a change of appropriation.

Mr. VEST. That is all; it does not change the total amount.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Commerce as amended on motion of the Senator from Missouri [Mr. VEST].

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 82, line 25, after the word "Missouri," to strike out:

By the construction of a lock and dam in accordance with the plan and estimate submitted by the Missouri River Commission in their report of July 12, 1898, and printed in volume 6 of the Report of the Chief of Engineers for the year 1898, \$25,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such work and materials as may be necessary for the completion of such lock and dam, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$146,000, exclusive of the amount herein and heretofore appropriated.

And insert "Continuing improvement, \$25,000;" so as to make the clause read:

Improving Osage River, Missouri: Continuing improvement, \$25,000.

Mr. VEST. I ask that that amendment may be disagreed to. That is the most important improvement upon that river, and the slack-water navigation has been continued there at some expense—

not very much. There is considerable commerce upon that river, and it is the largest tributary of the Missouri.

Mr. FRYE. I simply desire to say that when that provision was stricken out the Senator from Missouri was not present in the committee.

Mr. VEST. That is so.

Mr. FRYE. It was stricken out without consulting him.

Mr. VEST. I was detained by sickness and was not at the committee meeting that day, or I should have asked to have the provision retained.

The PRESIDING OFFICER. The question is on the amendment reported by the Committee on Commerce.

The amendment was rejected.

Mr. VEST. I move to amend the provision which has now been restored to the bill by inserting the amendment I send to the desk.

Mr. FRYE. Relating to the Osage River?

Mr. VEST. Yes. It merely gives the commission the right to have this work done by days' work, as it is called, instead of by contract.

Mr. FRYE. That is right. It should be done.

The PRESIDING OFFICER. The amendment submitted by the Senator from Missouri will be stated.

The SECRETARY. On page 83, line 9, after the word "dam," it is proposed to insert:

Or the materials may be purchased and the work done otherwise than by contract.

Mr. FRYE. That is recommended by the War Department.

Mr. VEST. Yes, that is recommended by the War Department, and I have the letter of recommendation here.

The amendment was agreed to.

The reading of the bill was continued to the end of line 13, on page 83.

Mr. FRYE. The two items following relate to reservoirs, and the Senator from Wisconsin [Mr. SPOONER] desires to have something to say in relation to them. He asked if we would take them up to-night. I told him probably not, but in the morning. So I ask that they may be passed over until morning.

Mr. CARTER. I shall be very glad to have both amendments passed over until morning. I wish to make some observations thereon.

Mr. FRYE. They will be passed over.

Mr. WARREN. I should like to ask the Senator in charge of the bill if it is the purpose to let them be disposed of at the end of the bill or to take them up in the morning?

Mr. FRYE. The first thing in the morning.

The PRESIDING OFFICER. The amendments beginning with line 14, on page 83, and ending in line 18, on page 84, will be passed over until to-morrow.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 84, after line 21, to insert:

Improving Missouri River: Continuing improvement, including necessary harbor improvements, at Sioux City, Iowa, \$30,000; above Sioux City, to and including Bismarck, \$170,000, to be expended in the discretion of the Secretary of War.

Mr. FRYE. I desire to offer an amendment to the amendment. On page 85, after line 2, I move to insert what I send to the desk.

The SECRETARY. On page 85, after line 2, it is proposed to insert:

*Provided*, That of said sum \$30,000 may, in the discretion of the Secretary of War, be expended on the Nebraska side of said river, between the first re-vestment north of the communications bridge, between Sioux City, Iowa, and South Sioux City, Nebr., and a point opposite Elk Point, S. Dak.

Mr. PETTIGREW. I should like to know where the amendment to the amendment comes in.

Mr. FRYE. At the end of line 2, page 85.

Mr. PETTIGREW. I certainly object to the amendment. As I understand it, the amendment on pages 84 and 85 appropriates \$170,000 for the Missouri River above Sioux City, to and including Bismarck, N. Dak.

Mr. FRYE. Yes.

Mr. PETTIGREW. This amendment proposes to divert a part of that appropriation to another purpose. Is not that the purpose of the amendment?

Mr. FRYE. Is not the place there between those two localities, Bismarck and Sioux City? The Senator from Nebraska [Mr. ALLEN] and the Senator from South Dakota [Mr. KYLE] desire that it shall be done.

Mr. KYLE. I should like to suggest to the Senator from Maine that the words "Elk Point" were not in the amendment when I saw it originally. I supposed that the work could be done at Yankton, as has been done in the past. On the Nebraska side work has been begun and is incomplete.

Mr. PETTIGREW. I should like to hear the amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment will again be stated.

The Secretary again read the amendment to the amendment.

Mr. PETTIGREW. This is an entire diversion of the appropriation.

Mr. KYLE. I also shall object to that wording.

Mr. PETTIGREW. It is an entire diversion of this appropriation to another purpose. I have no objection to the amendment, but I have serious objections to a diversion of a part of the \$170,000 to this purpose. It does not include any portion of the river included in this amendment as reported by the committee.

Mr. FRYE. In the absence of the Senator from Nebraska the matter had better go over until morning.

Mr. PETTIGREW. I shall resist any effort to divert any part of this appropriation. I do not object to this amendment at all, but I do object to taking this sum of money—

Mr. FRYE. The Senator does not object to an additional appropriation?

Mr. PETTIGREW. I do not object to an additional appropriation for this purpose, but this is a diversion of a part of the sum mentioned in the bill.

Mr. FRYE. I think I will let it go over until to-morrow morning, when the Senator from Nebraska will be present.

The PRESIDING OFFICER. The amendment to the amendment and the amendment will go over without action until to-morrow morning.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 85, line 7, after the word "project," to strike out "as recommended" and insert "printed," and in line 14, after the word "appropriated," to insert:

The Secretary of War is hereby authorized to accept from the State of California the use of any dredger or appliances owned or controlled by said State, conformably to any offer thereof by the said State; and the Secretary of War is hereby authorized to use any such dredger or appliances in any river or harbor improvement that may be prosecuted therein by the United States, either on the part of the United States alone or conjointly with said State: *Provided*, That nothing shall be paid to the State of California for the use of said dredger, and that nothing herein contained shall create any liability against the United States.

So as to make the clause read:

Improving Sacramento River, California, from the city of Sacramento to the mouth: Continuing improvement, \$30,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry out the revised project printed in House Document No. 186, Fifty-fifth Congress, second session, and House Document No. 48, Fifty-fifth Congress, third session, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate the sum of \$184,000, exclusive of amount herein and heretofore appropriated. The Secretary of War is hereby authorized to accept from the State of California, etc.

Mr. FRYE. In line 13, page 85, I move to strike out "one hundred and eighty-four" and insert "two hundred and fifty;" so as to read "two hundred and fifty thousand dollars."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, at the top of page 86, to insert:

That the provisions of an act of Congress entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes," approved July 1, 1898, authorizing the Secretary of War, in expending certain specified appropriations in the preparation for and construction of certain works for the restraining or impounding of mining debris in the State of California, to enter into a contract or contracts wherein the contractor or contractors shall look solely to that State for one half of such expense, and that the United States shall in no wise be liable for said one-half, are hereby extended to any appropriations, when made, that may hereafter be made for said purposes.

The amendment was agreed to.

The next amendment was, on page 86, after line 14, to insert:

That the Secretary of War, in carrying out the provisions of any act of Congress providing for the restraining or impounding of mining debris in California, may, in his discretion, when in his judgment the aggregate of appropriations already made by said State and Congress and available therefor are sufficient to complete the same, undertake the works necessary thereto by hired labor and by purchase of supplies and materials therefor, and may accept payments on account thereof as the work progresses under and according to the provisions of the acts of the legislature of said State for such purposes.

The amendment was agreed to.

The next amendment was, on page 87, line 4, after the word "the," to strike out "city limits of the city of Stockton" and insert "heads of navigation;" so as to make the clause read:

Improving San Joaquin River, California: Continuing improvement, \$30,000, to be expended in dredging, making cut-offs, or otherwise improving said river, and Stockton and Mormon Channels to the heads of navigation.

The amendment was agreed to.

The next amendment was, on page 87, line 9, to increase the appropriation for continuing the improvement of the Upper Columbia River, Oregon, from \$5,000 to \$7,500.

Mr. FRYE. I offer an amendment.

The SECRETARY. On page 87, line 8, after the word "Columbia," it is proposed to strike out the words "River, Oregon," and insert "and Snake rivers, Oregon and Washington;" so as to make the paragraph read:

Improving Columbia and Snake rivers, Oregon and Washington: Continuing improvement, \$7,500.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 87, after line 10, to insert:

Improvement of Coos River, Oregon: Completing improvement, \$3,000.

The amendment was agreed to.

The next amendment was, on page 87, after line 12, to insert: Canal at Cascades, Columbia River, Oregon: Continuing improvement, \$100,000.

The amendment was agreed to.

The next amendment was, on page 87, after line 14, to insert:

Improving Columbia River, Oregon and Washington, at Three Mile Rapids, and the construction and equipment of a boat railway from the foot of The Dalles Rapids to the head of Celilo Falls, in the State of Oregon, the same to be constructed in accordance with the plans and specifications of the Engineer Department of the United States, \$50,000.

The amendment was agreed to.

The next amendment was, on page 87, after line 21, to insert:

Improving Long Tom River, Oregon: The sum of \$3,000, or so much thereof as may be necessary to be expended in the discretion of the Secretary of War, is hereby transferred from the balance remaining to the credit of the appropriation made June 4, 1897, sundry civil act, for the improvement of the Willamette River above Portland.

The amendment was agreed to.

The next amendment was, on page 88, line 7, before the word "thousand," to insert "and fifty;" so as to make the clause read: Improving Lower Willamette River in front of and below Portland, Oregon, and Columbia River below the Willamette River in Oregon and Washington: Continuing improvement, \$150,000.

The amendment was agreed to.

The next amendment was, on page 88, line 9, to increase the appropriation for continuing the improvement of Coquille River, below Coquille City, Oreg., from \$25,000 to \$40,000.

The amendment was agreed to.

The next amendment was, on page 88, after line 9, to insert:

Improving Clatskanie River, Oregon: To complete improvement recommended in report printed in House Document No. 218, Fifty-fifth Congress, second session, \$13,000.

The amendment was agreed to.

The next amendment was, on page 88, line 17, to increase the appropriation for continuing the improvement of the Upper Coquille River, between Coquille City and Myrtle Point, Oreg., from \$6,000 to \$9,000.

The amendment was agreed to.

The next amendment was, on page 88, after line 18, to strike out:

Improving Columbia River between the mouth of the Willamette River and the city of Vancouver, Wash.: Continuing improvement, \$40,000.

The amendment was agreed to.

The next amendment was, on page 88, after line 21, to insert:

Improving Columbia River below Tongue Point by way of the South Channel in front of Astoria, Oreg., in accordance with project submitted in the Annual Report of the Chief of Engineers for the year 1895: Completing improvement, \$71,000.

The amendment was agreed to.

The next amendment was, on page 89, after line 6, to insert:

For the improvement of the Lewis River, Washington, from its mouth to Lacenter, according to the plan submitted by the Chief of Engineers in his annual report for the year 1897, \$10,000.

The amendment was agreed to.

The next amendment was, on page 89, after line 15, to insert:

For the improvement of the Pend Oreille River, Washington, from Albany Falls to the town of Metalline, Wash., in accordance with approved plans, \$10,000.

The amendment was agreed to.

The next amendment was, in the appropriation for improving Willapa River and Harbor, Washington, on page 89, line 24, after the word "dollars," to insert the following proviso:

*Provided*, That in the discretion of the Secretary of War so much of this amount as may be necessary shall be expended for more thoroughly clearing a channel through the North River jam.

The amendment was agreed to.

The next amendment was, on page 90, line 5, after the word "with," to strike out "approved project" and insert "project printed in the Annual Report of the Chief of Engineers for 1898;" so as to make the clause read:

Improving Okanagon River, Washington: Continuing improvement in accordance with project printed in the Annual Report of the Chief of Engineers for 1898, \$15,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 16, on page 90.

Mr. FRYE. A request was made for a short executive session at a quarter of 6, and I ask that the reading of the bill may be suspended at this point.

I am instructed by the Committee on Commerce to move that when the Senate adjourns to-night it be to meet at 11 o'clock to-morrow morning, instead of at the usual hour.

The motion was agreed to.

DENISON, BONHAM AND NEW ORLEANS RAILWAY.

Mr. CHILTON. I ask leave to call up the bill (S. 5514) to amend an act entitled "An act to grant the right of way through

the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company. It is a very short bill, and there will be no contest over it, I am sure.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM BRITTON.

Mr. WHITE. I ask unanimous consent for the present consideration of the bill (H. R. 5740) to remove the charge of desertion against William Britton, reported unanimously by the Senator from Missouri [Mr. COCKRELL] from the Committee on Military Affairs.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Military Affairs with amendments, in line 7, after the word "August," to strike out "fifth" and insert "fourth;" in line 8, after the word "and," to strike out "sixty-four;" in the same line, after the word "pay," to insert "allowance;" in line 10, after the word "August," to strike out "fifth" and insert "fourth;" and in the same line, after the word "and," to strike out "sixty-three" and insert "sixty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of War be, and is hereby, authorized and directed to remove the charge of desertion now standing against the record of William Britton, of Company A, Fifty-eighth Pennsylvania Volunteers, and to grant him an honorable discharge as of August 4, 1864: *Provided,* That no pay, allowance, or emoluments shall become due by virtue of this act subsequent to August 4, 1864.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGIA PINE RAILWAY.

Mr. BACON. I ask the Senate to take up for present consideration the bill (H. R. 11867) to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga. It provides for the construction of a bridge for a railroad now in process of construction.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. CARTER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. BUTLER submitted an amendment proposing to make available for the fiscal year 1900 any unexpended balance of the appropriation made by the act of July 7, 1898, for the establishment of a fish-cultural station in the State of North Carolina, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$8,000,000 for the construction, maintenance, and operation, in connection with the Post-Office Department of the United States Government, a submarine cable or cables connecting land lines from San Francisco to Honolulu, in the Hawaiian Islands, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McBRIDE submitted an amendment proposing to extend to the port of Astoria, Oreg., the privilege of immediate transportation of dutiable goods in accordance with the provisions of the act of June 10, 1880, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

JUDICIAL SYSTEM OF THE NAVY.

Mr. McBRIDE (by request) submitted the following resolution; which was referred to the Committee on the Judiciary:

*Resolved,* That as the Navy is entitled to nothing less than the best legal ministry, and as the Judge-Advocate-General decides all questions of constitution, law, and justice for every ship, station, and department in the whole naval service, as well as the many comprehensive matters stated in Congressional Directory as pertaining to said office, inquiry be made if so important

a judicial elevation should not be limited to jurists who, while being versed in naval law and regulations, shall have had at least five years' legal practice, instead of being, as now, limited (act June, 1880) to officers of the Navy.

CODE FOR ALASKA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8571) to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district.

Mr. PETTIGREW. I should like to know what the understanding is with regard to the reading of this bill. I was not present when unanimous consent was given, and therefore I do not know what it was.

The VICE-PRESIDENT. The Senator from Montana [Mr. CARTER] will state the agreement. The present occupant of the chair was not in the chair at the time.

Mr. CARTER. I will state it. It is that the formal reading of the bill shall be proceeded with; that amendments shall not be acted upon, and that no other business than the formal reading of the bill shall be transacted during the evening prior to adjournment.

Mr. PETTIGREW. I have no objection.

The Secretary resumed the reading of the bill at page 56, chapter 8, section 135, and continued the reading to the end of section 413, chapter 40, Title II, page 212.

Mr. CARTER. Mr. President, it will be observed that the sections have been renumbered by the committee. I should like to have an understanding as to whether the Secretary is to read the amended numbers of the sections or the numbers as they appear in the original print.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). In one or two instances, by mistake, the Secretary has read the amended numbers.

Mr. CARTER. I have observed some confusion in that behalf, and certain Senators have complained of their inability to follow the Secretary closely. I presume that condition has resulted from the confusion as to the numbers of the sections.

The PRESIDING OFFICER. The rule requires that the original numbers shall be read and that the amended numbers shall not be read; but the amendments to the bill, the Chair understands, are none of them to be read in this reading of the bill. Only the original bill is to be read, according to the understanding of the Chair. The Secretary will proceed.

Mr. CARTER. Mr. President, I understand the fact to be that the amendments are to be read, but not acted upon to-night.

The PRESIDING OFFICER. The Chair does not know what the understanding is. On page 211, for instance, "Chapter 40. Of justices of the peace and constables ex officio," the Committee on Territories report to strike out sections 412 and 413. Does the Senator desire to have those sections read?

Mr. CARTER. My understanding was that the amendments, together with the text of the bill, were to be read, but that no action is to be taken upon the amendments at this session of the Senate.

The PRESIDING OFFICER. The Secretary will proceed with the reading, and read the sections as originally numbered.

Mr. CARTER. I understand the Secretary to have read the amendments as proposed by the committee as well as the original bill thus far.

The PRESIDING OFFICER. The Chair is informed that the amendments have been read, although the Chair had not particularly noticed.

The reading of the bill was resumed, at chapter 41, Title II, section 414, on page 212, and continued to the end of the section.

The PRESIDING OFFICER. The Chair understands that none of the amendments are to be acted upon, although they are to be read.

Mr. CARTER. None of the amendments are to be acted upon at this session of the Senate.

The reading of the bill was resumed and continued to the end of chapter 43, Title II, to the end of page 223.

Mr. CARTER. I understand the Secretary is now reading chapter 44 of the original print.

The PRESIDING OFFICER. Chapter 44 of the original print, amended chapter 43.

Mr. CARTER. I may have been mistaken about it, but my impression was that the Secretary read chapter 43, and I wish to state that that would mislead Senators. I therefore suggest the propriety in reading the chapters and sections of reading the original section in each case with accuracy, as well as the amendment, so that no mistake can occur with reference to the place at which the reading is in progress.

The PRESIDING OFFICER. That will be the course pursued. The Chair will call attention to certain sections soon to be reached, new section 455 and new section 457, covering more than a page. The Chair understands that those sections are to be read, but not acted upon.

Mr. CARTER. I understand that all the amendments are to

be read, and I will state here for the information of the Senate that during a former session of the Senate, on behalf of the Committee on Territories, I announced that the committee report would be amended by striking out all of the reported bill after page 248.

The reading was resumed and continued to the end of line 7, section 457, page 236.

Mr. SHOUP. I understand now that the Secretary is reading a proposed amendment.

Mr. CARTER. That is on page 236, as I understand. The Secretary has read what is a substitute for sections 461 and 462.

The PRESIDING OFFICER. Does the Senator from Idaho ask to have section 457, which is a section proposed by the committee, again read? If so, the Secretary will again read section 457.

Mr. SHOUP. I rose merely for information.

Mr. CARTER. I desire to call attention to the fact that section 457 is a substitute for what are known as the license sections of the House bill, found on page 59, section 142 and following, and is essentially a substitute for the parts stricken out in section 442.

The reading of the bill was resumed and continued to the end of line 83, section 459, page 230.

Mr. CHANDLER. The sections which are now being read appear to be all new additions to the bill proposed by the Senate Committee on Territories. There appears to be a very elaborate system of taxation by license fees, and then there follow statutes regulating the sale of liquor in the Territory. They seem to have been carefully prepared, but they will, of course, arouse some discussion before the bill is disposed of in the Senate. I only wish now to have from the chairman of the committee, whom I see present, or the Senator from Idaho [Mr. SHOUP], tell me, if he can and is willing to do so, from the statutes of what other States these sections have been derived, if they have been taken from similar statutes in other States. What is the origin of those provisions? Are they original with the committee or are they taken from previous statutes in existence elsewhere?

Mr. SHOUP. I wish to state to the Senator from New Hampshire that by previous agreement there is to be no action upon these amendments to-night. The license law is practically the same as that of the District of Columbia. I will state, not for the purpose of discussion, but merely for the information of the Senator from New Hampshire, that the license law is taken from that of the District. The Committee on Territories have thoroughly investigated the condition of affairs in Alaska and have prepared certain licenses which in their judgment will create a revenue sufficient to defray all the expenses of the government of the Territory of Alaska.

Mr. CHANDLER. I was well aware that it was understood there should be no action upon these amendments this evening. I did not understand there would be any objection, however, to inquiries from time to time to be made by Senators who might stay here to familiarize themselves with the bill while it was being read. I did not understand that any objection would be interposed to the making of such inquiries and having replies made to them.

Mr. CARTER. No objection can be made.

Mr. CHANDLER. Do I understand the Senator to say that the body of the license taxes provided for and the liquor licenses are taken from the statutes prevailing in the District of Columbia?

Mr. SHOUP. The details are somewhat different, but they are based, so far as the liquor law is concerned, on the District law. The other licenses are not. They are licenses peculiar to the condition of affairs in the Territory of Alaska on certain lines of goods, articles of commerce, etc., which, in the judgment of the committee, should bear a license, inasmuch as there is no taxation whatever in Alaska. Not one dollar of taxes is raised on any kind of property there. It is therefore necessary to raise revenue of some kind, and in the judgment of the Committee on Territories, after consultation with prominent citizens of the Territory of Alaska, including the governor and several other officers, this code or list of licenses was prepared by the committee. It was prepared largely upon their suggestions and upon the information of the committee derived from conversing with them.

Mr. CHANDLER. Then I understand that the commercial and business conditions in Alaska being peculiar, a special code of license taxes has been devised?

Mr. SHOUP. That is correct.

The PRESIDING OFFICER (Mr. HEITFIELD in the chair). The reading of the bill will be proceeded with.

The reading of the bill was resumed and continued to the end of line 13, section 459, page 230.

Mr. CHANDLER. I call the attention of the Senator from Montana to lines 11, 12, and 13 of the proposed amendment on page 230:

*Provided, That each day business is done or attempted to be done in violation of the preceding section shall constitute a separate and distinct offense.*

Manifestly there should be some change in the language there, because a day can not constitute an offense. Will the Senator make a memorandum and later prepare an amendment?

Mr. CARTER. I rather incline to the opinion that when that language is carefully scrutinized it will be found that it applies

especially to the conducting of a business. Whether sales are made or not is a question of little moment. The number of days on which a business is conducted will be the number of offenses committed. It would be difficult to prove in a given case that certain liquors, for instance, had been sold upon Monday or Tuesday or Wednesday or Thursday of a given week, but it would be an easy matter to show that a saloon had been open and that liquors were offered for sale, general business conducted, the liquor traffic engaged in on certain definite distinct days to be alleged in the information or indictment. However, I shall be glad to hear from the Senator on that subject at the time the matter is taken up for consideration in the Senate, unhampered by any unanimous-consent agreement.

Mr. CHANDLER. My criticism is a verbal criticism; but this is a crime statute, and the offense must be carefully set forth. The Senator will see what I mean. A day can not constitute a separate and distinct offense. If the Senator means that the proviso should read like this:

*Provided, That for each day on which business is done or attempted to be done in violation of the preceding section the party shall be deemed guilty of a separate and distinct offense—*

Then the language should be explicitly framed to define such an offense; but a day can not be an offense.

Mr. CARTER. I observe that the Senator's criticism is purely verbal.

The reading of the bill was resumed and continued to the end of page 241.

The PRESIDING OFFICER. The Chair will state to the Senator from Montana that the clerks call his attention to a matter in section 477, the words, "That no license shall," etc. It should be "licensee." Will the Senator from Montana take note of that?

Mr. CARTER. That will be a proper subject to consider when amendments are in order.

Mr. CHANDLER. Has the appendix been read?

The PRESIDING OFFICER. Not yet.

Mr. CARTER. The appendix constitutes a part of the proposed act, and it must be read.

The Secretary read the appendix beginning on page 243 and ending on page 248.

Mr. CARTER. I move that the Senate adjourn.

Mr. CHANDLER. Mr. President—

Mr. CARTER. I withdraw the motion temporarily.

Mr. CHANDLER. It is understood that we meet at 11 o'clock to-morrow?

The PRESIDING OFFICER. The Chair so understands.

Mr. CARTER. A motion was made to that effect by the Senator from Maine [Mr. FRYE], and it was carried. I move that the Senate adjourn.

The motion was agreed to; and the Senate (at 7 o'clock and 35 minutes p. m.) adjourned until to-morrow, Friday, February 24, 1899, at 11 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate February 23, 1899.*

##### DISTRICT JUDGE.

Christian C. Kohlsaat, of Illinois, to be United States district judge for the northern district of Illinois, vice Peter S. Grosscup, appointed United States circuit judge for the Seventh judicial circuit.

##### GENERAL APPRAISER.

James S. Sherman, of New York, to be general appraiser of merchandise, to succeed Ferdinand N. Shurtleff, removed.

##### SURVEYOR OF CUSTOMS.

La Fayette Redmon, of Iowa, to be surveyor of customs for the port of Des Moines, in the State of Iowa, in place of Bartholomew Kennedy, deceased.

##### COMMISSIONER TO EXAMINE AND CLASSIFY LANDS, ETC.

George W. Garrett, of Arkadelphia, Ark., to be a commissioner to examine and classify lands within the land-grant and indemnity land-grant limits of the Northern Pacific Railroad Company in the Missoula land district in Montana, vice William V. Tompkins, resigned.

##### POSTMASTERS.

Thomas B. Smith, to be postmaster at Livingston, in the county of Sumter and State of Alabama, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1898.

Frank A. Egan, to be postmaster at Angels Camp, in the county of Calaveras and State of California, in the place of George Stickle, removed.

John P. Leonard, to be postmaster at Oroville, in the county of Butte and State of California, in the place of Joseph Marks, removed.

Orlando J. Lincoln, to be postmaster at Santa Cruz, in the county of Santa Cruz and State of California, in the place of W. T. Kearney, whose commission expired January 9, 1899.

Samuel M. Biggs, to be postmaster at Durango, in the county of La Plata and State of Colorado, in the place of Harry Schiffer, whose commission expired February 14, 1899.

Clarence R. Ellis, to be postmaster at Rico, in the county of Dolores and State of Colorado, in the place of J. D. Adams, resigned.

Charles A. Keyes, to be postmaster at Southington, in the county of Hartford and State of Connecticut, in the place of E. W. Lowrey, whose commission expired February 7, 1899.

George W. Randall, to be postmaster at Rockville, in the county of Tolland and State of Connecticut, in the place of W. B. Foster, whose commission expired August 3, 1898.

Wilbur W. Smith, to be postmaster at Seymour, in the county of New Haven and State of Connecticut, in the place of John Earley, whose commission expires March 1, 1899.

Frederick L. Tibbals, to be postmaster at Milford, in the county of New Haven and State of Connecticut, in the place of W. B. Brotherton, whose commission expires March 1, 1899.

Jefferson O'Brien, to be postmaster at Mokense, in the county of Kankakee and State of Illinois, in the place of S. N. Metcalf, whose commission expired January 18, 1899.

Frank B. Myer, to be postmaster at Rensselaer, in the county of Jasper and State of Indiana, in the place of G. M. Robinson, deceased.

S. B. Gilmore, to be postmaster at Holstein, in the county of Ida and State of Iowa, in the place of W. F. Judiesch, removed.

Thomas E. Thompson, to be postmaster at Howard, in the county of Elk and State of Kansas, in the place of J. A. Jackson, whose commission expired February 14, 1899.

George M. Dickey, to be postmaster at Cynthia, in the county of Harrison and State of Kentucky, in the place of B. S. Moore, whose commission expires March 1, 1899.

Abel H. Harriman, to be postmaster at Bridgeton, in the county of Cumberland and State of Maine, in the place of F. P. Bennett, whose commission expired January 15, 1899.

James P. Harter, to be postmaster at Hagerstown, in the county of Washington and State of Maryland, in the place of J. B. Sweeney, whose commission expired February 14, 1899.

Stanley B. Dearborn, to be postmaster at Wakefield, in the county of Middlesex and State of Massachusetts, in the place of Thomas Hickey, whose commission expires March 1, 1899.

Alexander Grant, to be postmaster at Chicopee, in the county of Hampden and State of Massachusetts, in the place of James Deviney, whose commission expires March 1, 1899.

Charles L. Stevens, to be postmaster at Clinton, in the county of Worcester and State of Massachusetts, in the place of J. W. McNamara, whose commission expires March 1, 1899.

William A. Leet, to be postmaster at Ithaca, in the county of Gratiot and State of Michigan, in the place of D. G. Hall, removed. Mr. Leet is now serving under a temporary commission issued during the recess of the Senate.

Andrew J. Robison, to be postmaster at Liberty, in the county of Clay and State of Missouri, in the place of J. T. Riley, whose commission expired December 11, 1898. Through error Mr. Robison was nominated to the Senate and confirmed as Andrew J. Robinson.

Herbert Bailey, to be postmaster at Claremont, in the county of Sullivan and State of New Hampshire, in the place of G. W. Paul, whose commission expired February 13, 1899.

Gilmore O. Bush, to be postmaster at Tuxedo Park, in the county of Orange and State of New York, in the place of John S. Brooks, removed.

Mortimer N. Cole, to be postmaster at Castile, in the county of Wyoming and State of New York, in the place of L. S. Coleman, whose commission expires March 2, 1899.

Edward L. Nolan, to be postmaster at Chateaugay, in the county of Franklin and State of New York, in the place of J. S. Kissane, whose commission expires February 25, 1899.

William H. Cooper, to be postmaster at Laurinburg, in the county of Richmond and State of North Carolina, in the place of D. D. McIntyre, removed.

Jared C. Thompson, to be postmaster at Dickinson, in the county of Stark and State of North Dakota, in the place of William Ray, removed.

Wilson S. Burgoon, to be postmaster at Richwood, in the county of Union and State of Ohio, in the place of T. J. Williams, whose commission expired February 16, 1899.

James D. Gardner, to be postmaster at Ripley, in the county of Brown and State of Ohio, in the place of Mary Beyersdorfer, removed.

Roger H. Murphy, to be postmaster at Urbana, in the county of Champaign and State of Ohio, in the place of Maryneal H. Smith, deceased.

John L. Sullivan, to be postmaster at St. Marys (late St. Mary), in the county of Auglaize and State of Ohio, in the place of John L. Sullivan, a new appointment at this office having become necessary by reason of change of name.

J. H. Downing, to be postmaster at East Downingtown, in the county of Chester and State of Pennsylvania, in the place of William McFarlan, whose commission expired January 10, 1899.

Isaac Martin, to be postmaster at Westgrove in the county of Chester and State of Pennsylvania, in the place of J. A. Pyle, whose commission expires March 2, 1899.

Nathaniel B. Miller, to be postmaster at North Clarendon, in the county of Warren and State of Pennsylvania, in the place of J. W. Armstrong, whose commission expired February 13, 1899.

Adam Strickler, to be postmaster at Hummelstown, in the county of Dauphin and State of Pennsylvania, in the place of Elwood Hummel, whose commission expired January 11, 1899.

Alfred E. Williams, to be postmaster at Plymouth, in the county of Luzerne and State of Pennsylvania, in the place of P. P. Callary, whose commission expires March 2, 1899.

Robert E. Woodside, to be postmaster at Millersburg, in the county of Dauphin and State of Pennsylvania, in the place of F. S. Bowman, whose commission expired February 13, 1899.

J. M. Pardue, to be postmaster at Sweetwater, in the county of Monroe and State of Tennessee, in the place of W. S. McCauley, deceased.

Thomas Hughes, to be postmaster at Beaver Dam, in the county of Dodge and State of Wisconsin, in the place of B. F. Sherman, whose commission expires March 1, 1899.

Frank E. Hurd, to be postmaster at New Lisbon, in the county of Juneau and State of Wisconsin, in the place of W. H. H. Cash, whose commission expired December 11, 1898.

#### WITHDRAWAL.

*Executive nomination withdrawn February 23, 1899.*

Joseph A. Gill, of Kansas, to be judge of the United States court of the northern district of the Indian Territory.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 23, 1899.*

##### RECEIVER OF PUBLIC MONIES.

David L. Geyer, of New Mexico, to be receiver of public monies at Roswell, N. Mex.

##### REGISTER OF THE LAND OFFICE.

Edmund D. Wiggin, of Washington, D. C., to be register of the land office at Weare, Alaska.

##### APPOINTMENT IN THE VOLUNTEER ARMY.

*Fifth Regiment Volunteer Infantry.*

Maj. Hernan D. Money, to be lieutenant-colonel.

##### APPOINTMENTS IN THE NAVY.

Mr. Ernest P. Goodrich, a citizen of Michigan, to be a civil engineer.

Mr. Leonard M. Cox, a citizen of Kentucky, to be a civil engineer.

Mr. Alfred C. Lewerenz, a citizen of Michigan, to be a civil engineer.

##### PROMOTIONS IN THE NAVY.

Asst. Paymaster Timothy S. O'Leary, to be a passed assistant paymaster in the Navy, from the 10th day of July, 1898.

Asst. Paymaster Ulysses G. Ammen, to be a passed assistant paymaster in the Navy, from the 23d day of October, 1898.

P. A. Engineer Benjamin C. Bryan, to be a chief engineer in the Navy, from the 20th day of January, 1899.

P. A. Engineer Harold P. Norton, to be a chief engineer in the Navy, from the 10th day of February, 1899 (subject to the examinations required by law).

##### POSTMASTER.

Ellis O. Lewis, to be postmaster at Falls City, in the county of Richardson and State of Nebraska.

#### HOUSE OF REPRESENTATIVES.

*THURSDAY, February 23, 1899.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

##### ELECTION CASE OF BROWN vs. SWANSON.

Mr. CRUMPACKER. Mr. Speaker, I desire to call up for consideration the contested-election case of Brown against Swanson. The SPEAKER. The Clerk will read.

The Clerk read as follows:

*Resolved*, That Claude A. Swanson was not elected a Representative in the Fifty-fifth Congress from the Fifth Congressional district of the State of Virginia, and is not entitled to a seat therein.

*Resolved*, That John K. Brown was duly elected a Representative in the

fifty-fifth Congress from the Fifth Congressional district of the State of Virginia, and is entitled to a seat therein.

Mr. MIERS of Indiana. Mr. Speaker, we raise the question of consideration, and I desire at the proper time to insist that this is not the majority report.

The SPEAKER. The gentleman from Indiana raises the question of consideration.

Mr. CRUMPACKER. Upon that I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 101, nays 133, answered "present" 6, not voting 111; as follows:

## YEAS—101

Acheson, Adams, Aldrich, Babcock, Baker, Ill. Baker, Md. Barney, Belknap, Bishop, Brown, Brownlow, Brunner, Burleigh, Burton, Cannon, Capron, Clarke, N. H. Connell, Connolly, Corliss, Crumpacker, Curtis, Iowa Daisell, Davenport, Davidson, Wis. Dayton,	Dick, Dolliver, Dorr, Dovener, Eddy, Evans, Faris, Fenton, Gibson, Gillet, N. Y. Graft, Graham, Grosvonor, Gross, Hager, Hemenway, Henderson, Hepburn, Hicks, Hilborn, Hill, Hopkins, Howe, Howell, Hull, Johnson, Ind.	Johnson, N. Dak. Kerr, Kulp, Lacey, Landis, Linney, Lovering, Low, Lybrand, McCleary, McDonald, McIntire, Mesick, Miller, Minor, Moody, Morris, Mudd, Olmsted, Otjen, Payne, Pearce, Mo. Perkins, Pugh, Ray, Reeves,	Royce, Shattuc, Shelden, Smith, S. W. Snover, Spalding, Steels, Stevens, Minn. Stewart, Wis. Strode, Nebr. Sullivan, Tawney, Thorp, Tongue, Updegraff, Van Voorhis, Wadsworth, Warner, Weaver, White, N. C. Williams, Pa. Wise, Yost.
--	--	---	---

## NAYS—133

Adamson, Allen, Bailey, Baird, Ball, Bankhead, Barlow, Bartlett, Bell, Benton, Berry, Bodine, Botkin, Brantley, Brenner, Ohio Brewer, Brodick, Brooks, Broussard, Brucker, Burke, Carmack, Catching, Clardy, Cochran, Mo. Cochran, N. Y. Cooney, Cooper, Tex. Cowherd, Cox, Cummings, Curtis, Kans. Davey, Davis,	De Armond, De Vries, Dinsmore, Deckery, Elliott, Fischer, Fitzgerald, Fitzpatrick, Fleming, Fox, Gaines, Greene, Mass. Greene, Nebr. Griggs, Gunn, Handy, Hay, Henry, Conn. Henry, Miss. Henry, Tex. Hinrichsen, Hunter, Jett, Jones, Wash. Kelley, Kitchin, Kleberg, Knowles, Knox, Lamb, Lanham, Lents, Lester, Lewis, Ga.	Littauer, Livingston, Lloyd, Loud, Loudenslager, McAleer, McClellan, McCormick, McCulloch, McDowell, McLain, McRae, Maddox, Maguire, Marshall, Maxwell, McKisson, Marcor, Meyer, La. Miers, Ind. Moon, Norton, Ohio Norton, S. C. Osborne, Peters, Pierce, Tenn. Quigg, Rhea, Richardson, Ridgely, Rixey, Robb, Robertson, La. Robinson, Ind.	Settle, Shafroth, Sherman, Shuford, Simpson, Sims, Slayden, Smith, Ky. Sparkman, Sperry, Spight, Stallings, Stark, Stephens, Tex. Stokes, Strait, Strowd, N. C. Sulzer, Sutherland, Talbert, Tate, Taylor, Ala. Todd, Underwood, Vandiver, Vincent, Ward, Weymouth, Wheeler, Ky. Williams, Miss. Wilson.
--	---	--	--

## ANSWERED "PRESENT"—4

Griffith, Hamilton,	Kirkpatrick, McEwan,	Mahon,	Showalter.
------------------------	-------------------------	--------	------------

## NOT VOTING—111

Alexander, Arnold, Barber, Barham, Barrett, Barrows, Bartholdt, Beach, Felden, Belford, Benner, Pa. Bennett, Bingham, Bland, Booze, Boutell, Ill. Boutelle, Mo. Bradley, Brewster, Bromwell, Brundidge, Bull, Butler, Campbell, Castle, Chickering, Clark, Iowa Clark, Mo.	Clayton, Coddling, Colson, Cooper, Wis. Cousins, Cranford, Crump, Danford, Davison, Ky. De Graffenreid, Driggs, Ellis, Ermentrout, Fletcher, Foots, Foss, Fowler, N. C. Fowler, N. J. Gardner, Gillett, Mass. Griffin, Grout, Harmer, Hartman, Hawley, Heatwole, Henry, Ind. Hitt,	Howard, Ala. Howard, Ga. Hurley, Jenkins, Jones, Va. Joy, Ketcham, King, Latimer, Lawrence, Lewis, Wash. Little, Lorimer, McCall, Mahany, Mann, Marsh, Martin, Mills, Mitchell, Newlands, Odell, Ogden, Otey, Overstreet, Packer, Pa. Parker, N. J. Pearson,	Powers, Prince, Robbins, Russell, Sauerharing, Shannon, Skinner, Smith, Ill. Smith, Wm. Alden Southard, Southwick, Sprague, Stewart, N. J. Stone, Sturtevant, Swanson, Tayler, Ohio Terry, Vehslage, Walker, Mass. Walker, Va. Wanger, Wheeler, Ala. White, Ill. Wilber, Young, Zenor.
---	---	---	--

So the House decided not to consider the election case.

Mr. KIRKPATRICK. I find that I am paired with the gen-

tleman from Arkansas, Mr. BRUNDIDGE. I desire, therefore, to withdraw my vote and be marked "present;" otherwise I should allow my vote in the affirmative to remain.

The following pairs were announced:

Until further notice:

Mr. FOWLER of New Jersey with Mr. CATCHINGS

Mr. HENRY of Indiana with Mr. GRIFFITH.

Mr. McEWAN with Mr. VEHSAGE.

Mr. CLARKE of New Hampshire with Mr. KING.

For this day:

Mr. BEACH with Mr. NEWLANDS.

Mr. PEARSON with Mr. OGDEN.

Mr. FOSS with Mr. FOWLER of North Carolina.

Mr. BARTHOLDT with Mr. CRANFORD.

Mr. WANGER with Mr. LEWIS of Washington.

Mr. SOUTHARD with Mr. LATIMER.

Mr. COUSINS with Mr. LITTLE.

Mr. CHICKERING with Mr. HOWARD of Georgia.

Mr. LORIMER with Mr. MARTIN.

Mr. RUSSELL with Mr. JONES of Virginia.

Mr. ARNOLD with Mr. CLAYTON.

Mr. JOY with Mr. DE GRAFFENREID.

Mr. HARMER with Mr. BLAND.

Mr. WHITE of Illinois with Mr. BRADLEY.

Mr. SHOWALTER with Mr. BENNER of Pennsylvania.

Mr. STONE with Mr. HARTMAN.

Mr. BINGHAM with Mr. DRIGGS.

On this question:

Mr. STEWART of New Jersey with Mr. KETCHAM.

Mr. HITT with Mr. TERRY.

Mr. STURTEVANT with Mr. POWERS.

Mr. OVERSTREET with Mr. ZENOR.

Mr. MITCHELL with Mr. CLARK of Missouri.

Mr. KIRKPATRICK with Mr. BRUNDIDGE.

Mr. WM. ALDEN SMITH with Mr. TATE.

Mr. HAMILTON with Mr. ERMENTROUT.

Mr. MAHON with Mr. OTEY.

Mr. MIERS of Indiana. I desire to say that my colleague, Mr. ZENOR, is detained at home this morning by reason of sickness.

The result of the vote was announced as above stated.

## CORRECTION.

Mr. TODD. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Michigan rises to a question of personal privilege. The House will be in order.

Mr. TODD. Mr. Speaker, yesterday when the naval appropriation bill was reported for consideration, some gentleman on this side proposed that the Government build a factory for the manufacture of armor for our battle ships. The gentleman from California [Mr. HILBORN] then asked a question which I understood, as it is reported in the Washington Post of this morning, as follows:

If the private armor-plate concerns own the Krupp patents and refuse to sell them to the Government, what can we do about it?

To which I replied, as reported in the Post:

Blow them to pieces with our cannon.

Now, the RECORD of this morning omits the language of Mr. HILBORN as I have just quoted it, and it reads as follows:

Mr. HILBORN. I did not hear your answer to the question that was propounded by the gentleman a moment ago. Supposing that the two great armor plate manufacturers of the country have purchased of the Krupps the exclusive right to make this plate, what would the United States do if we put up a plant of our own?

Then follows my answer:

Mr. TODD. Blow those factories to pieces with our cannon.

I rose, Mr. Speaker, to say that the language of the gentleman from California, as printed in the RECORD, places an entirely different construction upon the language which I used. I am sure I would not wish to destroy the property of any person doing a legitimate business in this country, or even a person doing an illegitimate business, because the regulation of such matters rests with the Government. But if any corporation should prove disloyal to this country after it has been patronized by the Government, as the steel trust has been, and would refuse in time of war to sell to our Government at a fair price the right to use armor-plate patents for our battle ships, then, considering them a greater enemy than ever Spain or England has been (because I despise a domestic more than a foreign foe), I would not care to retract the language I used.

The SPEAKER. What is the question of privilege raised by the gentleman from Michigan?

Mr. TODD. I simply request, Mr. Speaker, in view of what appears in the RECORD, that the gentleman from California would be kind enough, of his own volition, to correct his remarks.

I also, while on the floor, desire to raise another question of privilege—

The SPEAKER. The Chair thinks the gentleman had better

have one disposed of at a time. It will facilitate the business to proceed in that manner.

Mr. TODD. I beg pardon, of course, if I am out of order.

The SPEAKER. The Chair only suggests to the gentleman that it would be better to dispose of one question of order at a time.

Mr. TODD. If there is no objection—and I hope there will be no objection—I ask the gentleman from California to make a correction which I think is due to myself.

Mr. PAYNE. I understand the gentleman from California has not heard what has been stated by the gentleman from Michigan.

Mr. HILBORN. I am here now, and hear what the gentleman says.

Mr. TODD. Then will the gentleman kindly state the fact in connection with our controversy on yesterday?

Mr. PERKINS. I hardly think the gentleman from Michigan should make this point of order, because, if the facts are as stated, the gentleman from California appears to have been simply following the example that was set by the gentleman from Michigan himself. [Laughter.]

Mr. PAYNE. Why convict the gentleman from California without a hearing? [Laughter.]

Mr. HILBORN. Does the gentleman from Michigan say that I am incorrectly reported?

Mr. TODD. I think so.

Mr. HILBORN. In what respect?

Mr. TODD. I will explain to the gentleman from California—

The SPEAKER. The Chair hopes the gentleman will take the Chair into his confidence also. [Laughter.]

Mr. TODD. I was endeavoring to show to the gentleman from California what I think is an error in the report of his remarks on yesterday.

Mr. HILBORN. In what respect?

Mr. TODD. Simply that the RECORD does not show what I understood to be the question of the gentleman from California as to "what I would do if a private factory of any kind failed or refused to sell their products to the Government."

The question as it appears in the RECORD says, "What will you do if the Government builds its own factory?" And I am made to say, "We will blow those factories to pieces with our cannon."

The SPEAKER. The Chair understands that the report as it appears in the RECORD is the verbatim report of the proceedings of the House.

Mr. TODD. Then, Mr. Speaker, as that does not agree with what the Washington Post of to-day says took place on yesterday, I desire to say in my own behalf that I misunderstood the question of the gentleman from California and answered his inquiry under a misapprehension.

Mr. PAYNE. The gentleman has already stated that fact.

Mr. TODD. And, Mr. Speaker, there is another question of privilege to which I wish to rise at this time.

The SPEAKER. The gentleman will state it.

Mr. TODD. On the day before yesterday, when I had asked unanimous consent that the report of the committee upon the proposed monument to Capt. Charles Vernon Gridley should be printed in the RECORD, the gentleman from Ohio [Mr. SHATTUC] objected, and the RECORD makes him say that he objected "because the gentleman from Michigan had put in 20 pages the other day of matter which had not been spoken on the floor of the House and which was subsequently expunged."

Now, I desire to call attention to the fact that all that I added in the case in question there was just one-third of a column, which will be found on pages 948 and 949 of the RECORD; and I presume that the gentleman did not intend to make a false statement regarding me. He probably got the information from the subsidized press that the gentleman doubtless reads; and I should be glad if he is given an opportunity to correct the misstatement. There has never been a time when a page, or a half a page, inserted by me in the RECORD has been stricken out or objected to. The remarks which the House decided should not remain in the RECORD were in opposition to a subsidy which was proposed in one of the pending bills; and the statement of the gentleman that there were 20 pages stricken out is absolutely without foundation. If he is present, I hope he will make the necessary correction himself. I should have called his attention to the error at the time, but there was some confusion in the House and I did not hear his remark.

Mr. PAYNE. The gentleman from Ohio does not seem to be present.

Mr. Speaker. I demand the regular order.

The SPEAKER. Gentlemen will please be seated, and the House will be in order.

Mr. PERKINS. Mr. Speaker—

Mr. HILBORN. Before the gentleman from Iowa proceeds, I would like, myself, to rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. HILBORN. I have for the first time, this moment, read in

the RECORD the report of my remarks made in the House on yesterday, to which the gentleman from Michigan has referred. The report in the RECORD is absolutely correct. If the gentleman from Michigan misunderstood my remarks, that is his fault and not my own. That is all I desire to say.

Mr. PAYNE. Now, Mr. Speaker, let us have the regular order.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 4870. An act for the relief of George W. Weston.

The message also announced that the Senate had passed the following resolutions:

*Resolved*, That it is with deep regret and profound sorrow that the Senate hears the announcement of the death of Hon. JUSTIN SMITH MORRILL, late a Senator from the State of Vermont.

*Resolved*, That the Senate extends to his family and to the people of the State of Vermont sincere condolence in their bereavement.

*Resolved*, That, as a mark of respect to the memory of the deceased, the business of the Senate be now suspended to enable his associates to pay fitting tribute to his high character and distinguished services.

*Resolved*, That the Secretary transmit to the family of the deceased and to the governor of the State of Vermont a copy of these resolutions, with the action of the Senate thereon.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives.

*Resolved*, That, as an additional mark of respect, at the conclusion of these exercises the Senate do adjourn.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed 10,500 copies of the report entitled "The Colonial Systems of the World," prepared by the Bureau of Statistics, Treasury Department, 5,000 copies for the use of members of the House of Representatives, 3,000 copies for the use of members of the Senate, and 2,500 copies for the use of the Bureau of Statistics, Treasury Department.

#### SENATE BILL AND RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4870. An act for the relief of George W. Weston—to the Committee on Claims.

Concurrent resolution No. 59:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed 10,500 copies of the report entitled "The Colonial Systems of the World," prepared by the Bureau of Statistics, Treasury Department, 5,000 copies for the use of members of the House of Representatives, 3,000 copies for the use of members of the Senate, and 2,500 copies for the use of the Bureau of Statistics, Treasury Department—

To the Committee on Printing.

#### WAR EXPENDITURES.

Mr. HOPKINS. Mr. Speaker, I desire to call up the joint resolution (H. Res. 358) to amend section 25 of the act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes," with a Senate amendment, and move to concur in the Senate amendment.

This is a resolution, I will state to the House, which was passed by this body, providing against double taxation on mortgages, which has been amended by the Senate.

The joint resolution of the House reads that "whenever any bond or note shall be secured by a mortgage," and so on, to which the Senate have added "or deed of trust." I move that the House concur in the Senate amendment; and on that I ask the previous question.

Mr. RICHARDSON. That I think is right. So far as we have had an opportunity to examine the matter, there is no objection to it.

The SPEAKER. If there be no objection, the matter will be laid before the House for its present consideration.

There was no objection; and the amendment of the Senate was considered, and agreed to.

#### ORDER OF BUSINESS.

Mr. BABCOCK. Mr. Speaker, I call for the regular order. Under the special order of the House, to-day was set aside for the consideration of business reported from the Committee on the District of Columbia.

The SPEAKER. Was there a special order for District of Columbia business?

Mr. BABCOCK. Yes.

Mr. HULL. Mr. Speaker—

The SPEAKER. The gentleman from Wisconsin is recognized.

Mr. HULL. I understand that order was not to interfere with appropriation bills. There is an appropriation bill pending, and another one ready to follow.

Mr. HILBORN. Mr. Speaker, the regular order is the naval appropriation bill, and I call for the regular order.

Mr. DOCKERY. I suggest to the gentleman that he move that the House resolve itself into Committee of the Whole.

Mr. HILBORN. I move that the House resolve itself into

Committee of the Whole on the state of the Union for the further consideration of the naval appropriation bill.

Mr. BABCOCK. Pending that motion, I ask the gentleman from California to concede to the Committee on the District of Columbia one hour, which will enable the committee to dispose of important matters.

Mr. DOCKERY. Take it after the naval bill is disposed of.

Mr. BABCOCK. I ask unanimous consent—

The SPEAKER. The gentleman from Wisconsin asks for the use of an hour's time for the business of the District of Columbia. Is there objection?

Mr. BOUTELLE of Maine. I object, Mr. Speaker.

The SPEAKER. Objection is made. The gentleman from California moves that the House resolve itself into the Committee of the Whole on the state of the Union—

Mr. BOUTELLE of Maine. I withdraw the objection.

The SPEAKER. The objection is withdrawn, and an hour is granted to the Committee on the District of Columbia, if there be no further objection.

There was no objection.

#### SALE OF INTOXICATING LIQUORS ON SUNDAY IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. R. 11773) to prevent the sale of intoxicating liquors on Sunday in the District of Columbia.

The bill was read, as follows:

*Be it enacted, etc., That it shall be unlawful for any maker, brewer, or distiller of intoxicating liquors in the District of Columbia, or the agent or servant of such maker, brewer, or distiller, or the agent or servant of any maker, brewer, or distiller of intoxicating liquors outside of said District, to sell or deliver any intoxicating liquors in the District of Columbia on the first day of the week, commonly called Sunday.*

*SEC. 2. That any person violating the provisions of this act shall on conviction thereof in the police court on a prosecution in the name of the District of Columbia be punished by a fine of not less than \$250 nor more than \$500 for each and every offense.*

The following amendments, recommended by the Committee on the District of Columbia, were read:

Line 4, after the word "of," insert the words "beer or other."

Line 6, after the word "of," where it follows "distiller," insert the words "beer or other."

Line 7, after the word "any," insert the words "beer or other."

Line 9, after the word "Sunday," insert the words "unless its sale be for shipment for some point, on that day, outside of the District of Columbia."

Mr. BABCOCK. Mr. Speaker, I move the adoption of the committee amendments.

Mr. UNDERWOOD. Mr. Speaker, before the gentleman does that—

The SPEAKER. Does the gentleman yield to the gentleman from Alabama?

Mr. BABCOCK. I yield for a question.

Mr. UNDERWOOD. I have just heard the bill read, and do not know that I fully understand it. Is it the object of this bill to prevent the introduction into the District of Columbia of liquors or beer from other States?

Mr. BABCOCK. No; this bill is for the purpose of prohibiting outside brewers sending beer into the District in kegs on Sunday, which has caused a great deal of disturbance and drunkenness in the city. There is no authority in the Commissioners now to prevent it. This simply prevents the delivery on Sunday.

Mr. UNDERWOOD. But the law already prohibits the sale of liquor at all on Sunday in the District of Columbia.

Mr. BABCOCK. Exactly; but brewers outside of the District deliver it here on Sunday.

Mr. UNDERWOOD. The law prevents the sale of it on Sunday, so it does not make any difference what day it is delivered.

Mr. BABCOCK. Mr. Speaker, if the Clerk will kindly read the letter from the Commissioners of the District, it will explain the matter fully.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

#### OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

Washington, January 27, 1899.

DEAR SIR: The Commissioners have the honor to recommend favorable action upon House bill 11733 "to prevent the sale of intoxicating liquors on Sunday in the District of Columbia," which was referred to them at your instance for their examination and report, but suggest that it first be modified as follows:

In line 4, after the word "of," insert the words "beer or other;" after the word "of," in line 6, insert the same words; and also after the word "any," in line 7. Line 9, after the word "Sunday," insert "unless its sale be for shipment for some point, on that day, outside of the District of Columbia."

The Commissioners are heartily in favor of this bill and can not urge too strongly its passage. Reports from the police department regarding the disgraceful and outrageous conduct of persons made drunk by the use of beer sold them from some of the breweries in the city renders this a matter of very great importance, and the Commissioners venture to express the hope that the bill, with the few changes which are suggested, may be passed at this session of Congress.

A copy of the bill, amended as recommended, is herewith inclosed.

Very respectfully,

JOHN B. WIGHT,

President Board of Commissioners District of Columbia.

Hon. J. W. BABCOCK,

Chairman Committee on the District of Columbia,

House of Representatives.

The SPEAKER. The question is on agreeing to the amendment.

Mr. UNDERWOOD. Mr. Speaker, the letter seems to indicate that the relief the Commissioners want is from the brewers of this city. The objection I have to a bill of this kind is not prohibiting the sale of beer on Sunday. I think the Sunday law should be complied with, and not only that the outside brewers should not be allowed to sell beer, but that the brewers in the city should not be allowed to sell. But the objection that I have to this bill is that it is an attempt to regulate interstate commerce. In other words, it is an attempt to regulate the brewers outside of the District as to their commerce in the District. So far as I am concerned, although we may have tariff laws and other regulations as to foreign countries, I expect so long as I occupy a seat on the floor of Congress to bitterly fight any attempt to regulate commerce between the States. We certainly are entitled to have free and unrestricted commerce between the various States of this country. And although this may be a very slight infringement of that doctrine, I say no precedent whatever of that kind should be made by this Congress, and I shall therefore resist the passage of the bill.

Mr. SHAFROTH. I desire to call the attention of the chairman of the Committee on the District of Columbia to the minimum fine imposed in this case, and ask him whether, in his judgment, he does not think that fixing the minimum at \$250 will often defeat justice. It has been the experience, it seems to me, of all people who have prosecuted that where you have a large minimum penalty, it is often used for getting the person out of being convicted at all; and it seems to me that where the minimum penalty is \$250 and the maximum is \$500, it would often work that effect. Now, I think a minimum of \$50 and a maximum of \$500 would produce better results on those who violate the law.

Mr. GAINES. Mr. Speaker, this a very important matter, and we can not hear.

The SPEAKER. The gentleman from Tennessee makes the point that the House is not in order. The House will be in order.

Mr. BABCOCK. I will say to the gentleman from Colorado that I do not see any objection to an amendment of that kind. I think there is great force in what the gentleman said.

Mr. SHAFROTH. I think it has been the experience of those persons who have prosecuted that they can more certainly secure convictions where the penalty is not so high.

Mr. BABCOCK. The point is that those who are likely to violate the law are responsible parties, namely, brewers. That is the reason why the Commissioners suggested that amount to us. But I will accept your amendment.

Mr. SHAFROTH. A larger discretion in the court would produce better results. I move to strike out "two hundred and fifty" and insert "fifty."

Mr. BABCOCK. After the committee amendments have been disposed of.

Mr. SHAFROTH. After the committee amendments.

Mr. BABCOCK. I want to say to the gentleman from Alabama that it is not the intention of the bill at all to interfere with any of the States. This beer that is delivered on Sundays in the District of Columbia is beer sold from the breweries in the District and breweries across the river on Saturday. A great deal of drunkenness and disorder has been occasioned by wagon loads of beer being delivered on Sunday in the city to private parties and not saloons and restaurants.

Mr. BRUCKER. Does not your Sunday law in the District of Columbia to-day prevent the sale of intoxicating liquors on Sunday?

Mr. BABCOCK. Yes, sir.

Mr. BRUCKER. Why, then—

Mr. BABCOCK. But this is sold on Saturday and delivered on Sunday.

Mr. BRUCKER. Would not the present law under which liquor can not be sold on Sunday meet cases where the sale was actually made on Saturday and the liquor not delivered until Sunday?

Mr. BABCOCK. The Commissioners say not.

Mr. BRUCKER. Have you experimented any under the law by prosecutions?

Mr. BABCOCK. They have, and they say they are powerless to do it.

Mr. BRUCKER. Have the courts held that your Sunday liquor law would not prevent the delivery on Sunday?

Mr. BABCOCK. The gentleman is well aware that groceries and bottled liquors in cases are delivered to private houses on Sunday and every day of the week, and there is no way in which that can be reached; and it is a matter that has been very sadly abused.

Mr. BRUCKER. I will ask the gentleman the further question, Does your law prohibiting the sale of intoxicating liquors on Sunday also apply to legal holidays in the District?

Mr. BABCOCK. I believe it does.

Mr. BRUCKER. If that be the fact, and I think it is, why not incorporate the same provision in this bill with reference to legal

holidays that you do in reference to Sundays, if your general liquor laws apply to legal holidays now? Why discriminate? Why say that you can not stop—

Mr. BABCOCK. I do not think the law applies to legal holidays. I do not think any saloons were closed yesterday, and yesterday was the 22d of February.

Mr. BRUCKER. Is it the understanding of the chairman of the Committee on the District of Columbia that saloons are open and are permitted to sell liquor on legal holidays?

Mr. BABCOCK. I did not understand the gentleman.

Mr. BRUCKER. Under the general liquor law applying to the District of Columbia, can saloons sell liquor on legal holidays?

Mr. BABCOCK. I think so.

Mr. BRUCKER. Why do you discriminate in favor of the District of Columbia? Is it not a fact that the large cities prohibit the sale of liquor not only on Sundays, but on legal holidays? Is the committee discriminating in favor of the liquor dealers of the District of Columbia?

Mr. BABCOCK. If the gentleman thinks the law needs amending, we shall be very glad to consider any bill he may introduce.

Mr. BRUCKER. I am not asking these questions with reference to my own peculiar views on the sale of liquor on Sundays or on holidays. I am trying to get at the facts.

Mr. BABCOCK. We are legislating for the District of Columbia only.

Mr. BRUCKER. You are undertaking to provide absolutely against the sale or delivery of liquor on Sunday, but not on legal holidays.

Mr. BABCOCK. The sale on Sundays is already prohibited.

Mr. BRUCKER. Why do you not undertake to prohibit the sale of liquor on legal holidays?

Mr. BABCOCK. We have no authority to go outside of the District of Columbia.

Mr. BRUCKER. I am speaking of the District of Columbia.

Mr. BABCOCK. Because it has not been thought to be necessary.

Mr. LOUDENSLAGER. And it is not in other large cities.

Mr. BRUCKER. What is the opinion of the gentleman, the chairman of the District Committee, on the matter as to the prohibition of the sale of liquor on holidays?

Mr. BABCOCK. Mr. Speaker, I ask for a vote on this amendment.

Mr. UNDERWOOD. Mr. Speaker, I have not had a chance to examine into this bill, as this is the first time I have seen it, but it is clear, and I ask the attention of the House, that it invades an important principle. The bill provides that brewers outside of this District shall not be allowed to ship their beer or other liquor into this District on a certain day. It does not prevent in any way the brewers in the District from selling their liquor.

Mr. BABCOCK. Yes, it makes the same provision for the brewers in the city as out of the city.

Mr. UNDERWOOD. The bill does not read that way.

Mr. RICHARDSON. Those in the District do not have to ship it here, and they are already forbidden to sell it.

Mr. UNDERWOOD. I guarantee that gentlemen will find that under the law restricting the sale of liquor, the same law that prohibits the delivery of beer on Sunday by a local brewer, by the decisions of the court will limit the delivery by the foreign brewer; but we can not afford to go into these distinctions as to the sales by persons living in one State when you cross the District line.

The next proposition to come before us would be to regulate it when you cross a Territorial or State line. I know what these gentlemen are after. I have no doubt they brought the bill in for a wise purpose—for the purpose of regulating the liquor traffic—but I say this House can not afford at any time or under any circumstances to adopt a principle or make a precedent regulating interstate commerce. We must have the commerce between the various States of the country unrestricted if we want to hold the Union together. The strongest tie that binds the people of the United States together, outside of the question of loyalty to the Union, is the tie of our commercial relations which bind us together.

It is for the interest of the man who lives in New England to sell his goods to the man who lives in the South, and it is for the interest of the man who lives in the South to sell his goods to the man who lives in New England; and the rights of the people in that respect, which are guarded by the Constitution, should be guarded on the floor of this House, and I insist that under these circumstances we should defeat the passage of this bill.

Mr. GROSVENOR. Mr. Speaker, I would like to ask the chairman of the committee a question. Why does this bill limit its provisions to the brewer or the distiller or the agent or servant? Why not say, if you want to prevent the sale of liquor on Sunday, "it shall be unlawful for any person?" From the present language of the bill it would appear that if a person is not any one of those described here, he would commit no crime by selling beer or other liquor on Sunday.

Mr. BABCOCK. The difficulty that this bill seeks to cure is

one, and only one; that is, the delivery of beer in kegs to private parties in this city on Sunday—beer which has been sold or contracted for during the previous week by the brewer or the dealer, and which he undertakes to deliver on Sunday. This practice has been the cause of a great deal of drunkenness.

Mr. GROSVENOR. I have no doubt of it; and I am in favor of the purpose of the bill, but why not provide that it shall be unlawful for anybody to sell beer or liquor on Sunday?

Mr. BABCOCK. There is no objection to that.

Several MEMBERS. That is the law now.

Mr. BABCOCK. Yes; the present law makes it unlawful to sell liquor on Sunday.

Mr. GROSVENOR. Yes; but are you quite sure that the passage of this bill may not repeal the existing law on the subject?

Mr. BABCOCK. The draft of this bill comes from the attorney of the District.

Mr. GROSVENOR. I can not help that; I must be allowed to be my own judge in a matter of this kind. As Congress has already legislated on this particular subject and imposed limitations upon the parties against whom this bill is directed, may we not in the passage of this bill repeal by implication the other law? If we simply say that it is unlawful for any person or corporation to do so and so, we accomplish the whole object, and there will be no difficulty.

Mr. RICHARDSON. I suggest that the words "or other person or corporation" might be inserted.

Mr. GROSVENOR. That will be all-right.

Now, I have one other suggestion: Are the committee quite sure that in making the penalty \$250 they will strengthen the law? Will that penalty make the law more effective or less effective?

Mr. MANN. I wish to call the attention of the chairman of the District Committee to the last of the committee amendments in the first section. That amendment proposes to insert after the word "Sunday" the words "unless its sale be for shipment for some point on that day outside of the District of Columbia." Under this provision, it appears to me, any person who might come to a brewery on Sunday and say that he wanted to buy beer for the purpose of shipping it outside would be authorized to make such purchase without any penalty on the seller; and then after procuring the beer he could do what he pleased with it.

Mr. RICHARDSON. What amendment would the gentleman suggest?

Mr. COOPER of Wisconsin. That language might be stricken out entirely.

Mr. BABCOCK. The language referred to was intended to cover the point made by the gentleman from Alabama (Mr. UNDERWOOD), so as not to interfere at all with territory outside the District—so that the passage of beer through the District in the regular way on Sunday might not be interfered with.

Mr. MANN. That may have been the purpose, but the effect of the language would seem to be to authorize a brewer in the District to sell and deliver beer on Sunday to anybody who might say that he intended to take it outside of the District.

Mr. RICHARDSON. The law already forbids that.

Mr. MANN. But if we pass a new law on the subject it may, by implication, repeal the present law forbidding the sale of liquor on Sunday.

Mr. RICHARDSON. This was not so intended.

Mr. MANN. I have no doubt of that. I am only calling the attention of the committee to a difficulty which will inevitably arise under the language proposed to be used, because under it a brewer in this city could sell a keg of beer to any person who might take a wagon to the brewery and say that he intended to cart it across the river.

Mr. BABCOCK. Would it be satisfactory to the gentleman if we strike out that provision? If there is any doubt about the effect, it can be stricken out.

Mr. MANN. It seems to me it ought to be.

Mr. BABCOCK. Well, Mr. Speaker, I move the adoption of the committee amendments in lines 4, 6, and 7 of the first section, omitting the amendment just referred to by the gentleman from Illinois [Mr. MANN].

Mr. TODD. One question before the vote is taken. I wish to inquire whether the liquors sold on Sunday are different from those sold on the other days of the week. I notice in the report of the committee, which is unanimous, the following language:

The Commissioners are heartily in favor of this bill, and can not urge too strongly its passage. Reports from the police department regarding the disgraceful and outrageous conduct of persons made drunk by the use of beer sold them from some of the breweries in the city renders this a matter of very great importance, and the Commissioners venture to express the hope that the bill, with the few changes which are suggested, may be passed at this session of Congress.

Now, if it is a good thing to stop these "disgraceful" scenes on Sunday, why is it not a good thing to have an orderly day every day in the week?

Mr. BABCOCK. Because this thing is not practiced on week days, but on Sundays only.

The amendment of the committee was agreed to.

Mr. BABCOCK. I withdraw the other amendment, Mr. Speaker.

Mr. GROSVENOR. I desire to offer an amendment, to insert after the word "Columbia," in line 5, the words "or other person or corporation;" and after the word "District," in line 7, insert also the words "and other person or corporation."

The amendment was agreed to.

Mr. SHAFROTH. I move an amendment to the bill, to strike out the words "two hundred and," in the third line of page 2 of the bill, which would leave the minimum fine \$50 instead of \$250.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed; there being on a division (demanded by Mr. UNDERWOOD)—ayes 71, noes 18.

#### CITY AND SUBURBAN RAILWAY COMPANY.

Mr. BABCOCK. I ask consideration of joint resolution No. 189, to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia.

The bill was read, as follows:

*Resolved by the Senate and House of Representatives of the United States, etc., That the City and Suburban Railway Company of Washington be, and it is hereby authorized and directed to abandon its single track passing around the south side of Stanton Square, and in lieu thereof construct an additional single track on the north side of Stanton Square from the intersection of Fourth and C streets NE. to Sixth and C streets NE.*

Mr. RICHARDSON. I desire to offer an amendment at this point, Mr. Speaker.

The amendment was read, as follows:

Insert at the end of line 8:

"That the City and Suburban Railway of Washington be, and it is hereby authorized and required, within six months after the passage of this act, to equip with the same underground system of electrical propulsion as is now being installed on its suburban lines the following portion of its suburban route, to wit:

"Beginning at the intersection of Florida avenue and Eckington place and running thence north through Eckington place to north R street; thence east on north R street to east Third street; thence by single track north on east Third street to north T street; thence, still by single track, west on north T street to east Second street, thence south on east Second street to north R street; thence on north R street to Eckington place, and thence to the beginning."

"Providing, upon completion by said City and Suburban Railway of the underground construction hereinbefore provided for, the obligation of the said City and Suburban Railway imposed by section 3 of the act approved June 27, 1898, in respect of North Capitol street shall cease, and in lieu of that provision said City and Suburban Railway is required, within six months after North Capitol street shall have been graded, to construct and operate a double-track railway on North Capitol street from R street to Michigan avenue; thence on Michigan avenue east, to connect with its present tracks on Bunker Hill road."

"Said railway on North Capitol street north of Florida avenue and on Michigan avenue is to be operated by the overhead-trolley system."

Mr. CURTIS of Iowa. Mr. Speaker, I had the honor to report this resolution now pending from the District Committee. The amendment just offered by my colleague, the gentleman from Tennessee, I think is satisfactory to the committee, so far as we have been able to examine it. It has been submitted, I understand, to the Commissioners, and meets their approval, as well as that of the citizens living along this route, and I feel that I am authorized to say that there is no objection on the part of the committee.

Mr. HEPBURN. Permit me a moment. I see you provide in this bill for the use of an overhead trolley. I have not had time to examine the question and do not know exactly in what portion of the city the road is located or how far this privilege may extend—

Mr. RICHARDSON. If the gentleman will permit me, I will state the facts. The Eckington road uses the overhead trolley at the present time through the suburban town of Eckington. The act in question requires the company to take down the overhead trolley in Eckington and substitute the underground electric system for the reason that that suburb is well built up. But on North Capitol street, beyond that point, from R street, it permits the use of the overhead trolley, this district being practically outside of the city. It only permits the use of the trolley, therefore, on the unused portion of their lines—the unbuilt-up portion—and requires them to put in underground wires where the city has been built up.

Mr. HEPBURN. You refer now to the use of the overhead trolley north of the boundary line.

Mr. RICHARDSON. Yes. It compels them to build the same system—an underground trolley—in the built-up portions of the city. The city is built up to Eckington, while, as I have said, on North Capitol street there is not a single house.

Mr. HEPBURN. I would like to ask if there is such a regulation in the bill as that the city can change, when Congress chooses to do so, the system that they are now allowed to use?

Mr. RICHARDSON. It does not expressly say so. But there is no objection to substituting it. I will say to the gentleman, however, that it was in the charter, and it would be simply multiplying the matter to state it again here.

The question being taken on the amendment proposed by Mr. RICHARDSON, it was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time, and passed.

#### MATERIAL AND LABOR UNDER CONTRACT WITH THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the consideration of the bill (S. 4159) relative to the payment of claims for material and labor furnished for District of Columbia buildings.

The bill was read, as follows:

*Be it enacted, etc., That hereafter any person or persons entering into a formal contract with the District of Columbia for the construction of any public building, or the prosecution and completion of any public work, or for repairs upon any public building or public work, shall be required before commencing such work to execute the usual penal bond, with good and sufficient sureties, with the additional obligations that such contractor or contractors shall promptly make payments to all persons supplying him or them labor and materials in the prosecution of the work provided for in such contract; and any person or persons making application therefor and furnishing affidavit to the department under the direction of which said work is being or has been prosecuted that labor or materials for the prosecution of such work has been supplied by him or them, and payment for which has not been made, shall be furnished with a certified copy of said contract and bond, upon which said person or persons supplying such labor and materials shall have a right of action, and shall be authorized to bring suit in the name of the District of Columbia or the United States for his or their use and benefit against said contractor and sureties and to prosecute the same to final judgment and execution: Provided, That such action and its prosecution shall not involve the District of Columbia or the United States in any expense: Provided, That in such case the court in which such action is brought is authorized to require proper security for costs in case judgment is for the defendant.*

Mr. BABCOCK. Mr. Speaker, I ask for a vote on the bill.

The bill was ordered to a third reading; and it was accordingly read the third time.

Mr. BRUCKER. I should like to ask the gentleman in charge of this bill a question. The only security that this bill furnishes to material men or employees is the additional right to sue on this bond which shall be furnished by the contractor to the District of Columbia. Is that right?

Mr. BABCOCK. I yield to the gentleman from Missouri [Mr. COWHERD] who reported the bill, and who, I am sure, can reply to the gentleman's question.

Mr. COWHERD. The gentleman will remember, of course, that parties engaged under contract with the Government for public works have no mechanic's lien. This is a reenactment of the general statutes of the United States, simply making them applicable to work done under contract with the District of Columbia.

Mr. BRUCKER. I will say to the gentleman from Missouri that I never understood, until I heard his statement to that effect, that material men and laborers had no mechanic's lien in the District of Columbia, and I should like to ask him why it is so?

Mr. COWHERD. The gentleman has misunderstood me. I say that laborers and material men engaged in public work under contract with the United States have no mechanic's lien. You can not have a mechanic's lien, of course, against a public building.

Mr. BRUCKER. I misunderstood the gentleman. I supposed his statement applied to all laborers and material men in the District.

Mr. COWHERD. Oh, no; but you can not have a mechanic's lien, of course, against a public building. You can not have a mechanic's lien against a schoolhouse built under a contract with the directors of a school district in the States.

Mr. GAINES. Is there not a recent law, passed several years back, that does give a lien in some way? They ought to have it.

Mr. COWHERD. I know of no such law.

Mr. GAINES. I mean works put up by the Government, where private parties erect the buildings?

Mr. COWHERD. No; there is a general statute that any contractor engaged in public work for the United States shall make a bond for the proper completion of the work and for the payment of such claims as the gentleman refers to, and there is a provision that the party aggrieved may sue upon that bond in the name of the United States.

Mr. GAINES. I knew there was some such provision as that.

Mr. COWHERD. And this simply makes that law applicable to parties engaged under contracts with the District of Columbia in the erection of public buildings or the prosecution of public work.

Mr. BRUCKER. In addition to this security which you afford the laboring men and material men would it not be possible, also, to frame a bill or to amend this bill so as to give the department in charge of public works the right to adjust these matters without compelling the laboring man or the material man to go into court to sue upon this bond?

Mr. COWHERD. The gentleman can answer that question as well as I can as to whether it would be possible to frame a bill in that way. It hardly seems to me it would be a very proper thing to make the department a court of justice to settle these claims.

Mr. BRUCKER. If it could be so framed, it would be an additional security for the laboring man and an additional way of collecting his debt.

Mr. COWHERD. Yes; but you would hardly want to put the question of settling disputed claims into the hands of a department.

Mr. BRUCKER. Not finally, but simply place it there for the purpose of allowing the department having control of the work to exert a certain amount of influence over the party employing the laborers and not paying them; compelling the party in that way, by a sort of mild coercion, rather than forcing the employee to sue upon the bond.

Mr. COWHERD. I hardly think we can take that course.

Mr. GAINES. Can the gentleman tell me how far down the line of workmen this lien extends—to the wage earners?

Mr. COWHERD. "Any person or persons." The gentleman will see it applies to all; "to all persons supplying him or them."

Mr. GAINES. "Him; who is he?"

Mr. COWHERD. The contractor or contractors. It provides that the contractors shall give a bond.

Mr. GAINES. And under the law the wage earner is as well secured as the material man.

Mr. COWHERD. The wage earner, the subcontractor, and the material man.

Mr. BABCOCK. I ask for a vote, Mr. Speaker.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### WASHINGTON AND UNIVERSITY RAILROAD COMPANY.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. E. 11799) to amend the act of Congress approved July 8, 1898, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia."

The bill was read, as follows:

*Be it enacted, etc.,* That section 2 of the act of Congress approved July 8, 1898, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia," be, and the same is hereby, amended so as to read and be as follows:

"SEC. 2. That the company is authorized to construct and operate a street railway for carrying passengers along the following-named route: Beginning at or near the intersection of Connecticut avenue extended and Philadelphia street, thence westerly on Philadelphia street to its intersection with Tennallytown road; thence northwesterly along Tennallytown road to its intersection with Trenton street; thence westerly on Trenton street to Forty-fourth street; thence northerly on Forty-fourth street to Vallejo street; thence westerly on Vallejo street to Forty-seventh street; thence northerly on Forty-seventh street to Flint street; thence west on Flint street to Boundary avenue; thence southerly on Boundary avenue to Forty-eighth street; thence southerly on Forty-eighth street to Brandywine street; thence easterly on Brandywine street to Forty-seventh street, as shown upon the plans of the third section of highway extensions: *Provided,* That where this route lies within the lines of a proposed highway the company shall acquire a right of way not less than 30 feet wide in the center thereof, and all rights of way acquired within the lines of proposed highways shall be dedicated to the use of the public before a permit is issued for the construction of a railroad therein."

Mr. CURTIS of Iowa. I ask for a vote, Mr. Speaker.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

#### CELEBRATION OF THE ESTABLISHMENT OF THE SEAT OF GOVERNMENT IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. I ask for the present consideration of the bill (S. 5391) to provide for an appropriate national celebration of the establishment of the seat of government in the District of Columbia.

The bill was read, as follows:

*Be it enacted, etc.,* The President is authorized to appoint a committee from the country at large, of such number as he shall think proper, to act with any committees that may be appointed by the two Houses of Congress, or either of them, and with any committee that may be appointed from the citizens of the District of Columbia, who may prepare plans for an appropriate national celebration, in the year 1900, of the first session of Congress in the District and the establishment of the seat of Government therein. Said committee shall report their proceedings to the President, to be by him communicated to Congress.

SEC. 2. The actual expenses of the members of said committee so appointed by the President shall be paid by the Secretary of the Treasury on vouchers to be approved by the Secretary of the Interior.

SEC. 3. The sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated from any money in the Treasury not otherwise appropriated, to carry into effect the second section of this act.

The report (by Mr. CURTIS of Iowa) is as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 5391) to provide for an appropriate national celebration of the establishment of the seat of government in the District of Columbia, report the same back with the recommendation that it do pass.

The purpose of this bill is to authorize the appointment of committees to prepare plans for an appropriate national celebration, in the year 1900, of the first session of Congress in the District and the establishment of the seat of government therein.

At a public meeting of citizens, held the 24th of October, the chairman was authorized to appoint a committee of nine citizens, who should consider plans for the proper celebration of this centennial and report their recommendations at a meeting to be called for that purpose.

The following memorial was presented by the above-mentioned committee to the President:

"The citizens of the national capital appreciate the fact that the year 1900 will be the centennial of events in the nation's history which, while they are general in character, are directly related to our city and the District of Columbia.

"The one hundredth anniversary of the laying of the corner stone of the Capitol was properly commemorated by our citizens September 18, 1893, but the approaching events to which we refer are of larger importance and demand more general notice.

"In May, 1800, the archives and general offices of the Federal Government were removed to this place. On the 17th of November, 1800, the National Congress met here for the first time and assumed exclusive control of the Federal District and city.

"This may be said to have been the establishment of the city of Washington as the permanent capital of the United States, the legal requirements being fully complied with when Congress met in regular session on the first Monday in December, 1800, in accordance with the act of July 16, 1790, which reads as follows:

"And be it further enacted, That on the first Monday in December, in the year 1800, the seat of government of the United States shall, by virtue of this act, be transferred to the District and place aforesaid."

"It is the opinion of this committee that the national character of this event and the peculiar conditions which do now and doubtless will surround our national history make it desirable to elevate the celebration beyond purely local aspects. It marks the creation and growth of the capital of a great country; it indicates the rapidly opening possibilities of our future. The country has apparently completed one phase of its development. The coming century opens for it a world-wide field which it has not hitherto sought to enter. Within our borders we have a united and prosperous people.

"In order that this subject may be brought to the attention of Congress in a manner suited to the dignity and importance of the occasion, we have the honor to request that you will suggest in your annual message to Congress such legislation as will provide for the appointment of a national committee, consisting of five Senators and five Representatives, to be appointed by the President of the Senate and the Speaker of the House, respectively, who shall act with the committee appointed by the citizens of the District of Columbia, and that you be empowered to further increase this committee by the addition of citizens at large.

"It is also suggested that you invite the governors of the several States and Territories to act as members of this committee, which, when finally constituted, shall be authorized to report to Congress a suitable plan for the celebration of the event.

"It might be added that the committee already appointed are unanimously of the opinion that so important an event could well be marked by the erection of a type of architecture which will in itself inspire patriotism and a broader love of country, such as a memorial hall, a bridge connecting the District of Columbia with the sacred ground of Arlington, or some other permanent structure which would commemorate not only the occasion, but also the exceptionally happy condition of our people at this time, when to so marked a degree there is noticed the absence of all sectional feeling, and the prevalence of good will throughout the land."

The following is taken from the recent message of President McKinley, and is incorporated as a part of this report:

"In the year 1900 will occur the centennial anniversary of the founding of the city of Washington for the permanent capital of the Government of the United States, by authority of an act of Congress approved July 16, 1790. In May, 1800, the archives and general offices of the Federal Government were removed to this place. On the 17th of November, 1800, the National Congress met here for the first time and assumed exclusive control of the Federal District and city. This interesting event assumes all the more significance when we recall the circumstances attending the choosing of the site, the naming of the capital in honor of the Father of his Country, and the interest taken by him in the adoption of plans for its future development on a magnificent scale.

"These original plans have been wrought out with a constant progress and a signal success even beyond anything their framers could have foreseen. The people of the country are justly proud of the distinctive beauty and government of the capital, and of the rare instruments of science and education which here find their natural home.

"A movement lately inaugurated by the citizens to have the anniversary celebrated with fitting ceremonies, including perhaps the establishment of a handsome permanent memorial to mark so historical an occasion, and to give it more than local recognition, has met with general favor on the part of the public.

"I recommend to the Congress the granting of an appropriation for this purpose and the appointment of a committee from its respective bodies. It might also be advisable to authorize the President to appoint a committee from the country at large, which, acting with the Congressional and District of Columbia committees, can complete the plans for an appropriate national celebration."

The attached letter from Commissioner Wight explains the desirability of this bill, and is made a part of this report:

#### OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA. Washington, February 3, 1899.

DEAR SIR: In connection with Senate bill No. 5391, referred to the Committee on the District of Columbia, to provide for a proper national celebration of the establishment of the seat of government in the District of Columbia, I have the honor to submit the following statement:

At a meeting of the citizens of the District of Columbia, held in October last, to consider plans for the celebration of this important event, I was elected chairman of the meeting, and was authorized to appoint a committee of nine to make arrangements for the same. This committee was appointed, and consists of prominent citizens of the District of Columbia who have had large experience in the matter of inaugural ceremonies, etc.

At the first meeting of the committee it was unanimously decided that the celebration should be national in its character, and not purely local, inasmuch as it celebrates the establishment of the national capital.

The committee then waited upon the President of the United States, who favored such a form of celebration, and has so expressed himself in his last annual message to Congress.

This bill provides for the appointment by the President of a committee from the country at large, of such a number as he shall think proper. If he is allowed to do this, the committee will be appointed, consisting probably of the governors of the various States and other prominent citizens, who will confer with the committees appointed by Congress and the citizens' committee of the District of Columbia, and arrange for the proper celebration of the event referred to.

This is a matter, certainly, in which the whole country must take an interest, and it is believed that the formation of such a committee of arrangements will insure the wise and beneficial use that may be made of such a celebration, and add largely to the welfare and growth of the national capital.

I am directed by the committee of which I am chairman to present you these facts, and to say that the committee very earnestly desires the passage of the bill, so that steps may be taken as soon as possible in the direction indicated.

If any further information is desired I shall be very happy to confer with you or to send it to you upon your request.

Very respectfully,

JOHN B. WIGHT,  
Chairman.

Hon. GEORGE M. CURTIS,  
Acting Chairman District Committee,  
House of Representatives.

Mr. CURTIS of Iowa. Mr. Speaker, I ask for a vote.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. CURTIS of Iowa, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ORDINANCES RELATING TO THE PUBLIC HEALTH.

Mr. BABCOCK. Mr. Speaker, I ask present consideration of Senate joint resolution (S. R. 34) authorizing the Commissioners of the District of Columbia to alter, amend, or repeal certain health ordinances.

The joint resolution was read, as follows:

*Resolved, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered, in making regulations under the authority conferred by Congress, to alter, amend, or repeal any of the ordinances of the late board of health of said District which were legalized by joint resolution approved April 24, 1880, whenever in their judgment the public interest requires it.*

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

MRS. HARRIET A. FERGUSON.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill S. 3009.

The bill was read, as follows:

A bill (S. 3009) for the relief of Mrs. Harriet A. Ferguson.

*Be it enacted, etc., That all real estate lying in the District of Columbia heretofore purchased by and conveyed to Harriet A. Maxwell, now Harriet A. Ferguson, of Winchester, Frederick County, Va., prior to the passage of this act, be relieved and exempted from the operation of an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens," approved March 3, 1887; and all forfeitures incurred by force of said act are, in respect of such real estate, hereby remitted.*

Mr. DOCKERY. Mr. Speaker, I desire a moment to call attention to a bill which has just passed the House. I confess my surprise that so able and zealous a committee as the Committee on the District—

Mr. BABCOCK. I want to say to the gentleman that the Committee on the District of Columbia has only ten minutes of its time remaining.

Mr. DOCKERY (continuing). Should have imposed this bill on the House.

Mr. RICHARDSON. Mr. Speaker, I rise to a point of order. The gentleman is speaking about a bill already passed.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### EXTENSION OF THE METROPOLITAN RAILROAD ALONG ELEVENTH STREET SE.

Mr. BABCOCK. I ask present consideration of the bill (H. R. 11059) to provide for the extension of the Metropolitan Railroad along Eleventh street SE.

The bill was read, as follows:

*Be it enacted, etc., That the Metropolitan Railroad Company be, and it is hereby, authorized and required to extend, by double tracks, its underground electric system from its lines as at present constructed at the southwest corner of Lincoln Park at the intersection of North Carolina avenue and Eleventh street SE., south along said Eleventh street SE. to E street SE.; thence, by single track, along said Eleventh street SE. to a point 5 feet north of the tracks of the Anacostia and Potomac River Railroad Company; thence east along G street SE. to Twelfth street SE.; thence north on said Twelfth street SE. to E street SE.; thence west on said E to said Eleventh street SE., there to connect with the aforesaid double tracks. The extension hereby authorized shall be completed and cars operated thereon within one year from the passage of this act.*

Sec. 2. That on the completion of the aforesaid extension the Metropolitan Railroad Company, the Anacostia and Potomac River Railroad Company, and the Capital Railway Company shall severally issue, and are hereby required severally and respectively to issue, at the intersection of said G street and Eleventh street SE., to their passengers severally applying for the same, free reciprocal transfers, which shall be good for a continuous ride over the entire lines of the company to whom such transfers are respectively directed.

The amendments recommended by the committee were read, as follows:

Add immediately after the enacting clause the words "That in case the Capital Railway Company fails to build that portion of its line on Eleventh street SE. in the time required by the act of June 15, 1898."

Page 1, line 3, strike out the word "That."

Page 2, lines 2 and 3, strike out the words "within one year from the passage of this act" and insert in lieu thereof the following: "on or before the 1st day of January, 1900."

The SPEAKER pro tempore. The question is on agreeing to the amendments.

Mr. CURTIS of Iowa. Mr. Speaker, I desire to offer an amendment. In line 6, after the word "eight," insert "on or before September 1, 1899."

The Clerk read as follows:

Strike out, in line 4, the words "in the time" and insert after the word "eight," in line 6, "on or before September 1, 1899."

The amendment was agreed to.

Mr. CURTIS of Iowa. Another amendment. Strike out, in line 10, page 2, the words "January, 1900," and insert in lieu thereof "March, 1900."

The Clerk read as follows:

In line 10, page 2, strike out "January" and insert "March."

The amendment was agreed to.

The amendment to the committee amendments was agreed to. The amendments recommended by the committee as amended were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and accordingly it was read the third time, and passed.

On motion of Mr. CURTIS of Iowa, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. DOCKERY. Mr. Speaker, I desire to move to reconsider the action of the House in passing Senate bill 5391.

Mr. BABCOCK. Mr. Speaker, there was a motion to reconsider, and that motion was laid on the table.

The SPEAKER pro tempore (Mr. DALZELL). The Chair is informed that a motion was made to reconsider and that motion was laid on the table.

Mr. CANNON. I understood from the Journal Clerk that it was not made.

Mr. RICHARDSON. I have consulted with the stenographer who took the notes, and he says that his notes show that a motion to reconsider was made and laid on the table.

The SPEAKER pro tempore. The Clerk so reports to the Chair.

Mr. CURTIS of Iowa. I made the motion myself to reconsider, and it was laid on the table.

Mr. DOCKERY. Well, then, I ask unanimous consent that the House reconsider the action whereby the bill was passed.

Mr. RICHARDSON. What is the object?

Mr. DOCKERY. I want to amend the bill because it imposes the whole liability on the Treasury of the United States.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the action of the House in passing the Senate bill be reconsidered.

Mr. CURTIS of Iowa. Mr. Speaker, the time is so limited that we have for these District of Columbia matters that I can not consent.

Mr. BABCOCK. What is the object of this?

Mr. DOCKERY. It imposes all the liability on the National Treasury.

Mr. CURTIS of Iowa. Well, it is a national celebration. I will consider the matter with the gentleman from Missouri later.

Mr. DOCKERY. But the time is nearly up.

The SPEAKER pro tempore. Is there objection?

Mr. BABCOCK and Mr. CURTIS of Iowa. Yes.

Mr. CANNON. It only spends \$10,000, and you have not got done yet.

Mr. RICHARDSON. I am perfectly willing myself to agree to amend it to make it half and half.

Mr. CURTIS of Iowa. I am willing to take it up later.

Mr. DOCKERY. It is passed, and you can not take it up.

Mr. RICHARDSON. We can take it up by unanimous consent.

#### DISTRIBUTION OF COMPILED STATUTES OF DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the joint resolution S. R. 231, providing for the further distribution of the compiled statutes of the District of Columbia.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives, etc., That the Secretary of the Interior is hereby authorized and directed to distribute copies of the Compiled Statutes of the District of Columbia now in his charge, as follows: To each Senator, Representative, and Delegate in the Fifty-fifth and Fifty-sixth Congresses not already supplied with the work, one copy; to each of three public, university, or college libraries not depositories of public documents, to be named by each Senator of each State, the Representative of each Congressional district, and the Delegate of each Territory in the Fifty-fifth or Fifty-sixth Congresses, one copy; and to such executive and judicial officers of the Government not already supplied as may require this work in the discharge of their official duties, one copy each: Provided, That the libraries supplied in compliance with the provisions of this resolution shall each be notified as to the Senator, Representative, or Delegate upon whose order the work is furnished.*

Mr. DOCKERY. Let us have the report read, Mr. Speaker.

The Clerk read the report (by Mr. RICHARDSON), as follows:

The committee have considered Senate joint resolution 231, providing for the further distribution of the Compiled Statutes of the District of Columbia, and direct me to report same with recommendation that it do pass.

The reasons for the passage of said resolution appear in the letter of the Acting Secretary of the Interior addressed to Hon. H. C. LODGE, chairman of Senate Committee on Printing, of date January 24, 1899, herewith submitted as a part of this report.

DEPARTMENT OF THE INTERIOR,  
Washington, January 24, 1899.

SIR: I inclose herewith draft of a joint resolution providing for the further distribution of the Compiled Statutes of the District of Columbia, which I shall be glad to have you introduce in the Senate, to be referred to the Committee on Printing for consideration. In connection with this request the following statement is submitted:

By the provisions of an act of Congress approved March 2, 1895 (28 Stat. L., page 759), 5,000 copies of the Compiled Statutes of the District of Columbia were

delivered to the Department of the Interior for distribution to certain departments and officers of the Government and for sale at \$3.75 per copy. Subsequently the price was reduced to \$2.50 per copy, and a further distribution was made by order of Congress to Senators and Representatives and to depositories of public documents. The entire distribution, however, to date has amounted to only 1,469 copies, leaving 3,531 still undistributed.

At present there is no demand whatever for the work in the way of sale, nor in my judgment is there any probability that more than a few additional copies will find purchasers, so that unless some provision is made for the further gratuitous distribution of the volume those now on hand will remain permanently undistributed. Under these circumstances it is suggested that the distribution proposed in the accompanying joint resolution be made as the best disposition practicable of the work.

Very respectfully,

THOS. RYAN,  
Acting Secretary.

Hon. H. C. LODGE,  
Chairman of Committee on Printing, United States Senate.

The joint resolution was ordered to be read a third time; and it was accordingly read the third time, and passed.

#### NAVAL APPROPRIATION BILL.

Mr. BOUTELLE of Maine. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SHERMAN in the chair, for the further consideration of the naval appropriation bill.

The CHAIRMAN. A point of order is pending, and the gentleman from Maine must be recognized.

Mr. BOUTELLE of Maine. Mr. Chairman, the question under consideration is a paragraph in the bill providing for the purchase of armor plate for the new vessels authorized in the pending bill. We have had a great deal of oratory on the subject and very few facts. I propose, in what I may say, to try to throw a little light on the relation of this proposition to the rule and to the interests of the Government, and to be as brief as possible. It is impossible for gentlemen to form a wise judgment without having given some study and attention to the subject, and therefore I deem it advisable to call the attention of the committee to the situation and its requirements as succinctly as possible, in the language addressed to the committee by the authorized professional experts and officers of the Government. There is no use, in my judgment, of going over the history of legislation for the past three or four years and thrashing over the old straw that filled the air with dust and led to confusion of counsel rather than to intelligent judgment and, in my opinion, desirable action.

We are proposing in this bill to authorize the President of the United States to construct three new battle ships and three armored cruisers, for which it will be necessary to supply a certain amount of heavy armor. Prior to the reporting of this bill my attention was called to the situation in regard to armor by the Navy Department. The Secretary of the Navy sent to us a carefully prepared statement from the Chief of the Bureau of Ordnance, that department of the Government which deals directly with matters of the quality and the purchase of armor plate, and upon whose judgment we are obliged to rely for the defense of the interests of the Government, unless we constitute an expert commission on armor from the gentlemen of the House of Representatives, or elsewhere, who know nothing about the subject.

The Committee on Naval Affairs assumed—and perhaps some gentlemen here would think this an erratic view of the situation—that we could rely more surely and safely upon men who have not only given this matter the study of their lives, but who on their official and personal responsibility are charged with making recommendation wisely and for the interests of the Government in regard to these matters.

We were proceeding at the time this Congress assembled, under a law which limited the Secretary of the Navy in his discretion to the payment of \$400 per ton of 2,240 pounds of armor, with a royalty in addition amounting to \$11.20, for armor that was then considered the best armor obtainable in the world, namely, the harveyized armor, heavy steel plate treated by a process under the patent of Mr. Harvey, by which the carbonization or hardening of the face of the plate by reason of certain heating in connection with the use of certain chemicals, was carried inward about an inch in depth, the effect of that process being to cause a sheet of armor of considerable less thickness than the former steel and nickel armor to resist an equal amount of assault from the heavy guns that might be brought against it.

Up to a short time ago it was our boast and our satisfaction that we had, under designs and improvements made by American citizens, steel armor so much more effective in the resistance of attack than that manufactured anywhere else in the world that it was adopted and purchased in large quantities by some of the foreign governments. Within a short time, however, the development under constant experiment in this and other countries of the resistance of a plate of steel has culminated, so far as the present situation is concerned, in enabling the Krupp works in Essen, by the use of other materials and by some improved systems

of heating and rolling, to produce a plate of armor which, with 25 per cent less of weight and thickness, will resist an equal amount of force from projectiles than that which we now manufacture.

The advantage of this is, of course, obvious to every gentleman who has given even a moment's thought to the subject. The prime factors in placing afloat a heavily armed and heavily armored battle ship are the questions of size and depth, and power of machinery. It will be obvious to everybody that a ship of a given size and given displacement can only be burdened with a certain amount of armor if she is to carry machinery and guns, and therefore given a ship designed to be of a certain size, to carry a certain battery, to carry machinery of a certain weight—to give her a certain speed, it is of the most vital importance that in putting armor on her sides to resist the attack of an enemy armor of minimum thickness should be made to reach the maximum of resistance of attack. Hence, the armor that is the thinnest and therefore of the least weight, which will possess the power of resisting an attack by the shot of the enemy is a prime consideration.

Now we are brought face to face with the proposition of armor-ing these three new battle ships and the three cruisers that we propose to construct; and it is the consensus of the judgment not only of all the experts of our Navy Department, but of the governments of the world to-day, that the armor manufactured under the Krupp process will furnish to a vessel the given amount of protection with a weight about 25 per cent less than any other armor now manufactured.

Mr. CANNON. Will the gentleman allow me a question at this point?

Mr. BOUTELLE of Maine. Certainly.

Mr. CANNON. Do I understand the gentleman to say that the armor he is speaking about—that now made at Essen—weighs 25 per cent less than the armor we have heretofore been using and is equally effective—

Mr. BOUTELLE of Maine. That is the proposition.

Mr. CANNON. And that for this reason the increase in price from \$400 to \$550 a ton is asked?

Mr. BOUTELLE of Maine. That is exactly the fact.

Mr. CANNON. Now, if my friend will allow me one question further. Can that armor be made in this country?

Mr. BOUTELLE of Maine. It can be made in this country.

Mr. HILBORN. And is being made.

Mr. BOUTELLE of Maine. Mr. Chairman, if, for the time I occupy the floor, my friends will permit me to answer, even in my imperfect and feeble way, the questions propounded to me, it will facilitate our getting forward; and if any gentleman on the floor, on either side, desires to discuss this matter in any way, I will see to it that he shall have time to do so. But this sort of discussion in which a man has an answer substituted for his own is ineffective, and we have seen already that it has wasted two or three days without very greatly enlightening the people.

Mr. HILBORN. I ask the gentleman's pardon.

Mr. BOUTELLE of Maine. I am not criticising my friend, but was addressing myself to several gentlemen. Now, if the gentleman from Illinois wishes to ask a further question—

Mr. CANNON. My question was whether the armor referred to could be or was being made in this country?

Mr. BOUTELLE of Maine. In answer to that question, I will state it can be; that our manufacturers are fully prepared to manufacture it; but it involves the purchase from the Krupp people of the right to use their process. A gentleman here yesterday said something about these patents. Well, his remarks only illustrated the facility with which gentlemen discuss matters with which they are not familiar. Of course, Mr. Krupp, or his concern, has any quantity of patents, and some of those the gentleman produced yesterday may possibly be used; but the Krupp process of to-day is based upon what they claim to be the method of handling the steel ingot and of using chemicals in such a way as is known only to themselves and their skilled employees. They hold the right to use this process, and they sell it only to certain parties.

The Russian Government has bought the secret of this process or the right to use it, I am informed to-day.

In this country two, at least, of the great manufacturing concerns which possess the plant, as has been shown in the discussion of this matter, and are able to manufacture this armor, have purchased the right to do so, and have made propositions to the Government. In addition to the purchase price let me say they have also been compelled to pay a royalty to the Krupp people for every ton of armor which is produced by them under this process.

Now, the question before the Navy Department in the consideration of the matter was a very simple one; and I will read shortly a letter from the Bureau of Ordnance, which states the case so clearly and so exactly that it will enlighten the House and enable us, without question, to judge what is best to be done in the premises.

Mr. COOPER of Texas. Will the gentleman allow a single interruption?

Mr. BOUTELLE of Maine. I will.

Mr. COOPER of Texas. Under the provision of the bill as we are now considering it, if this armor could be purchased at a lower rate in any other country would the Government be authorized under this provision to do so?

Mr. BOUTELLE of Maine. The bill has unquestionably provided for that contingency. There is no doubt about it. We do not bind the Government to purchase the armor from any establishment at all. We leave the whole question open. That is precisely what we want to do. I am only speaking of the Krupp armor, or process of preparing it, as it appeals to us to-day, being, as naval experts think, the best in use at the present time, just as we favored the "harveyized" process a few years ago.

Mr. COOPER of Texas. Then why put a limit upon the price?

Mr. BOUTELLE of Maine. It is simply a provision that the Secretary shall obtain armor of the very best possible quality at not exceeding the price named.

Mr. COOPER of Texas. At a certain price.

Mr. BOUTELLE of Maine. At a certain price; but that it shall not exceed the sum of \$545 a ton.

Now, this armor having been tested on our testing grounds at Indian Head, down the Potomac River, we do not need to take any foreign statement as to the value of the improvement, because we have the assurance of our own experts that this armor is at least 25 per cent more advantageous to us; that it is stronger armor than that we have been using heretofore, and we are also informed that it will cost \$545 a ton. We have therefore put that amount or limitation in the bill instead of \$400 a ton; that was the limit put on armor heretofore. Of course we assume that if the Secretary can provide the armor at a cheaper rate he will do so.

Mr. GAINES. Will the gentleman allow an interruption?

Mr. BOUTELLE of Maine. Now, Mr. Chairman, I beg to be allowed to complete a technical statement without interruption. It will be some advance in the proceedings if we can do so. I do not desire to be interrupted in the midst of a mathematical statement of costs and figures.

Mr. GAINES. Of course I do not desire to interrupt the gentleman's remarks unless he is willing and consents—

Mr. BOUTELLE of Maine. I beg to be excused. I do not desire it at present.

I say \$545 a ton is authorized by the present bill, as against \$400 a ton heretofore.

Now, when we are purchasing armor plate, under any circumstances, the contracts are always made. The Government has been paying heretofore \$400 a ton for armor plate on the average, and in addition to that \$11.20, making \$411.20 in all—

Mr. HOPKINS. Will the gentleman allow me just there?

Mr. BOUTELLE of Maine. I beg not to be interrupted now.

Mr. HOPKINS. I only want the gentleman to state—

Mr. BOUTELLE of Maine. I insist I will not consent to be interrupted. I protest against it.

Mr. HOPKINS. I only want the gentleman to correct a misstatement of facts.

Mr. BOUTELLE of Maine. I protest against this interruption. If the gentleman has anything to say he can take his own time for it.

Now, I say that the Government for the harveyized armor paid \$400 a ton—

Mr. HANDY. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. HANDY. I make the point of order that the gentleman from Maine is not discussing the question before the committee.

Mr. BOUTELLE of Maine. I desire to say that I am presenting the facts on which alone the Chair can rule on the pending question. I am referring solely to the question as to the relation of the proposition in the bill itself to that which is offered in the shape of an amendment—

Mr. STURTEVANT. I rise to a question of order.

Mr. BOUTELLE of Maine. My only object, I will state, is to continue the work on this bill and to secure its enactment. The object, apparently, of the opposition which has been presented is to protract the debate until after the 4th of March, when it is true the gentlemen making the opposition will not have an opportunity to be heard upon it.

Mr. LEWIS of Washington. I ask unanimous consent that the gentleman from Maine may be permitted to occupy the time he chooses, according to his own judgment. And if chooses to present such matters to the House as he is now discussing, that he be allowed to do so.

Mr. HANDY. I object, Mr. Chairman, to anything but to the orderly proceedings of the House.

The CHAIRMAN. Objection is made; and the gentleman from Maine will proceed in order.

Mr. BOUTELLE of Maine. I desire to do so, Mr. Chairman,

and will not discuss questions outside of the pending proposition. I will confine myself to the question before the House, believing that the proposition in the bill will meet the approval, substantially, of the entire House.

The armor we are purchasing to-day costs, I have said, \$411.20 a ton—

Mr. HANDY. I rise to a question of order. The gentleman is not discussing the question before the committee, which is a point of order against the amendment suggested by the gentleman from Alabama [Mr. UNDERWOOD]. It is perfectly manifest that the cost of armor plate has nothing to do with the question of order.

The CHAIRMAN. The gentleman from Maine will confine himself to the discussion of the point of order.

Mr. BOUTELLE of Maine. Now, Mr. Chairman, we might as well settle right here what kind of argument is in order in discussing this question. The proposition is made here—

The CHAIRMAN. The question before the Chair is—

Mr. BOUTELLE of Maine. I beg to state the case to the Chair as I understand it, before the Chair rules. The pending question is upon obtaining some additional armor for the Government. The gentleman from Alabama [Mr. UNDERWOOD] has proposed to substitute for the proposition of the committee, to enable the Navy Department to purchase armor, a proposition to build an armor plant in this country, in which the Government itself may manufacture its armor.

The CHAIRMAN. And against that amendment—

Mr. BOUTELLE of Maine. And in order to determine whether that is germane to this bill it is absolutely essential that the Chair shall be informed as to the relations that this proposition to purchase an armor plant bear to this measure. The gentleman undertakes to raise a point of order on the ground—

Mr. HANDY. Mr. Chairman, I make the point of order that the gentleman can not discuss the merits of the proposition on the point of order.

Mr. BOUTELLE of Maine. Mr. Chairman, the question whether—

The CHAIRMAN. The gentleman from Delaware [Mr. HANDY] makes the point of order—

Mr. BOUTELLE of Maine. I understand the point he makes. I understand the point perfectly. I am addressing myself to it.

The CHAIRMAN. The Chair thinks, with the gentleman from Delaware, that the discussion of the point of order does not involve the merits of the proposition.

Mr. BOUTELLE of Maine. Well, that was learned by some people long before he came here.

Mr. GAINES. But they do not recollect it.

Mr. BOUTELLE of Maine (continuing). And will be remembered, thank God, long after he leaves here.

The CHAIRMAN. The gentleman from Maine will please discuss the point of order.

Mr. BOUTELLE of Maine. Mr. Chairman, the point of order, if I know anything about it, is whether that proposition to furnish money to build an armor plant is germane to the appropriation bill.

The CHAIRMAN. It is more than that. The gentleman from Maine raised the point of order against the amendment that it was obnoxious to Rule XXI, which is more than the fact whether it is germane. It covers also the point whether it is legislation.

Mr. BOUTELLE of Maine. Exactly; and if the Chair please, that point involves the direct question whether it is new legislation. If it is germane and appropriate and regular and a part of the natural legislation that should come into this bill at this point, then it may not be a change of existing law or it may be; but I am trying to lay before the House a basis to enable it to form an opinion, and to enable the Chair to judge as to how far this motion of the gentleman from Alabama is germane to this bill.

In his statement he undertook to invoke some precedents in regard to rulings of former chairmen as to what would be held in order on a naval appropriation bill; and I intend, before I get through, to show the Chair, if I may or can, the entire distinction between the relations of this proposition to the naval appropriation bill and the relations of those other propositions which were held to be germane and admissible and in order. And in order to do that I am obliged to show the distinction between the legislation that we propose, which we hold to be absolutely germane, and which the Chair has held to be germane, and this proposition, which is entirely different and involves different relations with the bill and with the points of order that may be raised in this House. And in doing that I hold, Mr. Chairman, entirely aside from every question of the courtesy and propriety which suggests that after gentlemen on the other side stood here by the hour yesterday taunting this committee, that they have failed to state the facts of this matter to the House—

Mr. HANDY. Mr. Chairman, I raise the point of order that the member from Maine is not in order—

Mr. BOUTELLE of Maine (continuing). It is in poor taste for

gentlemen to get up here and now prevent the giving of facts for which they have been clamoring.

The CHAIRMAN. The gentleman from Delaware raises a point of order. The gentleman will state it.

Mr. HANDY. My point of order is that no discussion by the gentleman from Maine as to how gentlemen on this side of the Chamber taunted him and his committee yesterday can be in order now in discussing the point of order which is before the Chair.

The CHAIRMAN. The point of order is well taken. The gentleman from Maine will continue and discuss the point of order.

Mr. HANDY. I ask the Chair to insist that the gentleman from Maine address himself pertinently to the question before the committee.

Mr. BOUTELLE of Maine. I submit the point of order to the Chair, in order to relieve the House from the impertinent motions that have been made to prevent the facts in this matter being considered. I ask the Chair to rule.

The CHAIRMAN. It is so clear to the Chair that this proposed amendment is obnoxious to Rule XXI the Chair thinks it unnecessary to make any statement. Therefore the Chair sustains the point of order.

Mr. BOUTELLE of Maine. Mr. Chairman, I move to strike out the last word.

Mr. HOPKINS. I have an amendment pending.

The CHAIRMAN. The question is on the amendment of the gentleman from Maine, from which he moves to strike out the last word.

Mr. HOPKINS. One moment, if the Chair pleases. The parliamentary situation is this: The gentleman from Maine offered an amendment to the pending bill, and to that amendment I offered an amendment yesterday to strike out—

The CHAIRMAN. The gentleman from Illinois is not correct in his statement. The gentleman from Illinois has not yet offered an amendment. The gentleman rose for that purpose and was not recognized, and the Chair stated that later on, when other gentlemen who had been recognized had concluded, the Chair would recognize the gentleman from Illinois.

Mr. HOPKINS. I move to strike out the word "five" and insert "four."

The CHAIRMAN. In fact, that amendment has not been offered; but the Chair understood the gentleman from Illinois intended, when he obtained the floor, to offer it.

Mr. HOPKINS. That is satisfactory.

Mr. BOUTELLE of Maine. Will the Chair inform me whether the gentleman from Illinois has the floor?

The CHAIRMAN. The gentleman from Maine is recognized for five minutes on a motion to strike out the last word.

Mr. BOUTELLE of Maine. Am I entitled to speak without interruption for five minutes?

The CHAIRMAN. The gentleman can not be interrupted without his consent.

Mr. BOUTELLE of Maine. Now I will go back to the point I had reached when the gentleman from Delaware so politely interposed to prevent me from answering the question which has been propounded to me by so many gentlemen on that side and to which I supposed they really desired an answer. The harveyized plates which we are now using cost \$411.28 a ton. The armor it is proposed to purchase at the price, or at which it is proposed to permit the Secretary of the Navy to purchase if the Department can find no other armor that is better, is to cost not to exceed \$545 a ton. That armor is 25 per cent more powerful in resistance, as I have said, than that we are using to-day; and, therefore, if we shall only put upon the battle ships that are authorized armor covering the same superficial area as on the ships that were authorized last year, it will involve the purchase of 25 per cent less armor in tons than by using the armor we are using to-day.

I trust that is easily perceptible to every member, that if it be true, as the Ordnance Bureau states, that experimentation has shown that armor 25 per cent more powerful in resistance than that which we are using to-day can be put upon the ships under this process, therefore the amount that we will have to purchase in tons will be so much less; and subtracting that from the \$545 would leave the result that the armor to cover the same superficial area that would be covered under the old designs under the harveyized process would cost really \$409 a ton, as against \$411 a ton with the present armor.

Now, I do not want the House to think I am juggling with figures. I will say to you frankly that we do not intend to make that reduction in the cost for these ships. Why? Because instead of using that amount of armor on these vessels and stopping there, it is proposed, in view of the fact that the armor to cover the same amount of surface weighs so much less, to cover other portions of the ship with armor and to extend the defended surface of the vessels to a considerable degree, bringing the cost for armor for the entire ship up to about the same that we would pay under our contracts to-day. The ships that have this new armor on, and

over which they extend the area of armoring to cover places that are undefended now in some of our battle ships, will make them very much more powerful ships and very much more invulnerable ships than those we are building to-day.

Now, we know of no other way but this to get this armor except we build an armor plant; and that question has been discussed here to exhaustion, and the committees of the House and the Senate have rejected it on many grounds. We have to-day communications from the bureaus of the Navy Department very properly putting this upon Congress. They are authorized to-day to go ahead and contract for and purchase armor for these new ships at the rate of \$400 a ton, which will restrict them in the purchase of armor to the harveyized process, which is admitted to be 25 per cent less valuable and powerful than that which is proposed, and 25 per cent less powerful than that which every other nation that is making contracts to-day is insisting upon putting upon their ships. As my friend from California stated yesterday in his citation, every civilized government in the world that is constructing battle ships or armored cruisers to-day intended to carry heavy armor are unwilling to use anything else than the best and most powerful.

And it is inconceivable that the people of the United States will contemplate for a moment or that this House will for a moment entertain any idea that involves the use on our battle ships of armor that will make them 25 per cent less powerful to resist an attack than those of ships built abroad.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. BOUTELLE of Maine. I ask for five minutes more.

Mr. GAINES. I object to that unless the gentleman from Maine will permit interruptions that call for facts which we are entitled to have and which as chairman he should give voluntarily.

Mr. BOUTELLE of Maine. I ask unanimous consent, Mr. Chairman, that I may be permitted to read the statement forwarded to the Naval Committee of this House by the Secretary of the Navy, inclosing this statement from the Chief of the Bureau of Ordnance, addressed to the American Congress.

The CHAIRMAN. Is there objection?

Mr. GAINES. I object.

Mr. HANDY. I hope there will be no objection.

Mr. GAINES. I object.

Mr. PAYNE. Mr. Chairman, I would like—

Mr. HOPKINS. Mr. Chairman, I move to strike out the last word.

Mr. PAYNE. Mr. Chairman, I would like to be recognized in opposition to the motion to strike out the last word.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine? The Chair hears none.

Mr. GAINES. Mr. Chairman, I objected.

Mr. SHATTUC. Mr. Chairman, I make the point of order that the gentleman from Tennessee [Mr. GAINES] did not object.

The CHAIRMAN. The gentleman from Tennessee says he did object, and the Chair accepts his statement.

Mr. SHATTUC. I do not think the gentleman from Tennessee was on his feet.

Mr. GAINES. I objected, Mr. Chairman, when I was on my feet and when I was in my chair.

The CHAIRMAN. The Chair accepts the statement of the gentleman from Tennessee.

Mr. BOUTELLE of Maine. Mr. Chairman, I move that all debate be closed—

The CHAIRMAN. The gentleman from Maine has not the floor; his time has expired.

Mr. HOPKINS. Mr. Chairman, I move to amend the amendment of the gentleman from Maine by striking out the word "five" and inserting the word "four," so that the amount allowed for armor plate will be limited to \$445 per ton.

The CHAIRMAN. Does the gentleman from Illinois withdraw his formal amendment?

Mr. HOPKINS. Yes. The reason for making the amendment is this: The House on a previous occasion, on a full and fair discussion of armor plate, limited the amount to be paid to the manufacturers for armor plate to \$400 per ton. The gentleman in charge of this bill stated to the committee on yesterday that the royalty to be paid for the secret process will be \$45 per ton.

There is no evidence before this committee, and I have searched the records of the Naval Committee in vain to find any, showing that the new process for the construction of armor plate is any more expensive to the manufacturers than the harveyized plate, that is now manufactured for \$400 a ton; so that if we allow them \$45 a ton royalty, that is contended for by the gentleman from Maine, we shall be giving them as much as they are receiving under the present contract, and all the world admits that that is sufficient.

Mr. Chairman, the gentleman from Maine in charge of this bill has stated among other reasons why it should be \$545 a ton, that experiments have been tried showing that this new armor

plate has a greater resisting power than the harveyized plate. Where is the evidence, other than the statement of the gentleman from Maine?

Mr. BOUTELLE of Maine. In the document which the House has refused to have read.

Mr. HOPKINS. I do not want to be interrupted and I do not want these interruptions taken out of my time. This is nothing but a letter from a subordinate in the Navy Department, without any independent examination on the part of the Naval Committee.

Mr. BOUTELLE of Maine. That is not so.

Mr. HOPKINS. I trust the gentleman from Maine will not interrupt me and take up my time. I repeat, that the Naval Committee have made no independent investigation upon this, and have brought no independent evidence to this House showing that there should be any change in the resolution that was made that \$400 a ton is a sufficient amount. I deny that a letter from a subordinate in the Navy Department is sufficient to change a deliberate judgment of this House upon so important a question.

We know as practical business men that improvement in armor plate is going on precisely as it does in the manufacture of railroad iron of all kinds, and that the cost of production has decreased in value as rapidly as it has in other branches of the great iron industry in this country. I hazard nothing in making the statement that this armor plate that is proposed by the gentleman from Maine can be manufactured by either of the great concerns in Pennsylvania to-day as cheaply as could the armor plate be manufactured under the harveyized system at the time that they made the contract to furnish it to the Government at \$400 a ton. He says that experiments have been made showing the resisting power is much larger or greater than plate under the other process. We want more than the unsupported statement of the gentleman from Maine upon this matter.

Mr. BOUTELLE of Maine. Thank you.

Mr. HOPKINS (continuing). And more than the unsupported statement of a subordinate of the Navy Department. We want the test brought here in some tangible form; we want it shown to us that it was a test which was fair, thorough, and legitimate—a test that can be relied upon. I have heard it intimated that this test was made not for the purpose of bringing out the resisting power of this new armor plate so much as to enable these concerns over here in the State of Pennsylvania to make a more advantageous contract with the United States Government.

I insist, Mr. Chairman, inasmuch as we have now had discussion running over a period of four years on this question, and have taken a mass of evidence here showing the character of the armor plate that has been manufactured by those great manufacturing plants, if we are to change the deliberate judgment of this House, it should be upon original investigation made by this Naval Committee, and the evidence should be printed and placed in the hands of every member of this House.

I am as anxious as the gentleman from Maine to procure the best quality of armor plate under the most favorable conditions, but I am not willing to take the statement of these gentlemen when members of the Naval Committee of the Senate tell me there is no warrant in fact for the change that is proposed by the gentleman from Maine. I am not prepared to change my vote, that has been recorded in this House on three different occasions when this bill has been up, on his statement, when gentlemen of as large experience, of as much patriotism, and as much knowledge on this subject tell me that the Government of the United States is being imposed upon by this proposition that is inserted in this naval bill.

Mr. DALZELL. Will the gentleman give us the names of his informants—those who say the Government is being imposed upon?

Mr. BOUTELLE of Maine. No; he will not.

[Here the hammer fell.]

Mr. RIXEY obtained the floor.

The CHAIRMAN. The gentleman from Virginia is entitled to the floor.

Mr. BOUTELLE of Maine. I am aware of that. I am addressing the gentleman from Virginia and asking him to yield to me to reply to the statements that have been made here—

The CHAIRMAN. Does the gentleman from Virginia yield?

Mr. RIXEY. I will if I can be recognized—

Mr. BOUTELLE of Maine. I have not the slightest doubt that he will do so. The gentleman from Virginia is a gentleman.

The CHAIRMAN. The Chair has recognized the gentleman from Virginia. Does he yield to the gentleman from Maine?

Mr. RIXEY. I am willing to yield to the gentleman from Maine if I understand the Chair will recognize me after the gentleman from Maine—

The CHAIRMAN. The Chair will do so, provided the gentleman from Maine does not occupy the whole five minutes.

Mr. RIXEY. I would like to ask this question—

Mr. BOUTELLE of Maine. Is not my friend willing to yield me five minutes now, when he can immediately follow?

Mr. RIXEY. I merely wish to understand this matter. I am perfectly willing to yield the five minutes to the gentleman from Maine, provided I can be subsequently recognized by the Chairman.

The CHAIRMAN. At some subsequent period, but not immediately.

Mr. BOUTELLE of Maine. Does my friend from Virginia desire to go on and answer for me?

Mr. RIXEY. I do not desire to go on and answer for the gentleman.

Mr. BOUTELLE of Maine. I want to speak on the other side.

The CHAIRMAN. The gentleman from Virginia has the floor, and the Chair is endeavoring to ascertain whether he desires to yield to the gentleman from Maine.

[Mr. RIXEY addressed the committee. See Appendix.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RIXEY. I ask, Mr. Chairman, five minutes longer.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. BOUTELLE of Maine. Mr. Chairman, I must object. We want to get on with the bill. I think, as chairman of the committee, I should have the right to speak for the committee.

The CHAIRMAN. Objection is made.

[Mr. KIRKPATRICK addressed the committee. See Appendix.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KIRKPATRICK. I ask unanimous consent to extend my remarks in the RECORD.

There was no objection.

Mr. HILBORN. Mr. Chairman, I desire to occupy a few moments of the time of the committee to answer a question that was propounded by the gentleman from Nebraska [Mr. GREENE] to the gentleman from Pennsylvania [Mr. KIRKPATRICK]. It was this: What evidence have we that the armor plate made by the Krupp process costs more than that made by the Harvey process? Now, in the first place, the Krupp armor is a different metallic compound; it contains all of the ingredients of the Harvey armor; that is, the steel treated by the open-hearth furnaces, the 3 per cent of nickel, and then there is another metal, probably chromium. But the compound is a very much superior compound to that of the Harvey-plate compound. Then, it takes longer to make a plate. The process extends over a longer time, a very much longer period. When these processes are all through with, the product is 25 per cent lighter than the plate made by the Harvey process.

Now, it takes a longer time to make the carbon penetrate 4 or 6 inches into a plate than it does to penetrate a half an inch, and that is the difference between the two processes.

Mr. GREENE of Nebraska. Will the gentleman allow an interruption?

Mr. HILBORN. Certainly.

Mr. GREENE of Nebraska. Now, this is the first information that we have had directly on that question. Is there any evidence before the committee that \$545 is probably the best bargain, the cheapest price at which this armor plate can be purchased.

Mr. HILBORN. The fact of it is that we are in the hands of the armor-plate makers.

Mr. GREENE of Nebraska. Have you no testimony from the armor-plate makers themselves that \$545 is the best price at which we can purchase it?

Mr. HILBORN. We are informed by Commodore O'Neil, the Chief of the Bureau of Ordnance, that \$545 a ton is the best price that these armor-plate makers will give.

Mr. GREENE of Nebraska. I think every member of the House is in favor of building the best ships and protecting them with the best armor that can be procured.

Mr. HILBORN. Certainly, I hope so.

Mr. GREENE of Nebraska. We have got to have that armor, and now the only question is to get it at the best price possible. If \$545 is the best price at which it can be obtained—

Mr. HILBORN. Let me say this in answer to that suggestion: In the first place, the price of this Krupp armor is fixed now all over the world. All the nations of the earth are sheathing their vessels with the Krupp armor, and so far as we can find out, either in Europe or the United States, they are charging about \$545 a ton.

Mr. DAYTON. England is paying \$645 a ton.

Mr. HILBORN. Yes; England is paying a little more.

Mr. GAINES. The gentleman from California undertook a few moments ago to give us that Krupp process in detail.

Mr. HILBORN. It is a secret process. I was simply stating what I understood about it.

Mr. GAINES. That is the point I wanted to get at. This being a secret process, how are you informed about it?

Mr. HILBORN. Well, I know they are making this armor of steel; I know that they are making it of steel which has been treated in the open-hearth furnace, because I have been in their establishments and have seen it run off.

Mr. GREENE of Nebraska. What, if any, evidence had the committee before it that England or other countries are paying \$565 a ton for this armor?

Mr. HILBORN. The Navy Department has taken pains to get that information and reports it to our committee.

Mr. GAINES. Where is that testimony?

Mr. GREENE of Nebraska. Let me ask the gentleman one further question. I am not going to be captious; I simply want to get at the facts. Why is it that all this evidence that the committee has taken was not submitted to this House in their report, so that members could see it?

Mr. HILBORN. Our chairman can answer that. He tried to get it in here this morning, but was shut out.

Mr. GREENE of Nebraska. Why was it not printed with the report accompanying this bill, so that the House could be in possession of the facts?

Mr. HILBORN. The chairman of the committee will answer that question.

Mr. GREENE of Nebraska. He has not answered it, and it has been propounded to him.

Mr. GAINES. Now, the gentleman has stated, and it is officially stated here in the document which I hold in my hand—the report of the Committee on Naval Affairs, printed in 1898—that this Krupp process is a trade secret.

[Here the hammer fell.]

Mr. GAINES. I ask unanimous consent that the time of the gentleman from California be extended for five minutes. He can give us a great deal of valuable information, I think.

The CHAIRMAN. Is there objection to extending the gentleman's time five minutes? The Chair hears none.

Mr. GAINES. Now, will the gentleman tell us how he knows what this process is?

Mr. HILBORN. I do not know it. I have simply been telling those things which I have seen myself.

Mr. GAINES. How do you know that the Krupp process is better than the Harvey process?

Mr. HILBORN. The evidence of that fact is that all the nations of the earth are abandoning the Harvey process and using the Krupp process. And another fact is that these armor-plate manufacturers in the United States have made specimen plates which have been turned over to naval experts and subjected, at Indian Head, to the severest tests; and these experts report that the plates manufactured by the Krupp process are at least 25 per cent better than those made by the Harvey process.

Mr. GAINES. In what respect are they better?

Mr. HILBORN. The ballistic resistance is greater, and the Krupp process makes a tougher plate—less liable to crack. There can be no doubt about the superiority of this plate.

Mr. GAINES. The gentleman said a few moments ago that Captain O'Neil had said that the Krupp process was better than the Harvey process.

Mr. HILBORN. Oh, yes; and he recommends it.

Mr. GAINES. Now, I wish to read his opinion from this same official document—

Mr. HILBORN. That is his opinion as expressed a year ago.

Mr. GAINES. Just a year ago.

Mr. HILBORN. The fact is that Captain O'Neil has been slow to recognize the superiority of the Krupp process; but in his last letter to the Committee on Naval Affairs of the House he said he was wrong in what he before said.

Mr. GAINES. Do you report that to the House?

Mr. HILBORN. The chairman of our committee will in a few minutes read a letter from Captain O'Neil to that effect.

Mr. GAINES. On page 56 of this report of the hearing before the committee I read this:

The CHAIRMAN. Have you any doubt that the armor we have been putting upon ships of our own for the last three or four years is fully equal to that which the European governments are putting on their ships?

Captain O'NEIL. If I am not mistaken it is not only equal to, but it is safe to say that it is better.

That is, Mr. Chairman, better than any process—better than Krupp's.

Mr. HILBORN. There is no doubt—

Mr. GAINES (interrupting). If you will allow me now, a little further, I want to read a little more from this testimony. The chairman further asks Captain O'Neil:

There is no doubt about that?

Captain O'NEIL. None, in my mind. The method we have for testing armor is better than theirs.

Captain O'Neil says the same thing at page 16 of this report. He refers there to the tests in European governments; and on

another page of this report (page 11) the Secretary of the Navy corroborates Captain O'Neil.

We are informed, also, that the difference between the two kinds of plates—harveyized and Krupp's—was not of sufficient value to justify us in waiting to get the new process. This is on pages 8, 14, and 18, and throughout this report.

Mr. HILBORN. Well, the gentleman will find that he has changed his mind since that time.

Mr. GAINES. We have no evidence of that fact.

Mr. HILBORN. The experience of the last few months and the tests made have shown the value of the new process. If we are to go on building up our battle ships we want the latest improvements, of course. We do not want to go back to the old and obsolete processes.

Mr. GAINES. Nobody wants that. We are only trying now to get at the evidence as to which is the very best. But I want to call the attention of the committee, if I can have a moment, to page 13 of this testimony—

Mr. HILBORN. I would like very much, Mr. Chairman, to be permitted to proceed with my own remarks.

Mr. GAINES. Of course the gentleman wants to get at the facts. The committee wants to be set right in this matter—

Mr. HILBORN. Undoubtedly. Let the gentleman go on.

Mr. GAINES. On page 13 I find that some tests were made of these different armor plates.

Mr. HILBORN. Where?

Mr. GAINES. These, I think, were English tests made in 1895. You will find the record of the tests on page 13 of this report. The figures are given in connection with the tests then made, and are in favor of the plates made by the Vickers & Co. process.

Mr. LANDIS. And Captain O'Neil, who gives that testimony, takes it all back and admits that he was mistaken.

Mr. GAINES (continuing). Where is the proof of this change? Why is it not submitted with the report, so we can read it? The test was in substance this: The Krupp plate was not penetrated, but did "crack" and bulge out 3 inches in the back. The Vickers plate was penetrated 2½ inches and did not crack. Captain O'Neil says the Vickers "plate successfully withstood the attack without cracking and made a record about equal to the Krupp plate. By calculation it should have been perforated by a velocity of 1,814 foot-seconds, whereas it was not with a velocity of 51 foot-seconds greater." This is on page 13.

Mr. FISCHER. It is impossible, Mr. Chairman, to hear what is going on. If the gentleman from California has the floor, we can not hear him.

Mr. HILBORN. I will make myself heard when the gentleman from Tennessee gets through.

Mr. GAINES. There are many other items given in the report and hearings regarding this armor plate which I will not have time to read in the short time at my disposal, but I commend them to the attention of the committee.

Mr. HILBORN. The particular point that the gentleman has been making was relevant a year ago—

Mr. GAINES. And the Krupp process itself seems to be an old one.

Now, for the benefit of the committee, it seems to me that the experiments which have been made in this direction should be submitted or stated fully, so that we may realize their value, if they have any.

Mr. HILBORN. If the gentleman will permit me, I think I can settle the matter in a word. The armor made by the Krupp process was experimental solely until quite recently. Since the experiments referred to by Commodore O'Neil a year ago were made the armor has been perfected, and it has been adopted by all of the nations of the earth which have been building first-class vessels for their navies.

The armor that we have been using has been found undesirable, and has been abandoned by most of the nations of the world. The new process which has been recently developed is adopted by all of the foremost nations of the earth. This process now in contention here has been adopted by all of the other nations of the world.

Mr. GAINES. But at the time the gentleman refers to it seems that only one nation—Denmark—had agreed to use it, as this report says.

Mr. HILBORN. I think that is true; but tests were being made by other nations, and the best authority in the world on the subject has given testimony in favor of the new process.

Mr. GAINES. Did I understand the gentleman from California to state a few moments ago that some one had purchased the rights of this process? Why can not the Government purchase it and manufacture for ourselves?

Mr. HILBORN. I do not see why we could not do so, unless the right has been sold. If it has been sold, of course the parties who own the process now would be entitled to the exclusive right under our law.

Mr. GAINES. But can we not condemn the right and take possession of it?

Mr. HILBORN. Oh, I suppose we could. But that is not the question now presented. The armor-plate manufacturers do not want the change to be made, of course. They have their plants and appliances already made for the construction of armor under the old plan. Naturally, they do not want to tear down the old plants and construct new ones.

It is claimed, and the experts so testify, that the new armor will be 25 per cent lighter than the old. This is a very important provision. In other words, we have less weight with equal resisting properties—

Mr. GAINES. Who owns the process at present?

Mr. HILBORN. I understand that it is owned by the Carnegie Company, of Pittsburg, and the Bethlehem Iron Company.

Mr. TODD. I should like to ask the gentleman if he still insists that this is a secret instead of a patent?

Mr. HILBORN. I do insist that it is a secret.

Mr. TODD. Does not the gentleman know that I produced to him yesterday all these patents?

Mr. HILBORN. There may have been some patent, but you can not make this armor plate with that patent.

Mr. TODD. Certainly you can make it with that patent.

Mr. BURKE. If the gentleman will allow me, I was struck by a remark which the gentleman made a moment ago, in which he asserted—

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Nebraska. I ask unanimous consent that the gentleman's time be extended ten minutes. He has been interrupted a great deal.

The CHAIRMAN. Unanimous consent is asked that the gentleman's time be extended for five minutes.

Several MEMBERS. Ten minutes.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The committee will please be in order before the gentleman proceeds.

Mr. BURKE. I was struck by the suggestion of the gentleman from California a moment ago, when he stated to the House that the truth was that the Government was entirely at the mercy of these armor-plate corporations. I should like to ask the gentleman from California if he does not think this is a most humiliating confession to make in the presence of this House and the Congress of the United States, that this great Government to-day is absolutely powerless to help itself against corporations created by this Government—that the creature is greater than the creator?

Mr. GAINES. And in a war fixture at that.

Mr. BURKE. It is a humiliating statement and a humiliating condition.

Mr. DAYTON. Is not that true in the case of every patented article which the Government finds it necessary to use?

Mr. TODD. I should like to ask the gentleman who is responsible for that condition?

Mr. DAYTON. Is not the same thing true in regard to other patents on armor plate?

Mr. HILBORN. Yes.

Mr. TODD. They are all in one universal armor-plate trust.

Mr. RIDGELY. I should like to ask the gentleman if the committee have investigated so as to have something like an accurate judgment as to the actual cost of producing this plate?

Mr. HILBORN. We can not figure it out mathematically. It is a secret process, and we can not figure out the price that it costs to make a ton of armor plate. We never could find out what it cost to make a ton of harveyized armor plate. All that I said was that a ton of this armor plate must cost more than a ton of harveyized armor, because it contains all the metallic ingredients of the old armor with at least one metal added, and goes through all of the processes used in the manufacture of the old armor, and these processes extend over a great deal longer time. It takes longer to make this new armor than it did to make the old; and when the product is turned out, there is a less number of tons of armor to sell to the Government.

Mr. LOW. It takes a longer time under this process to do the same work.

Mr. HILBORN. Yes.

Mr. RIDGELY. I believe we had information before Congress at one time—sworn testimony, if my memory serves me right—that the old armor plate which we have been using cost less than \$200 a ton to make it.

Mr. TODD. If the gentleman will allow me, here is the evidence right here in a Senate report, showing that it is \$210 a ton.

Mr. HILBORN. They did not take into account the three or four million dollars that the company had invested.

Mr. TODD. It added \$30 a ton for maintenance of plant and interest. The actual cost is \$180, and that adds \$30 for maintenance of plants and interest, making the total cost \$210. Then

the Secretary of the Navy, in his generosity, adds 33½ per cent profit, making \$280 a ton.

Mr. HILBORN. I do not understand what that has to do with this contention.

Mr. TODD. This is in Senate Document 1453 of the Fifty-fourth Congress.

Mr. HILBORN. That related to another kind of armor plate.

Mr. TODD. Harveyized armor plate, the best we have in the Navy to-day.

Mr. GAINES. Mr. Chairman, I should like to ask the gentleman—

Mr. RIDGELY. Will the gentleman allow me to finish my question?

Mr. GAINES. I beg pardon. I supposed the gentleman had concluded.

Mr. RIDGELY. Mr. Chairman, will the gentleman permit me to ask this question, which I think the Committee on Naval Affairs ought to be able to answer? My question is whether, in their judgment, from the investigation they have made, it would be better for us to continue to purchase this armor by contract at \$545 a ton, when the statement has been made that forty-five or fifty dollars per ton is the royalty paid for the use of this new process? Would it not be cheaper for the Government to construct its own plant and make its own armor, in view of the fact that we contemplate using such a large amount?

Mr. HILBORN. History repeats itself. It is only a couple of years since I heard that same question asked here, and we took steps to have an investigation made to see what it would cost the Government to build an armor plant. The Secretary of the Navy had made an estimate that it would cost about a million and a half dollars to duplicate any of these vast armor-plate establishments, and we authorized the Secretary of the Navy to investigate the matter, and he appointed a board of naval officers to look into it, and they reported that it would cost \$3,700,000.

Mr. GAINES. That was with full equipments.

Mr. HILBORN. And then it is evident that an establishment like that should be in connection with a large steel establishment, and with the few months in the year that the United States would want to run this establishment it hardly seemed to them proper that the United States should go into the manufacture of armor plate and to put three or four million dollars into it and allow it to lie idle for a large part of the year.

Mr. RIDGELY. I understand—

Mr. UNDERWOOD. Was not the factory that the Government proposed to build a 6,000-ton factory?

Mr. HILBORN. Yes.

Mr. UNDERWOOD. And with the ships in sight would not it have work for over one year or two years, so that it would not have to lie idle if the armor was manufactured at the Government armory plant?

Mr. HILBORN. Our armor-plate factories have been running about eight years, and their experience is that they have been run but a few months in a year. Right now there may be a glut of work, so that for a year or two they may be occupied all the time; but this factory the gentleman suggests could not get to work turning out armor plate for two years.

Mr. UNDERWOOD. You do not want armor for two years.

Mr. HILBORN. Oh, yes, you do. You have seven vessels—three battle ships and four coast-defense vessels—contracted for, and you have not provided for their armor yet.

The CHAIRMAN. The gentleman's time has again expired.

Mr. HEPBURN. Mr. Chairman, the gentlemen who are insisting upon the provision in this bill now under debate sometimes vacillate in their opinion as to the number of ships that are to be built, as to the character of ships that we are to build, but they never vacillate in their expressed opinion that the Government of the United States should be annually held up by the manufacturers of armor plate and be compelled to pay a most extravagant price for that commodity. [Applause on the Democratic side.]

They always tell us when a discussion is indulged in that this is one of those profound questions so momentous in its nature that nobody can have any knowledge about it except those gentlemen who are within the secrets of the Committee on Naval Affairs. No other opinion is of value, and anyone who assails the declarations that they express necessarily does so without knowledge. I have no doubt, Mr. Chairman, that every ton of armor bought from the two companies that make armor in the United States has paid to them hundreds of dollars over and above a legitimate profit. I would not make a statement of that kind if I did not have some warrant for it.

This is not a new question. There are those outside of the Committee on Naval Affairs who have investigated it. The attention of the Secretary of the Navy years ago was called to it, especially by the astounding fact that these companies were selling to a foreign government the same kind of armor they were selling

to the United States at less than half the price that they were demanding from the United States. [Applause on the Democratic side.] He then instituted a careful inquiry. He appointed three commissions or boards to investigate, and one of them, the Rohrer board, in its report stated that the total cost, giving all the elements of cost, seven in number, was \$167.30—

Mr. HOPKINS. Per ton?

Mr. HEPBURN (continuing). Per ton; and we were at that time paying \$550 a ton. These gentlemen went further, because the committee has always been unwilling, always have resisted every effort that has been made for the Government to get from under the power and domination and rapacity of these companies; and when it has been proposed to make armor plate for itself, all of these gentlemen have urged that the expenditure would be so vast, the doubts would be so great, that losses would be most probable. But on investigating that branch of the question—

Mr. GRAHAM and Mr. BOUTELLE of Maine rose.

Mr. GRAHAM. I wish to ask the gentleman a question.

The CHAIRMAN. To whom does the gentleman yield?

Mr. HEPBURN. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. Just a moment. Is the gentleman aware of the fact that while that firm sent a small amount of plate into Europe at a less price—

Mr. HEPBURN. I do not care whether it was a large or a small amount; but I know it was at a price less than half what they were demanding from their own Government.

Mr. GRAHAM (continuing). As a consequence they have received more orders at \$545 a ton?

Mr. HEPBURN. That may be true; but I do not know what influences were brought upon the purchaser there, nor do I care.

Mr. Chairman, the question of the cost of a plant was investigated, and I have here the report of the Secretary of the Navy, after careful investigation, and he tells us "that the English estimate we have seen, as amended by Captain Sampson, amounts to \$1,590,000, which would pay the duties and freight and erect here a plant equal to those in question." With that in view, with that knowledge of cost, a few years ago Congress refused to pay more than \$300 a ton. There was extensive debate. I remember the honorable chairman of the committee then, as I remember his performances now—

Mr. BOUTELLE of Maine. Thank you.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HEPBURN. I ask for five minutes more.

There was no objection.

Mr. HEPBURN. I remember it very well, not because they were to be commended, but because they were unique. [Laughter.] I remember when the House refused to follow him, when it insisted that it would not pay by nearly one-half the extravagant price that was fixed in the bill. The gentleman at first abandoned his bill, threw his papers on his desk, and left the body of the House, but was afterwards by a guardian angel brought back to a sense of duty. [Laughter and applause.]

Mr. Chairman, I believe that it is wrong for us to submit to this exaction, but we have got beyond the old point, we have determined that we can have the harveyized steel for \$400 a ton. Now, it has been discovered, the gentleman tells us, that there is something infinitely superior to that, something with a ballistic resistance vastly superior to the harveyized steel, but they do not know what it is. There is a mystery surrounding it. One gentleman tells us that the processes are protected by patents, and another gentleman tells us that the processes are secret. I have thought there was some incongruity between these two statements. I supposed that if a man secured advantages under the patent laws of the United States he had to develop his process, but it seems not to be necessary in this case. At one moment it is a patent and the next moment it is a secret, but all the time it is against the interests of the United States to the tune of \$145 a ton. [Laughter and applause.]

Now, Mr. Chairman, I believe in the plan of the gentleman from Alabama. I believe it ought to be adopted. I believe that the United States should get from under the control and dominion of these men, who hold it up annually in this matter. [Applause.] Here is a proposition to pay them nearly one million and a half dollars upon the amount supposed to be necessary during the next fiscal year above the present price of \$400 per ton. A million and five hundred thousand dollars over and above the sum that they are receiving now, which is believed by many people to be full a million and a half dollars in excess of the sum they ought to receive or that the Government could produce it for.

I think a million and a half dollars would be well expended in this plant. Interest is not so excessive, \$60,000 a year. I believe that ought to be undertaken; and then if we can not purchase, if we can not purchase at a reasonable price, we then ought to make it ourselves. But the assertion of our independence and provision in the statute authorizing the Government of the United States to make this armor plate, although I would deprecate the

Government becoming a rival in the business, will let the gentlemen who now have a monopoly see that they must be animated in their contracts and dealings with the Government by a fairness that will commend itself to the public sense as right.

One hundred and sixty-seven dollars was the Rohrer estimate of the cost of armor plate properly harveyized four or five years ago. I have no doubt but that any gentleman who will look over the elements of cost, as reported in that estimate, will come to the conclusion that in all of the estimates there was something of exaggeration. For instance, materials in ingots, \$30.18 a ton. Why, Mr. Chairman, they have been selling steel rails, made from the same class of ingots, out of the same material, in the United States, since then, costing something in dollars above the raw material, at \$17 a ton. I have no doubt but that the ingots to-day could be bought for one-half the sum called for in this estimate. But here is the whole list: "Materials consumed in the manufacture, labor, keeping plant ready for use, shipping expenses, office expenses, contingencies, administration, superintendence, engineering," and everything save the interest on the plant.

Now, this bill proposes to purchase 10,000 tons, and it is probable that for many years this country will consume 10,000 tons of armor plate. Is it not wisdom for us to expend a million and a half dollars or to authorize its expenditure in order to relieve ourselves from the burdens that are to be placed on the country? Is it not better that we should at least put the Navy Department into a position where it may relieve itself if it is found to be necessary? In my judgment whenever the Secretary of the Navy is authorized, whenever it is known that he has the power himself to become a manufacturer, then these corporations will no longer be insisting upon exorbitant prices, but that reasonable prices may then be had. [Applause.]

Mr. BOUTELLE of Maine. Mr. Chairman—

The CHAIRMAN. Debate on this amendment is exhausted, and the gentleman from Maine moves to strike out the last word.

Mr. BOUTELLE of Maine. That is precisely what I was about to do, Mr. Chairman. [Laughter.] Mr. Chairman, the Committee on Naval Affairs, I have no doubt, collectively and individually, feel that they are perfectly able to stand the kind of criticism that has been indulged in here to-day by several gentlemen, including the distinguished gentleman from Iowa [Mr. HEPBURN]. If we could have had any valuable information brought to us by that gentleman on this subject, we should have been very glad.

Now, our withers are entirely unwrung by all this fulmination. A speech just concluded, in which almost every sentence closed with imputing some part of dereliction to the Committee on Naval Affairs, has been fired off entirely at the reporting to this body of the best information which the Government of the United States has been able to obtain upon a very important subject. There is no recommendation in regard to this armor purchase that is anything else than a recommendation of the executive administration of the United States—the result of the most careful scrutiny of the situation, and (the gentleman from Iowa to the contrary notwithstanding) of a patriotic desire to promote the interests of this Government. Any gentleman who occupies this floor to undertake to cast aspersions either upon the integrity or the patriotism of the men who have handled our Ordnance Department for the last twenty-five years will find himself engaged in a very profitless undertaking.

Mr. HEPBURN. Mr. Chairman—

Mr. BOUTELLE of Maine. I decline to be interrupted.

Mr. HEPBURN. I was about to ask the gentleman from Maine to state upon the authority of what officer of the United States, after the making of experiments, the committee recommends this new armor.

Mr. BOUTELLE of Maine. The gentleman from Iowa knows perfectly well that I have been struggling here for two days or more in the endeavor to put before this body the exact answer to that question in official form. The Secretary of the Navy of the United States, John D. Long—

Mr. HEPBURN. I am asking the name of the officer who made the experiment. I am told—

Mr. BOUTELLE of Maine. I do not want you to make my speech for me. You made a very good one from your standpoint and your light. I think I can make a better one from mine. [Laughter.]

Mr. TODD. Will the gentleman from Maine—

Mr. BOUTELLE of Maine. I hope the gentleman from—somewhere—will permit me to go on. [Laughter.] I ask the Chair to make the announcement that I shall decline to be interrupted during the remainder of my five minutes.

The CHAIRMAN. The committee will come to order. The gentleman from Maine declines to be interrupted.

Mr. BOUTELLE of Maine. Some members may have heard the inquiry of the gentleman from Iowa, which was on the authority of what officer of the United States the Committee on Naval Affairs made this proposition. I answer the question by saying, first, upon the authority of that officer of the United States who,

under the Constitution and the laws, is charged with the duty of making recommendations to the Congress of the United States. In that part of the President's message which under our Constitution was referred to the Committee on Naval Affairs is found this recommendation, sent to the Congress of the United States by the Secretary of the Navy as the result of careful investigations of his Department.

I want to say, also, that in the discharge of my duty I had personal conversations with the Secretary of the Navy; and I regretted to find that we were obliged to reopen this armor question again. I told him that an attempt to get the best armor in the world for our battle ships would involve struggles with "the beasts at Ephesus" [laughter], and I dreaded it, as any man would who knows what it means—the cry of demagogism, because it requires a great deal of money to build a plant to manufacture this armor; and it enables the changes to be rung upon the "bloated monopolists."

Ah, my friends, the "bloated monopoly" with which we are dealing to-day in this matter of increased cost of armor plate is the "bloated monopoly" of inventive genius. It is because after we had maintained supremacy in the excellency of our armor for a long period of years, to the extreme chagrin of the great manufacturing plants of Europe, it was discovered that during the last year over there in Germany they had "gone us better" on our Harvey process and were making an armor—possibly the gentleman from Iowa might not think it so good as ours, might not be willing to acknowledge that it was better, but an armor that every intelligent, scientific authority in the world believes to be 25 per cent better than ours and which is being used to-day by every great civilized government in the world.

Now, Mr. Chairman, we can sit up here and indulge in "spread-eagle" oratory and tell what a great big country we have, what our population is, what our resources amount to, and so on; but I have not yet been able to discover a method by which the United States can purchase anything from anybody anywhere in the world for less than other people would have to pay for it.

Now, if we want the very best armor in the world, and I think gentlemen will not question the fact that we do want it—if we want the best armor in the world we have got to pay something for it; and if that is true, as I think it is, then the question comes up, What is the best armor to be had at the present time, and can this armor be bought for less than the price we have put in the bill? That is a matter which we have carefully investigated.

We have information, which we believe to be true, that the British Government has made a contract for armor of the same character at £117 per ton, which amounts to \$585 a ton in our currency.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOUTELLE of Maine. Mr. Chairman, I should like to proceed for a few moments longer to explain this matter.

Mr. TODD. I object.

Mr. BOUTELLE of Maine. Of course the gentleman has that right.

Mr. TODD. I object, unless the gentleman answers some legitimate questions which were propounded to him.

Mr. BOUTELLE of Maine. Mr. Chairman, I move that I may be permitted to proceed for five minutes longer; and if that consent is given, I hope no gentleman will ask a question of me which will involve any portion of the time. It is necessary that the committee shall be placed in possession of certain facts bearing upon this question.

Mr. TODD. I asked the gentleman a simple question, and was received with ridicule in his response. I withdraw, however, the objection.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. CUMMINGS. Mr. Chairman, for three months the Committee on Naval Affairs of the Fifty-third Congress were looking into the question of armor plate for battle ships. The committee visited both Bethlehem and Homestead. Their report was unanimously adopted by the House. I had the honor of being the chairman of that committee. When the subject came up before the next Congress, a limit of \$300 per ton was placed upon the price of armor plate. What was the result of that limitation? For nearly two years two of your great battle ships lay on the stocks because it was impossible to procure the necessary armor at that rate.

The next year this restriction was removed, and the limit was fixed at \$400 a ton. Since that time, under the Harvey process, the armor has been furnished at that price. It is true, as my friend from Iowa said a few moments ago, that one of the companies—the Bethlehem Company—was at one time furnishing armor for a Russian battle ship at \$249 a ton. But that was explained by the company when its representatives appeared before the Naval Committee. When the Government work was completed, their plants were idle. They tried to secure some work abroad.

The Russians have a way of advertising for bids that resembles

an auction sale. The bids are practically put up at auction, each bidder bidding in competition until the lowest price is reached. The Bethlehem Company asked the privilege of entering into competition. It was granted; and the Carnegie Company asked the same privilege. Foreign companies dropped out before the \$500 limit was reached. The American companies continued bidding against each other until the bids ran down to \$249 a ton. Finally the Carnegie Company abandoned the field and left the privilege of accepting the work on the terms proposed to their competitor.

Mr. FLEMING. Let me ask the gentleman a question just there.

Mr. CUMMINGS. I prefer to proceed with my statement first.

Mr. FLEMING. I wish to ask a question just in this connection. I ask if the gentleman does not think it might be a good plan for the American Government to adopt the Russian system of taking these bids?

Mr. CUMMINGS. I do not know but what it would.

Now, sir, what was the result? The Bethlehem Company got a new market for its armor, but lost money in making it. One of its employees, if I remember rightly, testified that they lost over \$40,000 on this Russian contract. But they got the work and gave satisfaction. When bids were next proposed by the Russian Government, the Creuzot people, the Krupp firm, and English manufacturers competed, but quickly dropped out. The Bethlehem Company got a contract to furnish the same class of armor to the Russian Government at \$327 a ton. And that armor was being made for the Russian Government at the very time that this Congress limited the cost to the Government of the United States to \$300 a ton. It was precisely the same armor the firm had been making for \$249 per ton.

There is no man except the manufacturer who can tell the exact cost of a ton of armor plate. Experts are at sea over the proposition. We have had various boards since the Rohrer board, and all disagree as to the rate. One board went so far as to say that it regarded \$420 a ton as a fair price. It reckoned that this would afford the manufacturer less than 20 per cent profit.

No two of these boards have ever agreed with regard to the cost of production, and all were composed of experts—Navy officers who had acted as Government inspectors at Bethlehem and Homestead. There is no human being who can ascertain to a huckleberry or anywhere near a huckleberry what it costs to make a ton of armor. And the reason is obvious, as tons of plate are rejected on tests after its manufacture.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CUMMINGS. I should like to have two minutes longer.

Mr. BOUTELLE of Maine. I ask unanimous consent that the time of my colleague be extended five minutes.

The CHAIRMAN. The gentleman from Maine asks unanimous consent that the time of his colleague on the committee [Mr. CUMMINGS] be extended five minutes. Is there objection?

There was no objection.

Mr. HEPBURN. Will the gentleman from New York allow me to interrupt him for a moment, right there?

Mr. CUMMINGS. Not until I get through with my statement. Then you can interrupt and be hornswoggled. [Laughter.]

The CHAIRMAN. The gentleman from New York declines to yield.

Mr. CUMMINGS. Now, Mr. Chairman, the proposition here as it stands to-day is this: It is the duty of the Secretary of the Navy, under the amendment offered by my friend the chairman of the committee [Mr. BOUTELLE of Maine], to get the best armor manufactured for just as much below \$545 a ton as he can get it. If the proposition of my friend from Illinois [Mr. HOPKINS] takes its place, it is the duty of the Secretary of the Navy to get the best possible armor plate at a limit of \$400 a ton.

Mr. HOPKINS. Four hundred and forty-five dollars.

Mr. CUMMINGS. At \$445 a ton. Very well; there you are. Under that provision the Secretary will get no armor whatever, and these ships will stand on the stocks, just as they did not long ago, for two years. The country may again drift into a war, as we did last year, and the vessels be utterly useless for lack of armor.

Mr. Chairman, as the proposition stands, it is left with the Secretary of the Navy to get the best armor plate made at as low a price as it can be got, with a limit of \$545 a ton. That limit was made because it was understood that the Russian Government, under its contract with the Cramps, was getting this armor at \$545 a ton.

I do not see what else the committee could have done. If they had wiped out the limit, the Secretary might pay a thousand dollars a ton. There must be a limit somewhere, and the limit was made at the rate that the Russian Government is paying for the armor.

That the Krupp armor must be secured is proved by the fact that there is not a battle ship upon the stocks to-day owned by any foreign government where the contract does not call for the Krupp armor. It seems to me that the United States Navy, in

view of the experience it has had with the Spanish fleets at Santiago and at Manila, ought to have just as good armor placed upon its vessels as has any navy in the world, and I believe that this proposition, if carried, will result in securing it.

Now I will answer the question of my friend from Iowa.

Mr. HEPBURN. I do not care to ask it with the condition which the gentleman imposed. [Laughter.]

Mr. OGDEN. I should like to ask the gentleman a question.

Mr. CUMMINGS. I yield to the gentleman.

Mr. OGDEN. What was the number of tons furnished by this company to the Russian Government? Was it for a single battle ship?

Mr. CUMMINGS. The first contract, I think, was for 3,000 tons, and the second contract for more than that. In other words, they were to furnish 3,000 tons at \$249 per ton, and afterwards as much more of the same armor at \$527 a ton.

Mr. OGDEN. Now, right there, I understood you to say that they testified before the committee that on the first contract they lost \$40,000.

Mr. CUMMINGS. Yes; in that vicinity, I think.

Mr. OGDEN. Now, assuming that they furnished 3,000 tons, the contract would amount to \$747,000. Then, if we add \$40,000 more for the loss, that would make \$787,000 as the cost price; and dividing that amongst the 3,000 tons, I should like to ask the gentleman whether we can not mathematically arrive at the cost of a ton of armor as being \$13 a ton plus \$249 a ton, making \$262 a ton?

Mr. CUMMINGS. We had no authoritative statement from the manufacturers. It was given by an employee, and the record may change the figures.

The CHAIRMAN. The time of the gentleman from New York has expired. Debate on this amendment is exhausted, and amendments are exhausted. The question is on agreeing to the pro forma amendment.

Mr. HOPKINS. I move to strike out the last three words.

The CHAIRMAN. Amendments are exhausted. The question is on agreeing to the pro forma amendment.

Mr. WALKER of Massachusetts. I desire to offer an amendment.

Mr. HOPKINS. How does the Chair hold that amendments are exhausted? The practice has always been that pro forma amendments might be withdrawn.

The CHAIRMAN. The amendment may be withdrawn by unanimous consent. The Chair is aware of what the practice has been.

Mr. DOCKERY. I withdraw my amendment.

Mr. HOPKINS. The practice has been that a member could always withdraw the pro forma amendment.

The CHAIRMAN. The Chair understands what the practice has been; but nobody has asked to withdraw the pro forma amendment.

Mr. WALKER of Massachusetts. I ask to withdraw the pro forma amendment. Have I the floor?

The CHAIRMAN. Nobody has the floor. It is so long since the amendment was offered, the Chair does not know who offered the pro forma amendment.

Mr. SIMPSON. I think the gentleman from Maine [Mr. BOUTELLE] made the pro forma amendment.

Mr. HOPKINS. I move to strike out the words "forty-five."

The CHAIRMAN. No other amendment can be offered. Amendments are exhausted. Is there objection to the withdrawal of the pro forma amendment? [After a pause.] The Chair hears none. Now the gentleman from Massachusetts is recognized.

Mr. WALKER of Massachusetts. I offer the amendment which I send to the desk, and I ask that it be read.

Mr. LEWIS of Washington. A parliamentary inquiry.

The CHAIRMAN. The gentleman from Washington rises to a parliamentary inquiry.

Mr. LEWIS of Washington. Will the amendment designated by the gentleman from Massachusetts permit an amendment to the amendment, or does the ruling of the Chair, indicating that amendments are exhausted, prevent it?

The CHAIRMAN. If it is an amendment to the amendment, a second amendment can not be offered except by way of substitute. The Clerk will report the amendment, so that the committee may know what it is.

The Clerk read as follows:

Add at the end of line 17, on page 61, the words "and in no case in excess of the price paid to any manufacturer in this country for such armor by any other government."

The CHAIRMAN. There is no line 17.

Mr. BOUTELLE of Maine. I make the point of order against the amendment.

The CHAIRMAN. The gentleman's amendment does not fit, because line 17 has gone out on a point of order. The gentleman's

amendment must follow immediately after the amendment offered by the gentleman from Maine.

Mr. WALKER of Massachusetts. Certainly; I will offer it at the end of that.

The CHAIRMAN. As an amendment to the amendment. And now the gentleman from Maine raises the point of order that it is obnoxious to Rule XXI.

Mr. WALKER of Massachusetts. Now, I would like to know whether I am to speak upon the point of order or on the amendment? [Laughter.]

The CHAIRMAN. The gentleman from Massachusetts desires to discuss the point of order.

Mr. WALKER of Massachusetts. It is inconceivable to me how this amendment can be out of order. Here is a section in the bill which fixes the price of armor plate:

In all future contracts for armor for any of the vessels above mentioned the Secretary of the Navy is hereby authorized and directed to procure armor of the best obtainable quality at an average cost not exceeding \$54 a ton of 2,240 pounds, including all royalties.

I propose to add the words "and in no case shall a price be paid in excess of the price paid to any manufacturer in this country for such armor by any other government." Now, if ever there was an amendment proposed that was germane to the text of the bill, it seems to me that amendment is such a one.

The CHAIRMAN. The Chair is ready to rule on the point of order.

Mr. WALKER of Massachusetts. I accept a ruling now.

The CHAIRMAN. The Chair overrules the point of order. The Chair thinks the amendment is a limitation to the amendment.

Mr. WALKER of Massachusetts. That gives me five minutes, and it is all I want.

Mr. Chairman, I remember two or three customers of mine that used to come into my office and sit down with a pencil and undertake to go through the items of the cost of my goods, and if they were fresh customers I would let them do it, and then I would say: "What does that amount to? If you like the goods at the price, you can take them; if not, you can buy my neighbor's."

That is all there is in it; and you can not figure out costs and do business as is attempted to be done on this floor. If these companies have a price on their goods, they will just say to us, "This is our price; you take them or leave them." That is all there is in it. If we say to these parties, "We will pay no more than the very lowest price you sell for to any other government on the earth," that is as far as we can go. We can not control their prices; we ought not to control their prices; we ought not to attempt to control their prices; and, furthermore—

Mr. BOUTELLE of Maine. How are you going to ascertain it?

Mr. WALKER of Massachusetts. Ascertain it? There is no trouble about that. It is all an open secret about the prices. No man can even conceal freight rates on railroads where they are attempting to secretly cut the rates.

Mr. BOUTELLE of Maine. Because their prices are regulated by law.

Mr. WALKER of Massachusetts. Not by any means. Regulated by law! The prices that railroads charge! That has been what we have been trying to do for twenty years, and have not succeeded in a single instance. If we pass the amendment I propose, it is as far as we can go. We ought to be proud if other governments come to this country and buy goods of the manufacturers of this country, and especially armor. Again, if the profits on this armor plate are excessive, we are sure to have a third factory built, and then we are better off with a third factory than we are with two.

The gentleman from Indiana and other men who are exceedingly economical, and do not mean to have anything taken out of the Treasury that can possibly be avoided, talk about combinations and trusts. What are you going to do? Two vessels stood on the stocks two years waiting for armor plate. When we have fixed a limit on the price, when we have said that they shall not under any circumstances pay any more than other governments pay, we have gone as far as we can go. Now, if these parties do demand more, do deceive the Government and take more than the law gives them, they are liable to prosecution and a recovery of any sums paid beyond the limit, until the statute of limitations is exhausted. Why not act like plain, square, honest business men in transacting this business, and have done with nonsense? [Applause.]

Mr. LEWIS of Washington. Mr. Chairman, this amendment ought to commend itself to the most careful investigation of every zealous member on the floor. The statements of the distinguished gentleman from New York [Mr. CUMMINGS] have not been proven in the past to have been inaccurate; they must be taken at this time to be equally accurate, and his record bears him out. We have from him the statement that the ships of this nation—two battle ships rested upon the stocks here without being plated with armor and at a critical time in the hour of the Government,

and that this concern, who apparently seemed to have held the Government up and held their hands figuratively about its throat, insisted and compelled the United States not only to pay the price that had been legislated upon in this Hall, but to pay an increase upon it, because, as the gentleman well puts the proposition, we were perfectly at their mercy.

What I wish to denounce is the fact, which is indisputable, that we are so contentedly here at the mercy of certain unscrupulous concerns in this country who have the power when we are in distress to press us the farthest in order that they may gain the greatest.

My distinguished friend, the chairman of the committee, said that this provision gave the opportunity to gentlemen to rise up and expand upon the "bloated monopoly," and followed his remark with an encomium upon those interests which he describes as "bloated monopolies."

But all in this House remember that on May 24, thirty-five days after the war practically was declared, after the resolution passed this House that made war inevitable, these gentlemen met in the outer room of the Secretary of the Navy—the Bethlehem Iron Works, the Pittsburgh Iron Works—and although this House had passed the bill limiting the price to \$300 a ton, they declined to furnish it or to obey the law, and demanded \$100 a ton more, and would not yield a jot or tittle, notwithstanding the country at the time stood facing the guns of the enemy advancing across the ocean for the avowed purpose of bombarding the cities of the United States. Yet these gentlemen insisted upon their demands and refused to furnish the plate at \$300 a ton, but held out to secure \$400 a ton, \$100 more than the law required or justified.

Mr. CUMMINGS. Will my friend allow me? That was long before the war.

Mr. LEWIS of Washington. My distinguished friend from New York says this incident was long before the war. I read from the only reliable strictly Administration paper in the United States, the New York Sun. [Laughter.]

Mr. CUMMINGS. I say it was long before the war that Congress fixed the price.

Mr. LEWIS of Washington. Oh, I accept the suggestion; but May 24, 1898, was the time at which these gentlemen refused to obey the law and perpetrated the only real anarchy that was ever committed by men in this country. They were willing to destroy the nation for \$100 a ton; and there is not a gentleman on this floor that will deny it.

Mr. BOUTELLE of Maine. I will deny it; the gentleman from Washington is not stating a fact.

Mr. LEWIS of Washington. Oh, the gentleman from Maine would never know a fact in an armor scheme if it carried electric lights and announced itself with an alarm bell. [Laughter.]

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. LEWIS of Washington. I ask five minutes more.

There was no objection.

Mr. BOUTELLE of Maine. I ask the gentleman when it was?

Mr. LEWIS of Washington. This was after the war had begun. I read from the New York Sun.

Mr. BOUTELLE of Maine. I do not want to hear from the New York Sun.

Mr. LEWIS of Washington. That is your usual source of party information—your personal advocate. It is ingratitude now to repudiate so distinguished a guide. I will read from the New York Sun of May 24—its telegraphic column:

[New York Sun.]

THREE MILLION DOLLARS' WORTH OF ARMOR—THE CARNEGIE AND BETHLEHEM COMPANIES DIVIDE BIDS FOR THREE BATTLE SHIPS.

WASHINGTON, May 21.

Bids for supplying 7,700 tons of armor for the battle ships *Illinois*, *Alabama*, and *Wisconsin* were opened at the Navy Department to-day. It marked the ending of the controversy between the Government and the armor companies over the prices of armor plate. Congress fixed the limit of price at \$300 a ton, and the companies declined to furnish armor at that rate. In the last naval appropriation bill the limit was raised to \$400 a ton.

There were only two bidders to-day. They are the Carnegie Steel Company, of Pittsburgh, and the Bethlehem Steel Works, of Bethlehem, Pa. Neither company bid against the other. The Bethlehem Company submitted a proposal for furnishing all the armor for the *Alabama*, under construction at Cramps' shipyards, and the Carnegie Company for furnishing all the armor for the *Wisconsin*, being built at San Francisco. On the third ship, the *Illinois*, at Newport News, Va., the companies divided on the bids, each taking two of the four groups of armor. The companies did not go below the limit of \$400 a ton for every ton wanted, making the contract price \$3,080,000.

Mr. BOUTELLE of Maine. That is exactly what Congress had provided the Secretary should pay.

Mr. LEWIS of Washington. Congress fixed the limit of price at \$300 a ton, and the companies declined to furnish it at that price.

Mr. BOUTELLE of Maine. Your very reliable authority did not know what it was talking about.

Mr. LEWIS of Washington. Then this paper which the gentleman has accepted as authority was mistaken.

Mr. BOUTELLE of Maine. I have stated the facts.

Mr. LEWIS of Washington. I will accept the gentleman's statement for the purposes of argument. The gentleman informs us that Congress has fixed the price at \$400 a ton.

Mr. BOUTELLE of Maine. Four hundred dollars a ton. That was the price fixed by law when those bids were opened.

Mr. LEWIS of Washington. Then we have the confession that these gentlemen in the hour of the Government's trial—at a time when the same class of gentlemen as these, such as had abused the trust placed in them by the Navy Department by selling their family junks, called yachts, to the Government for fabulous prices as "cruisers"—it was that these companies refused to bid against each other, and when by competitive bidding the price of armor plate might have been brought down to two or three hundred dollars a ton, as it was not worth any more, they insisted upon the very letter of the law—availed themselves of every cent that they could get out of the Government, notwithstanding it was a time when if there had been any gratitude or appreciation on their part of the bounties heaped upon them by this Congress or those permitted to them by this nation—if there had been any zealous feelings of honor at the time when the nation needed every service they could render—they might well have declined to stick to the letter of the law and have given some liberal latitude by which the Government, then in such dire distress as to be compelled to mortgage the labor of her children, might have gotten the advantage of the lowest price instead of having, by an outrage, to pay the highest. [Applause.]

Mr. BOUTELLE of Maine. The gentleman's time having been extended, I simply want to ask him what the original charge was that he made against these companies when he rose? What did he charge?

Mr. LEWIS of Washington. It was, that while the law required that there should be competitive bidding, just as is proposed in the amendment offered here, these companies, notwithstanding competitive bidding was the proper and lawful thing, declined to bid against each other. They ought to have been required to bid competitively by the law.

Mr. BOUTELLE of Maine. Did I not understand the gentleman to say that the law fixed the price at \$300 a ton, and these companies would not furnish a ton until they got \$400?

Mr. LEWIS of Washington. I have accepted the gentleman's proposition, as I said, for the purpose of argument.

Mr. BOUTELLE of Maine. I want the gentleman to accept the text of the law of last year.

Mr. LEWIS of Washington. I accepted the gentleman's proposition, and upon his own statement. I still bring to the attention of the House the fact that these companies declined to bid against each other; that they insisted that they should have the very last cent that the letter of the law allowed them—

Mr. BOUTELLE of Maine. Then the gentleman was incorrect in his first statement, was he not?

Mr. LEWIS of Washington. I read from what the gentleman has recognized as the source of political truth. If the gentleman from Maine insists that the statement of this paper was incorrect, then, recognizing the profundity of his knowledge on this subject, which for some length of time he has been giving us by degrees and in small installments [laughter], I, of course, accede to his views.

Mr. BOUTELLE of Maine. Now, after that rapid and terrific flow of language, let me say that as the gentleman concedes his statement was wrong he ought to retract it.

Mr. LEWIS of Washington. Mr. Chairman, I will make my speech in my own way. I decline to follow the example of the gentleman from Maine—an example which has been so unfortunate in its results. [Laughter.] I insist upon my statement. I will prove it by the RECORD.

I therefore repeat and insist that there is an hour in the history of this Government when it is its duty to announce to these people that have been preying upon it that it will no longer subject this nation to the control and influence of the disloyal and illegal trusts. [Applause.]

Mr. DALZELL. Mr. Chairman, as my colleague from Pennsylvania remarked a few moments ago, the question before the House is purely a business question, and yet there is no subject brought before this House for discussion that gives rise to as much heat and passion as does the subject of armor plate. Instead of treating the question as a business question, instead of discussing figures and facts, gentlemen indulge in diatribes against corporations and monopolies, and imagine all sorts of things that they clothe with the most lurid rhetoric.

Now, Mr. Chairman, abuse is not argument, and to my mind there is no more splendid exhibition of American enterprise, American genius, and the honesty and skill of American workmen than is to be found in the the history of the armor-plate industry in this country.

Mr. WALKER of Massachusetts. And patriotism as well.

Mr. DALZELL. In 1884, when the Government had almost finished the construction of a turreted war vessel, the *Miantonomoh*,

we were compelled to buy from England the commonest kind of armor plate at a cost of \$550 a ton. That was common wrought-iron armor plate faced with steel. There was not a place in our broad territory, in all our manufacturing districts, amongst all our industrial enterprises, where the Government of the United States could appeal to American enterprise to furnish the sheathing for an American war vessel, the result of American labor and American capital.

Within three years patriotic capitalists in the State of Pennsylvania put their money into an armor plant, investing between three million and four million dollars. They scoured all the armor-plate factories of Europe, learning here and there how to make armor plate, so that when the time came that an American war vessel was ready to be sheathed with armor, she was sheathed with American armor, made by American capital and the skill and brawn and honesty of American workingmen.

It was at the instance of the United States Government that the Bethlehem Iron Company invested in an armor-plate plant. It was upon the faith that the United States Government would deal fairly and honestly with that corporation that they invested their money in that plant.

Not satisfied with that, the Secretary of the Navy applied to Carnegie, Phipps & Co., the largest steel manufacturing concern in the United States, and asked them to invest their capital in an armor-plate factory. Many times they declined. They could not foresee any profit in it. But finally, at the urgent solicitation of the Secretary of the Navy, they yielded, and a new armor-plate factory was erected, at an immense cost, so that two American armor-plate factories have ever since been furnishing armor for American war vessels.

Upon what terms? The first contract was at \$536 a ton, a less price than the armor could be secured for at any armor-plate factory in the civilized world, a price agreed upon as a reasonable price between the Secretary of the Navy and these corporations.

Then my friend from Illinois [Mr. HOPKINS] came into this House and pledged himself that a concern in his State would furnish armor at \$300 a ton. Few, if any, of us believed that he could redeem his pledge. I have no doubt he made it sincerely. I have no fault to find with him; but it turned out that when his constituents were called upon to make good the pledge made upon the floor of this House they would agree to do so only if the Government of the United States would agree to give them a contract for 6,000 tons of armor a year for twenty years at \$300 a ton for certain ships, and \$240 a ton thereafter, and \$100 a ton for every ton less than 6,000 tons failed to be ordered in any one year.

Now, the fact is that in no year up to that time had more than 2,000 tons of armor ever been authorized to be made, and the proposition of the Illinois Steel Company, if it had been accepted, would have been sufficient to have furnished armor for 60 battle ships, a contingency not by any possibility to have been anticipated. Furthermore—

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DAYTON. Mr. Chairman, I ask that the time of the gentleman be extended ten minutes.

The CHAIRMAN. Is there objection to the request that the gentleman's time be extended for ten minutes?

Mr. WILLIAMS of Mississippi. I shall object, unless five minutes are given to this side.

Mr. LEWIS of Washington. I was about to request the gentleman from Mississippi—

The CHAIRMAN. The Chair will again put the request. Is there objection?

Mr. WILLIAMS of Mississippi. I move to amend the request by asking unanimous consent that ten minutes be given to the gentleman from Pennsylvania and five minutes to this side.

Mr. DALZELL. I do not know that I shall want ten minutes.

Mr. BOUTELLE of Maine. I hope that proposition will be agreed to by everybody.

The CHAIRMAN. Is there objection to the request that the gentleman from Pennsylvania have ten minutes, and that some gentleman on the Democratic side may be recognized for five minutes?

There was no objection.

Mr. LEWIS of Washington. Will the gentleman from Pennsylvania yield for a question?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Washington?

Mr. LEWIS of Washington. My friend yields to me for a question. My attention having been called by the gentleman from Maine [Mr. BOUTELLE] to the fact that there was a law raising the price of armor from \$300 to \$400 a ton, I ask the gentleman to state to the House if that latter law was not put into the House on May 12 and did not receive the signature of the President until June 19, and was passed because of the fact that the armor-plate companies would not accept the provisions of the law at \$300 a ton, and that that was done during a time of war?

Mr. DALZELL. No; it was not during a time of war; it was done years ago; as every old member on the floor knows. But I decline to yield further.

Now, it is perfectly apparent that if the United States Government had accepted the terms of the Illinois Steel Company and given them, as it was giving to others, 2,000 tons of armor plate per year, and paid them \$100 a ton on the difference between 2,000 and 6,000 tons, the armor would have cost over \$500 a ton, and, furthermore, the twenty-year contract which the Illinois Steel Company demanded would have foreclosed the Government of the United States within that twenty-year limit from taking advantage of these new inventions and this improved armor plate. So that it may be clearly inferred from the proposition of the Illinois Steel Company, as well as from the answer of these two companies declining to make armor at \$300 per ton, that it was not possible to make such armor in this country without a loss to the manufacturers.

Well, now, gentlemen say there have been three boards who have investigated the question as to the cost of making armor plate, and my friend from Iowa [Mr. HEPBURN] speaks of \$167 as the price of a ton of armor plate, but that is only contended to be the cost of the labor and material, and nothing else.

Why, the very fact that no two of these boards agree with each other as to the elements of cost in making a ton of armor plate simply demonstrates the truth of what the gentleman from New York [Mr. CUMMINGS] said a few moments ago, that it is absolutely impossible to tell accurately in the abstract how much it costs to make a ton of armor.

Why, for instance, Mr. Chairman, the Carnegie Company may turn out an armor plate worth a quarter of a million of dollars which, after it is tested at Indian Head and fails to pass the test, may represent simply so much metal, and therefore so much dead loss. It is absolutely impossible, I say, to calculate what the exact cost of a ton of armor plate will be or what the profit of a company may be.

So that I am justified in saying that during all the history of armor-plate manufacture in this country, without respect to conjectures as to cost and profit, these two corporations, denounced here to-day, have furnished armor to the Government at a less cost than it could have been procured at any other place in the civilized world.

Mr. CUMMINGS. That is true.

Mr. DALZELL. Furthermore, the gentleman from Iowa says that this Bethlehem Company furnished armor cheaper to Russia than it did to us. I will not stop to dwell on that. That matter has been explained by the gentleman from New York [Mr. CUMMINGS]. The Bethlehem Company went into that foreign field to secure that field, and they did secure it. And other American manufacturers have done the same thing.

To-day in my own city the Carnegie Company are making armor plate for Russian war ships at \$550 a ton or over, and the Russian Government is glad to get it at that.

Now, Mr. Chairman, throwing aside all these matters that have nothing to do with the question before us, the business question before us, I say to you that you can still get the harveyized armor for \$400 a ton. But in the progress of inventions a new armor has been discovered much more efficient. Who says so? The experts of the Navy Department; the experts of every navy department of every state in Europe that is to-day building ships and clothing them with armor.

Now, shall we have that armor or shall we not? Upon this House depends the responsibility of the answer. This House may say that we will still take the harveyized armor at \$400 a ton. It is its right to so say. It is its right to say that we shall have not the best, but an inferior armor. But if we want this other armor, the best armor, we must pay the price for it.

Now, upon whom shall we rely for the facts in such a case? Individually we cannot examine the question. We must rely solely upon the Navy Department, the proper executive department of the Government to deal with that question, and the Naval Committee of this House. They are our agents in the premises. Shall it be said that the Navy Department and the committee of this House are in a combination with these great manufacturing establishments to secure for them what they ought not to have? There is no gentleman on this floor that believes that they are in any such combination, or in any combination.

I am here to-day pleading for our own people for American opportunity to do American work upon American vessels. I believe that if we could procure armor in Europe for \$100 a ton less than we can procure it at home it would be our duty still to buy it at home.

Gentlemen say these corporations have held the Government by the throat. Not so. The Government is more independent than the corporations. They have \$8,000,000 invested upon which they are losing every day the interest on their investments while the works are not in operation. More than that, their force is disorganized. More than that, except for a chance that they may have

of receiving orders from European countries to make armor plate, they are absolutely dependent for their existence and for their prosperity upon the Congress of the United States.

Gentlemen of the House, set to work these our own factories! Thousands of men are unemployed to-day that will be employed, prosperous, and happy when we settle down to doing what we ought to do—encourage our own manufacturers, treating them honestly, as they expected and deserve to be treated when the Government persuaded them to go into this enterprise. [Loud applause.]

The CHAIRMAN. Under the agreement, the Chair recognizes the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, I shall ask the attention of the House for a moment to a question of pure mathematics. I shall take the facts from the statement of the gentleman from New York [Mr. CUMMINGS] and of the gentleman from Maine [Mr. BOUTELLE], members of the Naval Committee. I shall make the calculation from that basis, and I am going to prove mathematically in this five minutes, if the statements made by the members of the Naval Committee are trustworthy, that this armor can be gotten for less than the amount of money named in the amendment of the gentleman from Illinois [Mr. HOPKINS].

Mr. BOUTELLE of Maine. It would be well for my colleague to hear the gentleman.

Mr. WILLIAMS of Mississippi. My time is going on, and mathematics never criticise anybody.

Mr. BOUTELLE of Maine. I beg the gentleman's pardon. My colleague is present.

Mr. WILLIAMS of Mississippi. The gentleman from New York stated that the Bethlehem Company had sold the Russian Government 3,000 tons of armor plate at \$249 a ton. That would make \$747,000. He stated that the company's agent swore before the committee—this is from sworn testimony, remember—that they lost \$40,000 upon the contract. Add the \$40,000 to the amount which they received and it makes \$787,000; divide it by 3,000 tons, and you get \$262.33 as the actual cost per ton. Two hundred and sixty-two dollars and thirty-three and a third cents, without any profit, without any allowance for interest, wear and tear, profit, or anything else.

Now, let us go a step further. Add to that \$262 (I will use round numbers) 20 per cent to cover wear and tear of the plant and interest upon the plant, and add to it another 20 per cent for profit, and you get \$104.80, which, added to the original, makes \$366 per ton for the armor with 40 per cent for interest, wear and tear, and profit added over and above the actual cost. Add another 10 per cent for fear that less than 50 per cent will not be enough for general profits and to cover interest, wear and tear, and you then get \$402 as the price of the armor plate with 50 per cent added to the original cost. Then add \$40 a ton to that amount, which is what the gentleman from Maine, the chairman of the Naval Committee, said was the royalty to be paid per ton for Krupp armor, and you get \$442 as the fair price of Krupp armor a ton, which is \$3 a ton less than the amount fixed upon in the amendment offered by the gentleman from Illinois [Mr. HOPKINS].

Mr. BOUTELLE of Maine. The gentleman is talking about an entirely different kind of armor.

Mr. WILLIAMS of Mississippi. Mr. Chairman, my time has not expired and I want to answer the gentleman from Maine. I am not talking about a different kind of armor. The only difference of cost in the product from the Krupp process proposed to be bought and that of the harveyized armor which we have been buying is in the royalty. All the testimony shows that without the royalty the Krupp armor costs less per ton than the harveyized, and the gentleman from California [Mr. BARLOW] proved it this morning from a recitation of the patent processes. The only additional cost in the Krupp process is the royalty, and the gentleman from Maine stated that to be \$40 per ton.

Mr. BOUTELLE of Maine. I said \$40 to \$50 per ton.

The CHAIRMAN. Debate is exhausted upon these amendments. The question now is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. WALKER].

Mr. HOPKINS. Mr. Chairman, I ask to withdraw the amendment of the gentleman from Massachusetts.

Mr. WALKER of Massachusetts. No, sir; not much. [Laughter.]

Mr. HOPKINS. Well, then, Mr. Chairman, I move to strike out the last word as a formal amendment.

The CHAIRMAN. The Chair can not recognize the gentleman for that purpose; debate is exhausted and the amendments are exhausted.

Mr. CUMMINGS. Mr. Chairman, I move to strike out the last word of the last amendment.

The CHAIRMAN. The Chair can not entertain that motion.

Mr. CUMMINGS. I rise to a question of personal privilege, Mr. Chairman.

The CHAIRMAN. To what does the question of personal privilege relate?

Mr. CUMMINGS. It relates to what the gentleman said that I said.

The CHAIRMAN. The Chair does not think that is a question of personal privilege.

Mr. LEWIS of Washington. Mr. Chairman, I move that the gentleman from New York have five minutes.

Mr. DOCKERY. I ask that the amendments be reported and the parliamentary situation be stated.

The CHAIRMAN. The parliamentary situation is this: The gentleman from Maine [Mr. BOUTELLE] offered an amendment which has been reported. To that the gentleman from Illinois [Mr. HOPKINS] offered an amendment changing the amount. Without understanding that that amendment was pending, the Chair recognized the gentleman from Massachusetts [Mr. WALKER] to offer another amendment, which the Chair ought not to have done; but he did it, and the amendment is here. Now, the question is first on the amendment offered by the gentleman from Massachusetts [Mr. WALKER], which will be read.

Mr. DOCKERY. Will the Chair have all the amendments read?

The CHAIRMAN. The Clerk will read first the amendment offered by the gentleman from Maine, next that offered by the gentleman from Illinois, and then the amendment offered by the gentleman from Massachusetts.

The amendments were severally read.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Massachusetts [Mr. WALKER].

The question was taken; and on a division there were—ayes 112, noes 48.

So the amendment was agreed to.

Mr. HOPKINS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. There are two more amendments now pending. The question is on the amendment offered by the gentleman from Illinois [Mr. HOPKINS], which the Clerk will again report.

The amendment was again read.

The question was taken; and on a division (demanded by Mr. PAYNE and others) there were—ayes 102, noes 78.

Mr. BOUTELLE of Maine. I demand tellers, Mr. Chairman. On second thought I will withdraw that. Mr. Chairman, and I give notice that I shall ask for the yeas and nays in the House.

So the amendment was agreed to.

The amendment as amended was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

And the Secretary of the Navy shall pay out of the foregoing appropriation to the Union Iron Works, of San Francisco, \$3,690.31, the amount expended by said company over and above the sum received by it for certain armor furnished by said company for the U. S. S. Wisconsin, said armor having been so furnished to prevent delay in the construction of said vessel.

Mr. DOCKERY. Mr. Chairman, I raise a question of order against that paragraph, under clause 2, Rule XXI. It is an appropriation reported without the authority of law—there is no law authorizing the appropriation.

The CHAIRMAN. Does the gentleman from Missouri desire to discuss the point of order?

Mr. DOCKERY. No; this is only a claim.

The CHAIRMAN. Does the gentleman from Maine desire to discuss the point of order?

Mr. BOUTELLE of Maine. I have not indicated any such desire. The CHAIRMAN. The Chair sustains the point of order.

Mr. MOODY. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk, as a new paragraph.

Mr. BOUTELLE of Maine. What is this?

The CHAIRMAN. A new provision to follow the paragraph which has been read.

Mr. MOODY. It is a new paragraph.

Mr. BOUTELLE of Maine. I rise to a parliamentary inquiry. I should like to know whether an amendment is now germane or applicable—whether we have not gone beyond the point where an amendment can be offered?

Mr. MOODY. This does not concern the question of armor plate or anything of that kind.

Mr. BOUTELLE of Maine. Then I do not see how it can come in.

Mr. MOODY. I think it can.

Mr. BOUTELLE of Maine. What does it propose?

Mr. MOODY. Let it be read.

Mr. BOUTELLE of Maine. I am willing to have it read for information.

The CHAIRMAN. It is in order to offer an amendment, to come in as a new section, if its provisions are such as to make it otherwise in order; and that the Chair can not ascertain until it has been read.

The Clerk read the amendment of Mr. MOODY, as follows:

Insert as a new section the following:

"That the President is hereby authorized to appoint, by selection and promotion, an admiral of the Navy, who shall not be placed upon the retired

list except upon his own application; and whenever such office shall be vacated, by death or otherwise, the office shall cease to exist."

[Applause.]

Mr. BOUTELLE of Maine. Reserving a point of order, I want to say to the gentleman from Massachusetts that while he knows as well as I that this is not a proper bill on which to offer that amendment, yet if he will agree to let us vote on it immediately, as this House probably wants to do, I shall raise no point against it.

Mr. MOODY. I am willing it shall be voted on without a word. [Cries of "Vote!" "Vote!"]

The question being taken, the amendment was agreed to. The Clerk read as follows:

Equipment: Toward the completion of the equipment outfit of the new vessels heretofore and herein authorized, \$200,000.

Mr. CUMMINGS. Mr. Chairman, I always try to be correct in my figures; but as we grow old memory becomes treacherous. I have ascertained that I was mistaken in my statement to the gentleman from Louisiana that 3,000 tons of armor plate were to be made by the Bethlehem Company at \$249 a ton for the Russian Government. The contract originally made was for 1,264 tons, with the proviso that the amount might be increased by 300 tons, at the option of the Russian Government. The order was so increased, and the total amount furnished at that low price was 1,564 tons.

Mr. BOUTELLE of Maine. Mr. Chairman, we have reached the close of this bill, under some difficulties and with a great deal of delay. I congratulate the committee that we have at last concluded the careful consideration of this great appropriation bill and have at last gotten it in such form that it may go to the Senate and be acted on there.

I shall not attempt at this time to reply to a great deal that has been said on this floor. So far as it has been the disposition of anyone on my own side of the House—I expect the criticism of my political opponents and have never flinched from it—but so far as any expressions and imputations have been indulged in by members of my own party upon the Committee on Naval Affairs, excluding myself, I regard them as beneath contempt, and point with some pride to a record showing that the magnificent service that our Navy rendered during the late war with Spain was rendered possible by means of the painstaking, laborious, and patriotic labors of the members of the Committee on Naval Affairs of this House—part of the time under the chairmanship of my distinguished colleague from New York [Mr. CUMMINGS] and part of the time under the chairmanship of a gentleman who afterwards became Secretary of the Navy—Hon. Hilary A. Herbert—during all which period there never has been a recommendation made to the House of Representatives by the Committee on Naval Affairs in regard to the arming of our ships that has not expressed identically and specifically all the ripened judgment and earnest desires of the Government of the United States, speaking through its accredited representatives and spokesmen, the Secretary of the Navy and the Bureau of Ordnance.

For myself, Mr. Chairman, I want to say that one of the proudest recollections which I shall take from Congress whenever I may be called on to vacate my seat here will be the recollection that it was due to my efforts and on my motion that the materials for the construction of our ships of war were required to be of domestic production and manufacture.

Mr. HEPBURN. I rise to a question of order. I should like to know what is the question before the Committee of the Whole.

Mr. BOUTELLE of Maine. Mr. Chairman, I move that the committee rise and report the bill and amendments to the House. The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN reported that the Committee of the Whole on the state of the Union, having had under consideration the naval appropriation bill, had directed him to report the same back to the House with sundry amendments, and with the recommendation that the bill be passed as amended.

The SPEAKER. The question is on agreeing to the amendments.

Mr. BOUTELLE of Maine. Mr. Speaker, I move the previous question on the bill and amendments to their passage.

The previous question was ordered.

Mr. BOUTELLE of Maine. Mr. Speaker, I ask for a separate vote upon the amendment in regard to the Naval Academy and on the amendment in regard to the armor plate.

Mr. GROSVENOR. Mr. Speaker, I move that the House do now adjourn. We can not have two roll calls here, at this hour.

Mr. BOUTELLE of Maine. Oh, yes, we can; we are all here.

Mr. GROSVENOR. It will take an hour and a half.

Mr. BOUTELLE of Maine. You will imperil this bill if you insist on that.

Mr. GROSVENOR. I think the bill is in no peril. It can stand that after what it has gone through. [Laughter.]

The SPEAKER. The gentleman from Ohio moves that the House do now adjourn.

The question being taken, on a division there were—ayes 89, noes 105.

Accordingly the House refused to adjourn.

The SPEAKER. The gentleman from Maine asks a separate vote on two of the amendments. Is a separate vote demanded on any other amendment? The Chair hears none. The question is on the remaining amendments.

The remaining amendments were agreed to.

The SPEAKER. The Clerk will report the first amendment upon which a separate vote is asked.

The Clerk read as follows:

Insert after line 18, page 31, the following:

"For completion of buildings and other works authorized under the act making appropriations for the naval service for the fiscal year ending June 30, 1899, under such plans as may be adopted by the Secretary of the Navy, not to exceed in cost \$1,230,000, \$720,000."

The SPEAKER. On this question the gentleman from Maine demands the yeas and nays.

Mr. BOUTELLE of Maine. Let us have a rising vote first.

The SPEAKER. The question is on agreeing to the amendment. The question being taken, on a division there were—ayes 89, noes 70.

Mr. BOUTELLE of Maine. I call for the yeas and nays.

Several MEMBERS. Oh, no.

Mr. BOUTELLE of Maine. In response to quite a general expression, I withdraw the request.

The SPEAKER. The gentleman withdraws the request for the yeas and nays. The yeas have it, and the amendment is agreed to.

The Clerk will report the next amendment on which a separate vote is demanded.

The Clerk read as follows:

Insert in line 12, page 61, after the word "dollars," the following:

"Provided, That no part of said fund shall be expended except in procuring armor of the best obtainable quality at an average cost not exceeding \$445 per ton of 2,240 pounds, including royalties, and in no case a price in excess of the price paid to any manufacturer in this country for such armor by any other government."

Mr. BOUTELLE of Maine. Mr. Speaker—

Mr. CANNON. I ask what the amendment means? Is not the amendment simply striking down the price \$100 a ton?

Mr. UNDERWOOD. I demand the regular order.

Mr. BOUTELLE of Maine. Is not the regular order—

The SPEAKER. The regular order is demanded.

Mr. SHERMAN. The Clerk has made an error in reporting the amendment.

The SPEAKER. If an error has been made, that will be corrected.

Mr. SHERMAN. The amendment is to strike out "five" and insert "four," making the price \$445 a ton instead of \$545. The amendment is not the entire proposition.

The SPEAKER. The Clerk will again report the amendment.

Mr. WILLIAMS of Mississippi. Mr. Speaker, before the Clerk reports the amendment, I wish to say that I think the gentleman from New York [Mr. SHERMAN] is mistaken. Inadvertently an amendment was offered, which became an amendment to an amendment then pending, and both having been adopted, the Clerk was right in reading the two as embodied together.

Mr. HOPKINS. It all becomes one amendment.

Mr. WILLIAMS of Mississippi. Yes, the whole becomes one amendment.

Mr. PAYNE. Mr. Speaker, a parliamentary inquiry. The House having ordered the previous question on the bill and amendments, would it not now be in order to reconsider the vote by which the previous question was ordered, so that an amendment could be offered to this amendment?

Mr. BOUTELLE of Maine. Mr. Speaker, as the record stands—

The SPEAKER. The order for the previous question has been partially executed.

Mr. FITZGERALD. Regular order.

Mr. BOUTELLE of Maine. Mr. Speaker, as the record stands, the only amendment—

The SPEAKER. The Clerk will report the amendment.

Mr. BOUTELLE of Maine. I think they understand it; but I desire to state that the only change is the substitution of the price. [Cries of "Regular order!"]

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Insert, in line 12, page 61, after the word "dollars," the following:

"Provided, That no part of said fund shall be expended except in procuring armor of the best obtainable quality at an average cost not exceeding \$445 per ton of 2,240 pounds, including royalties, and in no case a price in excess of the price paid to any manufacturer in this country for such armor by any other government."

The SPEAKER. The question is on agreeing to the amendment.

Mr. BOUTELLE of Maine. Mr. Speaker, the only change— [Cries of "Regular order!"]

The question was taken; and on a division there were—ayes 130, noes 58.

Accordingly the amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time; and it was accordingly read a third time.

Mr. BOUTELLE of Maine. Mr. Speaker, I now move to recommit the bill with instructions to report it back with that amendment so modified as will be accomplished by the striking out of the word "four" and reinserting the word "five," making it \$545 instead of \$445, that being the only change in the amendment that was considered.

Mr. GROSVENOR. I make the point of order that the House has just voted on that.

Mr. RICHARDSON. A point of order. That is exactly the amendment that was reversed in the committee. They struck out "five" and inserted "four," and this would be simply endeavoring to accomplish by a motion to recommit what the House had voted down—

Mr. DOCKERY. The House has voted on that proposition.

The SPEAKER. The Chair thinks the motion to recommit, under the circumstances, is in order. The House can deal with it.

Mr. BOUTELLE of Maine. Mr. Speaker, I desire to state to the House in regard to my motion, and I believe it to be my privilege under the rules—

Mr. DOCKERY. No; the previous question has been ordered.

The SPEAKER. The motion to recommit is not debatable.

Mr. BOUTELLE of Maine. Then I move the previous question.

Mr. UNDERWOOD. A parliamentary inquiry.

The SPEAKER. The gentleman from Maine asks for the previous question. The gentleman from Alabama [Mr. UNDERWOOD] rises to a parliamentary inquiry. The gentleman will state it.

Mr. UNDERWOOD. Is the motion before the House amendable?

The SPEAKER. It is amendable if the previous question is refused.

The question being taken on ordering the previous question,

Mr. UNDERWOOD and others demanded a division.

The House divided; and there were—ayes 127, noes none.

Accordingly the previous question was ordered.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Maine.

Mr. BOUTELLE of Maine. I desire to state, under the previous question—

Mr. GROSVENOR. I object to any debate on that.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Maine.

The question being taken, the Speaker announced that the noes seemed to have it.

Mr. BOUTELLE of Maine demanded a division.

The House divided; and there were—ayes 68, noes 135.

Mr. BOUTELLE of Maine. Mr. Speaker, I ask for the yeas and noes.

The yeas and noes were ordered.

Mr. OGDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. OGDEN. If I understand it, this is a motion of the chairman of the committee to recommit his own bill. Is that the status of the parliamentary situation?

The SPEAKER. That is hardly a parliamentary inquiry. The Clerk will proceed.

Mr. HEPBURN. Mr. Speaker, the confusion was so great in this part of the Hall a little while ago that we did not hear what the question was. Will the Chair kindly state the question on which we were about to vote?

The SPEAKER. If there be no objection, the Clerk will state the motion of the gentleman.

The Clerk stated the motion, as follows: To recommit the bill with instructions to strike out \$445 and insert \$545.

The SPEAKER. The Clerk will call the roll.

The question was taken; and there were—yeas 80, noes 144, answered "present" 2, not voting 125; as follows:

## YEAS—80.

Acheson,	Davenport,	Knox,	Robbins,
Alexander,	Dayton,	Lacey,	Royce,
Arnold,	Dovener,	Loudenslager,	Showalter,
Babcock,	Evans,	Lovering,	Snover,
Bankhead,	Fischer,	Low,	Southard,
Barham,	Foots,	McAleer,	Spalding,
Berry,	Foss,	McDonald,	Sperry,
Booze,	Gardner,	Marsh,	Sprague,
Boutelle, Me.	Gillet, N. Y.	Mercer,	Steele,
Brosius,	Graham,	Meyer, La.	Stevens, Minn.
Burleigh,	Greene, Mass.	Mitchell,	Stewart, Wis.
Burton,	Grout,	Moody,	Sulloway,
Butler,	Henry, Ind.	Morris,	Thorp,
Cannon,	Hicks,	Olmsted,	Van Voorhis,
Capron,	Hilborn,	Parker, N. J.	Walker, Mass.
Clarke, N. H.	Coddington,	Payne,	Warner,
Cummins,	Howell,	Pearce, Mo.	Weymouth,
Curtis, Kans.	Hull,	Parkins,	Williams, Pa.
Dalzell,	Kirkpatrick,	Ray,	Wise,
			Young.

## NAYS—144.

Aldrich,	Crump,	Jones, Wash.	Ridgely,
Bailey,	Crumpacker,	Kerr,	Rixey,
Baker, Ill.	Curtis, Iowa	Kitchin,	Robb,
Bail,	Davis,	Kieberg,	Robinson, Ind.
Barber,	De Armond,	Knowles,	Settle,
Barlow,	De Graffenreid,	Landis,	Shafroth,
Bartlett,	De Vries,	Lanham,	Shattuc,
Belknap,	Dick,	Latimer,	Shelden,
Beil,	Dinsmore,	Lentz,	Sherman,
Benton,	Dockery,	Lewis, Ga.	Shuford,
Bishop,	Dolliver,	Lewis, Wash.	Simpson,
Bland,	Eddy,	Lloyd,	Sims,
Bodine,	Elliott,	Loud,	Slayden,
Boutell, Ill.	Fitzgerald,	McCulloch,	Smith, Ill.
Bradley,	Fleming,	McDowell,	Smith, Ky.
Brenner, Ohio	Fletcher,	McEwan,	Sparkman,
Brewer,	Fox,	McLain,	Spight,
Broderick,	Gaines,	Maddox,	Stallings,
Broussard,	Gibson,	Mann,	Stark,
Brown,	Graff,	Maxwell,	Stephens, Tex.
Brownlow,	Greene, Nebr.	Messick,	Stokes,
Brucker,	Griffith,	Miers, Ind.	Strait,
Burke,	Grosvenor,	Mills,	Strovd, N. C.
Carmack,	Gunn,	Minor,	Sutherland,
Clarke,	Hager,	Moore,	Swanson,
Clark, Mo.	Hamilton,	Mudd,	Tabert,
Clyton,	Handy,	Newlands,	Tate,
Cochran, Mo.	Hay,	Ogden,	Todd,
Cochrane, N. Y.	Henry, Conn.	Osborne,	Underwood,
Connolly,	Henry, Miss.	Otjen,	Updegraff,
Cooney,	Hepburn,	Peters,	Vandiver,
Cooper, Tex.	Hopkins,	Pierce, Tenn.	Vincent,
Cooper, Wis.	Howe,	Prince,	Weaver,
Corliss,	Jenkins,	Pugh,	Wheeler, Ky.
Cowherd,	Jett,	Reeves,	Williams, Miss.
Cox,	Johnson, N. Dak.	Richardson,	Wilson.

## ANSWERED "PRESENT"—2.

Hartman, McClellan.

## NOT VOTING—125.

Adams,	Davey,	King,	Robertson, La.
Adamson,	Davidson, Wis.	Kulp,	Russell,
Allen,	Davidson, Ky.	Lamb,	Sauerhering,
Alford,	Dorr,	Lawrence,	Shannon,
Baker, Md.	Driggs,	Lester,	Skinner,
Barney,	Ellis,	Linney,	Smith, S. W.
Barrett,	Ermentrout,	Littauer,	Smith, Wm. Alden
Barrows,	Faria,	Little,	Southwick,
Bartholdt,	Fenton,	Livingston,	Stewart, N. J.
Beach,	Fitzpatrick,	Lorimer,	Stone,
Belden,	Fowler, N. C.	Lybrand,	Strode, Nebr.
Belford,	Fowler, N. J.	McCall,	Sturtevant,
Benner, Pa.	Gillett, Mass.	McCleary,	Sulzer,
Bennett,	Griffin,	McCormick,	Tawney,
Bingham,	Griggs,	McIntire,	Taylor, Ohio
Botkin,	Grow,	McRae,	Taylor, Ala.
Brantley,	Harmer,	Maguire,	Terry,
Brewster,	Heatwole,	Mahany,	Tongue,
Bromwell,	Hemenway,	Marshall,	Vehsage,
Brumm,	Henderson,	Martin,	Wadsworth,
Brundidge,	Henry, Tex.	Meekison,	Walker, Va.
Bull,	Hinrichsen,	Miller,	Wanger,
Campbell,	Hitt,	Norton, Ohio	Ward,
Casie,	Howard, Ala.	Norton, S. C.	Wheeler, Ala.
Catchings,	Hunter, Ga.	Odell,	White, Ill.
Chickering,	Hurley,	Otey,	White, N. C.
Clark, Iowa	Johnson, Ind.	Overstreet,	Wilber,
Colson,	Jones, Va.	Packer, Pa.	Yost,
Connell,	Joy,	Pearson,	Zenor.
Cousins,	Kelley,	Powers,	
Cranford,	Ketcham,	Quigg,	
Danford,		Rhea,	

So the motion to recommit with instructions was rejected.

The following additional pairs were announced:

Until further notice:

Mr. ODELL with Mr. KING.

Mr. WANGER with Mr. ADAMSON.

Mr. RUSSELL with Mr. McCLELLAN.

For this day:

Mr. ELLIS with Mr. LIVINGSTON.

Mr. WM. ALDEN SMITH with Mr. HENRY of Texas.

Mr. CHICKERING with Mr. DAVEY.

Mr. JENKINS with Mr. DAVIS.

Mr. JOY with Mr. GRIGGS.

Mr. SAMUEL W. SMITH with Mr. ALLEN.

Mr. ADAMS with Mr. DRIGGS.

Mr. WILBER with Mr. BRANTLEY.

Mr. MCCALL with Mr. McRAE.

Mr. PACKER of Pennsylvania with Mr. ROBERTSON of Louisiana.

Mr. SOUTHWICK with Mr. FITZPATRICK.

Mr. TONGUE with Mr. SULZER.

Mr. WARD with Mr. NORTON of Ohio.

On this vote:

Mr. KETCHAM with Mr. LAMB.

Mr. HARTMAN. Mr. Speaker, I desire to inquire if the gentleman from Pennsylvania, Mr. STONE, has voted?

The SPEAKER. The gentleman is not recorded.

Mr. HARTMAN. I have a pair with him, and having voted "nay," I now desire to withdraw my vote.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

The question was taken; and the bill was passed.

On motion of Mr. BOUTELLE of Maine, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I want to give notice to the House that immediately after the reading of the Journal to-morrow I shall call up the Army appropriation bill.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5561. An act establishing the boundaries of the Northern Cheyenne Indian Reservation, Mont., and making appropriations for purchasing improvements thereon and certain lands situated therein, for purchasing cattle, fencing the reservation, and for other purposes; and

S. 5533. An act to permit volunteer regiments to retain their colors.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

*Resolved by the Senate (the House of Representatives concurring). That the President be requested to return to the Senate the bill of the House of Representatives No. 4838, granting an increase of pension to Elizabeth V. Litzenberg.*

The message also announced that the Senate had passed the following resolution:

*Resolved. That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 80) entitled "An act providing procedure in certain cases."*

#### MILITARY ACADEMY APPROPRIATION BILL.

Mr. MARSH. Mr. Speaker, I desire to call up the Military Academy appropriation bill. It has come back from the Senate with sundry amendments. I move that the House agree to the amendments of the Senate.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900.

The amendments of the Senate were read.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take up the bill.

There was no objection.

The SPEAKER. The gentleman moves that the House concur in the Senate amendments.

Mr. COX. I would like to have an explanation.

Mr. HAY. I will state to my colleague that I have carefully gone over these amendments made by the Senate, and there is a decrease in the appropriations of about \$19,000.

Mr. COX. With that view of the matter, I do not ask further explanation.

Mr. MARSH. The decrease is in the neighborhood of \$26,000.

The amendments of the Senate were concurred in.

#### VOLUNTEER REGIMENTS TO RETAIN THEIR COLORS.

Mr. OTJEN. Mr. Speaker, I desire to ask unanimous consent for the present consideration of the bill H. R. 12041.

The bill was read at length.

Mr. OTJEN. Mr. Speaker, I ask leave to take up the Senate bill, which is identical in terms.

The bill is as follows:

A bill (S. 5533) to permit volunteer regiments to retain their colors.

*Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to permit volunteer regiments, on being mustered out of the service of the United States, to retain all of their regimental colors; said colors shall be turned over to the State authorities to which said regiments belong, and the regimental quartermaster in making his returns may, in lieu of said colors and in full release therefor, file with the proper official of the War Department a receipt from the quartermaster-general of said State that said colors have been delivered to said State authorities.*

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, I understand this is a unanimous report from the Committee on Military Affairs.

Mr. OTJEN. It is a unanimous report from the Committee on Military Affairs and it is approved by the Secretary of War.

Mr. HULL. It gives to the soldiers of the late war the same privilege that we did to the soldiers of the civil war.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. OTJEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. DOCKERY. It is half past 5 o'clock. I hope the gentleman will move to adjourn.

Mr. PAYNE. I move the House do now adjourn.

The SPEAKER. There are some requests of the Senate.

Mr. PAYNE. I withdraw the motion for the present.

#### ELIZABETH V. LITZENBERG.

The SPEAKER laid before the House the following concurrent resolution of the Senate:

*Resolved by the Senate (the House of Representatives concurring). That the President be requested to return to the Senate the bill of the House of Representatives No. 4838, granting an increase of pension to Elizabeth V. Litzenberg.*

Mr. RAY of New York. Mr. Speaker, there was an error in that bill in describing the service, and it is the object of the resolution to have it corrected.

The resolution was agreed to.

#### PROCEDURE IN CERTAIN PENSION CASES.

The SPEAKER also laid before the House the following resolution, which was read:

*Resolved. That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 80) entitled "An act providing procedure in certain pension cases."*

The resolution was agreed to.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. STEPHENS of Texas, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 12112) to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company, reported the same with amendment, accompanied by a report (No. 2254); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BENTON, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 12126) to amend an act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," and extending the time for constructing and operating the said railway for two years from the 5th day of April, 1899, reported the same without amendment, accompanied by a report (No. 2282); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11999) to attach Claiborne County, Miss., to the western division of the southern judicial district of Mississippi, reported the same without amendment, accompanied by a report (No. 2285); which said bill and report were referred to the House Calendar.

Mr. DE ARMOND, from the Committee on the Judiciary, to which was referred House Res. No. 354, for which a substitute resolution (House Res. No. 411) was reported, submitted his views, to accompany report (No. 2205, part 2); which said views were referred to the House Calendar.

Mr. PARKER of New Jersey, from the Committee on the Judiciary, to which was referred House Res. No. 354, for which a substitute resolution (House Res. No. 411) was reported, submitted his views, to accompany report (No. 2205, part 3); which said views were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10328) granting a pension to Ann Collins, reported the same with an amendment, accompanied by a report (No. 2230); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1724) granting a pension to Mrs. Sophia Gruber, of Louisville, Ky., reported the same with amendment, accompanied by a report (No. 2231); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid

Pensions, to which was referred the bill of the Senate (S. 1918) granting an increase of pension to William Sharrock, reported the same without amendment, accompanied by a report (No. 2232); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2335) granting an increase of pension to Henry Hatch, reported the same with an amendment, accompanied by a report (No. 2233); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5267) granting an increase of pension to Charles E. Banfield, reported the same without amendment, accompanied by a report (No. 2234); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3136) granting an increase of pension to William O. Torry, reported the same with amendment, accompanied by a report (No. 2235); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1976) granting an increase of pension to Annie E. Ruff, reported the same with amendment, accompanied by a report (No. 2236); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5435) granting a pension to Emma J. McIntire, reported the same without amendment, accompanied by a report (No. 2237); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12104) granting a pension to Maria S. Urban, widow of Maj. Casper Urban, late of Fifth New York Heavy Artillery, in war of rebellion, reported the same with amendment, accompanied by a report (No. 2238); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11824) granting a pension to Smith Jewell, reported the same with amendment, accompanied by a report (No. 2239); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1206) granting an increase of pension to Sophia W. Buxton, of Durango, Colo., reported the same with amendment, accompanied by a report (No. 2240); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2497) granting a pension to Elizabeth J. Cook, reported the same without amendment, accompanied by a report (No. 2241); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4382) granting an increase of pension to Eliza M. Miller, reported the same without amendment, accompanied by a report (No. 2242); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9207) granting a pension to Abigail Wilson, reported the same with an amendment, accompanied by a report (No. 2243); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4366) granting a pension to Elizabeth M. Mead, reported the same without amendment, accompanied by a report (No. 2244); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11767) to pension Daniel G. Emert, reported the same with amendment, accompanied by a report (No. 2245); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4483) granting an increase of pension to John H. Crandall, reported the same with amendment, accompanied by a report (No. 2246); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1378) granting a pension to William F. Gowdy, reported the same with amendment, accompanied by a report (No. 2247); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1638) granting a pension to Henry A. Thoburn, of Newport, Ky., reported the same with amendment, accompanied by a report (No.

2248); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3227) granting a pension to John W. Lay, reported the same without amendment, accompanied by a report (No. 2249); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 571) granting a pension to Susan Mellsop, reported the same without amendment, accompanied by a report (No. 2250); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4745) to increase the pension of George W. Detwiler, reported the same with amendment, accompanied by a report (No. 2251); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4905) to correct the military record of Stephen P. Choate, reported the same with amendment, accompanied by a report (No. 2252); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Claims, to which was referred the bill of the House (H. R. 1469) for the relief of William E. Bond, reported the same without amendment, accompanied by a report (No. 2253); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 896) granting a pension to Mary J. Hill, reported the same with amendment, accompanied by a report (No. 2256); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10578) for the relief of Samuel M. Smith, reported the same with amendment, accompanied by a report (No. 2257); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1619) granting a pension to Michael Lannon, reported the same with amendment, accompanied by a report (No. 2258); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1245) granting an increase of pension to George W. Emery, reported the same with amendment, accompanied by a report (No. 2259); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10134) to increase the pension to John Keach, reported the same with amendment, accompanied by a report (No. 2260); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3532) granting a pension to J. K. Hager, reported the same without amendment, accompanied by a report (No. 2261); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7093) granting an increase of pension to William R. Warden, reported the same without amendment, accompanied by a report (No. 2262); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2335) granting an increase of pension to Charles Edson, reported the same with amendment, accompanied by a report (No. 2263); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2366) granting a pension to L. P. Cooper, Company B, Fiftieth New York Volunteer Engineers, reported the same with amendment, accompanied by a report (No. 2264); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8406) granting an increase of pension to Martha Adams, reported the same with amendment, accompanied by a report (No. 2265); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9619) granting a pension to Mrs. Ruth Walker, reported the same with amendment, accompanied by a report (No. 2266); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3476) for the relief of Andrew Morse, jr., reported the same with amendment, accompanied by a report (No.

2267); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2217) to increase the pension of Aaron B. Page, reported the same with amendment, accompanied by a report (No. 2268); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2830) granting a pension to Ira Bacon, reported the same with amendment, accompanied by a report (No. 2269); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5264) granting an increase of pension to Bartlett Corniff, reported the same without amendment, accompanied by a report (No. 2270); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3325) granting a pension to Maria S. Whitney, reported the same with amendment, accompanied by a report (No. 2271); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4485) granting a pension to John Lindquist, reported the same without amendment, accompanied by a report (No. 2272); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1071) granting a pension to Abigail R. Ellet, reported the same with amendment, accompanied by a report (No. 2273); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4480) granting a pension to Winburn Hicks, reported the same without amendment, accompanied by a report (No. 2274); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10697) granting a pension to Erasmus L. Wenz, reported the same with amendment, accompanied by a report (No. 2275); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12148) granting a pension to Eliza S. Redfield, reported the same without amendment, accompanied by a report (No. 2276); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11148) to grant a pension to Orin Long, reported the same with amendment, accompanied by a report (No. 2277); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11673) to increase the pension of Patrick O'Neal, reported the same with amendment, accompanied by a report (No. 2278); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10862) granting an increase of pension to Hollis O. Dudley, reported the same with amendment, accompanied by a report (No. 2279); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1773) granting a pension to Robert Persley, late a Government employee in the United States military railroad service, reported the same with amendment, accompanied by a report (No. 2280); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 877) granting a pension to Charles F. Holmes, of Jersey City, N. J., reported the same with amendment, accompanied by a report (No. 2281); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11568) granting an increase of pension to William B. Paul, reported the same with amendment, accompanied by a report (No. 2284); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 4748) for the relief of Charles K. Kirby and Edinger Brothers and Jacobi, reported the same without amendment, accompanied by a report (No. 2286); which said bill and report were referred to the Private Calendar.

Mr. YOST, from the Committee on Claims, to which was referred the bill of the House (H. R. 11709) for the relief of the legal representatives of James I. A. and Archer Trotter, reported the

same with amendment, accompanied by a report (No. 2287); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11577) for the relief of B. F. Parlett, collector of internal revenue for the district of Maryland, reported the same without amendment, accompanied by a report (No. 2288); which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 291) granting a pension to Mary D. Griffiths, reported the same adversely, accompanied by a report (No. 2253); which said bill and report were ordered to lie on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 6234) granting a pension to Charles E. Jones, reported the same adversely, accompanied by a report (No. 2289); which said bill and report were ordered to lie on the table.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GROSVENOR: A bill (H. R. 12160) to print the label of the Typographical Union of the United States and Allied Printing Press on all publications of the Government—to the Committee on Printing.

By Mr. MITCHELL: A bill (H. R. 12173) granting extra pay to the enlisted men of the Astor Battery—to the Committee on Military Affairs.

By Mr. GREENE of Massachusetts: A joint resolution (H. Res. 370) recognizing the able and gallant services of Capt. Francis Tuttle, Revenue-Cutter Service, his officers and men of the *Bear*; also the heroic services of Lieuts. David H. Jarvis, Ellsworth P. Bertholf, and Dr. Samuel J. Call, composing the overland expedition to Point Barrow, Arctic Ocean, for the relief of imperiled whalers—to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS of Iowa: A joint resolution (H. Res. 371) to authorize the Commissioners of the District of Columbia to issue permits for the temporary confinement of lunatics in the Government Hospital for the Insane until proceedings can be instituted to inquire into their sanity—to the Committee on the District of Columbia.

By Mr. McCLEARY: A memorial of the legislature of the State of Minnesota, asking that the lands of the Winnebago, Chippewa, and Leech Lake Indian reservations be withheld from sale until after January 1, 1903—to the Committee on the Public Lands.

By Mr. HARTMAN: A memorial of the Montana legislature, protesting against Indians being permitted to lease their reservations—to the Committee on Indian Affairs.

By Mr. OVERSTREET: A memorial from the legislature of Indiana, favoring amending the internal-revenue laws relative to payment of tax by express and telegraph companies—to the Committee on Ways and Means.

By Mr. GUNN: A memorial of the State legislature of Idaho, favoring the passage of a free-homestead act—to the Committee on the Public Lands.

Also, a memorial from the legislature of the State of Idaho, favoring the improvement of the Columbia and Snake rivers from the State of Idaho to the Pacific Ocean—to the Committee on Rivers and Harbors.

By Mr. HEATWOLE: A memorial from the legislature of the State of Minnesota, asking that the lands of the Winnebago, Chippewa, and Leech Lake Indian reservations be withheld from sale until after January 1, 1903—to the Committee on the Public Lands.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BELL: A bill (H. R. 12170) for the relief of C. M. Reed—to the Committee on the Public Lands.

By Mr. KNOX: A bill (H. R. 12171) for the relief of Patrick McGarry—to the Committee on Military Affairs.

By Mr. ROBBINS: A bill (H. R. 12172) granting an increase of pension to John A. M. Seitz—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 12174) granting a pension to Joseph S. Young—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 12175) to grant a pension to Milton Phillips—to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Resolution of the Manufacturers' Club of Philadelphia, Pa., in favor of Senate bill No. 5924 and House bill No. 11312, to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Merchants' Exchange of Memphis, Tenn., in favor of the passage of House bill No. 10524, relating to the organization of the consular service—to the Committee on Foreign Affairs.

By Mr. ARNOLD: Petition of the First Congregational Church of Ridgway, Pa., and the Methodist Episcopal Church of Foxburg, Pa., favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. BUNNER of Pennsylvania: Resolutions adopted at a meeting of the pastors of seven evangelical churches of Shippensburg, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. CARMACK: Resolutions of the Memphis (Tenn.) Merchants' Exchange, in favor of the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the legislative council of the city of Memphis, Tenn., in opposition to the removal of the wagon way from the railroad bridge over the Mississippi River—to the Committee on Interstate and Foreign Commerce.

By Mr. CONNELL: Petition adopted at a union meeting of evangelical pastors of churches at Scranton, Pa., against the reopening of the sectarian-school question and favoring the American common-school system among the Indians—to the Committee on Indian Affairs.

By Mr. FOSS: Resolution of the Society for Ethical Culture, of Chicago, Ill., in favor of conceding to the Philippine Islands the right of self-government—to the Committee on Foreign Affairs.

By Mr. GIBSON: Petition of John T. Cooper, for relief as a rejected soldier—to the Committee on Invalid Pensions.

By Mr. GRAHAM: Resolution of the General Assembly of the Knights of Labor, John W. Hayes, secretary, urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Mrs. Margaret D. Ellis, superintendent of legislation of the National Woman's Christian Temperance Union, in relation to the sale of beer on warships and in the "Army canteen"—to the Committee on Alcoholic Liquor Traffic.

By Mr. GREENE of Massachusetts: Paper to accompany House Resolution No. 370, relating to the overland expedition to Point Barrow—to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFITH: Resolutions of the Horticultural Society of Jefferson County, Ind., in favor of the Hanna-Payne bill to increase American shipping—to the Committee on the Merchant Marine and Fisheries.

Also, petition of fourth-class postmasters of Decatur and Ohio counties, Ind., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

By Mr. HENDERSON: Papers of Dr. E. W. Finch, of New Rochelle, N. Y.; Silas Owen, of Cohoes, N. Y.; I. A. Collier, of Brooklyn, N. Y., and Miss Helen I. Parker, of Gouverneur, N. Y., editor of the Grand Army Journal and National Aid Woman's Relief Corps, asking for the passage of Senate bill No. 3256, for the appointment of Union soldiers to official positions—to the Committee on Rules.

By Mr. HENRY of Connecticut: Protest of the executive committee of the Woman's Connecticut Home Missionary Society, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. HENRY of Indiana: Protest of the Woman's Foreign Missionary Society of the Methodist Episcopal Church of Alexandria, Ind., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. JOHNSON of North Dakota: Petition of fourth-class postmasters of Shelby County, N. Dak., urging the passage of House bills Nos. 4930 and 4931, for increase of compensation—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Woman's Christian Temperance Union of Niagara, N. Dak., to maintain prohibition in Alaska and Indian Territory, and to extend it to our new half-civilized dependencies—to the Committee on the Territories.

Also, petition of the Woman's Christian Temperance Union of Niagara, N. Dak., favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Niagara, N. Dak., to prohibit the interstate transmission of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of

Niagara, N. Dak., asking for the passage of a bill to limit absolute divorce—to the Committee on the Judiciary.

By Mr. KNOX: Paper to accompany House bill for the relief of Patrick McGarry—to the Committee on Military Affairs.

By Mr. KULP: Resolutions of the Ministerial Association of Shamokin, and protest of James M. Derby, of Mount Carmel, Pa., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, resolutions of the Merchants' Association of New York, in regard to freedom of private property on the sea from capture in time of war—to the Committee on Foreign Affairs.

Also, petition of Picking Naval Garrison, No. 8, of Erie, Pa., requesting amendment to section No. 20 of House bill No. 10403, known as the naval personnel bill—to the Committee on Naval Affairs.

Also, petition of Henry F. Knapp, civil engineer, in relation to the improvement of the streams and harbors of the Great Lakes—to the Committee on Rivers and Harbors.

Also, paper to accompany House bill No. 11807, correcting the military record of Joseph W. Myers—to the Committee on Military Affairs.

Also, petitions of the Church of God, United Brethren Church, First Congregational Church, Woman's Christian Temperance Union, Young Men's Christian Association, all of Mount Carmel, Pa., and letter of Edwin C. Dinwiddie, of Harrisburg, Pa., in favor of the Ellis bill and to prohibit the sale of liquor in canteens, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. LIVINGSTON: Petition of citizens and members of Jackson Hill Baptist Church, of Atlanta, Ga., against the seating of B. H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. LOUD: Petition of the Chamber of Commerce of San Francisco, Cal., favoring the speedy construction of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of the First Christian Church of San Francisco, Cal., to forbid interstate gambling by telegraph or telephone—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of the First Christian Church of San Francisco, Cal., against the seating of a polygamist in Congress—to the Committee on Elections No. 1.

Also, petition of the Woman's Christian Temperance Union of the First Christian Church of San Francisco, Cal., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union of the First Christian Church of San Francisco, Cal., favoring the Ellis bill and for the maintenance of prohibition in Alaska and the Indian Territory, and to extend the same to our new dependencies—to the Committee on Alcoholic Liquor Traffic.

By Mr. McALEER: Petition of the Trades League of Philadelphia, Pa., in favor of 1-cent postage and the parcels-post system—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Manufacturers' Club of Philadelphia, and of the Knights of Labor of Washington, D. C., favoring the passage of Senate bill No. 5924 and House bill No. 11312 to promote commerce and increase the foreign trade of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, protest of the Presbytery of Philadelphia, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of the United States Brewers' Association, of New York City, favoring a reduction of tax on fermented liquors—to the Committee on Ways and Means.

Also, petition of H. F. Knapp, of Bayonne, N. J., for the improvement of the Mississippi River—to the Committee on Rivers and Harbors.

By Mr. McDOWELL: Petition of the First Presbyterian Church of Wooster, Ohio, to prohibit the sale of intoxicating liquors in Government buildings and maintain prohibition in Alaska, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the First Presbyterian Church of Wooster, Ohio, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. MAHON: Protest of citizens of the Eighteenth Congressional district of Pennsylvania, against the admission of B. H. Roberts to the Fifty-sixth Congress—to the Committee on Elections No. 1.

By Mr. MANN: Papers to accompany House bill granting a pension to Joseph S. Young—to the Committee on Invalid Pensions.

By Mr. OGDEN: Resolution of the Board of Trade of Shreveport, La., in favor of the speedy construction of the Port Arthur Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBBINS: Petition of the Presbyterian Church of

Saltsburg, Pa., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. SOUTHARD: Protests of the Woman's Home Missionary Society of St. Paul's Church, also of the Broadway Auxiliary of the Home Missionary Society, all of Toledo, Ohio, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. STEELE: Petitions of Charles G. Murphy and 61 others, W. J. Quinlan and 64 others, all citizens of Marion, Ind., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. STEWART of New Jersey: Petition of the Woman's Christian Temperance Union of New Jersey, for the passage of the Clarke bill against the seating of a polygamist—to the Committee on Elections No. 1.

Also, petition of the Woman's Christian Temperance Union of New Jersey, praying for the maintenance of prohibition in Alaska and the Indian Territory, etc.—to the Committee on the Territories.

By Mr. YOUNG: Resolution of the Manufacturers' Club of Philadelphia, favoring the passage of Senate bill No. 5024 and House bill No. 11312, to promote commerce and increase the foreign trade of the United States—to the Committee on the Merchant Marine and Fisheries.

## SENATE.

FRIDAY, February 24, 1899.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. GALLINGER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

### LIST OF PATENTEES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior, of the 20th instant, submitting an estimate of appropriation for printing and binding, by contract, an alphabetical list or index of patentees from 1790 to 1873, \$16,000; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### AGREEMENT WITH CREEK NATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a correct printed copy of the agreement between the United States commissioners to negotiate with the Five Civilized Tribes and the commissioners on the part of the Creek (or Muscogee) Nation, concluded at Muscogee, Ind. T., February 1, 1899, together with copies of letters from Hon. Henry L. Dawes, chairman of the commission to negotiate with the Five Civilized Tribes, giving his reasons for not signing the agreement; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolutions:

A bill (S. 3909) for the relief of Mrs. Harriet A. Ferguson;

A bill (S. 4159) relative to the payment of claims for material and labor furnished for the District of Columbia buildings;

A bill (S. 5391) to provide for an appropriate national celebration of the establishment of the seat of Government in the District of Columbia;

A bill (S. 5533) to permit volunteer regiments to retain their colors;

A joint resolution (S. R. 34) authorizing the Commissioners of the District of Columbia to alter, amend, or repeal certain health ordinances; and

A joint resolution (S. R. 231) providing for the further distribution of the Compiled Statutes of the District of Columbia.

The message also announced that the House had agreed to the amendments of the Senate to the following bill and joint resolution:

A bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900; and

A joint resolution (H. Res. 358) to amend section 25 of the act passed June 30, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes."

The message further announced that the House had passed the joint resolution (S. R. 189) to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 11059) to provide for the extension of the Metropolitan Railroad along Eleventh street SE.;

A bill (H. R. 11799) to amend the act of Congress approved July 8, 1898, entitled, "An act to incorporate the Washington and University Railroad Company of the District of Columbia;"

A bill (H. R. 11733) to prevent the sale of intoxicating liquors on Sunday in the District of Columbia; and

A bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes.

The message further announced that the House had agreed to the resolution of the Senate requesting the President of the United States to return to the Senate the bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (S. 168) granting an increase of pension to W. P. Snowden;

A bill (S. 317) granting a pension to William J. Ford;

A bill (S. 409) granting an increase of pension to Sarah Gresham;

A bill (S. 566) granting a pension to Mary A. Thomas;

A bill (S. 730) granting an increase of pension to John N. Corgan;

A bill (S. 1031) granting a pension to Noah Pillsbury;

A bill (S. 1110) granting an increase of pension to Samuel E. Liscom;

A bill (S. 1697) granting an increase of pension to John Brown;

A bill (S. 1704) to increase the pension of Mrs. Helen A. De Russey;

A bill (S. 1758) increasing the pension of George W. Peters;

A bill (S. 1831) granting an increase of pension to Jane V. Davidson;

A bill (S. 1928) granting an increase of pension to First-Class Pilot James M. Harrington;

A bill (S. 2101) granting a pension to John C. Emery;

A bill (S. 2652) granting an increase of pension to Emma V. Gill;

A bill (S. 2965) granting an increase of pension to Lewis E. Humpton;

A bill (S. 3005) granting a pension to Zenas T. Haines;

A bill (S. 3466) granting a pension to Sarah Hamilton;

A bill (S. 4233) granting an increase of pension to Solomon Kline;

A bill (S. 4248) granting an increase of pension to Lewis Kyle;

A bill (S. 4374) granting a pension to Nellie M. Guild;

A bill (S. 4414) granting a pension to George H. Berry;

A bill (S. 4575) granting an increase of pension to John McVicar;

A bill (S. 4701) granting an increase of pension to Charles W. Tilton;

A bill (S. 4744) granting a pension to Mary E. Hatch;

A bill (S. 4808) authorizing the President to appoint additional cadets at large at the United States Naval Academy;

A bill (S. 4975) granting an increase of pension to Washington Sweatt;

A bill (S. 4984) granting a pension to Mary Longley Hendricks;

A bill (S. 5126) to authorize the St. Louis, Siloam and Southern Railroad Company of Missouri and Arkansas to construct a bridge across White River in the State of Arkansas;

A bill (S. 5265) granting to the Clearwater Valley Railroad Company a right of way through the Nez Percés Indian lands in Idaho;

A bill (S. 5319) to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark.;

A bill (S. 5342) granting a pension to John M. Palmer;

A bill (S. 5376) authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi;

A bill (H. R. 258) granting a pension to Margaret Wilber;

A bill (H. R. 726) granting an increase of pension to David W. Pennywitt;

A bill (H. R. 835) granting a pension to William B. Matchett;

A bill (H. R. 909) granting an increase of pension to Lucy D. Heady;

A bill (H. R. 1217) for the relief of Thomas W. Tiernon, late of Company H, Tenth Ohio Volunteer Infantry;

A bill (H. R. 1279) granting a pension to Barbara C. Lowe;

A bill (H. R. 1573) granting a pension to Julia Walke;

A bill (H. R. 1675) granting a pension to Alice Smith;

A bill (H. R. 1780) granting an increase of pension to Reuben H. Waters;

A bill (H. R. 1794) to remove the charge of desertion now standing against George Alcott on rolls of the War Department;

A bill (H. R. 1798) to remove the charge of desertion against Carl F. W. Stolle, of Iron Ridge, Wis.;

A bill (H. R. 2132) granting an increase of pension to William R. Christy;

A bill (H. R. 2171) granting a pension to Wilhelmina Barth;

A bill (H. R. 2459) granting a pension to Mary C. Bates;

A bill (H. R. 2617) granting a pension to Mary E. Sessions;

A bill (H. R. 2700) granting an increase of pension to Susan A. Gummer;

A bill (H. R. 3144) granting an increase of pension to Robert S. Moorhead;  
 A bill (H. R. 3307) granting an increase of pension to Andrew S. Evans;  
 A bill (H. R. 4001) granting an increase of pension to Robert Fletcher;  
 A bill (H. R. 4351) granting a pension to Margaret Thomas;  
 A bill (H. R. 4324) granting a pension to Martha Allen;  
 A bill (H. R. 4446) granting an increase of pension to Ellen Charlton;  
 A bill (H. R. 4503) granting an increase of pension to John Yahne;  
 A bill (H. R. 4806) granting an increase of pension to Bonaventura Heinz;  
 A bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg;  
 A bill (H. R. 4982) granting an increase of pension to Harriet Tubman Davis;  
 A bill (H. R. 5054) granting a pension to Rachel J. Comer;  
 A bill (H. R. 5153) granting a pension to Cordelia Cheney;  
 A bill (H. R. 5200) granting a pension to Belle Shumard;  
 A bill (H. R. 5461) granting a pension to Elizabeth H. Bowen;  
 A bill (H. R. 5712) granting an increase of pension to Sarah A. Luke;  
 A bill (H. R. 5762) granting an increase of pension to Joel W. Gibson;  
 A bill (H. R. 5805) for the relief of Col. George G. Pride;  
 A bill (H. R. 6127) for the relief of Henry C. Rawson;  
 A bill (H. R. 6317) to remove charge of desertion against Alexander McKee;  
 A bill (H. R. 6502) granting increase of pension to William Rolley;  
 A bill (H. R. 6681) granting an increase of pension to Jere Smith;  
 A bill (H. R. 6831) granting an increase of pension to Taylor McFarland;  
 A bill (H. R. 7902) granting a pension to Albert Putnam;  
 A bill (H. R. 8163) to authorize the Secretary of the Interior to rent or lease certain portions of forest reserve;  
 A bill (H. R. 8179) granting a pension to Levi M. Truit;  
 A bill (H. R. 8214) granting an increase of pension to Francis Scott;  
 A bill (H. R. 8445) granting a pension to Joseph M. Harmon;  
 A bill (H. R. 8480) providing for the sale of the surplus lands of the Pottawatomie and Kickapoo Indian reservations in Kansas, and for other purposes;  
 A bill (H. R. 8733) granting an increase of pension to Juliette Harrow;  
 A bill (H. R. 8754) granting an increase of pension to Lemon Holton;  
 A bill (H. R. 9018) granting a pension to Justus Townsend;  
 A bill (H. R. 9219) for the relief of the Fourth Arkansas Mounted Infantry;  
 A bill (H. R. 9234) increasing the pension of George Blaklesley;  
 A bill (H. R. 9314) granting an increase of pension to Isaac Stephens;  
 A bill (H. R. 9323) granting an increase of pension to Mary E. Townes;  
 A bill (H. R. 9503) granting a pension to Mary Woodmansy;  
 A bill (H. R. 9513) to construct a telephone from Table Bluff to Salmon Creek, in Humboldt County, Cal.;  
 A bill (H. R. 9593) to increase the pension of Michael Meehan;  
 A bill (H. R. 9768) for the relief of Samuel J. Brent, executor of the will of Frances Brent, and administrator de bonis non of the estate of Rev. J. Brent;  
 A bill (H. R. 9801) granting an increase of pension to Emer H. Aldrich;  
 A bill (H. R. 10498) granting an increase of pension to Susan C. Byrd;  
 A bill (H. R. 10688) granting an increase of pension to John J. Bowen;  
 A bill (H. R. 10858) granting an increase of pension to Amanda Wilmarth;  
 A bill (H. R. 11017) granting a pension to Jesse Everly;  
 A bill (H. R. 11048) granting a pension to William L. Quinn;  
 A bill (H. R. 11084) to amend an act entitled "An act to amend an act to grant to the Gainesville, McAlester and St. Louis Railway Company a right of way through the Indian Territory;"  
 A bill (H. R. 11115) granting a pension to Allen Meeks;  
 A bill (H. R. 11382) granting a pension to Margaret A. Lowther;  
 A bill (H. R. 11420) granting a pension to Emily McLain;  
 A bill (H. R. 11495) to amend section 3 of an act entitled "An act to change the time and places for the district and circuit courts of the northern district of Texas," approved June 11, 1896;  
 A bill (H. R. 11605) for the widening of Nineteenth street NW.;  
 A bill (H. R. 11618) to grant to the Pasadena and Mount Wilson Railway Company right of way and certain lands for railroad purposes through the San Gabriel Forest Reserve;

A bill (H. R. 11732) to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River;

A bill (H. R. 11736) granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama;

A bill (H. R. 11899) granting a pension to Judith Doherty;

A bill (H. R. 11971) to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases; and

A joint resolution (H. Res. 303) granting a life-saving medal to Michael F. Barry, of New York City.

#### CREDENTIALS.

Mr. WILSON presented the credentials of Addison G. Foster, chosen by the legislature of Washington a Senator from that State for the term beginning March 4, 1899; which were read, and ordered to be filed.

#### PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of the Board of Trade and Transportation of New York City, N. Y., praying that a liberal appropriation be made for the proposed pan-American exposition to be held at or near the city of Buffalo, on the Niagara frontier, in the year 1901; which was ordered to lie on the table.

He also presented a petition of the Board of Trade and Transportation of New York City, N. Y., praying for the ratification of the treaty of peace with Spain; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Sing Sing, N. Y., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the congregation of the Bethany Presbyterian Church, of Utica, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; to prohibit interstate gambling by telegraph, telephone, or otherwise; to prohibit the interstate transmission of pictures or descriptions of prize fights; to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; for the enactment of legislation to restrict divorces, and for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Sing Sing, N. Y., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented the petitions of A. Underhill and sundry other citizens of Sing Sing, of T. G. Sayre and sundry other citizens of Newburg, and of Robert S. Gatter and sundry other citizens of Newburg, all in the State of New York, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. STEWART presented a petition of the legislature of Nevada, praying for the construction of the Nicaragua Canal; which was ordered to lie on the table, and to be printed in the RECORD, as follows:

#### Senate concurrent resolution No. 6.

Introduced by Mr. Comins February 6, 1899.

Read first time, rules suspended, read second time by title, and referred to the committee on Federal relations.

Senate concurrent resolution relative to construction of the Nicaragua Canal.

Whereas the construction of the Nicaragua Canal would be of great and infinite benefit to the United States of America and of especial help to the people of the Pacific States, as it would afford greater protection to this coast in time of war, open new lines of trade and commerce, and cheapen transportation to foreign and Atlantic seaboard markets, thereby enabling the people of this State to obtain mining and other supplies at greatly reduced rates; assist in building up new enterprises in our State; strengthen and maintain those now in existence; increase our population, thus enhance our wealth and multiply our resources; and

Whereas there is now pending in the Congress of the United States a bill providing for the use of the credit of the General Government in the construction of the Nicaragua Canal, and which bill prescribes, among other things, that the United States shall own absolutely 25 per cent of the stock of the Maritime Canal Company of Nicaragua to be reorganized under the funding bill, and that the President of the United States shall appoint not less than 9 of the 11 directors of said company, and that the United States Engineers shall direct and control the work of construction of said canal, and after constructed that the United States, by reason of its ownership thereof, shall fix the tolls thereon: Therefore, be it

Resolved by the senate (the assembly concurring). That our Senators in Congress be instructed, and our member of the House of Representatives of the United States be requested, to earnestly support the passage of this measure.

Resolved, That his excellency the governor be requested to forward to each of our Senators and our Representative in Congress a copy of these resolutions.

STATE OF NEVADA, EXECUTIVE CHAMBER.  
 Carson City, Nev., February 16, 1899.

SIR: I have the honor to transmit herewith senate concurrent resolution

No. 6, relative to the construction of the Nicaragua Canal, the same having been adopted by the legislature of Nevada.

Very respectfully,  
[SEAL.]

REINHOLD SADLER,  
Governor.

Hon. WILLIAM M. STEWART, Senate Chamber.

Mr. BATE presented a memorial of sundry citizens of the Cherokee Nation, remonstrating against the ratification of the agreement between what is known as the Dawes commission and a like commission appointed by authority of the Cherokee national council, known as the Cherokee commission, and submitted to the people of the Cherokee Nation to be voted upon January 31, 1899; which was referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

Whereas a certain agreement entered into on January 14, 1899, by and between what is known as the Dawes commission and a like commission appointed by authority of the Cherokee national council, known as the Cherokee commission, was, on January 31, 1899, submitted to the people of the Cherokee Nation to be voted upon; and

Whereas said agreement was obnoxious in many of its provisions and was strenuously opposed by a large class of Cherokee citizens, in that it deprived them of certain legal vested rights; and

Whereas the Cherokee people having always reposed confidence and trust in the United States Government in its guaranty to protect them in their personal and property rights: Therefore,

We, the undersigned citizens of the Cherokee Nation, take this means of entering our solemn protest against the ratification, in its present form, of said agreement by the Congress of the United States, for the reasons herein after set forth, namely:

1. We oppose the individualization of the title to lands, and would consent only to the apportionment of the same, allowing the title to remain, as at present, in the Cherokee Nation.

2. We protest to the allotment of a part of our lands to white adopted citizens, for the reason that they have never paid into our treasury any sum of money or other considerations to become the owners of any share in a common estate, as have the Delawares and Shawnees adopted into our tribe.

3. We oppose the surveying and sale of town lots as provided for in said agreement.

4. We are opposed to section 65 of said agreement, which provides for reference to a board of arbitrators of Congress the claim of the Cherokee Nation, as rendered by an accounting of the experts, James A. Blade and Joseph T. Bender.

5. We also protest against the provisions of section 81 of said agreement, which provides for the payment to one John C. Hemphill and one William T. Hutchings for an alleged claim for money amounting to more than \$8,000. If these parties have a contract with the chief of the Cherokee Nation of this nature, the Cherokee Nation council is the proper place to make application for its payment.

6. We are opposed to section 44, for the reason that it does not revoke, in specific language, the claim of the Missouri, Kansas and Texas Railway to every alternate section of land for a distance of 10 miles on each side of said road through the land of the Cherokee Nation, as per an act of Congress granting said claim in case the Cherokee title was extinguished.

7. The Cherokee national debt should not be paid out of the principal of our invested funds, but out of such increment as might be made to accrue thereon, leaving the principal to the credit of the Cherokee people.

8. The agreement fails to make an equal division of the Cherokee domain in that it ignores the coal and other minerals in the country. Said coal and other minerals should be reserved to the Cherokee people, as in the Choctaw and Chickasaw agreement.

9. In the process of allotment many of our citizens will have to give up portions of their improvements, and the treaty fails to provide any indemnity in the premises. We can not believe that Congress will allow such damage to fall upon our people without adequate remuneration.

10. It will not be best to allow the executive and legislative departments of the Cherokee Nation to appropriate and apply the moneys of the Cherokee people without the approval of the President of the United States, since it was on account of failure of the Cherokee government to safely administer its financial affairs that induced the United States to assume control thereof.

11. In the matter of disbursing public funds, it is known that many persons were fraudulently placed on the roll of Cherokee freedmen, while many others were placed on the Cherokee pay roll who were not citizens of the Cherokee Nation. All such persons were then allowed to vote on the ratification of the agreement, and that, too, while the Dawes Commission, under authority of the Curtis law, stands clothed with the authority and charged with the duty to investigate the Cherokee rolls and to omit therefrom all such names as have been placed thereon by fraud or "without authority of law." Before passing on the ratification of the agreement Congress should investigate the vote cast in the ratification aforesaid by the Cherokees.

12. We protest against the short time allowed between the signing of said treaty and the day set for its ratification by the vote of the Cherokee people, the treaty not having been published in the Cherokee language more than three days prior to the day of voting thereon. And, furthermore, the chief's proclamation calling the election was never published in the Cherokee language.

13. We protest against said ratification as aforesaid for the reason that it was done unlawfully. According to Section VI, article 10, of the constitution of the Cherokee Nation, no change can be made in said constitution except by vote of all the Cherokee citizens at a general election, after the change contemplated had been published and promulgated at least six months previous to such general election.

14. We protest against said ratification because the agreement between the two aforementioned commissions allots to each citizen of the Cherokee Nation a specific number of acres of land, to wit, 120 acres, when it is totally impossible to ascertain the exact number of acres of land to be assigned to each citizen until accurate rolls of said citizens have been made out as provided by law, and no such roll has been lawfully made.

WALTER A. DUNCAN,  
(And 23 Other Citizens of the Cherokee Nation.)

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of Milo, Me., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Milo, Me., praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

Mr. McMILLAN presented petitions of the Amalgamated Society of Carpenters and Joiners of Detroit, Mich.; of Local Union No. 287, Cigar Makers' International Union, of Marinette, Wis., and of the Boiler Makers and Iron Shipbuilders' Union of Kansas City, Kans., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

Mr. HOAR presented a petition of the Humane Society of Lowell, Mass., praying for the passage of the bill (S. 1552) to prohibit vivisection in the public schools of the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. NELSON (for Mr. DAVIS) presented a petition of the legislature of Minnesota, praying that the lands in the Winnibago-shish, Chippewa, and Leech Lake Indian reservations, in that State, be withheld from sale until after January 1, 1902; which was referred to the Committee on Indian Affairs.

He also (for Mr. DAVIS) presented a petition of the congregation of the First Methodist Episcopal Church of St. Paul, Minn., and a petition of the Methodist Ministers' Association of St. Paul, Minn., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. PENROSE presented a memorial of 142 citizens of Pennsylvania, remonstrating against the seating of polygamists in the Congress of the United States; which was ordered to lie on the table.

He also presented a petition of the congregation of St. Andrew's Reformed Church, of Reading, Pa., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new half-civilized dependencies; which was referred to the Committee on Territories.

He also presented petitions of sundry citizens of Scranton, of the Central Labor Union of Meadville, of Local Branch No. 104, International Brotherhood of Blacksmiths, of Philadelphia, and of 425 citizens of Philadelphia, all in the State of Pennsylvania, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Doylestown, Barnards, Wattersonville, Yerkes, Collegeville, Mansfield, Leechburg, Kittanning, Hoytville, Morris, Alexandria, Blossburg, Mount Carmel, Little Britain, New Providence, and Strasburg; of the congregations of the Methodist Episcopal Church of Bruin, the Methodist Episcopal Church of Johnsonburg, the Methodist Episcopal, United Presbyterian, and First Baptist churches of Greenville; of the Young People's Society of Christian Endeavor of the Presbyterian Church of Worthington; of the congregations of the United Presbyterian Church of Leechburg, the Hebron Evangelical Lutheran Church of Leechburg, the Presbyterian Church of Leechburg, the First Presbyterian Church, the Methodist Episcopal Church, the Methodist Protestant Church, and the First Baptist Church, all of Kittanning; of the congregations of the St. Michael's Evangelical Lutheran Church, of Brick Church; the St. Paul's Evangelical Lutheran Church, of Dime; the Lutheran Church of Springchurch, and the Methodist Episcopal Church of Queenstown; of the Presbyterian Congregation of Mount Carmel and of the Harmony Congregation of Fayette County; of the Union Christian Endeavor Society of Springchurch; of James Skinner Post, No. 570, Grand Army of the Republic, Department of Pennsylvania; the Young Woman's Christian Temperance Union of Kittanning; the Young People's Christian Union of the United Presbyterian Church of Kittanning; the Young Woman's Christian Temperance Union of Leechburg; the Young Men's Christian Association of Ursinus College, Collegeville; of the Woman's Christian Temperance Union, the Church Aid Society, the Young People's Society of Christian Endeavor, the Methodist Episcopal Church, and the Baptist Church, all of North Bingham; the Christian Endeavor Society of the Methodist Protestant Church, the Christian Endeavor Society of the First Presbyterian Church, and the Epworth League of the Methodist Episcopal Church, all of Kittanning; of Gustin Post, No. 154, Grand Army of the Republic, Department of Pennsylvania, of Troy; the Young Woman's Christian Temperance Union of East Smithfield; of members of the Sunday school and the Young People's Society of Christian Endeavor of the Reformed Church of Selinsgrove; of Harry J. Wilbert and 56 other citizens of Pittsburg; of Rev. George W. Chalfaute, pastor of the Park Avenue Presbyterian Church, and 94 other citizens of Pittsburg; of James A. Fisher and 57 other citizens of Pittsburg; of Rev. J. R. Henry, pastor of the Cumberland Presbyterian Church, of East End, Pittsburg; of Rev. D. C. Martin, pastor of the Reformed Presbyterian Church, and 18 other citizens of Pittsburg, and of John L. Morrison and 4 other citizens of Greenville, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. HANSBROUGH presented a petition of the Woman's Christian Temperance Union of Niagara, N. Dak., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Niagara, N. Dak., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Niagara, N. Dak., praying for the enactment of legislation to limit absolute divorce in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union of Niagara, N. Dak., praying for the maintenance of the prohibition law in Alaska and the Indian Territory and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

#### REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the following bills, reported adversely thereon; and the bills were postponed indefinitely:

A bill (S. 4834) to provide a conduit system for the District of Columbia;

A bill (S. 3942) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes;

A bill (S. 2548) for the incorporation of an association for the mutual benefit of its members;

A bill (S. 2644) to authorize the Anacostia and Potomac River Railroad Company of the District of Columbia to change its motive power, and for other purposes;

A bill (S. 5326) for the extension of New Hampshire avenue;

A bill (S. 5189) to redeem certain outstanding certificates issued by the board of audit and the board of public works of the District of Columbia;

A bill (S. 5177) for the extension of Sherman avenue in the District of Columbia;

A bill (S. 5147) to condemn the right of way and to open Sixteenth street from Morris street to Columbia road, and to authorize the opening of other streets and avenues in the District of Columbia;

A bill (S. 5122) to change the name of the Anacostia and Potomac River Railroad Company;

A bill (S. 5095) to provide for the opening of Fifth street NW.; and

A bill (S. 5081) authorizing the board of control of the Rock Creek Park to construct a roadway across said park.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 3343) for the relief of non-residents who have paid license taxes to the District of Columbia, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the joint resolution (S. R. 255) to authorize the appointment of Philip S. Brown a second lieutenant in the Marine Corps, reported it with amendments, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (H. R. 7915) allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain lands, reported it without amendment, and submitted a report thereon.

Mr. WILSON, from the Committee on Public Lands, to whom was referred the bill (S. 4989) for the payment to Joshua T. Roberts of balance due for surveying public lands, reported it with amendments, and submitted a report thereon.

Mr. WHITE, from the Committee on Commerce, to whom was referred the amendment submitted by Mr. PERKINS February 9, 1899, authorizing the Secretary of the Treasury to adjust and pay the accounts of the Cape Smythe Whaling and Trading Company for supplies furnished and services rendered in rescuing, housing, feeding, clothing, and caring for shipwrecked whalers in the arctic seas in 1897 and 1898, intended to be proposed to the sundry civil appropriation bill, reported it with an amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. CARTER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 1800) to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster, reported it without amendment.

Mr. FAULKNER, from the Committee on the District of Columbia, reported an amendment providing that any jury summoned for service in any of the circuit or criminal courts, may, with the concurrence of the justice presiding in such court, be used for the trial of issues in the orphans' court, intended to be proposed to the

sundry civil appropriation bill, and moved that it be printed and referred to the Committee on Appropriations; which was agreed to.

Mr. HANSBROUGH, from the Committee on Agriculture and Forestry, to whom was referred the amendment proposing to appropriate \$5,000 to enable the Secretary of Agriculture to investigate and report upon the physiological action and nutritive value of alcohol and alcoholic beverages, submitted by Mr. GALLINGER on the 23d instant, reported favorably thereon, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

#### HEARINGS ON SHIPPING BILL.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. FRYE on the 20th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the stenographer employed by the Committee on Commerce to report hearings on the bill to promote the commerce and increase the foreign trade of the United States be paid out of the contingent fund of the Senate.

#### LANDS IN GREER COUNTY, OKLA.

Mr. ALLEN. I am instructed by the Committee on Public Lands, to whom was referred the bill (H. R. 11771) to amend section 1 of an act to provide for the entry of lands in Greer County, Okla., to give preference right to settlers, and for other purposes, to report it favorably and without amendment. I ask unanimous consent for the consideration of the bill, which, I am sure, will not lead to discussion.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to so amend section 1 of an act to give preference right to settlers in Greer County, Okla., as to allow parties who have had the benefit of the homestead laws of the United States, and who had purchased lands in Greer County from the State of Texas prior to March 16, 1896, to perfect titles to the lands according to the provisions of section 1 of the act, under such regulations as the Commissioner of the General Land Office may prescribe, and according to the legal subdivisions of the public surveys, if no adverse rights have attached; but no settler shall be permitted to acquire to exceed 320 acres under this provision.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### EXTENSION OF PENNSYLVANIA AVENUE.

Mr. McMILLAN. On February 6 I reported from the Committee on the District of Columbia House bill No. 11629, for the extension of Pennsylvania avenue SE. to the District line, being Order of Business 1665. I am now directed by the same committee to report the bill with an additional amendment, and to move that the bill be reprinted, retaining its place on the Calendar.

The motion was agreed to.

#### JOHN L. SMITHMEYER AND PAUL J. PELZ.

Mr. STEWART. I move that the bill (S. 3901) for the relief of John L. Smithmeyer and Paul J. Pelz be recommitted to the Committee on Claims.

The motion was agreed to.

Mr. STEWART subsequently, from the Committee on Claims, to whom was recommitted the bill (S. 3901) for the relief of John L. Smithmeyer and Paul J. Pelz, reported it with an amendment.

#### BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 5573) granting an appropriation to the trustees of the Woman's National Industrial Exhibit of the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MALLORY introduced a bill (S. 5574) granting an increase of pension to Ella V. Coston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TURLEY introduced a bill (S. 5575) to accept a site as a donation and erect thereon a custom-house and post-office building in the city of Bristol, State of Tennessee; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BACON introduced a bill (S. 5576) for the erection of a public building at Atlanta, Ga.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CLAY introduced a bill (S. 5577) for the erection of a custom-house and post-office building at Brunswick, Ga.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. NELSON introduced a joint resolution (S. R. 256) to authorize the appointment of George C. Thorpe a second lieutenant in the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. McLAURIN introduced a joint resolution (S. R. 257) to authorize the appointment of Harry Lee a second lieutenant in the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

## AMENDMENTS TO APPROPRIATION BILLS.

Mr. MASON submitted an amendment relative to the revival and extension for one year of the right of action in the Court of Claims under the provisions of an act entitled "An act to provide for the collection of abandoned property and for the prevention of frauds in the insurrectionary districts within the United States," approved March 12, 1863, etc., intended to be proposed to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. LINDSAY submitted an amendment authorizing the Secretary of the Treasury to deliver to Gen. W. W. Duffield, recently superintendent of the Coast and Geodetic Survey, the stereotyped plates of his work on logarithms and logarithmic tables to ten places of decimals, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CHANDLER submitted an amendment proposing to appropriate \$12,000 for grading and paving Nineteenth street extended between Florida avenue and Columbia road, intended to be proposed to the general deficiency appropriation bill.

## INDIAN LANDS IN NEVADA.

Mr. STEWART submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved by the Senate.* That the Secretary of the Interior be, and he hereby is, directed to inform the Senate what Indian reservations exist in the State of Nevada and the date of their creation, whether by statute or departmental order, and to transmit to the Senate a list of the allotments of lands to Indians, together with a map showing the several locations and the Indian reservation in which they are contained, also the names of the inspectors or other officers of the United States who officiated in securing such allotments, with reasons therefor.

*Resolved further.* That the Secretary of the Interior be, and he hereby is, also requested to make no more allotments to Indians in Nevada until the next session of Congress.

## MONUMENT TO SAMUEL HAHNEMANN.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved.* That the Secretary be directed to request the House of Representatives to return to the Senate S. R. 48, being joint resolution granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann.

## HOUSE BILLS REFERRED.

The bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

The bill (H. R. 11059) to provide for the extension of the Metropolitan Railroad along Eleventh street SE. was read twice by its title, and referred to the Committee on the District of Columbia.

## BUREAU OF ENGRAVING AND PRINTING INVESTIGATION.

Mr. LINDSAY. I desire to enter a motion to reconsider the vote by which a resolution was adopted to print 2,000 copies of the testimony of certain witnesses given before the Lyman investigation committee, investigating the Bureau of Engraving and Printing for the year 1897.

The VICE-PRESIDENT. Does the Senator desire to make the motion now?

Mr. LINDSAY. I desire to enter it now.

The VICE-PRESIDENT. The motion will be entered.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 1154) for the relief of George Hughes, of Portland, Oreg.; and

A bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple.

The message also announced that the House insists upon its amendment to the bill (S. 1968) granting an increase of pension to George W. Nevins, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RAY of New York, Mr. SULLOWAY, and Mr. CASTLE managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 2919) granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RAY of New York, Mr. HENRY of Connecticut, and Mr. DRIGGS managers at the conference on the part of the House.

The message also announced that the House further insists upon its disagreement to the amendments of the Senate to the bill (H. R. 3589) to extend the powers and duties of the Commission of Fish and Fisheries to include game birds and other wild birds useful to man, asks a further conference with the Senate on the disagree-

ing votes of the two Houses thereon, and had appointed Mr. PERKINS, Mr. PAYNE, and Mr. TALBERT managers at the further conference on the part of the House.

The message further announced that the House had passed a concurrent resolution providing that during the last six days of the present session of Congress the engrossing and enrolling of bills and joint resolutions by printing, as provided by act of Congress, approved March 2, 1895, be suspended, and that they may be written by hand; in which it requested the concurrence of the Senate.

## THOMAS MULLEN.

Mr. BERRY. I ask the Senate to proceed to the consideration of the bill (H. R. 1417) for the relief of Thomas Mullen.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to remove the charge of desertion now standing upon the records of the War Department against the name of Thomas Mullen, of Wallaceburg, Ark., late member of Company G, First New York Mounted Rifles Volunteers, and grant him an honorable discharge as of the 29th day of November, 1865. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY E. TAYLOR.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (H. R. 2258) granting a pension to Mary E. Taylor.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Mary E. Taylor, dependent and permanently helpless daughter of John Taylor, late a private in Company F, Fifteenth Regiment New Hampshire Volunteer Infantry, and to pay her a pension at the rate of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CONSIDERATION OF HOUSE BILLS RELATING TO THE DISTRICT OF COLUMBIA.

Mr. McMILLAN. I am requested by the Committee on the District of Columbia to ask unanimous consent that to-morrow morning, after the close of the morning business, one hour be given to House District bills. There are a great many bills relating to the District of Columbia that are important and which have passed the House, and we are nearing the close of the session. It will take about an hour, possibly, to pass them all. If there is objection to any of the bills, they can go over. It is the object to have those that are unobjected to considered.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Michigan, that to-morrow morning, after the routine business, one hour shall be devoted by the Senate to the consideration of House District bills that are unobjected to? The Chair hears no objection, and the order is made.

## PENSACOLA AND NORTHWESTERN RAILROAD.

Mr. MALLORY. I ask unanimous consent for the present consideration of the bill (H. R. 11737) granting the right of way to the Pensacola and Northwestern Railroad Company over and through the United States naval and military reservations near Pensacola, in the State of Florida.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## TERRITORIAL CAPITOL OF NEW MEXICO.

Mr. SHOUP. I ask unanimous consent for the present consideration of the bill (S. 5163) authorizing the legislative assembly of the Territory of New Mexico to create an additional indebtedness for the completion and furnishing of the Territorial capitol.

Mr. PETTIGREW. I should like to hear the bill read. I reserve the right to object.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Territories with an amendment to strike out all after the enacting clause and insert:

That the legislative assembly of the Territory of New Mexico is hereby authorized to cause to be issued bonds of the Territory for the sum of \$50,000 for the purpose of raising the necessary additional funds for the completion and furnishing of the Territorial capitol now in course of erection at Santa Fe: *Provided.* That the interest on such bonds shall be made payable in lawful money of the United States, the rate of interest not to exceed 5 per cent per annum: *Provided further.* That such bonds shall not be sold for less than par nor shall any part or portion of the proceeds thereof be used for any other purpose than that herein specified: *And provided further.* That nothing in this act shall be so construed as to make the Government of the United States liable or responsible for the payment of any of said debt by this act authorized to be contracted.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FORT SMITH AND WESTERN RAILROAD.

Mr. BAKER. I ask unanimous consent for the consideration of the bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek Nations, in the Indian Territory, and for other purposes.

Mr. PETTIGREW. I object to the consideration of the bill.

The VICE-PRESIDENT. Objection is made.

#### PUBLIC BUILDING AT ELIZABETH CITY, N. C.

Mr. BUTLER. I ask unanimous consent for the present consideration of the bill (S. 5543) to provide for the erection of a public building at Elizabeth City, N. C.

Mr. ALLEN. I think all the public-building bills ought to go together. There are a number of them.

The VICE-PRESIDENT. Objection is made.

Mr. BUTLER. I should like to call the attention of the Senator from Nebraska to the fact that a similar bill has already passed the House, and this bill is therefore not liable to the Senator's objection.

Mr. ALLEN. Let the bill be read for information.

Mr. BUTLER. A bill providing for a public building at Elizabeth City, N. C., passed the House last night.

The VICE-PRESIDENT. The bill will be read.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that the Secretary of the Treasury shall purchase, or otherwise provide, a suitable site, and cause to be erected thereon a substantial and commodious building, with fireproof vaults, for the use and accommodation of the courts of the United States, post-office, and other offices of the Government at Elizabeth City, N. C. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of \$50,000.

Mr. PRITCHARD. Is this the bill that passed the House recently?

The VICE-PRESIDENT. It is a Senate bill.

Mr. BUTLER. It is identically the same with the House bill. The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### M. B. BUFORD.

Mr. McMILLAN. I ask unanimous consent to call up the bill (S. 5322) for the relief of M. B. Buford.

Mr. FRYE. I shall be obliged to try to interrupt this proceeding at half past 11.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Michigan?

There being no objection, the bill was considered as in Committee of the Whole. It authorizes the President, on account of meritorious conduct during the late war with Spain, to nominate and, by and with the advice and consent of the Senate, appoint M. B. Buford an officer in the United States Navy with the rank of commander, restoring him thereby to the original place he held in the service; and in order that this action may not interfere with the grade of other meritorious officers the number of commanders on the active list is hereby increased by one.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### HORACE G. REED.

Mr. PLATT of New York. I ask unanimous consent for the immediate consideration of the bill (H. R. 4418) to remove the charge of desertion from the naval record of Horace G. Reed.

Mr. PETTIGREW. Let the bill be read.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend the naval record of Horace G. Reed, deceased, late a first-class boy on board of the *Grampus* and *Moose*, in Admiral Porter's fleet, by removing from the record the charge of desertion, and to issue in this behalf a certificate of discharge from the said naval service of the United States. But no pay or allowances shall become due or payable by reason of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BRIG. GEN. JOHN R. BROOKE.

Mr. TELLER. I ask leave to call up the bill (H. R. 7860) to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894.

The VICE-PRESIDENT. Is there objection?

Mr. ALLEN. I should like to have the bill read for information.

The Secretary read the bill.

Mr. ALLEN. I do not understand, if the Senator from Colorado will permit me, how the Government should assume responsibility for the unlawful acts of General Brooke.

Mr. TELLER. If the Senator will allow me, I will state the

case in just a word. There is quite a lengthy report here. This is a House bill.

General Brooke removed certain intruders from the post where he was in command. They were selling liquor in violation of law to the soldiers. He removed them from the reservation grounds. Thereupon these two people sued the General. The General employed an attorney. He was transferred to another post. The attorney died, and he had no notice of his death, and they took a judgment by default against him for \$14,000. Subsequently Congress passed a law providing that if each of these persons would accept \$1,000 in discharge of the whole claim, they should be paid. One of the parties accepted his \$1,000. The other party in the meantime had died, and his heirs did not know about it, so that they did not accept it. The bill is to enable them to accept it and to relieve General Brooke of the debt of \$14,000, which was no fault of his; it was by an inadvertence that the judgment was rendered against him.

Mr. ALLEN. It would seem at least that he was paying no attention to his case.

Mr. TELLER. I think the Senator did not hear my statement.

Mr. ALLEN. Yes, I heard the Senator's statement.

Mr. TELLER. The General was transferred from the post, and his attorney died just before the court met; and the General had no notice of the death of the attorney until it was too late to do anything. It is a case which I have looked into carefully. I think it is a meritorious one, and the bill ought to be passed, carrying out the old law which was passed some years ago.

Mr. ALLEN. The fact that General Brooke was removed from one post and went to another post and that the attorney died is no evidence that he was diligent in the defense of his case. It would be very strange if a client did not know that his lawyer was dead until some time after judgment was rendered.

Mr. TELLER. The truth is that he did not know he was dead. The occurrences, I assure the Senator, are quite excusable, as showing why the General should not have known that the attorney was dead.

Mr. ALLEN. I do not want to contest this matter much. I have not a very high estimate of General Brooke, either of his qualities as a gentleman or a soldier. I prefer that the bill should go over until I can talk to the Senator.

Mr. CHANDLER. I hope the Senator from Nebraska will allow the bill to be passed.

Mr. TELLER. I will say this—

Mr. CHANDLER. I have known General Brooke for a long time—

Mr. TELLER. The bill has been reported from the Committee on Claims. If the Senator from Nebraska wants to object, of course it is his right. I shall not call up the bill again at this session.

Mr. ALLEN. I do not want to impede the legitimate progress of the bill, but I should like to have an opportunity to look into it and to confer with the Senator about the matter.

Mr. CHANDLER. I should like to say what I started to say. This matter has hung over General Brooke for a good many years. No one has investigated the subject who does not understand that General Brooke was blameless. This large judgment was obtained in this way, and it harasses him. Whenever it has been inquired into it has been thought that whatever took place the Government ought to have defended him and ought now to indemnify him. One thousand dollars has been paid. The other thousand dollars can now be paid to the heirs of this party. I hope the Senator will not allow any opinion he may have of General Brooke to lead him to oppose a matter so simple and plain. I ask the Senator to withdraw his objection and let the bill be passed.

Mr. ALLEN. The presumption is—and that presumption is conclusive until it is overcome by indubitable proof—that General Brooke was in error, or a judgment would not have been rendered against him. It is not to be supposed that a court would render a judgment against any man unless the evidence was such as to warrant that judgment. That certainly is an indisputable rule. The burden of proof is upon General Brooke, therefore, to show either that the court was without jurisdiction or that the judgment was obtained by fraud or was irregular in some form. The fact that he comes here and asks Congress to assume and discharge his liability is conclusive evidence that he was wrong. I certainly submit that it is not a good rule to lay down nor to follow. It is not a good precedent that whenever an Army officer or any other gentleman in the discharge of public duties exceeds his authority and becomes a trespasser the Government should assume responsibility for him and discharge the obligations arising from that trespass.

Mr. TELLER. I understand that the Senator has objected to this bill, and I do not see—

Mr. CHANDLER. I ask the Senator to withdraw his objection.

Mr. ALLEN. I simply object to it temporarily, until I can talk to the Senator from Colorado about it. I do not want to interpose a captious objection.

Mr. TELLER. I have given this matter attention. I do not suppose the Senator can get any information from me that he does not get out of the report which is on file.

Mr. ALLEN. I can read the report in the meantime.

Mr. TELLER. If the Senator is not satisfied with it, of course the bill has to go over.

Mr. ALLEN. I shall not undertake to defeat the bill during the session—that is, by any dilatory tactics—if I think it ought to be passed.

Mr. CHANDLER. I ask the Senator to let the bill go through and read the report later.

Mr. ALLEN. I prefer to read the report first.

The VICE-PRESIDENT. The Senator from Nebraska objects to the consideration of the bill at this time.

#### LANDS IN CHEYENNE COUNTY, NEBR.

Mr. ALLEN. I ask unanimous consent to call up the bill (H. R. 8739) to authorize a resurvey of certain lands in Cheyenne County, in the State of Nebraska, and for other purposes.

Mr. FRYE. Is it a long bill?

Mr. PETTIGREW. No; it is a short bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The bill was reported from the Committee on Public Lands with an amendment, to strike out the preamble; which was agreed to.

#### PAYMENT TO CHEROKEES.

Mr. PETTIGREW obtained the floor.

Mr. PETTUS. Mr. President—

The VICE-PRESIDENT. Does the Senator from South Dakota yield to the Senator from Alabama?

Mr. PETTIGREW. After the bill that I desire to call up is passed I shall be glad to yield. I ask unanimous consent for the present consideration of the bill (S. 5462) to authorize certain persons who have intermarried with Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BAKER. I believe in the doctrine of reciprocity, and therefore I am compelled to object.

The VICE-PRESIDENT. Objection is made.

Mr. PETTIGREW. I will state that a similar bill has heretofore passed the Senate, and I called it up at the request of the Senator from Arkansas [Mr. JONES]. I presume the Senator will wait and get even with me rather than with the Senator from Arkansas.

Mr. BAKER. Mr. President—

The VICE-PRESIDENT. Objection is made.

Mr. BAKER. The bill I called up was also called up at the request of the Senator from Arkansas [Mr. JONES]. It was one reported by him, and it had already passed the House.

Mr. PETTIGREW. Then it would be too bad to have the Senator from Arkansas suffer for both sides.

The VICE-PRESIDENT. The Senator from Alabama [Mr. PETTUS] is recognized.

Mr. PETTIGREW. I should like to have the request submitted once more. I think the Senator from Kansas will hardly object.

The VICE-PRESIDENT. Is there objection made to the present consideration of the bill indicated by the Senator from South Dakota?

Mr. BAKER. I shall have to insist on my objection.

#### HEIRS OF MINNIE FREDERICH.

Mr. PETTUS. I ask unanimous consent for the present consideration of the bill (H. R. 8816) for the relief of the heirs of Minnie Frederich.

Mr. FRYE. I gave notice that at half past 11 I should ask that the river and harbor bill be proceeded with; and if I waive that notice there will be a dozen more requests for unanimous consent.

Mr. PLATT of Connecticut. Let this bill go through.

The VICE-PRESIDENT. The Senator from Alabama asks unanimous consent for the present consideration of the bill indicated by him.

Mr. PETTUS. It is simply to release a man in Washington from the forfeiture of property owned by a foreigner.

Mr. FRYE. I will let that come in, and then I will object to anything else.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that certain real estate, situated in the city of Washington, D. C., formerly owned and possessed by George Bogus, and also all the real estate formerly in the name of George Bogus, and all real estate lying in the District of Columbia heretofore devised and bequeathed by George Bogus, deceased, to Minnie Frederich, late of Baltimore, Md., in her lifetime; and also all real estate lying in the District of Columbia heretofore purchased by or con-

veyed to Minnie Frederich, shall be relieved and exempted from the operation of an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens, etc.," approved March 3, 1887, and all the forfeitures incurred by force of the act are, in respect to all of said real estate, hereby forever remitted.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### RIVER AND HARBOR BILL.

Mr. FRYE. I move that the Senate proceed to the consideration of the river and harbor bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. FRYE. The Secretary will turn back to page 83, to the amendment that was passed over.

The SECRETARY. On page 83, after line 13, the Committee on Commerce reports to insert the following:

Reservoirs at the head waters of the Missouri River: For construction along Piney Creek, Wyoming, of three reservoirs, in accordance with the recommendations submitted in House Document No. 141, Fifty-fifth Congress, second session, \$50,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such work and materials as may be necessary for the completion of such reservoirs, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$165,000, exclusive of the amount herein appropriated: *Provided further*, That these reservoirs shall be emptied, as near as may be, each year between June 30 and September 30, the discharge of stored water to be under the direction of the State engineer or other State officer especially designated for the purpose by the State wherein such reservoirs are located.

Mr. RAWLINS. I should like to inquire of the Senator from Maine if the Committee on Commerce had under consideration generally the question of the construction of reservoirs and the impounding of water in the arid regions.

Mr. FRYE. They have; and in the next item of the bill they have authorized a general survey. Surveys were made only in the States of Wyoming and Colorado, of three points in Wyoming and one in Colorado. The paragraph which has been read provides for the construction of the dam in Wyoming, which had been surveyed. The next item is for the survey of all the arid States.

Mr. RAWLINS. I wish to ask the Senator further in regard to this question. Have the committee any plan as to the use of the reservoirs when completed? Will the waters stored for purposes of irrigation be open to the appropriation and use of the people in the respective States in accordance with the local laws and customs of the States or subject to the regulations of the Congress of the United States?

Mr. FRYE. They will come under the provisions of the States in this item. The chairman is not defending the item.

Mr. ALLEN. Perhaps the Senator will permit me to ask what provision is made for the restoration of these waters to their natural channels for use?

Mr. FRYE. The argument before the committee and the engineer's report was that naturally they would return to the waters where they belong.

Mr. ALLEN. They might be diverted into other channels by the States in which the reservoirs were located. It strikes me that there ought to be some safeguard in the bill.

Mr. FRYE. I hope the chairman of the committee will not be interrogated particularly as to this item, because he is not over and above favorably disposed to it.

Mr. ALLEN. I am deeply interested in the subject of irrigation.

Mr. WARREN. If the Senator will permit me to interrupt him, I think I can set him right on that question. This amendment provides for only one reservoir, and that is in a State where the laws of the State provide that the water can not be diverted from the channel and must naturally go back to the channel of the stream from which it is taken.

Mr. ALLEN. That hardly answers the question. There ought to be some ample safeguard for the return of the stored waters to their natural channel. Many of the streams of Wyoming and Colorado empty into streams running into my State. Many of them penetrate the State. We are as much in need of water in Nebraska as they are in Colorado or any of the mountain States. We have no objection whatever to the storage of waters in the mountain States and their use for irrigation purposes. In fact our people are heartily in favor of that system. But we think there ought to be some ample safeguards for the restoration to their natural channels of the stored waters after they have been used for irrigation purposes, so that they may flow into the State of Nebraska and what I might call other lowland States, and be there utilized by the people of those States.

I have not looked over the provisions of this bill very carefully because I have been before the Committee on Commerce but once, but I trust the Senator from Wyoming [Mr. WARREN], who is

fully familiar with this subject, will see that the bill contains these safeguards.

Mr. RAWLINS. Mr. President, this amendment involves very important considerations. In the arid States the right to the use of water is determined by priority of appropriation for useful purposes. The waters, subject to this law, are open to appropriation and use for those purposes without limitation or restriction. If the Federal Government enters upon the construction and maintenance of reservoirs—

Mr. STEWART. If the Senator will allow me, I think the amendment itself answers his objection. Commencing in line 25, at the bottom of page 83, he will find the following:

That these reservoirs shall be emptied, as near as may be, each year between June 30 and September 30, the discharge of stored water to be under the direction of the State engineer or other State officer especially designated for the purpose by the State wherein such reservoirs are located.

This leaves it to the State to make the direction. In this case, it being in the State of Wyoming, it is left to that State. My understanding has been all the while that the Committee on Irrigation indorsed this amendment. It was distinctly understood there that the State law under no circumstances was to be interfered with. If it were, it would be an impossibility to administer the law.

I think there is a sufficient reservation in the next subdivision of the amendment. It simply provides for a survey, and does not interfere with the State law. I think there is a sufficient reservation in that. If there is not, let it be put in, because the intention is that this is not to interfere with the State system. If it should, it would be utterly destructive.

Mr. RAWLINS. Mr. President, it is useless to authorize an expenditure of money for the purpose of surveying and locating reservoirs unless it is proposed to follow that by the expenditure of money for the construction and maintenance of reservoirs. It is useless to expend money for either of those purposes unless, when the reservoirs are constructed, they will be so regulated and controlled in their operation and use as to be beneficial to the public in the vicinity of their location, for in many places throughout the West, notably in my State, it would be almost impossible to survey, construct, and maintain a reservoir without interfering with vested rights to the use of water which have already accrued, and leading to complications, the nature of which can not now be fully anticipated.

I do not desire to interpose any objection to this amendment at this time, except to state that if these reservoirs are constructed by the expenditure of money from the Treasury of the United States, in all probability the Government will want to exercise control over the reservoirs which have been created by the money of the Government; and I want to give notice now that, in my opinion, the States in which these reservoirs are located and the people of those States will not permit or tolerate any such interference. If these moneys are expended by the Government, it must be with the distinct understanding that the reservoirs are to be created, first, subject to all the rights of the use of the water already accrued, and, secondly, to the control of the States themselves in respect to the management and disposition of the waters that may be thus impounded.

I shall not interpose or raise any other question to this amendment, except to say that, in my judgment, there would be serious complications grow out of this provision if it should be carried into effect.

Mr. CLARK. May I ask the Senator a question?

Mr. RAWLINS. Certainly.

Mr. CLARK. Does not the organic act of the State which the Senator represents provide that the waters of the State become the property of the State?

Mr. RAWLINS. The waters of my State, almost without exception, belong to private individuals.

Mr. CLARK. But the State exercises control under the organic act, does it not?

Mr. RAWLINS. The State can exercise no control over these waters, except in harmony with the rights to the use of water which have accrued.

Mr. CLARK. But all those rights are taken from the State and not from the United States, are they not?

Mr. RAWLINS. They are not derived from the State.

Mr. ALLEN. I should like to ask the Senator if flowing waters in his State are regarded as private property?

Mr. RAWLINS. The title to the use of water for useful purposes goes by virtue of priority of possession.

Mr. CLARK. I asked the question I did because in most of the Western States by direct effect of the organic act or the act of admission the control and title to the water is granted to the States, and hence no Congressional interference will occur.

Mr. ALLEN. I ask the Senator if the common law is changed in Wyoming as to the use of flowing water?

Mr. CLARK. No; but it is all exercised under the authority of the State—a direct grant of the right to use the water by the State.

Mr. ALLEN. There can be only a usable title to flowing water. If water flows through my premises, I can not stop it at common law. Has that rule been changed in Utah?

Mr. CLARK. For what purpose could the Senator stop it?

Mr. ALLEN. I say I could not stop it except for temporary use. The water must flow on.

Mr. CLARK. That is right. I understood the Senator to say he could stop it.

Mr. ALLEN. Not at all. I was asking the Senator if that rule of the common law is changed in Utah.

Mr. CLARK. I asked for information the same as the Senator from Nebraska did.

Mr. RAWLINS. Mr. President, the common-law rule as to riparian rights to the use of water does not obtain in any of the States of the arid region. It was abrogated originally in California, and it has never been in force in Nevada, in Utah, in Colorado, or in Idaho. Nowhere throughout the arid region is that the case. That rule has been supplanted by another, namely, that the right to the use of water accrues by virtue of priority of possession to the extent of the quantity of water diverted and used and applied to useful purposes. The title to all the waters in my State is vested in private individuals in that way. It was incompetent for the constitution of the State to interfere with those rights, and the constitution of my State did not undertake to interfere with those rights.

I do not desire to interpose any objection to this appropriation in its present form. It can work no injury. But I want the Senate to understand that this is the dedication of this money to the creation of reservoirs for the benefit of private individuals, who already in many cases are in possession of the title to the use of the water.

Mr. SPOONER. Mr. President, I have very grave doubt whether these amendments ought to be in this bill. They are very carefully drawn, so drawn as to give some appearance that the primary object of the expenditure proposed is to facilitate navigation. I believe that the real object of this proposed expenditure is to secure the construction of reservoirs in the States for irrigation purposes; and it is a work, if that be the purpose, upon which the Congress of the United States ought not to engage. I think, at this time, if ever. If it is to be engaged in, it should be through a separate bill reported by the Irrigation Committee, involving that proposition and nothing else, which could be fully discussed and considered and acted upon with sole reference to that subject.

If the appropriations for a reservoir in Wyoming and the surveys provided for in this amendment were to be the beginning and the end of this expenditure, I should be disposed, for one, to let it go without any protest, and I should be willing to do that if it involved a very much larger expenditure; but this is the beginning of an elaborate system which, in my judgment, before it is ended will cost this Government hundreds of millions of dollars for the reclamation of what is known as the arid-land region.

This is not a new subject in Congress. I had occasion somewhat in a former term in the Senate to consider it. Congress in 1888 passed a provision of law—I think it was in an appropriation bill—as follows:

Irrigation survey: For the purpose of investigating the extent to which the arid region of the United States can be redeemed by irrigation and the segregation of irrigable lands in such arid region, and for the selection of sites for reservoirs and other hydraulic works necessary for the storage and utilization of water for irrigation and for ascertaining the cost thereof, and the prevention of floods and overflows—

The same proposition—

and to make the necessary maps, including the pay of employees in field and in office, the cost of all instruments, apparatus, and materials, and all other necessary expenses connected therewith, the work to be performed by the Geological Survey under the direction of the Secretary of the Interior, \$250,000, of which sum \$50,000 shall be immediately available; and the Director of the Geological Survey, under the supervision of the Secretary of the Interior, shall make a report to Congress on the first Monday in December of each year, showing in detail how the said money has been expended, the amount used for actual survey and engineer work in the field in locating sites for reservoirs, and an itemized account of the expenditures under this and any future appropriation.

That was only for surveys and the location of reservoir sites. But when this appropriation came before Congress in 1890, it had grown to large proportions, and that law was repealed.

Mr. RAWLINS. If the Senator will permit me, in that connection, as the result of the action taken under that statute, the Government made surveys for reservoir sites throughout the West and located sites, and nothing further was done; but by reason of that the development of the irrigation interest of the West was greatly retarded and the most desirable sites for reservoirs were thus reserved for the United States, so that it was impossible in my State in many instances for private individuals and private enterprises to utilize those sites as they desired to do because of this obstruction put in the way by the Federal Government. The United States did nothing; it could not intelligently do anything. It is not a subject with which it ought to deal, and its interference in the matter will not tend to the development of that section of the country, but will in the end retard it.

Mr. SPOONER. I think so, too.

Mr. RAWLINS. And that very legislation had that effect. In my State I had a great deal of difficulty during the Fifty-third Congress in obtaining a remedy for that. Enterprises were retarded for years by reason of that legislation and what was done under it.

Mr. STEWART. Will the Senator from Wisconsin allow me a word there?

Mr. SPOONER. Certainly.

Mr. STEWART. The difficulty under that appropriation arose because it was not confined to the real purpose for which it was made; and if it had been, the difficulty would not have occurred. The Department construed the law to allow the reservation of lands for reservoir sites; and instead of surveying reservoir sites and setting them apart for this purpose, the General Land Office here in Washington reserved very many townships in the States. This closed many land offices and practically stopped the sale of public lands. Then all the land States came forward and insisted upon having the law repealed, so that the land offices might be reopened and the land be again open to settlement.

It was the extravagant use of the act in withdrawing from sale public lands for the purpose of reservoir sites which worked the injury. Sometimes the entire half of a State would be withdrawn for a reservoir site. The purpose of the act was a good one, and if it had been carried out and the money used according to the intention for which it was appropriated, it would have been of great use to the public; the land reserved would have been reserved for the public use, and it would not have interfered at all with the water rights.

Mr. RAWLINS. Will the Senator permit me?

Mr. STEWART. Yes.

Mr. RAWLINS. Does the Senator not know it is always the case, where a question of that kind is brought within the jurisdiction of the Federal Government and turned over to the Departments at Washington, where the clerks know nothing about the conditions existing in the locality, that such abuses will always continue to be, as they have been?

Mr. STEWART. If you confer upon the officers here discretionary power to deal with the public land or with mines, they will run into all these difficulties. We had a great contest here in 1866 over the sale of mines. Finally I and a few others succeeded in inducing Congress to leave the matter to the local regulations of the miners and the courts to confirm their titles. That has worked well. Where the administration of the mining rights and the water rights has been left to the officers of the General Government, they have to a great extent nearly always gone wrong for the want of experience in administering such laws. They go wrong in administering the laws in regard to the Indians more frequently than they go right. I have just heard of a case of that kind in my State, having received a letter concerning it.

Mr. SPOONER. Is the Senator asking me a question?

Mr. STEWART. Just let me have a minute.

Mr. SPOONER. Certainly.

Mr. STEWART. To illustrate how the business is done here, I heard that the Department was allotting lands to Indians all over my State along the streams. That interferes with irrigation. I wrote to the Department and I found there were nearly 700 allotments. I have not yet ascertained where they are. So I offered a resolution in order to find out where they are. Nothing of that kind could have occurred if the people out there could have had anything to say about the question.

The administration of such matters here is always extravagant and embarrassing, particularly in Indian affairs. Indian reservations are made in the most reckless manner, taking in whole sections of country that ought not to be formed into reservations, and which ought to be kept for the use of the white man. They do the Indians no good. These things are badly executed. I agree with the Senator from Utah [Mr. RAWLINS], and I should be opposed to any appropriation if it was contemplated thereby that the Government of the United States should exercise any jurisdiction over flowing waters in the arid region. That must be left exclusively to the State and to the local regulations. I think this provision is sufficiently guarded for the purposes of this reservation. If we allow to the General Government jurisdiction over these matters, we destroy private rights—we interfere with irrigation, and do more harm than good.

Mr. WARREN. Mr. President, if I may have a moment, I desire to say that the Government will put no money into Utah or any other State for the construction of a reservoir until the jurisdiction in a certain way is given the United States to build it. I do not imagine that a reservoir will be forced upon any State which does not desire it.

Mr. SPOONER. Mr. President, I remember very well the debate to which the Senator from Nevada [Mr. STEWART] has referred. There were withdrawn under that act of 1888—and I only mention it to show the gigantic proportions of this subject—853,000,000 acres of arid land, about two-fifths of the area of the United States. There was not an acre withdrawn, as I understood the law, which was not properly withdrawn, the theory

being that the Government could not go on with the location of reservoir sites and with irrigation ditches and everything of that sort, leaving the lands open to seizure or settlement or preemption the moment the locations were made, and every acre of land, I think, which was withdrawn under that act of 1888, as I say, was properly withdrawn. But that is neither here nor there.

Nobody pretended in that debate, although several Senators justified the expenditure of the money by the United States in locating reservoir sites and in gathering information which would facilitate the reclamation of the arid region—nobody claimed or dared to claim in that debate that the Government of the United States should go by the expenditure of the people's money into the actual construction of irrigation works in the States and Territories, as is proposed by this bill.

Mr. ALLEN. Will the Senator permit me to ask him why the Government should not do so?

Mr. SPOONER. I will give the reason why I think the Government should not do so.

Mr. ALLEN. I shall be glad to hear it.

Mr. SPOONER. Mr. President, I myself can see no reason why the Government should expend large sums of money in locating reservoir sites for irrigation purposes any more than I can see a reason why the Government should spend a vast amount of money in locating mining sites, or mill sites, or water-power sites for lumbering purposes throughout the United States.

Mr. ALLEN. Why should the Government expend large sums of money for improving rivers and harbors?

Mr. SPOONER. Because Congress in expending money for the improvement of rivers and harbors is facilitating the transportation of commerce, not creating a subject of commerce.

Mr. ALLEN. No; but it is an aid of commerce, is it not?

Mr. SPOONER. Certainly it is an aid of commerce. But, Mr. President, it is in removing obstructions in rivers, it is improving the navigability of rivers running from State to State and from the States to tide water in order to facilitate the transportation of commerce throughout the land.

Mr. ALLEN. What does the Senator say to the aid we have given heretofore in the construction of canals?

Mr. SPOONER. That is the same principle—from State to State.

Mr. ALLEN. That was in the origination and construction of the canals.

Mr. SPOONER. They are public ways.

Mr. ALLEN. And how is it as to railroads?

Mr. SPOONER. Congress has authorized the construction of railroads.

Mr. ALLEN. That was for the purpose of creating commerce, was it not?

Mr. SPOONER. No, sir; primarily it was for the purpose of creating an instrument of commerce, not of creating commerce itself.

Mr. ALLEN. Exactly. Now, if you establish reservoirs, must that not necessarily be in aid of commerce itself as much as the improvement of a river or harbor?

Mr. SPOONER. It is in aid of creating commerce; but it is not in aid of transporting commerce.

Mr. ALLEN. What does the Senator say to the appropriation of money to construct levees and revetments along the banks of rivers for the purpose of preventing the overflow of the cotton lands?

Mr. SPOONER. I do not suppose, Mr. President, that the primary object is to benefit the cotton lands; it is to keep the river, which is a great national highway, within certain limits.

Mr. ALLEN. And keep it off the adjacent farming lands?

Mr. SPOONER. Incidentally. If you keep it within certain limits, you keep it off the land.

Mr. ALLEN. That is right.

Mr. SPOONER. Of course, primarily, the object is the improvement of navigation.

Mr. ALLEN. Can the Senator see a distinction between that and the construction of reservoirs?

Mr. SPOONER. Incidentally it may benefit the cotton lands.

Mr. ALLEN. But can the Senator see a distinction in principle between that and the construction of water reservoirs for water supply?

Mr. SPOONER. I think I can.

Mr. ALLEN. I am glad to know it.

Mr. SPOONER. I am not certain that I can make the Senator see it, but I think I can see it.

Mr. ALLEN. I can not see it myself.

Mr. SPOONER. The selection or the discovery of a mine and the sinking by Government expenditure of a shaft in order to attract the investment of capital in the operation of a mine in order to facilitate the sale of the mining of the Government property is or in the same line as the erection of a reservoir to make cultivable lands which otherwise would not be cultivable; but who on earth would pretend it would do more than create commerce?

Mr. STEWART. I should like to ask a question there.

Mr. SPOONER. In one moment. It would create commerce, but I think my friend will admit it would not be within the legitimate expenditure by Congress under the Constitution.

Mr. ALLEN. That is about as shadowy as it would be to say if a person throws a stone through the air across my premises because I own all above he is therefore guilty of trespass.

Mr. SPOONER. That is the Senator's view of it. I said I did not expect to convince him, and therefore I am not disappointed.

Mr. STEWART. I should like to ask the Senator this question: Suppose these reservoirs were constructed and the floods kept back so that they relieved the river, prevented overflows below, and accomplished a similar purpose to a levee along the river, would that not be on the principle of leveeing the river below? There are many of the opinion, and we have had reports to that effect, that the best way to regulate the floods in the Mississippi River would be to make reservoirs in the mountains, keep the waters from rushing down at flood tide, and then using the water for navigation. There have been several reports that it would have that effect.

Mr. SPOONER. There are reservoirs and there are reservoirs. In the clause before the one pending I make no objection to the provision "For reservoirs at the head waters of the Mississippi River: Continuing improvement, \$210,000." I understand that is for the purpose, and the sole purpose, of regulating the flow of water in the Mississippi River, and that it has reference to the navigation of that river.

Mr. STEWART. The river in Wyoming is one of the head waters of the Missouri River, and does the fact that incidentally it benefits agriculture constitute any objection to it more than the appropriation for the leveeing of a river may benefit the lands adjacent?

Mr. SPOONER. I think the amendment is drawn with great dexterity. I may be wrong about it, but I regard the reference to the navigation of the Missouri River in the pending amendment as a mere cover, a mere pretext, substantially.

Mr. WARREN. Will the Senator allow me?

Mr. SPOONER. Certainly.

Mr. WARREN. I wish—and I can not even let the matter pass until the Senator finishes—to say that he is absolutely mistaken. The fact that the reservoirs at the head of the Missouri River may be farther west, farther away from the State which the Senator so ably represents, than the Mississippi River does not carry with it sufficient ground for the imputation that we do not mean what we say.

Mr. SPOONER. Mr. President, I meant to cast no imputation upon the Senator at all.

Mr. WARREN. I understand that.

Mr. SPOONER. Nor do I mean to cast any imputation upon his State or any of those States. I am not ungenerous to those States. I am in favor of dealing with those States as to arid lands just as the United States dealt with the States as to swamp and overflowed lands.

Mr. ALLEN. Boats do navigate the Missouri River from Sioux City 2,200 miles north every year.

Mr. SPOONER. I know that. I expect I traveled over that river before the Senator did.

Mr. ALLEN. That may be true. The Senator is older than I am. But I have been an inhabitant of that country for years.

Mr. SPOONER. That does not touch the point I make.

Mr. ALLEN. The Senator said he thought the excuse of aiding the navigation of the river was somewhat shadowy. I want to call the attention of the Senator to the fact that steamboats every season of the year run 2,200 miles north of Sioux City carrying freight.

Mr. SPOONER. A great many years ago I went on a steamboat up the Missouri River to the head of navigation. I know all about that. This project did not come, as I understand, as an original proposition from the Committee on Commerce, which has in its charge appropriations to improve the navigability of our rivers and to aid in creating and improving instrumentalities of commerce. It came from the Irrigation Committee, did it not—a committee which does not originate ordinarily the items which find a proper place in the river and harbor bill?

But to go back where I was when the Senator from Nebraska interrupted me, I am in favor of a grant by the United States to the arid-land States of the arid lands within their boundaries. I believe that would be a wise policy, just as I believe it was a wise policy, all things considered, in 1850 for Congress to grant to the States the swamp and overflowed lands. Who at that day in either House of Congress would have been willing to vote for a proposition that Congress should undertake with the people's money to reclaim the swamp and overflowed lands of the United States; to go into the States, which Congress would have no power to do, in my judgment, to dig canals, to dig and maintain ditches, in order thereby to drain and reclaim swamp and overflowed lands? That was not the policy adopted by Congress as to lands unfit for cultivation because of too much water, nor is it, in my judgment, any wiser or sounder policy for Congress to

go into the expenditure of unlimited money in order to render arable lands which are now not tillable because of too little water.

Mr. President, if we once enter upon this project, where will it end? Wyoming will have no exclusive right to appropriations for reservoir purposes. If it is a right thing for us to expend \$165,000, if that be the amount provided, for the construction of irrigation reservoirs in Wyoming, it is a right thing for us, and we can not refuse to grant it, to expend the requisite money in the location and erection of reservoirs wherever in the arid-land region it is required in order to reclaim arid lands, or, as the Senator from Massachusetts [Mr. HOAR] says to me, out of the arid-land region either. But I confine it to the arid-land region. Where will you stop?

Mr. WARREN. Wherever Congress says you will stop.

Mr. SPOONER. Congress can not stop when Congress once begins. A Senator from another arid-land State will come in and will want an appropriation of \$100,000 or \$165,000 for the construction of a reservoir in his State, and he will tell us, "You did it last year for Wyoming; we pay our share of the public taxes; we bear our share of the public burden." If irrigation is a good national project in Wyoming, is it not in Montana; is it not in Washington; is it not in the State of Texas; is it not wherever there are arid lands which can only be reclaimed by irrigation?

Mr. ALLEN. Mr. President—

Mr. SPOONER. The Senator from Maine wishes me to hurry, and I want to close.

Mr. ALLEN. I merely wish to call the attention of the Senator to the fact that the people of the arid States pay their portion of the taxes that go into river and harbor improvements. There is no superiority upon the part of the State the Senator represents or any other State in that respect.

Mr. SPOONER. That is a fling which is not justified by anything I have said. The States, in my judgment, are equal. They are equal in their sovereignty, and they are equal in every sense so far as their rights under the Government are concerned. If there is a State within this Union which has within its borders streams which ought to be improved by Congress, that State has just as much right to participation in the Congressional appropriations for that purpose as any other State has.

I could not for one moment dispute that. But it does not follow that because there are a large number of States having such streams which, in the interest of the general commerce of the United States, the arid-land States as well as the rest, are improved, Congress shall go into those States which have no such streams and enter upon the paternalistic work of expenditures simply for the purpose of creating farms. This ought not simply to be considered a barrel of pork out of which each State and each community is to have, without regard to the merits of the proposition itself, its share. As I was arguing, and I repeat it, if we once embark upon this expenditure, there will be no limit to it in justice, no limit to it except a purely arbitrary one, until by the expenditure of vast sums of money the arid region of the United States is reclaimed.

I do not know what right Congress has to go into a State to construct reservoirs for irrigation. Under this bill when the reservoir is completed that point is attempted to be saved by putting the water and the control of it under the State engineer, and when you boil it down it is little more and little less than a proposition to turn the United States, so far as the arid-land region is concerned, into a great water company. To my mind it is not a proper purpose of Congressional expenditure, and I think Congress ought not to enter upon it in the last days of the session as an item or items in an appropriation bill. Let it come in here, as I said before, as a distinct proposition, coming where this came from and where such propositions ought to come from—from the Irrigation Committee—and then we can take it up and dispose of it.

I think there would be just as much sense in the Government spending vast sums of money to sink oil wells throughout the country on Government land. The proposition can not be maintained that we shall spend hundreds of millions of dollars in rendering arable the arid region in order to facilitate the sale of those lands. I read here in 1890 some statistics showing that during a period of thirty-nine years, ending in 1899, population, farms, and the production of the great and important staples increased as follows: Population, 175 per cent; farms, 260 per cent; cattle, 185 per cent; swine, 66 per cent; bales of cotton, 201 per cent; bushels of corn, 257 per cent; bushels of wheat, 389 per cent; bushels of oats, 411 per cent; showing an increase in farms and farm products so far outstripping the increase in population as to bring to the agriculture of the United States—I think that is partly the cause of it—depression and distress.

Mr. ALLEN. The Senator believes in the doctrine of overproduction, I understand?

Mr. SPOONER. A man who does not understand that there can be such a thing as overproduction does not know much.

Mr. ALLEN. I do not know much, but I know there is no such thing as overproduction.

Mr. SPOONER. I do not feel called upon to qualify my remarks, although I say it with perfect respect for my friend. This arid land reclaimed would make 625,000 farms of 160 acres each; it would make 1,250,000 farms of 80 acres each, and I doubt if the farmers of the United States will relish the proposition that they shall be taxed to render arable 1,250,000 farms not now arable, whose occupants will be exempt from the vicissitudes of weather, who can buy what water they need for their crops instead of waiting for the rainfall.

Mr. CLARK. May I ask the Senator from Wisconsin a question?

Mr. SPOONER. Certainly.

Mr. CLARK. I am interested in this matter. I wish to ask the Senator from Wisconsin if he desires to commit himself by the remark he has just made to the doctrine that has gained some prevalence, that the development of the West should not be encouraged because it might tread upon the toes of some other parts or sections of the country?

Mr. SPOONER. Not at all, Mr. President.

Mr. CLARK. The Senator's remarks would indicate that.

Mr. SPOONER. No, sir. I want to see the prosperity of the West increase as rapidly as the Senator does, although he lives there. I want to see that country filled with farms and farmers. I want to see its utmost possible development; and time, in my judgment, will bring it. What I object to is an attempt, through the expenditure of public money, to force it. I believe if these arid lands are treated as the swamp and overflowed lands were treated, if they are granted by the United States to the States as the swamp and overflowed lands were granted to the States, that when the population demands it, as in the growth of the country it will be demanded, the States, handling those arid lands as will best subserve their interests, dealing with them through private corporations and otherwise, will as rapidly as it is needed bring about their reclamation.

Mr. CLARK. Will the Senator permit me to ask him another question in this connection?

Mr. SPOONER. Certainly.

Mr. CLARK. The Senator, in referring to the swamp lands, indicated that they were handled with wisdom by the States. Does the Senator believe it to be true that the States handled the swamp-land grants with that wisdom with which the General Government might have handled the lands?

Mr. SPOONER. The only wisdom with which the General Government could have handled the lands would have been to sell them.

Mr. CLARK. Yes, sell the good land for good land, and the swamp land for swamp land. Various States—I suppose Wisconsin, among others—sold the good lands as swamp lands.

Mr. SPOONER. I think the grant of swamp lands to the States turned out, in the long run, notwithstanding a great deal of maladministration, to be a wise policy.

Mr. CLARK. The Senator is fully aware of the fact that they were a fertile source of corruption, both in State and private administration.

Mr. SPOONER. It may be; and it may be that if the arid lands were granted by Congress to the States that would be a fertile source of corruption; but if it were, it would be a fertile source of corruption in the State governments, and I am not here to legislate upon the theory that the people of the arid-land States can not and will not protect themselves and their interests against corruption.

Mr. CLARK. Does not the Senator know that the very thing he has suggested is an absolute impossibility—to grant the lands to the States?

Mr. SPOONER. Why?

Mr. CLARK. Does he not know that it has been attempted time and time again in Congress?

Mr. SPOONER. No, sir.

Mr. CLARK. Does he not know that committees of Congress for years have refused to make reports upon such bills? Does he not know that if a Western State comes before Congress with a plea for 160 acres to be devoted to a public purpose, for a military grant even, of this absolutely worthless land which the Senator described, it is impossible to get Congress to make the grant?

Mr. SPOONER. I do not know that.

Mr. CLARK. It is absolutely true, and it is to be found in the record time and time again.

Mr. SPOONER. Perhaps the record will show it.

Mr. CLARK. The record does show it.

Mr. SPOONER. Then what follows?

Mr. CLARK. It follows that if the Senator's course is now pursued there is absolutely no relief upon any line for any of those States.

Mr. SPOONER. Then it follows, stating it differently, not from the standpoint of relief, which perhaps is not needed to the extent that this whole project would carry, that we are to do one of two things. Either we are to reclaim, through the expenditure of the people's money and the legislation of Congress, all

these lands, amounting to two-fifths of the area of the United States, or they are forever to remain arid.

Mr. CLARK. Not at all. The Senator's logic is not good any more than because you improve a river or a harbor in Wisconsin the Senate of the United States and the Congress of the United States are committed to the idea that you must take every one of your little streams up to the head and expend Government money on it. The logic is the same in both cases. The one thing that we want is relief, as the Senator says. The situation resolves itself into the question whether there should be justice or injustice dealt out to the arid States. That is the alternative which the Congress faces and not the alternative stated by the Senator.

Mr. SPOONER. I can not see that the arid States or any other States can characterize as a plea for justice the demand that the Government of the United States shall go into the work of constructing reservoirs within the States or making and maintaining irrigation ditches within the States, for a reason which I have stated, that, in my opinion, that is not one of the proper functions of the Government.

Mr. CLARK. The Senator desires to attribute ulterior motives to this project.

Mr. SPOONER. No.

Mr. CLARK. The Senator opposes the policy of appropriating public money in this immediate section of the country.

Mr. SPOONER. What immediate section of the country?

Mr. CLARK. The section here indicated in the bill; that is, the amendment now before the Senate, to which the Senator has directed his attention. He did not object to the provision by this Government to conserve the waters of that section of the country by taking 1,000,000 or 1,500,000 acres from the public domain and out of the control of the States and out of settlement for the very purpose which he says this can not accomplish.

Mr. SPOONER. What does the Senator mean?

Mr. CLARK. The forest reserve in the Big Horn Mountains, which lies in the immediate vicinity where these reservoirs are to be constructed, if constructed at all.

Mr. SPOONER. I think I voted with the Senator from Wyoming and the Senator from South Dakota to do away with that reservation which was made by Mr. Cleveland.

Mr. CLARK. That is true; upon the theory that it was not properly made; but the Senator will not say that he is not in favor of forest reservations in order to accomplish exactly what this amendment proposes, to wit, the conservation of the waters.

Mr. SPOONER. I think there is a very wide distinction between the Government reserving from sale its forests in order to conserve the water supply of the country and expending money out of its Treasury to construct reservoirs. If it is a proper thing to expend money in constructing reservoirs in the interest of irrigation, I do not know why it is not a proper thing to construct and maintain canals on Government land in the interest of irrigation. But I have said all I care to say.

I stated when I began that if this were the end of the proposition, even if it involved a vastly larger sum, I should not object to it, but I believe that it is only the beginning. I can see no reason why this appropriation should be made to construct a reservoir for irrigation purposes in one State and not made from time to time in all the States and in all the places in all the States where irrigation may require the construction of similar reservoirs. The Senator knows I have no prejudice against his State. I spend a part of every summer there, and it is the most fascinating spot on earth to me; but what I dread about this business is that it is the committal of the Government to a principle which I believe to be paternalistic and wrong, and which will involve the expenditure of countless millions of dollars before we are through with it. It is a bad time and a bad way to enter upon such an expenditure.

Mr. President, I have said all I care to say about it. I have taken too much time. I expect that this appropriation will pass. I can not vote for it feeling as I do, and in view of the action which I took in a former Congress, I simply wished to state briefly some of the reasons why I object.

Mr. TELLER. Mr. President, I do not believe that the General Government has any right to go into a State and build a reservoir for any purpose without the consent of the State. The General Government did go into the State of Minnesota, I believe, and build a reservoir for the purpose of aiding commerce, and I suppose the Government might go in with the consent, of course, of the State of Minnesota. I am inclined to think that the reservoirs built in Minnesota were legitimately built under the power of the Government with reference to commerce; and if this reservoir is to be defended at all, I suppose it is to be defended on that ground. I do not see, however, that it is at all inconsistent with the retention of this water, so that it may not disturb the rivers and render commerce impossible because of the breaking of levees and all that, to use it for irrigating purposes after it has served its first purpose.

There is one principle that the arid States will never surrender; that is, that the water belongs to the State and that the General

Government has no control over it. The nonnavigable waters of the State are the State's property, and it is so essential to us in the arid regions that the State shall control it that we would never consent, no matter how tempting the proposition might be by the General Government, to allow the Government to control those waters. For that reason the Senator drafting this proposition put into it a proviso that the water shall be released at a certain time of the year.

I do not know whether it is a wise thing to do or not. If the General Government should attempt at any time to assert control over the water, I should say it was an exceedingly unwise thing to allow it to be done. I am sure that the State which I in part represent, if called upon to grant to the Government the right to build a reservoir on its soil, would insist that the Government should not control the water in the slightest degree; that while it may impound the water for a time, it should certainly let the water loose when the time comes for irrigating use in the State.

It seems to me if the time ever comes when the General Government proposes to do anything for the States in that line the proper way will be to make appropriations to the State. Whether that will ever come or not I do not know. I do not believe there is any great danger from the amendment that the Government will be committed to any large expenditure of money. I am sure of one thing, that while I represent Colorado, in part, I shall never myself favor the Government taking any hand in building reservoirs in the States.

If the Government is willing to donate to the States money for that purpose and leave us untrammelled and unhindered in relation to the use of the water, we would accept it. If the people in Wyoming are willing to take the chances on this, I have no objection. I think it is perhaps sufficiently guarded by what the Senator has put in there, and made with the distinct understanding which the Senator announces that he expects the Government to get permission from the States to build it. I do not see that there is any great harm or any great danger.

I only want to say that we do not intend, under any circumstances, to let the Government of the United States assert any right to the nonnavigable waters in the arid States.

Mr. WARREN. Mr. President, I have heard many times of very considerable fortunes being squandered after a man's death by the lawyers employed to administer the estate, but I have never before heard of a person's fortune being squandered by the lawyers before he was born. Very much of this debate, especially the legal part, it seems to me, is very premature. We have yet no reservoirs, and, indeed, we can have none until, first, Congress authorizes it, second, the States interested give consent, and third, the Government proceeds to build.

We have now before us two plain, clean-cut propositions, not subject at this time, it seems to me, to very technical constitutional questions. The first amendment provides that according to a survey by the proper Government officer, detailed for this especial purpose, we adopt his report and build a reservoir in the State of Wyoming. It provides also that the water shall be under the control of the State during certain seasons of the year, i. e., from July 1 to October 1.

As to the second section of the amendment, it provides for preliminary surveys in certain States, and I invite the attention of the Senate to the language of the provision. We are asking that the United States, through its Corps of Engineers, shall send out competent persons to make surveys and reports upon what? "The cost, practicability, and desirability of constructing such reservoirs and other works necessary for the storage and utilization of water to prevent floods, overflows, and erosion of river banks and levees and for the reinforcement of the flow of streams and the raising of the water line therein during drought and low water, and to utilize the water so stored, where practicable, for irrigation, mining, or domestic purposes."

It is a well-known rule that the Government constructs no public works in any State until it has proper jurisdiction, so that every State has it within its own hands to grant or not to grant the jurisdiction. So I think that point is well covered, and no State need fear the danger of having unwelcome reservoirs thrust upon it.

In the point of the use of the water by the States and the Government, respectively, the Government seeks, first, to keep back the water at flood time, and thereby prevent the overflows, erosion of river banks, etc., and second, to have it discharged at low-water time, when it can reinforce the streams. Mr. President, every person who understands irrigation knows that this matter will, as between States and the Government, thus take care of itself, I might almost say, automatically. The time when the water is needed in the streams below is just the time when, if used for irrigation, it would reach there. The time when it should be stored and kept back from the streams to prevent high water is just the time when it should be kept back in preparing for irrigation.

This proposition could justly and legally stand in the bill if it

were made upon the principle of providing for irrigation alone. But it does not stand upon that. When the river and harbor bill was under consideration three years ago, we came in here as we had a right to do, asking that there should be a preliminary survey made on a few reservoir sites, and it was done. We have waited three years to get the result. The report made by an officer of the Army, who had no interest in irrigation, confirms the belief that these reservoirs are useful for irrigation.

The report shows that there are 1,500 miles of the Missouri River navigable above Sioux City; that the water we propose to impound would strike the river at Fort Benton, and that if the water should be stored according to the several reservoirs the engineers have surveyed, a flood as far down in the Missouri as Sioux City would be impossible. It also shows that water during the dry time would be very largely augmented, raising the water line sufficiently to permit shipping many times in the year when and where it is now impossible.

If the importance of these proposed amendments were measured by the amount of money appropriated, there would scarcely be any need of troubling the Senate at this time to consider it. This, however, is not the case. The sum of money involved is insignificant, but the improvement it seeks to inaugurate marks the possible beginning of the end of destructive floods on the Missouri River, the protection of the millions of property which these floods always menace and frequently destroy, and it also means the beginning of an extra developing which will result in the restoration of the water transportation on this river and bringing its benefits to the thousands of settlers who will be enabled to occupy the waste lands which now border this river.

Results as beneficent and important as these are worthy of consideration. In order to show my reasons for believing they can be secured, I wish to present the history of the estimate on which this amendment is based and outline the investigation which disclosed the facts on which my conclusions are based.

In the river and harbor act of June 3, 1896, is a clause which reads as follows:

For the examination of sites and report upon the practicability and desirability of constructing reservoirs and other hydraulic works necessary for the storage and utilization of water to prevent floods and overflows, erosion of river banks, and breaking of levees, and to reinforce the flow of streams during drought and low-water season, at least one site in each of the States of Wyoming and Colorado.

The investigation here provided for was intrusted to Capt. H. M. Chittenden, an able engineer officer in the Army, and now a lieutenant-colonel and chief of engineers. It was a fortunate selection, because of his having previously lived in the arid region, and was thus familiar with its conditions and problems.

As to the outcome of his industrious, disinterested, and impartial study, he has become an ardent advocate of the Government construction of reservoirs, basing his advocacy of this work on two benefits which the work will secure. These are:

First. That the large outlay now being made by the Government to prevent the destruction wrought by summer floods on the Missouri has been directed toward mitigating the effects rather than to removing the cause. He urges a change in methods by which, instead of seeking to control floods, we end them.

Second. That by holding back the floods from the river below they can be made use of by the farmers above, and that in this way large areas of public land now unproductive can be made valuable. The benefits to result from this alone he regards as justifying the work considered entirely apart from its effect on the regimen of the lower half of the stream.

So exceptional are both the opportunities and so beneficent the prospective results that he states—

That in no other part of the United States nor anywhere else in the world are there such potent and conclusive reasons, of a public as well as a private nature, for the construction of a comprehensive reservoir system as in the region here in question.

When this report and the reasons for the above conclusion were submitted to his superior officers, it received the following indorsement from Colonel Stickney, the eminent engineer in charge of the work of this Government on both the Missouri and Upper Mississippi:

The examination thus provided for has been made by Capt. Hiram M. Chittenden, Corps of Engineers, and I have now the honor to submit that officer's report of November 6, 1897, on the subject. Captain Chittenden entered upon this duty with zeal and with more than ordinary personal interest, and his very admirable report shows deep research and a close study of the subject in hand, involving the examination of a vast amount of data and of territory of wide extent. This paper is accompanied by 13 maps and diagrams and 20 photographs, and in view of the importance of the subject under consideration and the interest manifested by those to be most deeply affected by the establishment of these reservoirs, if constructed, I beg to recommend that all the accompanying papers be printed.

Captain Chittenden's report was transmitted to this office by Lieut. Col. Amos Stickney, Corps of Engineers, who has had large experience in connection with Western rivers, and attention is invited to his remarks touching the construction of these reservoirs.

Very respectfully, your obedient servant,

JOHN M. WILSON,  
Brigadier-General, Chief of Engineers, U. S. Army.

HON. R. A. ALGER,  
Secretary of War.

LETTER OF LIEUT. COL. AMOS STICKNEY, CORPS OF ENGINEERS.

ST. LOUIS, MO., November 13, 1897.

GENERAL: I have the honor to submit the following report upon the examination of reservoir sites in Wyoming and Colorado, directed by act of Congress of June 3, 1896, and assigned to my charge by letter from your office of August 1, 1896, with the view of having it carried out by Capt. H. M. Chittenden, Corps of Engineers:

In conformity with the above, Captain Chittenden was directed to make the examinations, and he has performed the duty as thoroughly as possible with the funds allotted for the purpose, viz, \$5,000 from the contingent appropriation. He has made many personal examinations, and collected a large amount of valuable data from surveys and various sources.

His report, transmitted herewith, gives much information upon the subject investigated, and it is hoped furnishes the information contemplated by the act of Congress and instructions from your office. I concur generally in the conclusions reached by Captain Chittenden from the study and data set forth in his report. There are a few points to which I would invite attention. In the estimates of cost of work some of the units of price may have been taken too low, especially if work is contemplated under the laws and regulations governing hours of labor and manner of conducting Government work. The items for contingencies, in estimates based upon general examinations and limited preliminary surveys in a rough country, should be larger than what might be considered ample in localities where labor and supplies can be more quickly and easily obtained, and the work of a character and extent to be closely estimated. Captain Chittenden believes his estimates to be ample, and reference is made to them only as a matter of caution.

Special attention is invited to the conclusions relating to the purposes to be served by the construction of reservoirs. First and far above other reasons for their construction is their adaptability and value for industrial purposes; for irrigation of land, furnishing power, and for water supply for cities, and in this way adding greatly to the material prosperity and progress of parts of the country which, without such assistance, would be almost valueless and might remain almost uninhabited. As to their effect upon the flood conditions and low-water navigation of the larger rivers, it may be said to be comparatively small, and only beneficial to any considerable degree by an enormous expansion of the system.

The question of the propriety of the National Government entering upon the work of reservoir construction in the arid regions is one of public policy, which, it is believed, should be left for the consideration of Congress upon the facts presented. The construction of any one reservoir would of course affect only a limited region of country, but the effect of a system of reservoirs built wherever the conditions were favorable might be far-reaching, and not only add largely to the welfare of communities in their immediate vicinity, but indirectly affect many others.

Very respectfully, your obedient servant,

AMOS STICKNEY,  
Lieutenant-Colonel of Engineers.

Brig. Gen. JOHN M. WILSON,  
Chief of Engineers, U. S. A.

This report comes before Congress for action with the indorsement of every official who has examined it, and the propriety and wisdom of this work as a part of the improvement of inland commerce is recommended by the branch of the Government on whom Congress largely relies for its information in the items which make up this bill.

The report of Colonel Chittenden recommends an appropriation by Congress of \$200,000, \$100,000 of this to be expended in Colorado in the purchase of a site and in the preliminary work for the construction of a reservoir on the South Platte River. The second sum to be expended in the construction of two reservoirs in the mountains at the head waters of Piney Creek, in northern Wyoming.

In recommending the latter sites Captain Chittenden says:

My reasons for recommending the Piney system in Wyoming for first consideration are that it is least expensive, is least complicated in matters of right of way, the storage is now urgently needed for irrigation, and in all other respects it presents the fewest objections to successful development of any of the sites considered.

Captain Chittenden recommended two sites on this stream; this appropriation provides only for the smaller and least expensive. It is located on one of the tributaries of the Yellowstone, and it is intended to be the first of a comprehensive system of reservoirs to hold the melting snows and spring rains on the head waters of the Missouri River to protect dwellers along its course from their destructive action.

The situation on this stream is peculiar. Its annual flood nearly all comes from the head waters. On the great mountain range which its tributaries drain the snows which fall from October to May do not melt and run off gradually. On the contrary, they accumulate until the approach of summer. Then the rainfall of months rushes down the mountain sides, and its disappearance is only a matter of days. It produces what is known as the "June rise," and it fills the river at the time when the banks are soft and when every condition favors destructive erosion. When the flood subsides, the water supply for navigation has filled the channel with the trees which grew along them, has added material to the bars and reefs, so that not only are the opportunities of water transportation lessened, but the danger augmented.

For many years the Government has been expending large sums of money to alleviate these evils. We find in the report of the Chief of Engineers of the War Department for 1896 that \$630,000 has been expended between Fort Benton and Carroll up to June 30, 1896.

We find the estimate for controlling the river at one city (Yankton, S. Dak.) is \$296,000. (Page 326, volume 1, 1898.) We find the estimate of completing the work on hand on the Upper Missouri alone is nearly \$2,000,000, while the appropriations for the twenty years from 1876 to 1896 amounted to about one and three-quarters millions.

The total expenditures during the year have been \$108.20, mostly for freight liabilities of previous years.

## WORK REQUIRED.

**Stubbs Ferry to Greatfalls.**—To complete the existing project for work between Greatfalls and the canyon next below Stubbs Ferry will require the expenditure of \$162,646.50, of which \$81,500 will be required to complete the work between Greatfalls and Cascade, 55 miles. One-half of the latter sum, say \$42,000, can be profitably expended in the fiscal year ending June 30, 1900. Its expenditure will increase the depth that can be carried between Greatfalls and Cascade, and will, it is hoped, result in an increase of the commerce of the "Long Pool."

**Carroll to Sioux City.**—For remarks on the general improvement of this reach, 1,300 miles in length, and on improvement at isolated localities within the reach, see Annual Report of the Chief of Engineers for 1897, pages 2184 and 2185.

In the act of June 3, 1896, Congress provided for work at the following localities: Bismarck Harbor, Pierre and Fort Pierre, Yankton, Elkpoint, South Sioux City, and Sioux City. At Bismarck Harbor, Pierre and Fort Pierre, and Sioux City work had been done in 1895, based in each case on a general plan, not yet approved, for the improvement of a considerable reach of river in the vicinity, the work done forming a small fraction of the entire plan, and the work done under the above act has also been in conformity with these general plans.

The same is true of the work done at South Sioux City in 1896-97, as it formed a part of the general plan for the Sioux City reach; of that done at Yankton during the past year, and of that proposed under present allotment for Elkpoint. To complete the work at all of these localities as provided for in the general plans would require the expenditure of \$1,707,746.50 in addition to present funds and to the cost of improving 2½ miles of river above the mouth of the Big Sioux River, for which no estimate was made on the general plan for the Sioux City reach. It is understood to be the intention of Congress to continue improvements at these localities, viz, Bismarck Harbor, Pierre and Fort Pierre, Yankton, Elkpoint, and Sioux City and South Sioux City; and for the purpose of economical work an estimate of \$675,000 is submitted, with recommendation that the allotment of this amount be left to the discretion of the Secretary of War.

No estimate for maintenance of the two ice harbors in this district, at Rockhaven, N. Dak., and on the Big Sioux River, South Dakota, appears to have been approved, though an estimate of \$5,000 annually for their maintenance is given in annual reports of my predecessors. I would respectfully repeat this estimate, as being urgently needed for properly maintaining the harbors.

## MONEY STATEMENT.

July 1, 1897, balance unexpended.....	\$140,008.73
June 30, 1898, amount expended during fiscal year.....	90,076.73
July 1, 1898, balance unexpended.....	50,832.00
July 1, 1898, outstanding liabilities.....	16,517.02
July 1, 1898, balance available.....	34,314.98

Amount (estimated) required for completion of existing project:	
Great Falls to Stubbs Ferry.....	162,646.50
Great Falls to Sioux City.....	Indefinite.
Amount that can be profitably expended in fiscal year ending June 30, 1900.....	717,000.00
Submitted in compliance with requirements of sections 2 of river and harbor acts of 1866 and 1867 and of sundry civil act of June 4, 1897.	

## APPROPRIATIONS.

The appropriations and allotments, exclusive of those for snagging, for the Upper Missouri River have been as follows:

1876.....	\$20,000	1888.....	\$200,000
1878.....	42,500	1890.....	300,000
1879.....	60,000	1892.....	150,000
1880.....	45,000	1894.....	110,000
1881.....	66,000	1895.....	40,000
1882.....	*115,000	1896.....	235,000
1884.....	140,000		
1886.....	60,000	Total.....	1,581,500

Much of this money has resulted in no permanent improvement; the work has not been directed to that end. Instead, all that was accomplished was the temporary alleviation of conditions which the remedy we propose will remove. The money now being spent in pulling snags, dredging shoals, or riprapping banks will not be required if we control the floods.

The report says:

To take off the flood excesses at Sioux City, mentioned by Mr. Seddon in the first section of his memoir, would require a storage of, say, 48,400,000 cubic feet, corresponding to a reduction in stage of 2.8 feet. A storage of 100,000,000 cubic feet would probably give the very material reduction of 6 feet.

Allowing a reservoir efficiency of only 60 per cent, as elsewhere explained, and assuming that no one of the great floods of the Missouri had its origin in more than one-half of its watershed, it would seem that a reservoir system of 400,000,000 cubic feet, distributed over the watershed above Sioux City, would quite effectually control the floods of the river. This amount of storage is about the percentage of total flow required to be stored for irrigation, as hereafter explained, in order that the water of the arid region may be fully utilized. It must be understood that such a result can be predicted only from a system of reservoirs. The effect of any single reservoir would certainly be insignificant, but the combined influence of many might be very important.

The sums which have been paid out by the Government are, of course, but a small fraction of the amounts which have been lost by the people living along this stream. There is probably no other river on this continent, if in the world, where the erosive action of the floods is more rapid or the consequences more disastrous than along the Upper Missouri.

There is not a city along its course which has not been injured and to which its effects, as long as it remains uncontrolled, will not form a perpetual menace. Sioux City, Omaha, and Yankton are illustrations. And the injuries of the past are in turn but a fraction of the damage which will be wrought in the future as

\* \$2,332.42 of this transferred to work below Sioux City.  
† \$192,912 of this afterwards allotted to snagging.  
‡ \$161.53 of this afterwards allotted to snagging.

the growing population and expanding commerce of the West multiplies the towns and increases the value of the property which is subject to its dangers.

I believe it is conservative to say that it is not within the power of this Government to control the hundreds and hundreds of miles of this stream except in the way contemplated by this appropriation.

It is my belief that the policy which seeks to control this ruin is a proper one, and that as cities and towns along its banks multiply and commerce increases the value and importance of the bridges, wharves, and buildings which are menaced by its floods, the necessity for larger expenditures and more effective measures will be more and more imperative; for that reason I am in favor of the adoption now of a policy which looks to absolute safety, rather than simply to a temporizing policy which leaves the cause unrelieved.

A comprehensive system of storage will do more than control floods—it will furnish a supplemental supply for low-water navigation which will make nearly 1,500 miles of this river navigable in summer and autumn when crops are being moved and there is most need of water transportation.

On nine out of ten streams which flow into the Missouri the discharge in either May or June is greater than for the entire ten remaining months. Yet, even under these adverse conditions, the commerce of this river is of sufficient importance to warrant the expenditure of large sums in dredging out and removing obstructions from the channel in order that navigation may be continued during the period of low water. In the report of Captain Chittenden will be found a diagram of the discharge of the Missouri at Sioux City, which shows my statement to hold good for the lower end of the stream I am discussing. In the 1898 report of the State engineer of Wyoming, on page 108, will be found a diagram of the discharge of a typical stream where it leaves the mountains. To regulate this wide variation and to secure an approach to uniformity of discharge during the summer months should be the object of every expenditure for the betterment of navigation on this stream. There is only one way in which it can be done, and that is by storing the surplus during floods and releasing it during drought.

The report of Captain Chittenden shows that this is a recognized feature in the stream management of European countries, where this result is the sole and only end of reservoir construction and where every gallon of water is held back to be impounded.

The greatest benefit of these reservoirs will come, however, from the service they will render in reclaiming and rendering habitable a vast area of the national dominion which must otherwise remain uninhabited and practically of no value. It is not my purpose to enter into a discussion of the subject of irrigation, nor of its importance as a national question. The marvelous change in the resources of States like Colorado and Utah, which has resulted from the use of their rivers, is destined to be followed by still more wonderful and valuable results in the future.

Great as has been the change since the overland trail was the only connection on our own soil with California, the adoption of measures to utilize the rivers which now run to waste will witness a growth and development which will render it insignificant. There are many streams in the West whose valleys are now sagebrush solitudes which are destined to have a greater population than the entire State has to-day. Some day Congress will awake to the importance of fostering this work. When we get through buying and civilizing other countries we will take up the development of our own. On the part which reservoirs are to perform and their necessity in securing the utilization of Western rivers I quote the following from the Chittenden report:

But to utilize fully this element of national growth something more must be done than to take these streams as nature has created them. Already in many sections the natural flow has been used as far as it is practicable to do so. The only resource left is to store that portion of the flow that runs away in nonirrigation seasons and the surplus in times of annual flood and sudden freshets and make these also available for use. Not until that is done can a stream be said to be really utilized to the fullest extent.

Here, then, is a definite reason of the highest validity for the construction of reservoirs. It is of itself a sufficient reason, without any reference to the incidental benefits to the streams below.

Another particular and definite reason is flood protection along the streams immediately below the reservoirs. The destructive power of mountain floods is sometimes very great, and damages of vast amount have been wrought by them. The damage from these mountain floods will, of course, increase with the settlement of the country. Well-built, capacious reservoirs are an almost complete protection against such floods, and their usefulness in this respect will be an important consideration in their favor.

It may be set down as a rule, to which there are very few exceptions, that every artificial body of water created in the West, by which the surplus water of its streams is held back, will be a positive benefit. There are some who even go so far as to think that the influence of these stored waters, which would cause the streams to return to vapor in the near locality of their origin instead of flowing down to the sea, would have a marked beneficial effect upon the rate of precipitation in the West.

The inevitable tendency of Western development is therefore to store the waters of the streams, and the limit of development in this direction seems certainly to be nothing less than the final utilization of all their flow. As reservoirs are indispensable aids to this end, it will be seen that their construction as an element of growth of the Western country is not merely "desirable," it is absolutely necessary. The only question in this connection that admits of doubt or uncertainty is, What is the proper agency to do the work.

All that he said in favor of reservoirs as an abstract proposition can be said in behalf of the one selected. It is an ideal location, with all the benefits which any site could have and none of the drawbacks of some. A mountain lake, 2,000 feet above the valley to be irrigated, inclosed in granite walls and filled from the melting snows which cover the summit of the Big Horn Mountains, it combines security with availability. The water to be stored will be available for every settler in the valley below, because the reservoir is above all ditches. It is on public land; there will be no complication about titles.

The ability to utilize the waters of these reservoirs in irrigation adds to their value as an equalizer of streams below. As nature has left these streams the acreage which can be reclaimed is measured by what they carry in July, rather than by what runs to waste in May and June. If, therefore, we can increase the supply for the latter month, we at the same time augment the demand during the earlier ones.

So far as controlling floods is concerned, every gallon taken out of these rivers by irrigation in May and June is just as effective as if it were stored in a reservoir, and the reservoir by stimulating the increase of this early use doubles its effectiveness. As a means of flood protection, therefore, reservoirs in arid lands have more than double the value of those of equal capacity in humid districts.

It now remains to be considered the influence of irrigation and of the utilization of the stored water on the low-water discharge and on the navigation of the river below during the season of drought. In deciding this we do not have to depend on surmise or conjecture. Repeated measurements have shown that a large percentage of the water diverted from a river in ditches and spread over the ground in irrigation returns again in seepage. Measurements made last summer on one of Wyoming's streams showed that with less than 25 second-feet of water above the ditches over 85 feet had been diverted, the same supply having returned to be used over and over again (pages 63 to 71, State Engineer's Report).

By building reservoirs we enormously increase the volume taken out during floods; this returns later for users below, to be diverted by other ditches or to increase depth on shoals where steamboats ply below. The water stored would much of it return after use. It is a plan which will work alike for the upbuilding of commerce and for its improvement, which will create homes and farms where now none exist, and provide for those farmers the cheapest form of transportation from the interior of the continent to the sea.

So, Mr. President, the superiority of this work to usual methods of river improvement is that every dollar expended results in a permanent gain. These reservoirs once built are for all time. They will not only control floods but end their existence.

They not only protect and improve commerce, but create it.

That they will exert somewhat smaller influence on the Lower Mississippi is conceded. But the benefits are not confined to the Missouri alone. We well know the character of the Missouri is, such as to make its floods peculiarly destructive, and thus we are at the fountain head of trouble in working on the Missouri. To control these floods large sums have already been spent, immense damages already suffered. And this, too, while the region it traverses is as yet almost a wilderness. More effective methods in the future are absolutely necessary, and the conditions on this river are such as to make reservoirs the correct system from an engineering standpoint.

The June rise of the Missouri is as certain as the annual rise of the Nile. Floods have been sufficiently studied by engineers of the War Department, and their character is now well understood, and are discussed in the report of Captain Chittenden.

The greatest flood was in 1881. Page 79 of the report gives computation of amount of storage needed to have lowered the greatest floods to a safe level. A reservoir 7 miles long, 8 miles wide, and 31 feet deep would have lowered the river at Sioux City below danger point. The reservoirs for which Captain Chittenden prepared plans and estimates have almost an equal capacity. The greatest flood at Sioux City could have been controlled by a reservoir 55 miles square and 31 feet deep. The ones planned by Captain Chittenden are equivalent to one 47 miles square and 31 feet deep, and the estimated cost of these is only about \$2,000,000.

Farther down the river, at St. Charles, we find that to keep the river down to a safe stage at the greatest flood would have required in the highest measured flood a reservoir of 147 square miles, which is only three times the capacity of the reservoirs described in the Chittenden report.

Reservoirs in the arid region, where stored water can be used for irrigation, are twice as effective in equalizing flow as reservoirs of equal size in humid regions.

Water taken from streams by ditches during floods is limited by low-water flow later. Storage increases late supply and makes possible large increase in volume, which can be profitably diverted by irrigating ditches during floods. In practice every acre-foot

of flood water stored in these reservoirs will cause another acre-foot to be taken from the flood flow of these rivers by irrigation ditches and canals.

The influence of irrigation reservoirs on increasing the low-water flow of rivers is greater than influence of reservoirs of equal capacity in regions where it rains, for reasons well known.

On the average, 85 per cent of water taken out in direct irrigation in June returns to the rivers in seepage. Reservoirs increase this direct diversion and in this way augment volume of return water.

Mr. FORAKER. Will the Senator from Wyoming allow me to ask him a question?

Mr. WARREN. Certainly.

Mr. FORAKER. I am very anxious to support this amendment if I can see my way clear to do so, but I sympathize with the opinion which has been expressed by the Senator from Wisconsin [Mr. SPOONER], that there is a lack of constitutional power to authorize the legislation. I understand the Senator from Wyoming, however, to be now talking about some report in which it is made to appear that the water which it is proposed to collect in these reservoirs is to be so utilized as to improve navigation in the Missouri River. I have not seen any such report.

If there is any such report I should be very glad to have my attention called to it. I have looked at the report which was furnished to Senators by the Commerce Committee, and I have looked at all that appears therein. So far as I have been able to find in regard to this subject, and in so far as the report discloses any purpose of the reservoirs provided for in the second paragraph of the amendment, it is a purpose that has reference not to navigation at all, but only to irrigation and to other enumerated purposes, which, it seems to me, are beyond the power of Congress to legislate about.

Mr. WARREN. I will take pleasure in loaning to the Senator a copy of the report that I referred to, if he will kindly return it. The Senate and House, whom I have asked to reprint certain volumes, seem to consider that the arid region is too far away to be considered, even to print the reports, and therefore there are only a few copies left.

Mr. FORAKER. I have not time now, while the debate is progressing, to read the report, which seems to be quite voluminous, that the Senator hands me. I will take pleasure in looking at it when I have an opportunity. But in the meanwhile we need information at once. I will ask the Senator whether or not it is the purpose of this legislation to promote navigation in the Missouri River or in any other navigable stream. If so, then it will come within the power of Congress to regulate commerce. But if that be not one of the purposes of the amendment, I do not know of any constitutional provision under which the Government would have the power to enact such legislation. I would be glad to hear the Senator on that point.

Mr. WARREN. I will ask the Senator if the reading of the amendment does not cover it so far as it goes?

Mr. FORAKER. No; as I read the amendment—

Mr. CARTER. Will the Senator from Wyoming yield to me merely for the purpose of making a suggestion?

Mr. FORAKER. Will the Senator wait until I answer the Senator from Wyoming? The amendment on page 84, after providing authority to the Secretary of War to do certain things in the way of making preliminary surveys, etc., reads as follows:

Such reservoirs and other works necessary for the storage and utilization of water to prevent floods, overflows, and erosion of river banks and levees, and for the reinforcement of the flow of streams and raising the water line therein during drought and low water, and to utilize the water so stored where practicable for irrigation, mining, or domestic purposes while it is in transit to replenish the streams during the season of low water.

In other words, this debate has proceeded largely upon that idea, as a concession at the bottom of the whole question, that the purposes are mining and irrigation and other domestic purposes, to use the language employed in this amendment.

Mr. WARREN. The Senator, I presume, does not object to incidental benefits of irrigation?

Mr. FORAKER. No; certainly not. I think that is quite well where you are legislating within the scope of the Constitution; if you can confer incidental benefits, well and good. Certainly it is within the power of Congress to legislate to promote navigation. All this legislation is upon that theory. But when it comes to legislation that is purely local in its benefits, if that be the primary purpose and really the only purpose accomplished, I do not see where there is any warrant in the Constitution.

If the Senator will indulge me just a moment, I wish to come into agreement with him if I can, but I can not unless some of these difficulties can be taken out of the way. In the report furnished us by the Commerce Committee under the head of "Reservoirs at the head waters of the Missouri River," on pages 316 and 317, there is found what the committee have to say in regard to this particular legislation, and among other things they quote a letter from the lieutenant-colonel of engineers, Amos Stickney, who made the surveys, in which, as I understand it, he does not

undertake to point out that this will promote navigation, but only irrigation and local domestic purposes of that character, and this stream, Piney Creek, is spoken of in that connection as a typical mountain torrent. I do not think there is any purpose disclosed by the engineer, or in these surveys elsewhere, to make that mountain torrent a navigable stream.

Mr. GRAY. I should like to ask the Senator from Ohio what particular stream the amendment applies to?

Mr. FORAKER. That is what I was trying to find out. Piney Creek is mentioned.

Mr. WARREN. If I may be permitted to answer, as far as the first system is concerned it is on what is known as Piney Creek, which flows into the Yellowstone and from there into the Missouri River at Fort Benton. So far as the second proposition is concerned, it provides preliminary surveys without locating points. It simply—

Mr. GRAY. Surveys for what purpose?

Mr. WARREN. Surveys to locate reservoir sites and report upon their practicability and use in storing water, to prevent the erosion of river banks, etc. I read it a short time ago. Perhaps the Senator from Delaware was not in.

Mr. GRAY. Is that the purpose of the survey declared in the bill?

Mr. FORAKER. Did the Senator from Delaware ask me a question?

Mr. GRAY. I was asking what purpose is declared in the bill for the survey.

Mr. WARREN. If it will not disturb the Senator, I will state—

Mr. FORAKER. I merely inquired for information.

Mr. ALLEN. Mr. President, I would be gratified to hear what is going on.

Mr. WARREN. The Senator from Delaware asked what is the purpose in providing for the surveys.

Mr. GRAY. As stated in the bill.

Mr. WARREN. The Senator can better understand, perhaps, by consulting the amendment in the bill. However, I will read from it:

The Secretary of War is hereby directed to cause preliminary surveys or examinations to be made of one or more reservoir sites in each arid and semiarid State, and report upon the cost, practicability, and desirability of constructing such reservoirs and other works necessary for the storage and utilization of water to prevent floods, overflows, and erosion of river banks and levees and for the reinforcement of the flow of streams and raising the water line therein during drought and low water, and to utilize the water so stored where practicable for irrigation, mining, or domestic purposes while it is in transit to replenish the streams during the season of low water.

Mr. GRAY. Then the survey is directed to be made in the arid or semiarid region, and therefore the primal and manifest purpose is to make the survey in the interest of a scheme of irrigation and not of navigation.

Mr. WARREN. If the Senator will permit me, not altogether, because in the arid or semiarid region are the head waters of the dangerous streams and dangerous floods that come down the Missouri and from the Missouri into the Mississippi.

Besides, in the arid region, high up in the mountains, floods are caused by the annual accumulation of snow. There may be 8 or 9 feet of snowfall in the winter, which melts and comes down in very large volumes, and is not only in flood but is periodical. Therefore, the storage of water can be better calculated.

Second. In the region where the water is stored for use, as it is proposed for irrigation, one reservoir practically provides three or four reservoirs, because taking the water from the reservoir out on the lands the soil takes it up as a sponge does water.

Later on perhaps 85 per cent finally finds its way back to the stream. So a reservoir in the arid region used for both purposes becomes practically three or four reservoirs in its capacity to supply water.

Mr. GRAY. I think, if the Senator from Wyoming will allow me, that a project of this sort should have to be very carefully masked in order to commend it both to those who doubt the constitutional authority of Congress to provide for a scheme of irrigation and to commend it to those agricultural classes in the East and Middle West who will in large part help to pay the taxes necessary to support such a scheme, and into whose agriculture will be brought, by this very expenditure, a very important agricultural competition.

There will be nothing in this bill which will at all assist the agriculture of the great regions east of the Mississippi, but they will be called upon to contribute their share in order to promote the fertility and the productiveness of those far-away regions in which they have no direct interest at all. I am speaking now of it as a measure that will commend itself to that sense of fairness and justice that must be always appealed to when a tax burden is considered.

Mr. WARREN. Mr. President—

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). Does the Senator from Wyoming yield?

Mr. WARREN. If there is any question the Senator wishes to ask, I will listen to it with pleasure.

Mr. GRAY. I beg the Senator's pardon.

Mr. WARREN. I do not wish the Senator to inject a speech into mine.

Mr. GRAY. I beg the Senator's pardon. I am not in the habit of encroaching upon or abusing the courtesy of a Senator.

Mr. WARREN. I know that.

Mr. GRAY. But when I asked the Senator what the purpose of the bill was for which this survey is to be made, he must have understood that I directed my question to the point that unless it was for a purpose clearly constitutional there would be very grave objection. I wished to point out further that there is another grave objection in the tax burden on the country, and that, in a sense of fairness and equality and justice, the people should not be taxed by a measure of this kind unless it could be justified on some other ground.

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11023) for the reorganization of the Army of the United States, and for other purposes.

The PRESIDING OFFICER. If there be no objection, the unfinished business will be temporarily laid aside.

Mr. ALLEN. With the consent of the Senator from Wyoming, I should like to ask the Senator from Delaware upon what clause of the Constitution he bases the right of the Government to appropriate money for the improvement of rivers and harbors?

Mr. GRAY. On the commerce clause.

Mr. ALLEN. On the commerce clause?

Mr. FORAKER. We can not hear in this part of the Chamber.

Mr. ALLEN. On the commerce clause, the Senator says, which is the third subdivision of section 8, article 1. If a reservoir is constructed by the Government at the head of a navigable stream, a stream navigable in fact as well as in law, for the purpose of storing waters and preventing an overflow, which is an interference with navigation, and also for the purpose of supplying waters when the natural stream is too low to accommodate the entire navigation, is that not also in aid of commerce under the commerce clause of the Constitution?

The Senator says to me, "Yes." Would it make any difference, then, if the waters thus stored before reaching the channels they were intended to improve should incidentally aid in the production of agriculture? That is, suppose they were first poured upon agricultural land or used for mineral purposes, and then in the due course of their control were thrown into the channel in aid of commerce, would that destroy the constitutional power of the Government to appropriate money?

Mr. GRAY. I think not, but—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Delaware?

Mr. WARREN. I will yield with pleasure, if the Senator will only speak so that I can hear him.

Mr. GRAY. I generally speak so that I am heard.

Mr. WARREN. The Senator's back was turned to me; that was all.

Mr. GRAY. Mr. President, I think the question of the Senator from Nebraska is best answered by saying that the whole matter turns upon the manifest honest purpose of the legislation. I do not use "honest" in any way to suggest that there is a dishonest purpose, but I think we have got to be honest with ourselves, and we ought not in legislation to play tricks upon our own understanding, and while seeking to accomplish one purpose, which is the main and the moving one, attempt to use a power of the Constitution that was intended for an entirely different purpose. I do not think that we should take from the armory of constitutional power a weapon and use it for an unconstitutional purpose. I do not think that because we have the right to make war we should make it for an improper purpose.

Mr. ALLEN. No, I think not.

Mr. GRAY. I do not think because we have a right to improve the navigation of the streams and rivers in order that commerce may be facilitated between the States and between this country and foreign nations, that we have a right for some other and entirely alien purpose to spend the money of the people because there is a relation that the expenditure may have to the legitimate purpose of improving commerce. Incidental aid to irrigation is something like incidental protection. I do not object to incidental protection, provided it is not the purpose of the lawmaking power under that guise to accomplish an unconstitutional end.

Mr. ALLEN. I submit to the Senator that this is a cold question of constitutional law. Now, if in the construction of these reservoirs—

Mr. GRAY. I notice, if I may say again, that the purpose seems to be indicated in the language of the amendment by stating that the survey is to be made in the arid region.

Mr. ALLEN. Yes, sir.

Mr. GRAY. That is very much as if we said that in order to lay a tariff for revenue we would select those things to which incidental protection would be given. I do not think that for a person who has the view I have of constitutional duty it would be a proper exercise of legislative power.

Mr. ALLEN. Here is the longest stream in this country, the Missouri River, navigable for more miles than any other stream in the United States. It is proposed to establish a water-storage basin to restrain the water from the mountains, the source of the river, rising, I think, in three small rivers, so that the flood will not interfere with navigation during certain seasons of the year, and to utilize the water thus stored at other seasons of the year in aid of navigation. It is proposed also that the water shall be used for agricultural, mineral, and domestic purposes.

Now, if 60 per cent of the use of those waters were found to be of value in domestic purposes or in purposes that might be said to be unconstitutional, in the language of the Senator from Delaware, and if 40 per cent of the use were constitutional or in aid of commerce, would that violate the Constitution? Would it be any the less in aid of commerce under the commerce clause?

Mr. WARREN. Mr. President, I feel that I am entitled to proceed.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Senator from Wyoming declines to yield further.

Mr. WARREN. I do not decline to yield; only I see another colloquy coming, and when lawyers get into a debate on constitutional questions we poor laymen have very little room.

Now, the Senator from Delaware says we ought to be honest with ourselves. He has given us an example, I think, of his honesty when he says he does not desire irrigation to go on any further, because it may compete with some Eastern farmer. If that is the ground this is to be put upon, then I submit that we had better open another line of argument or presentation of the case.

Mr. GRAY. The Senator does not want to misrepresent me, I know.

Mr. WARREN. I do not.

Mr. GRAY. I said one of the effects of the legislation, which I thought was unconstitutional from my point of view, would be to impose an unequal burden upon the farmers east of the Mississippi; that is all.

Mr. WARREN. I have here in that same line a petition which was sent to Congress—the Senator to whom it was sent very considerably sent it to the Committee on Irrigation—in which the petitioners take the ground that no money should be expended in the arid region because there is too much farming in the West already, and that the Eastern farmer is suffering because of the growth of the West.

Mr. GRAY. There is no doubt about that.

Mr. WARREN. I desire to say that in this case we are not in competition with the farmers of the East. It is simply that we have a people there in the arid and the semiarid region who are giving to the United States over 96 per cent of all its gold produced within its borders; 99.9 per cent of the silver; 57 per cent of all the copper; 70 per cent of all the lead, and other minerals accordingly. They raise 55 per cent of the sheep and 57 per cent of the wool and a large percentage of the native cattle and horses. They are engaged in producing something and bringing it into the world that does not come from shinning around in barter and trade, living off of each other and loaning money at a usurious rate. They are producing something from the ground that adds directly to the nation's wealth, and in order to go on with the production of these metals and these minerals it is necessary to raise some of the heavier articles that come from the farm near where the mining is going on.

Why, my dear sir, transportation itself protects the Eastern farmer. We desire an opportunity to raise some forage for the pack mules that are bringing the sacks of ore out from behind the mountains. We must have certain food and forage products raised near our mines.

The Senator says we are only going to an arid and semiarid region with our reservoir building. Can the Senator tell me of any other place where there is such an opportunity for reservoirs? I will cite the Senator to a reservoir site, and I will show him the picture of it here in the report of a Government engineer, where by building a dam a little higher than the highest feather on the Indian on the top of the Dome of this Capitol, the dam would still not be as wide across the top as it is high, and this dam would make a lake or great inland sea behind it so large that you could pick up the whole District of Columbia and add a part of the State that the Senator so ably represents and throw the combined mass over into the lake that would have there been formed, and it would look like a fishing boat on an ordinary mill pond.

That is why we say we should go into the arid and semiarid region in order to impound the water that we may reinforce the streams and make the streams navigable.

Nature has done most of the work for these proposed reservoirs. It remains to simply cover the gap where the water has worn a

narrow gorge through high rocky ridges of mountains and then fill the valley behind.

Mr. GRAY. Now, Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Delaware?

Mr. WARREN. I shall be delighted to yield.

Mr. GRAY. The Senator from Wyoming has in the zeal of advocacy entirely mistaken and misrepresented the position that I have assumed. I do not look grudgingly at the development of the West or its resources, mineral and agricultural as well, but I only called attention to the fact that it would impose an unequal burden of taxation to develop the agricultural resources of any part of this country at the expense of another, and that the exercise of which I conceive to be an unconstitutional power would result in just that thing and justify the wisdom of those who made the great charter of our Government in withholding from the Government the power to thus discriminate.

I welcome every advance made by the part of the country, teeming with great resources, from which the Senator comes and which he so ably represents. Every addition that it makes to its own prosperity is an addition to the common weal. I know that. I do not envy him or grudge him his silver and his gold and his golden fleeces.

Mr. WARREN. Does not the Senator—

Mr. GRAY. Wait one moment, until I am through.

Mr. WARREN. Certainly.

Mr. GRAY. I do not grudge him, but all I want is that he shall be content with the bountiful gifts of Providence that have been with such a lavish hand distributed to that glorious country, and not seek to take a tail of taxation from the poor farmers east of the Mississippi in order to increase what has already so bountifully been supplied.

Mr. WARREN. Now, will the Senator from Delaware kindly yield the floor to me?

Mr. GRAY. The Senator is entitled to the floor. I am much obliged to him for yielding to me.

Mr. WARREN. Does the Senator think the Western people do not pay their share of taxation? Is that the proposition? I take up the river and harbor bill and I look it over to see what it contains. I find that there are certain States—some nine of them—not mentioned there at all in that great bill except in this proposed amendment. Here are Nevada, Colorado, Wyoming, Montana, Utah, Nebraska, Kansas, South Dakota, and North Dakota. Does the Senator think that those States escape taxation, and that they are not taxed to pay this river and harbor bill improvement that is going on in New York Harbor, and in Delaware, and in New Jersey, and all about the East?

I find in looking over the bill that for the subdivisions of the United States there are more than \$30,000,000 appropriated by the bill. I find that of the nineteen or twenty-two political divisions covering the western half of the country there is a paltry and measly sum of \$2,000,000 only. I find that by drawing a line from north to south through the United States, leaving about one-half on the west and one-half on the east, one half gets two million, the other half twenty-eight million; the one half including the Pacific, the other the Atlantic coast; and who will say that the Pacific coast is not a promising field of commerce or that it will not be the most important of the two oceans in the hereafter?

Now, take the entire Pacific coast. Take the Gulf of Mexico from the west around to Galveston and we have as much coast west of us as we have on the eastern line, and we have but \$2,000,000 appropriated for it in this bill, while \$28,000,000 or so are appropriated for the other subdivisions. Then do you talk about the appropriation of only \$100,000 being too much to go to the entire arid regions, and say that it is taking the money from the toilers of the East and expending it in the West? A matter of \$100,000 to a country that is producing nearly all the mineral and that stands here always paying its share of the tax for all the other parts and parcels of this and every other appropriation bill.

Mr. President, I thank God that there has never been, to my knowledge, a vote cast here in the Senate by any representative from the State that I in part represent that has not been for river and harbor and other improvement bills, that has not been for the Navy bill, that has not been for every other bill that is for the betterment of the conditions of this country, no matter in what part of the country the money is to be spent. We do not stop to ask whether we are getting direct benefits or not, or whether we are paying taxes for something that may benefit somebody a thousand or two thousand miles away.

While talking about it, Mr. President, I should like to ask the Senator from Delaware, who so ably represented us in Paris and who has so nobly stood by the Administration with reference to treaty matters, who is doing the fighting for the United States to-day in Manila? Take up the newspapers and find where your troops there come from. You will find there in the trenches and on the field of battle the First Wyoming, the First Colorado, the

First Montana, the First Washington, the First Idaho, the First Battery of Utah, the First Battery of Wyoming, the First South Dakota, and the Second Oregon. In fact, the only place in the United States where it costs something to be loyal and patriotic to-day is filled with troops from the same despised and belittled arid region.

Mr. President, Senators can luxuriate within the comfortable walls of this Senate and safely prate about patriotism, but to the private soldier miles away from home and in a tropical fever-stricken country is left the true definition and appreciation of the term. These men shed their blood and lose their health, their limbs, and even life itself without a murmur while upholding the honor of our flag and the dignity of our country, and yet it is, here on this floor, insinuated that the inhabitants of the arid region are asking alms of the nation.

Mr. GRAY. Will the Senator from Wyoming allow me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Delaware?

Mr. WARREN. I shall be delighted to hear the Senator from Delaware.

Mr. GRAY. I wish to unite with the Senator in admiration of the noble soldiery that has gone from his own State and other States in the West and that is upholding the honor of the American flag and the American name all over the world. But I want to remind him that his State was particularly honored by having those troops selected out of the many to take upon themselves this arduous service.

I represent a State which had as good a regiment, I venture to say, as was in the Volunteer Army, who were eager to go to Manila, and considered that they were very much aggrieved because other States had precedence and other troops were selected when they were left at home; but that does not detract at all from the honor that is due to the splendid soldiery who have gone to and are now in that region, giving their lives to their country and its flag.

Mr. WARREN. Mr. President, I would not detract one iota from the glory of any of the soldiers of the United States. Every State has distinguished itself, as has the United States. As a whole, all have done nobly. That is true; but as reference has been made to the troops from Wyoming, I desire to say that it was not by the importunate request of the troops from Wyoming that they were sent to the Philippine Islands.

I desire to say further that there has been no demand made by those troops on the Administration for their discharge. Those men stand there simply asking what they may do to uphold the glory of our flag and the honor of our country. They do not ask when their time may expire or if the treaty with Spain is signed; they do not say, "Come bring us home that we may spend the summer in our own land." They simply ask, "What can we do for the nation?" That is all.

Now, to come back to the river and harbor bill, which is so sanctified by constitutionality, in the minds of some lawyers who happen to be opposed to this particular item, that it must be approached with hats off. I maintain that the river and harbor bill may be dumped into the wastebasket this morning and the country go on just the same. There is not a single dollar in all the twenty-eight or thirty million dollars carried in the bill, exclusive of the Nicaragua Canal and nearly one hundred and fifty million including it, that we can not get along without expending.

Nobody is subsisting on it; nobody's distress is relieved by it. What is it, then? It is simply a dividend declared by this nation and distributed over it for the benefit of trade and commerce. That is all there is of it, and there need be no concealment. If it was truly a river and harbor bill, Simon pure, to improve some river or harbor most necessary for ships to go in and out through, we would not find 15 or 16 rivers and creeks that we had never heard of before and we can not find on any official map generously provided for with appropriations in this bill. Not at all.

We would simply appropriate now the \$7,000,000 or \$8,000,000 adequate to make and maintain a sufficient harbor at New York; at some other time go up to Delaware; and at some other time to the Mississippi River, and so on. But this bill might just as well be understood as a batch of appropriations for general improvement of trade and commerce, for the public understand it; we might as well admit it and be honest with ourselves.

The Senator from Delaware [Mr. GRAY] doubtless thinks this river and harbor bill has been extended far enough already to enable its friends to secure votes sufficient to pass it. I call his attention to the fact that when the last river and harbor bill was passed it owed its life, its passage, and final consummation to the votes of Representatives in this body from the arid region and to Senators who had not a dollar's direct interest in a river and harbor bill for their own States, and never had a dollar's interest in such a bill. It was well known when we were considering the last river and harbor bill that it would be vetoed. We had the power then and there to stop the passage of that bill. We had

nothing in it, but we were willing that the trade and commerce of this country should receive the benefits from it.

Here is a proposition now which declares on its face exactly what it is. We do not come in here stealthily and in the darkness of the night. We came here three years ago and said: "Send a man out, survey at least two reservoir sites, and report upon the practicability and desirability of storing water in the interest of navigation."

Mr. RAWLINS. Will the Senator permit me?

Mr. WARREN. Certainly.

Mr. RAWLINS. In view of the statement the Senator has just made, that this river and harbor bill is a declaration of a dividend, and not founded upon any duty or public necessity or right to make the appropriation, does not the Senator think that it would be better to eliminate those small items pertaining to the arid regions which are of questionable authority, and also at the same time let the entire bill go by the board? Does he not think the public interests would be far better subserved in that way than for us to try to get anything for the section of the country in which he and I live?

Mr. WARREN. I desire to say that when we become thoroughly convinced that the river and harbor bill shall confine its lines to the Missouri River, notwithstanding the wants somewhere else, and that is to be a close corporation, then I shall be glad to join that Senator in suspending operations on the line of river and harbor appropriations until such time as we can get a broader basis to stand and work upon.

In my short life in this Senate I do not know that I have ever seen a river and harbor bill or a sundry civil appropriation bill made up here when some Senator did not rise in his place and make an objection to some item on the ground that he did not consider the allowance of the item constitutional, or he thought did not belong to that particular bill, or was not strictly under the rule, and so on and so forth; but, as a general rule, the Senator who does this is the chairman of the committee who is responsible for the bill.

We have, however, the rare spectacle here to-day, Mr. President—perhaps not an unprecedented one, but an unusual one—of having a bill reported from the largest committee numerically in the Senate, and one that certainly is second to none in ability, and when that committee comes in here with it and with an amendment which they say is in order, we find some other Senator who is opposed to a particular item rises in his place and undertakes to test the question on the point of order. Such a proceeding is amusingly unusual.

Mr. BACON. I desire, with the permission of the Senator, to ask him a question.

Mr. WARREN. Certainly.

Mr. BACON. I ask the Senator whether or not I am correct in my understanding that a large proportion, if not the larger proportion, of the lands which are benefited by this proposed irrigation are not lands belonging to the Government?

Mr. WARREN. Yes. I desire to say, in answer to the Senator from Georgia, that this appropriation could be defended entirely, and it would be desirable entirely, on the line of the United States taking care of its own. The United States has to-day not, as quoted a short time since, 800,000,000 acres of land, but it has something less than 700,000,000 acres—exclusive of Alaska—of public domain, and of that land there are nearly 600,000,000 acres that are arid and worthless to the United States and comparatively so to everybody else unless some way is found of getting the land and water together so that the land can be irrigated and reclaimed.

The laws of the United States to-day are not adapted to the arid regions. They are based upon the conditions which exist in Iowa, in Kansas, in eastern Nebraska, and other places, where a homesteader has simply to settle on 160 acres, to turn over the soil, plant his seed, and in a year he is in possession of a crop with which he can support his family.

The arid lands of the United States are not in such condition that homesteads can be made upon them. The law has not been enlarged at all. The settler gets 160 acres, it is true, but he can not produce anything until he has brought water thereupon.

There is no use in dodging the question. Something has got to be done on those lands of the United States if they are ever to be made habitable.

Mr. President, I will immediately take my seat and not undertake to argue the question if we are to be put upon the basis that the protection of the Eastern farmers requires that no benefits shall be extended to the Western farmers. But I am surely glad of one thing, and that is to see my friend the able Senator from Delaware getting down to the point of wanting to protect somebody and something, somewhere and at some time, for I remember that when the Dingley bill and other revenue bills were before the Senate the Senator from Delaware wanted to have everything wide open.

He wanted competition for the whole world. He wanted to let

the wool of Australia and South Africa in to compete with the wool of the arid regions, and now he would like to protect the Eastern farmers against the Western farmers—quite a change in his creed! I am very thankful for even that much in the way of reformation.

Mr. President, this arid-land question is no new thing. It is no Utopian scheme. We have knocked at the doors of Congress for years and years for relief. Some years ago I made the first speech I ever made in Congress, and the longest one I ever made anywhere, in support of the bill to cede the arid lands to the States in which they lie; but that proposition met with no generous response.

The Senator from Wisconsin [Mr. SPOONER], who is now so suddenly awakened to the view that we ought to cede the arid lands to the States—and I regret his absence from the Chamber at this moment—has sat in his seat this winter and allowed a bill to stand upon the Calendar to cede a matter of 5,000,000 acres of land to the States to go uncared for. He has not attempted to pass it nor offered to help pass it, notwithstanding his theory in this regard.

Down in the Committee on Public Lands you will find bill after bill—not less than half a dozen—which I have introduced, asking for the cession of the arid lands, in whole or in part, to the States, so that the States may go on and build the reservoirs and reclaim the lands. You will find there not less than a dozen bills, of greater or less size and length and breadth, to secure the object of reclaiming our lands, but they are quietly sleeping in the pigeon-holes of that committee room. The United States owns these lands. This one reservoir which it is proposed to build is located upon United States land and inside a forest reserve, and the most of the land surrounding it on all sides belongs to the United States.

We are asked, Where will this reservoir proposition and appropriations therefor end? The matter being now brought to our attention, where will it end? Sure enough! Why, it may end when we get to the report of this engineer. He may report adversely, and if so, there it will end. Mr. President, I am one of those who, while I may not have great confidence in myself, nevertheless have confidence in the men around me. I think they will take care of this problem.

I am one of those who believe that the Senators who come after us will have sense, economy, and judgment. I am willing to submit to the hereafter. We are asking now simply for an appropriation of \$100,000 for the benefit of 17 States and Territories of the United States, occupying more than two-fifths of its area. This is only tardy justice to a region of country that seldom asks and more seldom receives the attention of the Congress of the United States.

In other countries the building of reservoirs of mammoth size and cost is approached without misgivings, as instanced by the reservoirs of India, some of which have cost \$5,000,000 each, and still later as evidenced by the article in the Century Magazine of this month entitled "Harnessing the Nile." This proposition is one whereby the British people propose to build in Egypt a reservoir to cost \$20,000,000, and yet \$100,000 is all that the present measure contemplates for immediate expenditure in this line by the United States.

Mr. ALLEN. Mr. President, I had the floor about an hour and a half ago, and, without yielding it to anybody, I lost it, and it will always remain a mystery to me exactly how it was taken away from me.

Mr. GRAY. I would not say that your loss is our gain.

Mr. ALLEN. I do not know but that would be admitting the truth. I do not know that I ought to say anything now, and yet, Mr. President, the Constitution has been brought in here for discussion; and in view of the fact that recently that appears to be quite an important document, I do not know but that it is entirely proper for me to discuss it from my standpoint.

The Senator from Wisconsin [Mr. SPOONER], who first discovered there was a constitutional objection to this portion of the bill, took a slight shy at that document, and then ran away. The Senator from Ohio [Mr. FORAKER] immediately discovered that the Constitution was about to be invaded, and while he was somewhat in doubt as to whether he would support this particular part of the bill or not, he desired the Senator from Wyoming [Mr. WARREN] to explain to him a seeming conflict between this provision and the Constitution. The Senator from Delaware [Mr. GRAY] completely broke the halter and got entirely away when he came to the constitutional objection.

Mr. President, it is a common thing to invoke the Constitution. Whenever you want to do a thing in this Chamber or whenever you do not want to do it, it is equally convenient to invoke some provision in the Constitution. The Constitution of the United States and Thomas Jefferson have been compelled to do more duty in the Senate during the last six years than all other instruments and individuals combined. I have seen Senators in this Chamber undertaking to put through a bridge bill invoke Thomas Jefferson in aid of it, and I have seen other Senators opposing the

passage of such a bill invoking the Constitution in opposition to it. So it has been Thomas Jefferson and the Constitution and the Constitution and Thomas Jefferson from day to day.

The Senator from Wisconsin discovered a difference between an appropriation to improve some river or harbor and an appropriation—I will put it in broad terms—for no other purpose than to improve the arid lands of the Western country. Now, there is a fair issue. The Senator discovered that under the commerce clause of the Constitution we had power to appropriate money without limitation in aid of commerce to improve the rivers and harbors so that they may be navigated more easily; yet the Senator from Wisconsin, the Senator from Ohio, and the Senator from Delaware, to uphold the untenable positions they have taken here, are compelled to take the position that Congress can not appropriate a dollar in aid of the origin of commerce itself; that is, you can appropriate money to carry the thing when it is created, but you can not appropriate a dollar in aid of its creation. That is the absurdity; that is the position that is taken.

SEC. 8. The Congress shall have power—

This is familiar language—

to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

That is the provision of the Constitution under which this power is claimed to exist—the power to regulate commerce between nations and the States and the Indian tribes.

What is commerce? Is it simply carrying articles upon ships or steamboats or upon cars? Is it simply traffic, the trading of jack-knives, the interchange of articles? Is commerce confined to those things, or does it not reach the creation of things that are themselves for exchange and to be carried? Does it not embrace the whole field of creating and carrying? I may be in error about this, but I have lived thus long and shall continue to live during the remainder of my days with the idea that it embraces the right to create as well as to carry.

Oh, Mr. President, it is a very nice thing for those who come from States which do not need irrigation, and are not concerned in it, to say that the Constitution raises an insuperable objection to the appropriation of money for irrigation purposes. The Senator from Wisconsin was perfectly willing that the arid and semiarid States should take those lands and improve them themselves. I do not doubt it. He wants this Government to escape the burden and the duty of improving and opening those lands to actual settlers and discharging its duty to the people of this country in putting them in a form that they can be utilized.

If those States which are receiving millions of dollars in the form of appropriations to improve their creeks and bays and rivers and estuaries and lagoons are willing to take upon themselves the responsibility of improving them at their own expense, then those of us who live in the semiarid regions will be willing to take upon ourselves the responsibility of improving the arid and semiarid lands at the expense of our States. I have not seen thus far an appropriation of any consequence that has gone into the central States of the Union—into what may be called the Mississippi or Missouri basin.

The Senator from Wisconsin sees paternalism in this, and that is a nightmare that scares him. Pray, what is paternalism? I see the Senator from Wisconsin is now in the Chamber, and I repeat, What is paternalism? I suppose you must have a patriarch before you can have paternalism. It would be a blessing to this country if we had a patriarch occasionally, and a still greater blessing, Mr. President, if we followed him. This Government has been guilty of this kind of paternalism throughout its entire history. This Government has in Oregon to-day a ship canal which is owned and operated by the Government for the use of private individuals.

In 1853 the United States donated certain lands for the construction of the Illinois Central Railroad, reserving 5 per cent, and that road is to-day paying 5 per cent of its earnings to the State. But, Mr. President, that was done upon the express argument that every alternate section reserved by the Government of the United States was improved one-half by the donation made. Was not that a quid pro quo? Was not that paternalism? And what was it when the Government turned over the swamp lands of the United States to the different States of the Union? Was not that paternalism, sir? And yet the nightmare of paternalism is held up here to frighten Senators who are not frightened by the Constitution, to induce them to vote against the proposed amendment. A portion can be frightened by the Constitution, another portion can be frightened by paternalism; and between the two, like Jack Spratt and his wife, they form a majority to beat the amendment, for you remember it was said of Jack Spratt:

Jack Spratt could eat no fat,  
His wife could eat no lean;  
So betwixt them both, you see,  
They licked the platter clean.

It is proposed between the nightmare of paternalism and the nightmare of the Constitution—if Jefferson himself does not get

into the debate before we get through—to have a majority here to lick the platter clean, and this amendment will be defeated.

Mr. President, it is always better to be honest with yourself and not to invoke the Constitution where it is not properly invocable, not to speak of paternalism where there is no paternalism, not to raise subterfuges behind which to hide one's self, but to say in candor, "I will not vote for this measure because it will raise up competitive agriculture." I do not believe in sectionalism. I have uniformly voted against it since I have been in the Chamber. I believe in the entire Union and in every State in the Union, and the people of Delaware are as sacred to me in a general sense as the people of my own State; although, of course, I know my neighbors and they know me much better than I know the people of Delaware and much better than the people of Delaware know me. I believe in the exercise of national power. I hailed with as much delight as any other Senator in this Chamber the disappearance of sectionalism during our late war. It was the disappearance of sectionalism that compensated to me in some considerable degree the expenses and the heartburnings and the heartaches created by the war.

Yet I have seen from time to time, when the question of irrigation has been broached in this Chamber throughout the last four or five years, a disposition to take the Western farmer by the throat and, through the mediumship of high transportation and niggardly legislation, put him to the disadvantage of the Eastern farmer. It is small. I may be permitted to say it is contemptible. Let us open all this country. Here are more than 600,000,000 acres of arid and semiarid lands in this country, and if they were touched with a sufficient rainfall or sufficient waterfall they would blossom and bloom like the rose, richer by odds than the Valley of the Nile. Why not open up these millions of acres of land to the settlement of the poor people of this country? Why not give the poor who are congesting to centers of population and who are producing conditions that are inimicable to the welfare of the nation an opportunity to occupy and settle these lands? Are we to prevent this simply because to open these lands would be to bring more farmers into competition with the farmers of Delaware and Ohio?

Mr. GALLINGER. Mr. President, I did not chance to be present at the meeting of the Committee on Commerce when the proposed amendment was adopted, but if I had been there I should have voted for it heartily and earnestly. I have heard a portion of this discussion, and I am not profoundly impressed with the idea which has been suggested that we are violating the terms of the Constitution in granting this relief that is asked for by the arid and semiarid States of this great country. It was my privilege not long ago to be a member of a subcommittee of the Committee on Commerce which made an investigation of that great problem which has been troubling this country so long, to wit, the Mississippi River.

I went to the extreme head waters, or nearly to the head waters, of that stream, and I found there some reservoirs which it is said were built to promote commerce. But if those reservoirs are performing that function, I was unable to discover that such was the fact to any very considerable extent. I traversed the Mississippi River to its mouth, and I found that the Government had spent and is continuing to spend millions of dollars to construct levees along that great waterway, and ostensibly they are built for the purpose of promoting commerce, but as a matter of fact they are constructed largely to prevent the overflow of millions and millions of acres of fertile lands which lie alongside that great river.

Mr. President, the people of the great West, where the rainfall is deficient, come here and in this river and harbor bill ask for a very small appropriation to make an experiment in the matter of building reservoirs which they contend are primarily for the promotion of commerce, but which to my mind are very much in the same position that the reservoirs are at the head waters of the Mississippi and the levees that line the banks of that stream. We are solicitous sometimes about the Constitution, and we are not solicitous about it at other times. I think we have transgressed the letter of that instrument, and perhaps the spirit of it, over and over again, and it may be that we are trenching upon it somewhat in adopting the amendments which have been proposed in this regard to the river and harbor bill.

But, Mr. President, it has been a tenet of my faith since I have been a member of this body to vote for almost every proposition that those great Western States have asked at the hands of Congress. I do not think they share in the benefactions of this Government in the same degree that the States of the East and the Middle States of this country share in those benefactions, and for my part I am willing to take a little chance regarding the constitutionality of any measure that the Senators representing those States ask for at our hands, and I am willing to take that chance to-day.

I rose, Mr. President, simply to say that this is certainly no greater transgression of the Constitution than when we are voting away the people's money to build along the Mississippi River and Missouri River what are called harbor improvements. That money is voted simply for the purpose of protecting the towns and

the railroads that lie on the banks of the river, and for no other purpose on earth. We say it is designed to improve commerce, but as a matter of fact it is designed to protect the property of the citizens, which, if we did not make these appropriations, would be swept away and they would be reduced to the condition of abject poverty and of suffering. I vote for these appropriations. I vote for them cheerfully, and upon the same line of argument I shall give what little influence I have and my vote in support of these amendments which are asked for by the Senators from these great and mighty States of the West.

That is all I care to say, but I wanted to say this much in justice to myself, feeling as I do on this question, and feeling as I do that I am not transgressing the Constitution of the United States any more when I cast this vote than I do when I vote for a great many appropriations which are not challenged in this Chamber.

Mr. CARTER obtained the floor.

Mr. FORAKER. Will the Senator from Montana yield to me for a moment?

Mr. CARTER. Certainly.

Mr. FORAKER. Mr. President, when I took some part in this discussion some time ago it was with the idea that it was thought to justify this legislation solely upon the ground that it came under the power of Congress to regulate commerce. I was seeking for the facts with a view to voting intelligently. I was of the opinion then and am of the opinion still that under that power of the Constitution we do not justify this legislation. But since then another fact has developed which, I think, gives to Congress clearly the power constitutionally to provide this legislation. It has since developed, what was not then known to me, that nearly all this arid land which is to receive the benefit of irrigation is public land belonging to the United States Government. Clearly the Government has the inherent power to improve the value of its own property; and upon that ground I see no difficulty of a legal nature or of a constitutional nature in the way of this legislation, and I shall vote for it.

Mr. CARTER. Mr. President, this question is not new. It has been under consideration since 1853. In that year in a publication quite celebrated at the time, entitled "The Mississippi and Ohio Rivers," by Charles Ellet, jr., a very exhaustive report was made favoring the construction of retaining reservoirs along the course of the Ohio and Mississippi rivers for the purpose of securing throughout the dry season of each year an adequate flow in the stream and at the same time to prevent the overflow during the wet season. The literature upon the subject is quite extensive. During the Fifty-first Congress a report was made to the Senate, known as Senate Report No. 929 of the first session of that Congress, in which a learned committee of this body reports favoring the construction of retaining reservoirs, not only at the head waters of the Mississippi River in the State of Minnesota, but likewise near the head waters of the Missouri River and along the course of that stream extending through the States of Montana, North Dakota, South Dakota, Iowa, Nebraska, and Missouri.

Mr. President, the question of constitutionality first raised by the Senator from Wisconsin [Mr. SPOONER] in the course of this discussion is of course a vital one. If there does not rest with the Congress of the country the constitutional power to do the thing which this amendment contemplates there can not be any justification in any argument based wholly or partially upon considerations of expediency or policy that can be invoked to justify it. It does seem to me that the action of Congress in authorizing the construction of retaining reservoirs near the head waters of the Mississippi River has passed the question of constitutionality beyond the limits of this Chamber. The action then taken has been steadily sustained without question in appropriation bills passed from year to year since the scheme was first inaugurated.

The Senator from Wisconsin suggests that overproduction may result from the reclamation of the arid lands in the West. In so far as that remark is germane or pertinent to the subject-matter under discussion it would hold that unconstitutional which would otherwise be in strict accord with the Constitution, because an incidental benefit would flow to citizens residing in the locality where the reservoirs were located.

Mr. HAWLEY. Will my friend the Senator from Montana yield to me for a moment?

Mr. CARTER. With pleasure.

Mr. HAWLEY. Has the order for the day at 2 o'clock been called?

The PRESIDING OFFICER. The unfinished business was laid before the Senate at 1 o'clock to-day, the Senate having met an hour earlier.

Mr. HAWLEY. I beg pardon.

The PRESIDING OFFICER. It was laid aside temporarily.

Mr. HAWLEY. It was laid aside temporarily.

Mr. SEWELL. I do not wish to interrupt my friend the Senator from Montana, but I suppose the Army bill is the regular order at 2 o'clock?

The PRESIDING OFFICER. At 1 o'clock to-day.

Mr. SEWELL. I desire to submit a few remarks on that bill. It will not take over twenty minutes. I should like to do it now.

The PRESIDING OFFICER. The Senator from Montana has the floor upon the pending bill. The Senate met this morning at 11 o'clock. Consequently the morning hour expired at 1 o'clock, when the Chair laid before the Senate the unfinished business, which was temporarily laid aside that the river and harbor bill might be considered.

Mr. SEWELL. I do not wish to interrupt the Senator from Montana, but I should like to have a few minutes on the Army bill after his remarks.

The PRESIDING OFFICER. The Chair will recognize the Senator from New Jersey upon this bill.

Mr. FRYE. The conference on this bill is bound to involve a great deal of labor. It will take several days at the very least. It is exceedingly important that we shall complete the consideration of this bill to-day.

Mr. SEWELL. I desire to say that in my estimation nothing is so important to the life of the nation to-day as the Army bill, notwithstanding I shall vote for this bill and believe it to be of great importance. But I do want to submit some remarks on the existing condition of things in relation to the Army bill. I will not take over twenty minutes, if the Senator will allow me.

Mr. FRYE. Is not the Senator from New Jersey willing that this matter should be settled first?

Mr. SEWELL. Yes; the present matter?

Mr. FRYE. Yes; the present matter.

Mr. CARTER. Mr. President, the question involving the incidental benefits that may flow to the country in which these reservoirs are to be constructed can not cast any light upon the question whether the action in and of itself is constitutional.

From 1853 down to this day able engineers in and out of the United States Army, with a force and logic that seem irresistible, have insisted that the proper way to secure a regular stage of water in the Mississippi River and to prevent overflows in the lower country was by the construction of retaining reservoirs upon the principle recognized in this amendment. That was the contention, Mr. President, before any arid country was reclaimed in the West or before anyone lived in what is now the great arid region on the eastern slope of the Rocky Mountains.

When the dams were constructed at the head waters of the Mississippi for the purpose of securing a steady flow of water through that stream, the question of constitutionality was discussed, and Congress determined that the steady flow of water being an incident to and indispensable for the accommodation of the commerce in the river below, clearly justified the expenditure of public money in the construction of the reservoirs. We have now in the course of our national experience ascertained that these reservoirs may not only subserve the purposes of commerce, but they may be made beneficent agents in creating things to carry upon the river below to the sea and to foreign markets.

But here comes the Senator from Wisconsin with the suggestion that this might result in overproduction, because, forsooth, the arid lands when quickened by the touch of water are wonderfully productive. This same argument was used when we commenced to develop railroad facilities between the Mississippi Valley and the Atlantic Ocean. Throughout New England, Pennsylvania, New York, indeed all along this Eastern coast it was contended, and correctly, too, that the opening up of the vast Mississippi Valley, with its wonderfully fertile soil conjoined to the act of constructing quick and cheap lines of transportation, would depreciate the value of every acre of land along the Atlantic coast. That result has obtained, but who is to be heard to-day to assert that this has been a national calamity?

The industries of the East have become diversified. The productions of the farm have changed from wheat, oats, corn, and rye to vegetables and other farm products that are needed in the factories near by. So it will be with the great plains extending from the line of British Columbia south to the line of Mexico, that are capable of producing wheat enough to supply the entire world and that, too, without the possibility of a failure of crop.

Recently we have commenced to open out a trade with the Orient. Within the last year we have shipped 600,000 barrels of flour to Yokohama and Hongkong to supply a market that had never before been heard of in the experience of man as a wheat-consuming market.

Mr. MASON. We would have shipped more if we had had the vessels.

Mr. CARTER. The only limitation, as the Senator from Illinois suggests, upon the possibilities of that trade last year was found in the inability of the railroads to find shipping facilities on the Pacific Ocean to take the cargoes they delivered at the docks.

Mr. President, there are 700,000,000 people in that Asiatic country. The farmer of Pennsylvania, Ohio, Indiana, or Illinois can not make the shipment of his wheat to the Pacific coast, to be transhipped thence to the Orient, because the railroad rate will

devour the profit before the car reached tide water on the Pacific. But we people who live on the slopes of the Rocky Mountains and beyond can produce the wheat to supply the oriental market, thus adding to our own wealth and to the country's general progress without taking aught from any man or any community.

I am astonished that at the close of the nineteenth century, with all the public schools and colleges and papers and educational facilities we have in the United States, a man can be found in the Senate Chamber who will insist that we may in the United States produce too many things to sell to our neighbors in the Orient and in Europe as well. Mr. President, if this theory had been consulted and had been permitted to act as the controlling factor in national policy, this country would to-day be limited on the west by the Allegheny Mountains. I have no patience with the proposition that this amendment should be defeated because its enactment might result in increasing the store of national treasure and our power to produce.

A trifling sum of money is sought through the pending amendment for the purpose of constructing a couple of reservoirs, and another small sum for the purpose of having surveys made to ascertain where other reservoirs may be constructed with profit. Let it be understood, and distinctly, too, that this is the entering wedge; that this is the beginning of a new policy—a policy that will result in staying the tide of destruction in the Lower Mississippi during the season of flood, and will incidentally and without additional cost to the Government cause thousands upon thousands of fertile fields and happy homes to be built in places that are now waste along the slopes of the Rocky Mountains. I think that the double benefit resulting from this course of action may well be considered with great favor by the Congress of the country.

We are making appropriations each and every year in the river and harbor bill for Podunk River or some other equally indefinite stream, or for the survey of streams that never can be made navigable. I have in mind, in the State of the Senator from Wisconsin, the Fox and Wisconsin rivers. The amount of money appropriated for the Fox and Wisconsin rivers in the course of the last twenty years would be sufficient to build reservoirs at the head waters of the Mississippi River or the Missouri River which would distribute water to millions and millions of acres of land, and would do more for trade and commerce in one year than ever will result from the Fox and Wisconsin rivers as agencies in our national progress.

Mr. President, according to my understanding there has not been a cartload of goods sent up or down the Fox and Wisconsin rivers in years.

Mr. FRYE. And never will be.

Mr. CARTER. And never will be. The appropriations add nothing to the wealth of the people along the shore except to the extent that the distribution of public money in the neighborhood may prove useful. There is no intention now, nor has there been for years, to make these rivers useful in aid of commerce, and yet the appropriations go on in a perfunctory way.

Here, sir, is a proposition to make an appropriation which will create an empire along the eastern slope of the Rocky Mountains; which will make garden spots where waste places now exist; and yet this will only be one of the incidents connected with the entire operation. To-day there is complaint in the State of Nebraska, the State of Kansas, and in the State of Arkansas, I believe, that the waters taken out of those streams in Colorado during the irrigation season exhaust the streams and their dry beds only are exposed in the States below.

Now, Mr. President, a word upon that situation. This condition will continue to become more aggravated. The policy outlined in this appropriation will prevent the consummation of an event that is inevitable under present conditions. A controversy is upon the eve of being precipitated in the courts now between the States of Kansas and Colorado, growing out of the exhausting of the streams within the jurisdiction of Colorado. That results from the fact that the waters of the streams running down from Colorado are not stored. The irrigation season lasts, say, for three months. During that period of time every drop of water in the stream is used to irrigate a portion of the lands along the bank, and it is all taken out.

If you could store and retain the entire flow of the twelve months, the percolation through the soil would ere long leave a steady flow in the streams going to the sea through the States of Kansas, Arkansas, and Nebraska. This steady flow would fortify the river for commercial purposes in the dry season. These reservoirs would hold back the snow water and the floods in the season when the Lower Mississippi is menaced with destruction. I do not pretend to even approximately state the number of millions of dollars that have been spent in building dikes to control the waters of the Mississippi River and the lower country. Every few years the country is appalled by a sudden inundation of that region and by the destruction of life and property and the beggaring of thousands of people through the instrumentality of this

river turned loose all over the section of country through which it flows.

If experience is worth anything, Congress may well turn to some other agency of control than the mere mud banks that have been thrown up along the channel of that stream year after year, only to give way when the moment of trial comes. The water will do no damage if it does not get down there. The water that constitutes a curse in the Lower Mississippi is a benediction to the people in the arid region along the slopes of the mountains. Why not keep the water where it will do good and keep it away from the place where it will do evil? That sums this case up in a nutshell. The attempt to make the reservoir at the head waters of the Mississippi constitutional while the reservoir at the head waters of the Missouri is unconstitutional because it is of some benefit to the people in the immediate vicinity is ridiculous and untenable. It can not be defended anywhere or at any time. The amendment should pass, and I trust it will.

Mr. FRYE. Now let us have a vote on both items, please.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). As one?

Mr. FRYE. As one.

The PRESIDING OFFICER. The question is on the amendment of the committee, on pages 83 and 84, down to line 18, on page 18, which will be read.

The SECRETARY. On page 83, after line 13, the Committee on Commerce report to insert the following:

Reservoirs at the head waters of the Missouri River: For construction along Piney Creek, Wyoming, of three reservoirs, in accordance with the recommendations submitted in House Document No. 141, Fifty-fifth Congress, second session, \$50,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such work and materials as may be necessary for the completion of such reservoirs, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$165,000, exclusive of the amount herein appropriated: *Provided further*, That these reservoirs shall be emptied, as near as may be, each year between June 30 and September 30, the discharge of stored water to be under the direction of the State engineer or other State officer especially designated for the purpose by the State wherein such reservoirs are located.

The Secretary of War is hereby directed to cause preliminary surveys or examinations to be made of one or more reservoir sites in each arid and semi-arid State, and report upon the cost, practicability, and desirability of constructing such reservoirs and other works necessary for the storage and utilization of water to prevent floods, overflows, and erosion of river banks and levees, and for the reinforcement of the flow of streams and raising the water line therein during drought and low water, and to utilize the water so stored where practicable for irrigation, mining, or domestic purposes while it is in transit to replenish the streams during the season of low water, and the sum of \$50,000 is hereby appropriated to carry out the purposes of this section.

The amendment was agreed to.

Mr. SEWELL. I now ask that the consideration of the Army bill be resumed.

Mr. DANIEL. I ask for the yeas and nays, Mr. President.

Mr. FRYE. I hope the Senator from Virginia will not demand the yeas and nays. A vote by yeas and nays can be taken, if necessary, in the Senate.

The PRESIDING OFFICER. The demand for the yeas and nays, the Chair understands, is withdrawn. The Army reorganization bill having been temporarily laid aside by unanimous consent for the consideration of the river and harbor bill, the Senator from New Jersey asks that the consideration of the Army bill may be resumed; and it is so resumed.

Mr. SEWELL. I will state to the Senator from Maine that I do not want to embarrass or delay the river and harbor bill, but I wish to submit a few remarks, which will take only a very short time, on the present situation in relation to the Army bill.

Mr. MASON. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Illinois?

Mr. SEWELL. Certainly.

Mr. MASON. I want to inquire if the Senate has disposed of all the arid-land question in the bill?

Mr. FRYE. Both of the items are disposed of.

The PRESIDING OFFICER. They are agreed to.

#### REORGANIZATION OF THE ARMY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11023) for the reorganization of the Army of the United States, and for other purposes.

Mr. SEWELL. Mr. President, I was not one of those Senators who were particularly anxious for a war with Spain. I believed that Spain had answered our demands to a very great extent in connection with the government of Cuba. I never would have consented by my vote to a war with Spain until the incident of the *Maine*. That fired all hearts in the country and brought us all together, and the result was war. It would be hard to say to-day who blew up the *Maine*. The Spaniards ought to have made an inquiry. We ought to make an inquiry. I have very grave doubts indeed that the *Maine* was exploded by any act of the Spaniards. It might have been done by the Weyerlites, but it was not done by any authority of Spain. But that forced us into war. That was the guiding spirit. It may have been Spain.

It may have been the Cuban junta themselves. They had more at stake than anybody else in bringing on a war.

But the war came and with it great responsibilities. The President of the United States was authorized to arm, equip, and recruit a very large army, amounting last August to, I think, about 275,000 men. That army has been reduced one-half under the authority given to the President, and at his discretion. We are to-day, though, in my opinion, more in a state of war than we were before Santiago.

I never was in favor of the acquisition of the Philippines. I frankly say that I told the President the day after Dewey's victory, "For God's sake order them away from there; there is a population of 10,000,000 people almost uncontrollable." I said so from a knowledge of the situation. As a boy I was in the Philippines, a sailor, an officer of a vessel. I managed crews from Manila. I knew the people; I knew the situation. There are probably to-day half of them civilized and half of them savages, and a good many of them are pirates.

It will take from 25,000 to 30,000 men to occupy the Philippines. We have there just now about 21,000 men and 7,000 are going. We do not control anything outside of the lines of a field glass. We are cooped up practically in Manila. And yet there is opposition to the increase of the Army proposed to about 95,000 men. It will take in Cuba 20,000 men and in Porto Rico and Hawaii about 5,000 men. So our whole Army will be used in our colonial possessions, if you choose to call them so, or our acquisitions. We are not in a position to hold our own without a substantial force to do so.

Mr. FORAKER. Will the Senator from New Jersey allow me to interrupt him?

Mr. SEWELL. Yes, sir.

Mr. FORAKER. The Senator has made several statements that I do not agree with, but he has just made one that I do not like to see passed by without now calling attention to it. He has stated that we will need 20,000 troops in the island of Cuba. I will ask the Senator if he is aware that the Military Committee, of which he is a member, has reported that we will need, according to the judgment of that committee, only 12,000. I should like to ask the Senator, inasmuch as he is a member of that committee and has made the statement he has, what we will need with 20,000 troops in the island of Cuba, saying to him, in connection with the inquiry, that I do not believe we will need any, or certainly not very many, judging from the conditions as they have appeared in that island since the protocol was signed. And if we do need any, by what authority are you going to keep them there after peace has been declared?

Mr. SEWELL. I will say to the Senator from Ohio that we have about 40,000 there.

Mr. FORAKER. We have 45,000 there now, according to your own report. There are no Spanish soldiers there any longer. Whom are they to fight? What do we need with an army of 20,000 in the island of Cuba? I want to say to the Senator that the turbulence and the violence that some people apprehended we would have in the island of Cuba after the protocol was signed has not occurred. On the contrary, the Cubans have shown a most remarkable self-control and have behaved themselves so as to excite the admiration of the whole people.

Mr. SEWELL. Well, Mr. President, the Senator from Ohio and I differ in our views in that respect. We have had peace there because we had a large force.

Mr. FORAKER. Although we may differ—

Mr. SEWELL. They are a turbulent people. They are constant revolutionists; they have been during all our history.

Mr. FORAKER. All I wanted was to ask the question, Is it because they have been a turbulent people in the past that you imagine we will need 20,000 troops there in the future? That is what I wanted to ask the Senator. Does not the Senator conceive that the Cubans had a just cause to rebel against Spain and to fight and to resist the authority of Spain in the island of Cuba?

Mr. SEWELL. I agree with that, Mr. President.

Mr. FORAKER. Is not that, then, a sufficient cause for turbulence and violence and war and outbreak?

Mr. SEWELL. They will think the same thing about the United States in a short time. We will have war with Cuba by and by.

Mr. FORAKER. That is the Senator's opinion. I do not entertain that opinion.

Mr. SEWELL. I say that is mine. I believe we will have just as much trouble with those people as Spain had and that it would have been better to let Spain have it.

Mr. WHITE. If it will not interrupt the Senator from New Jersey—

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Does the Senator from New Jersey yield to the Senator from California?

Mr. SEWELL. Certainly.

Mr. WHITE. I will make the suggestion, in response to the

inquiry of the Senator from Ohio, that possibly the presence of this large force in Cuba, as well as in the Philippines, is to further the cause of "benevolent assimilation."

Mr. SEWELL. Well, Mr. President, I do not want to go into a discussion of Cuban matters and the force there. I think that has been very properly reduced.

Mr. FORAKER. All I wanted was to know the ground upon which the Senator based his statement.

Mr. SEWELL. We can not to-day go outside of our own lines in the Philippine Islands, and the Philippines are a very large country. There is a very large number of islands there that we can not occupy. We will be in a continuous state of war there until those people are put down. If I were the President of the United States and had the authority, short, sharp, and decisive work would be what I would adopt, somewhat like the English in the Sudan. I would send a force there that would clean the country out, if necessary, and that is the cheapest way to do it in the end. War is, as our friend General Sherman said, hell. It can not be carried on peaceably. It can not be promoted peaceably. The shorter and sharper it is, the better you can get rid of it.

Now, Mr. President, I did not intend to take the time of the Senate very much except to submit some remarks in relation to the present Army bill, if the Senate will allow me.

The bill under consideration proposes to increase the Regular Army of the United States to a maximum of about 95,000 men, this increase being largely based on the increase of the number of men for a company and battery. The President is given discretion to reduce the number by the discharge of enlisted men when not required in the service. The bill is framed so as to give as large a force as possible to the number of officers provided for.

It increases the major-generals 3 and the brigadier-generals 6. It provides for 2 additional regiments of cavalry, which increases the officers 2 colonels, 2 lieutenant-colonels, 6 majors, 30 captains, 40 first lieutenants, 24 second lieutenants, and 1 veterinarian in each regiment with the rank of second lieutenant.

It changes the regimental organization of artillery and designates it as a corps of artillery, to consist of 24 field batteries and 144 heavy batteries. The number of men required for this corps is about 20,000, and this, after the most careful calculation, will give just a sufficient number of men to man the guns in the fortifications of our coast defenses, and will require to be largely increased in case of war. It is well known that we have been spending large amounts of money in the construction of the new batteries and the entirely new system of seacoast defenses; that the guns mounted are of the most costly description; that it is absolutely necessary that they should be taken proper care of, and that the men who are to serve them should occasionally be drilled in the practice of their use. These guns can not be effectively used in a hurry by men who are not thoroughly trained to the same. The best illustration of this fact is the difference in marksmanship between the men of our Navy and that of Spain in the late war.

We had been exercising our ships in squadrons and spending considerable money in target practice in the past two or three years, so that the men became so proficient that it not alone excites our admiration, but is favorably commented upon in all of the European navies. Guns that throw shells the charge of which costs several hundred dollars each time they are fired can not be used by men who are not entirely proficient in their service, and therefore all thinking men connected with the Army are satisfied that we should have this force for our seacoast fortifications and land batteries. More men will be required in the future for the guns not yet mounted and put in position instead of a reduction in the force. The light batteries are provided with 180 men and the heavy batteries with 120. The increase of officers in this arm of the service would be 7 colonels, 7 lieutenant-colonels, 21 majors, 98 captains, 102 first lieutenants.

The bill makes an increase of 5 regiments in the infantry service, and of officers 5 colonels, 5 lieutenant-colonels, 40 majors, 150 captains, 100 first lieutenants, 60 second lieutenants.

The total number of enlisted men proposed by the bill is 94,800 maximum, with a minimum, at the discretion of the President, of 56,564; officers, 3,497. This includes the Hospital and Signal corps.

Mr. LINDSAY. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Kentucky?

Mr. SEWELL. Certainly.

Mr. LINDSAY. I desire to ask the Senator a question which involves a matter of some interest. I understand that he is addressing himself to the bill reported by the Committee on Military Affairs. It is reported in the public press this morning that certain Senators, not members of the Military Committee, in conjunction with other Senators who are members of that committee, representing both political organizations of the country, and with the approbation of the Chief Executive of the nation, have agreed

on a compromise Army bill, and that it will probably be reported to the Senate to-day. If that be true—and I ask the Senator whether it is true—will the remarks he is now submitting apply as well to the bill which we are to have to-day or to-morrow as to either one of the bills now pending before the Senate?

Mr. SEWELL. I will state to the Senator from Kentucky that I believe what he states is perfectly correct, and that there will be a compromise on this measure; but I am making my remarks on the bill as reported by the Senate committee.

At the breaking out of the Spanish war the strength of the Army was about 27,000 men. Under an act of Congress passed for the general increase of the forces, both regular and volunteer, the same were augmented from May to August of last year as follows:

	Officers.	Enlisted men.	Grand total.
May:			
Regular Army.....	2,191	41,994	44,125
Volunteer Army.....	6,224	118,560	124,804
Aggregate.....	8,415	160,514	168,929
June:			
Regular Army.....	2,198	49,513	51,711
Volunteer Army.....	7,169	153,355	160,524
Aggregate.....	9,367	202,868	212,235
July:			
Regular Army.....	2,327	53,931	56,258
Volunteer Army.....	8,638	203,461	212,094
Aggregate.....	10,965	257,392	268,357
August:			
Regular Army.....	2,323	56,365	58,688
Volunteer Army.....	8,755	207,244	216,039
Aggregate.....	11,108	263,609	274,717

The maximum number in the Army in the month of August was 274,717, of which 216,029 were volunteers. This force has been reduced up to the first of this month to 134,453, the Regular Army at that date being somewhat less than 60,000 men.

The display of confidence in the President, under which he had authority to raise an unlimited number of men and to discharge them whenever the exigency was over, demonstrates that the Executive is to be trusted in carrying out the will of Congress. It is now proposed to give him a reduced number of men, with authority to still further reduce to about one-half that to be authorized.

When we take into consideration that the force required for the Philippines will not be less than 25,000, and in all probability 30,000 men; for Cuba, 15,000 to 20,000 men; for Porto Rico and Hawaii, about 5,000 men; in all, a minimum of 45,000 and a maximum of 55,000 men, the army proposed looks small indeed. The country is as much at war to-day as it was when we made the attack on Santiago, and with a more numerous foe on the battle line. The situation in the Philippines is a grave one and will continue to remain so as long as there stands up a division of counsel in the Congress of the United States.

To end this war prompt action by force is necessary, as they will become more aggressive from day to day and with more prospects of harassing our troops as the warm and sickly weather advances, which is now almost upon us. You can not handle these people in the same manner as you would more educated communities or those living in the temperate zones. They know very little except when they feel the strong hand of power. Anything that does not look in that direction is to them weakness on our part. I have never been in favor of the acquisition of this territory; but it is acquired practically by the treaty, and we must uphold the flag there for the honor and dignity of the nation. This can only be done by a strong force, and should be accomplished by short, sharp, and decisive action before our men become decimated by disease and as a necessity we have them returned to the United States, as we did from Santiago, utterly prostrated.

It is proposed to increase the Adjutant-General's Department by 8 colonels and 6 majors; the Inspector-General's Department, by 1 colonel, 2 lieutenant-colonels, and 6 majors; the Judge-Advocate-General's Department, by 1 colonel, 2 lieutenant-colonels, and 1 major; the Quartermaster's Department, by 2 colonels, 4 lieutenant-colonels, 6 majors, and 20 captains; the Subsistence Department, by 1 colonel, 2 lieutenant-colonels, and 12 captains; the Medical Department, by 2 colonels, 6 lieutenant-colonels, 10 majors, and 25 first lieutenants; Pay Department, by 1 colonel, 2 lieutenant-colonels, and 15 majors; Corps of Engineers, by 1 colonel, 2 lieutenant-colonels, 8 majors, and 28 second lieutenants; Ordnance Department, by 2 colonels, 3 lieutenant-colonels, 4 majors, 2 captains, and 6 first lieutenants.

The promotions in these corps are all to be taken by seniority,

and in the lower grades from the officers of the Army. The increases proposed are very moderate in proportion to the organization, and are absolutely essential; they have been proposed by a board of officers, who have gone over the matter for some time carefully, and I think they rather underestimate the necessities of the occasion. The force in the Adjutant-General's Department will be barely enough to keep up with the business of that bureau; that of the Inspector-General's Department could be very largely and profitably increased, as our experience in the late war demonstrated that we wanted inspections more than anything else, and this corps was largely denuded by details and promotions to the front line, the vacancies occurring in it being filled by officers taken from the line.

In this connection I desire to say, in opposition to the proposition made by the Senator from Vermont as to an interchangeable staff, that these officers are appointed to these positions after having served about twenty years in the line. They are appointed from men that have special adaptability for either the Adjutant-General's corps, having been successful adjutants in the field, or for the Inspector-General's corps, having demonstrated their fitness in acting capacities in that corps on the staff of the different departments. Every man's status in the Army who has served to the rank of captain is known at the Department and by his fellow-officers. He is known for just what he is worth, and when he is promoted to a staff appointment it is in recognition of his special fitness and ability to fill the place.

The Senator may allude jocosely to the amount of influence necessary to appoint a staff officer; he has been Secretary of War, and is Senator, and his evidence on this question is entitled to great consideration. At the same time, I maintain that a thoroughly equipped man, who has had fifteen or twenty years of service as a line officer, and the bent of whose mind lies in the line of duty to which he is appointed on the staff, is a better man for the position than can possibly be obtained by changeable details from the line to the staff, which may destroy the efficiency of an officer for the former duty without making a good officer for staff service. It is all very well to say that this is the custom in continental Europe. It may be, and to a great extent is, but their armies are different from the one we have here, and we wish more simple regulations. We do not want the matter of details to be open to favoritism.

This proposed amendment of the Senator would make it so there would be a procession to Washington from the Army, either by the details of the General Commanding or the Secretary of War. If the present system of appointing men direct to these staff positions from the Army creates favoritism, then this proposed amendment would place it in a much more aggravated form. It is not suitable to our Army, and I trust will not be adopted. The same views will apply to the Quartermaster Department and the Commissary Department. These positions are filled by promotion in the corps, the lower grade, that of captain, being taken from first lieutenants of the line. The officers that have been appointed heretofore to these positions have been men who have been about fifteen years in service, and who, it may be, have filled the position of post commissary or post quartermaster for a series of years.

The increase in the Medical Department is very moderate and would not be at all in keeping with the necessities of the service but for the authority given for the appointment of contract surgeons for temporary service when imperatively necessary.

The increase in the Pay Department is on the same basis, except that the officer of lower grade, that of major, may be appointed from civil life, as has always been the custom.

The increase in the Corps of Engineers is an absolute necessity under any circumstances. If we were at peace to-day, we should increase this corps. The enormous amount of duties performed in connection with the rivers and harbors of this country, light-houses, etc., by the Engineer Corps has made it one of the hardest worked bodies of men in the service. They are graduates at the head of their class at West Point, the most accomplished, intellectually, of our young soldiers. Joining their corps as assistants, they work their way up, their details placing them in most responsible positions, where they supervise the expenditure of millions of dollars of Government money. As the country grows, the work of this corps will increase, and a sufficient number of officers must be allowed for it to make it an effective force, not only for war, but for, in this case, the greater requirements of peace.

The increase in the Ordnance Department is necessary also to keep up the requirements of the situation, so far as ordnance and ordnance supplies are concerned. The organization was that of an army of 25,000 men at the commencement of the war, without any stores on hand. It is to be hoped that we will not be placed in this condition again under any circumstances.

The Signal Corps it is proposed to increase by 1 colonel, 2 lieutenant-colonels, 4 majors, 7 captains, and 14 first lieutenants. The Signal Corps is practically a new organization in war. While

used during our civil war to a limited extent, it has grown rapidly since in all the armies of the world and has been developed in our own, more particularly in the National Guard of the different States. The present corps in the field has been practically taken from these organizations, and has been found to be very effective. The promotions in this corps will be by seniority above the rank of captain; that of captain and below may be taken from persons having professional qualifications to fill the positions, provided they are not over 40 years of age.

It is proposed in this bill to give the President authority to augment the organization serving in the islands of the Pacific, Porto Rico, and Cuba by the recruiting of natives, who should be counted as a part of the aggregate number. It is expected as these places become pacified that local organizations may be attached to some of our commands, to be increased from time to time as they become more effective and serviceable, and in the end we may be enabled to preserve order to a large extent with this class of troops. That, however, can not be entered upon immediately. It is a question of time. It is not reasonable to expect that you could arm a number of men, or one-twentieth part of the number of men needed in the Philippine Islands, and intrust them with the uniform and arms and the flag of the United States just now. It may be a time to commence it on a small scale in Porto Rico and possibly in Cuba, but even the latter is doubtful as yet.

The bill proposes to increase the number of cadets at West Point by adding 3 at large for each State in the four years, and 20 from the United States at large. This would give a little over 20 additional cadets a year, and these are much needed in the line of the Army under any circumstances and will not require any increased cost in their graduation from the Academy.

The proposition of my friend the Senator from Missouri [Mr. COCKRELL] to give the President all the troops that he wants and all the officers that he wants is generous, but he fixes the mode in which it shall be done, and will give him up to 1901 the present army organization, with the discharge of all volunteer troops and the power to enlist in these islands of the sea 35,000 men. The practical proposition in the bill is to give the President the power to use our own force for the present and to reduce them, as he can not safely enlist organizations in the new acquisitions. If it was not for the very high regard that I have for the opinion of the Senator from Missouri, the proposition for the President to recruit from the natives of these islands 35,000 men at the present time would seem ridiculous. There may be this number of men available in the Philippine Islands, but they stand in front of our troops at this moment, 30,000 strong, outside of Manila, in a worse condition of war, as I have before stated, than we had in Cuba.

This is not the kind of authority needed; this is not the kind of material to make United States soldiers of. It might as well be understood that we are not at peace at the present time; that we are at war, and that in the Philippines we are practically on the defensive, and that as the season advances we will possibly be more so. We are right up to the situation as to whether the Congress of the United States, which has been so liberal in the prosecution of this war up to this time, is going to destroy the whole result of it by endeavoring to embarrass the President and cut down the Army way below the necessities of the case. The Congress forced us into a war with Spain, and they were liberal in their provisions for it. Certainly this policy should not be changed when we are in one of its most critical periods.

Senators who now think that the Army should be cut down below what gentlemen think who are thoroughly conversant with these affairs should never have voted for this war. They should have foreseen that, even in Cuba and Porto Rico, it would take a long occupation before the Army could be reduced very materially. They should have known that the far-off possessions of the East, where there is a population of possibly 10,000,000 of people, one-third civilized, one-third semicivilized, and one-third barbarous and practically savages and pirates, can not be turned over to a native police.

While we better never have acquired this territory, it should, for humanity's sake, be governed with a view to the advancement of the natives, the preservation of law and order, and the expansion of our commerce.

The whole subject-matter of this war takes in a great deal more scope than most men thought of when we entered into it. The acquisition of the Philippines, which involves great responsibilities and will cost the country a large amount of money annually, may in the end pay commercially, but can not be governed in a halfhearted manner.

Mr. BACON. Will the Senator permit me to ask him a question?

Mr. SEWELL. Certainly.

Mr. BACON. I do so for information, in order that I may ascertain what may be the views of himself and others who think like him.

I desire to ask the Senator if in his own opinion this obligation upon the United States Government to govern those people will

continue so long as the people continue to be of the character which he has just described? In other words, whether we must continue under that obligation to govern them until they have been elevated to such a plane of intelligence and character generally as will enable them to properly and safely conduct their own affairs consistently with their own safety and with their obligations to other nations?

Mr. SEWELL. I will say to the Senator from Georgia that that is a question which the Congress of the United States can determine at any time. It remains an open question. Personally I do not believe that those people will be fit to govern themselves for the next fifty years.

Mr. BACON. I quite agree with the Senator, and that is the reason I asked the question. The Senator announced the proposition that there was upon us this duty and obligation because those people were unable to govern themselves, and I therefore desired to know whether, in the view taken by the Senator, this obligation was to be an indefinitely continuing one in the future, or whether he could anticipate the time when that obligation would end, and if so, at what time?

Mr. SEWELL. I have not the slightest idea. I do not believe in it, and never have done so. As I have said, nearly fifty years ago I was in the Philippines, and I do not believe the people there have changed a particle since then.

Mr. BACON. Then the Senator does not think they will change their condition for several generations at least?

Mr. SEWELL. I do not know what the civilizing influences of the United States may do, but I have not very much hope of bringing those people to a very high state of intelligence.

Mr. BACON. That being the case, I hope the Senator will pardon me—

Mr. FRYE. I hope the Senator from New Jersey will go on with his speech. The courtesy of the Senate required me to consent to his speaking when I ought not to have done so. The river and harbor bill is of exceeding importance, and if it does not go to the other House to-night, so that it may go into conference, there will be no river and harbor bill this year.

Mr. BACON. I was not aware of the situation under which the Senator from New Jersey took the floor and therefore I shall not press him any further.

Mr. SEWELL. I will say to the Senator from Maine that I shall occupy but a few minutes more.

Mr. HAWLEY. Mr. President, I shall be glad to have my colleague on the Military Committee yield to me just a moment that I may explain an error which is very disagreeable.

Mr. SEWELL. Certainly.

Mr. HAWLEY. Last evening in the War Department some of us met and engaged in perfecting an Army reorganization bill, as it is called. We got it into some shape and went home, when a young man spoke to me of getting some copies of it. Said I, "It is not yet to be given out; it is confidential as yet; it has not yet been examined by the subcommittee or by the whole committee." That rough draft was sent by somebody in the Department, and the Military Committee of the other House presented it to the body for consideration, and that body has been debating it with extraordinary vigor for some considerable time. [Laughter.]

I want to say that that is an unauthorized bill; but a rough draft. A legitimate subcommittee of the Committee on Military Affairs has spent every available minute of the day endeavoring to frame something that will be legitimate and, I hope, acceptable when we bring it in, which I think will be before a great while.

Mr. SEWELL. Mr. President, resuming my remarks, which have been interrupted, I will say that we must carry out the obligations which we in good faith have assumed, or confess that we are unable to control the situation. We can not let the United States flag be cooped up in one small locality, such as Manila. Our soldiers in the field must be supported. The people of this country would never sanction or condone any dishonor to the flag that might arise out of any want of sufficient support of the Executive who has displayed such ability in the conduct of the war.

Senators may discuss the want of harmony in some of the departments of the Army; I confess it has, in some instances, been lamentably so, but if you look across the Atlantic Ocean you will find an army of vast proportions, with the nation back of it, shaken almost to disintegration by an army scandal. We have been exceedingly free from anything of this kind; our officers, as a rule, have been brave, patriotic gentlemen, who have done their duty, and have worked heroically to conquer a situation that they should never have been placed in. The expansion of an army of 25,000 to 275,000 men in three months was a most herculean task with the small force of officers in the different departments. This great army was recruited, disciplined, and ready for the front in an incredible space of time.

The army that the Sadir of Egypt defeated the Dervishes with it took about eighteen months to organize. I mention this as showing the adaptability of our present staff departments to the wants of the organization, and how they recruited, equipped, and

transported this large army in so short a period, which has never been done before in any other country. The French, Germans, English, and Russians will move large bodies of men, but they are men of the regular line, who have been in service for years, and who are disciplined and drilled, not raw recruits, such as we take in when the necessity requires it. The National Guard or State troops are particularly adapted to the service that they have heretofore had, the protection of the peace in the States—a police force, practically—but if you want troops for foreign service you need men who are enlisted for a regular period, men who join the colors as a profession. The National Guard can always be counted on to support the Government of the United States in any exigency. It is composed of patriotic citizens, the flower of our young men, but they are not intended to be kept in the Army for a very long time. When the exigency is over, they prefer to return to their homes and occupations, leaving to their brothers of the Regular Army the work of protecting and advancing the flag wherever their services are required.

The country is in a position to-day where the Administration should have the patriotic support of every representative of the people. I have not been in accord with entering into this war until the destruction of the *Maine*, but having entered into it I feel bound to support it. I have not been in favor of the acquisition of the Philippines; but the country having entered into a solemn treaty, which we have now ratified, I feel it my duty to support the Government, regardless of politics, to a successful conclusion of the war that we have on our hands and the pacification of all the territory that we may have acquired. To this end I would vote every man and every dollar that is necessary to sustain the honor and dignity of the nation, not alone before our own citizens, but before every civilized nation of the earth.

#### POST-OFFICE APPROPRIATION BILL.

Mr. ALLISON. I ask the Chair to lay before the Senate the action of the House of Representatives on the Post-Office appropriation bill.

The PRESIDING OFFICER (Mr. GALLINGER in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist on its amendments disagreed to by the House of Representatives and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. QUAY, Mr. ALLISON, and Mr. PETTIGREW were appointed.

#### RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. FRYE. As to the item on page 84, line 22, in the provision relating to the improvement of the Missouri River, the committee intended to have made a certain appropriation as desired by the Senator from Nebraska [Mr. ALLEN], but by mistake it was left out. The Senator will now offer the amendment.

Mr. ALLEN. I offer as a proposed amendment what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 85, after line 2, it is proposed to insert:

For the improvement of the Missouri River on the Nebraska side from the first relevation north of the Commutation Bridge, between Sioux City, Iowa, and South Sioux City, Nebr., to a point opposite Elk Point, in South Dakota, the sum of \$25,000, to be expended under the direction of the Secretary of War.

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from Nebraska [Mr. ALLEN].

The amendment was agreed to.

The reading of the bill was resumed on page 90, at section 2.

The next amendment of the Committee on Commerce was, on page 91, after line 10, to strike out:

SEC. 3. That the provisions of the river and harbor act of 1894 for a boat railway from the foot of The Dalles Rapids to the head of Celilo Falls, Oregon and Washington, and the provisions of the river and harbor act of 1898 providing for the improvement of Yaquina Bay, Oregon, and all acts for the prosecution of either of said projects, are hereby repealed, and any amounts heretofore appropriated for either of the same now remaining unexpended shall be paid into the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 91, after line 20, to insert as new sections the following:

SEC. 3. That the President of the United States is hereby authorized to acquire, for and in the behalf of the United States, such portion of territory now belonging to Costa Rica and Nicaragua, or such rights, easements, or privileges therein or connected therewith as may be desirable and necessary to excavate, construct, control, and defend a canal of such depth and capacity

as will be sufficient for the movements of ships of the greatest tonnage and draft now in use, from a point near Greytown on the Caribbean Sea, by way of Lake Nicaragua, to Brito on the Pacific Ocean; and such sum as may be necessary to make such purchase is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

SEC. 4. That when the President has secured the territory in section 1 referred to, or said rights, easements, or privileges, he shall direct the Secretary of War to proceed with the excavation or construction of a canal and waterway from a point on the shore of the Caribbean Sea, near Greytown by way of Lake Nicaragua, to a point near Brito, on the Pacific Ocean. Such canal shall be of sufficient capacity and depth as that it may be used by vessels of the largest tonnage and greatest depth now in use, and it shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing from Greytown to Brito; and the Secretary of War shall also construct such safe and commodious harbors at the termini of said canal, and such fortifications for defense, as will be required for the convenience and safety of all vessels desiring the use of said canal.

SEC. 5. That in making surveys for, and in the construction of said canal and harbors, the President may detail such number of engineer officers of the Army and Navy, or employ such civil engineers as may be necessary, and may require of them the performance of such professional duties as he may desire. The Secretary of War shall have power to enter into contracts for the performance of all or such portion of the work as may be necessary to most speedily and advantageously complete the construction of said canal and harbors.

SEC. 6. That in the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be available, shall be used.

SEC. 7. That in any negotiations with the States of Costa Rica or Nicaragua the President may have the President is authorized to guarantee to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

SEC. 8. That the sum of \$15,000,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the completion of the work herein authorized, said money to be drawn from the Treasury from time to time, as the same shall be needed, upon warrants made and verified by the chief engineer in charge of the work and approved by the Secretary of War.

Mr. FRYE. I move to amend the amendment on page 92, in section 3, line 1, after the words "may be," by striking out "desirable and;" so as to read:

SEC. 3. That the President of the United States is hereby authorized to acquire, for and in the behalf of the United States, such portion of territory now belonging to Costa Rica and Nicaragua, or such rights, easements, or privileges therein or connected therewith as may be necessary to excavate, construct, control, etc.

The amendment to the amendment was agreed to.

Mr. FRYE. In section 4, line 10, after the word "section," I move to strike out "one" and insert "three."

The amendment to the amendment was agreed to.

Mr. RAWLINS. I should like to ask the Senator in charge of this bill in regard to one or two features of this amendment. As I understand, it proposes to give to the President authority to negotiate and obtain by purchase territory necessary for the construction and protection of this canal. It does not provide that any such treaty of purchase shall be submitted to the Senate for ratification, but I understand it does authorize the President to proceed at once, after he has effected a treaty, with the construction of the canal without making a submission to the Senate. I ask if that is not the case?

Mr. FRYE. It does not provide for a treaty at all. It gives the President authority to purchase and obtain the cession direct from Costa Rica and Nicaragua. So nothing is said about a treaty between the respective countries.

Mr. RAWLINS. Costa Rica and Nicaragua are independent nations. The territory sought to be acquired must be obtained by a contract or compact or treaty or convention between independent nations; and I submit to the Senator the question as to whether or not we can obviate or do away with that provision of the Constitution requiring the concurrence of the Senate by enacting such a provision as this?

Mr. FRYE. If anything is done by the President in the way of a treaty, it must be submitted to the Senate of the United States for ratification. There is no doubt about that; and the work can not go on, if it is done by treaty, unless it is submitted.

Mr. RAWLINS. I do not intend to detain the Senate at length on this question, because I am aware that there is an overwhelming desire on the part of the Senate, and possibly of the country, too, to have some provision go through relating to this subject; but it occurs to me that this provision undertakes to confer upon the President authority not warranted by the Constitution to acquire control of territory by treaty with an independent government without requiring the ratification of such treaty in the method which the Constitution provides.

Mr. President, it further directs the President to proceed with the construction of the canal upon the basis of an agreement or treaty not ratified in the method which is essential, as it seems to me, in order to give it validity.

I think this is a question of sufficient importance that it ought to be dealt with independently; and I raise the question of order upon the amendment that it is general legislation.

Mr. FRYE. The Senator might raise a different question of order from that. He might raise the point that it is not germane. I do not think it is general legislation by any manner of means, but the point might be raised that the amendment is not germane to a river and harbor bill.

Mr. RAWLINS. It is general legislation, as it seems to me, in this sense, that it undertakes to confer authority upon the President by an act of Congress which is inhibited by the Constitution. Of course, the last objection would be one which ought to be fatal to the amendment upon its merits, but certainly the President has no authority to enter into a contract with an independent nation under the Constitution, unless it is by virtue of general legislation by Congress authorizing him so to do; and to the extent that this legislation attempts to authorize the President to enter into such a contract it is general legislation.

Mr. PETTIGREW. Mr. President, I do not think I care to discuss the amendment until after the question of order shall have been disposed of. I think the amendment is obnoxious to Rule XVI, that it is general legislation on a general appropriation bill. Rule XVI provides:

All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors.

Thus making the river and harbor bill clearly a general appropriation bill. Then the rule provides that—

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received.

We do not propose to raise that question, but we raise the point of order that it is general legislation on a general appropriation bill. It is full of legislation; in fact every line of it has legislation giving authority and power not existing without it, to such an extent that it seems to me unnecessary to argue that generally or to indicate the points of general legislation contained in the amendment.

Mr. FRYE. I do not think the amendment is any more general legislation than any other item in the bill: for instance, an appropriation for a canal in Ohio or a canal in New York, or a reservoir at the head waters of the Mississippi, and then instructions as to how the money shall be expended. I think there may be a question raised as to whether or not it is germane to this bill, because it provides for a canal in a foreign country. It is only on that ground, it seems to me, that the point of order could be entertained.

Mr. PETTIGREW. I say we do not propose to raise that question now. We raise the question that the amendment is general legislation. As I said before, it hardly seems necessary to point it out. It provides:

SEC. 3. That the President of the United States is hereby authorized to acquire, for and in the behalf of the United States, such portion of territory now belonging to Costa Rica and Nicaragua, or such rights, easements, or privileges therein or connected therewith, as may be desirable and necessary to excavate, construct, control, and defend a canal of such depth and capacity, etc.

Then it provides in section 6:

That in the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be available, shall be used.

That is clearly general legislation of the broadest sort.

SEC. 7. That in any negotiations with the States of Costa Rica or Nicaragua the President may have, the President is authorized to guarantee to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

I do not doubt but what there are other items of general legislation upon this bill, and I suppose they would go out if the point of order was raised against them. We do raise the point against this amendment.

Mr. CHILTON. Mr. President, it seems to me that this amendment is not subject to either of the points of order which are suggested. The words "general legislation" used in our rules can hardly be defined with exactness, but they primarily refer to legislation in a broad sense as distinguished from legislation carrying an appropriation. I can imagine no appropriation bill among all those which are subject to the jurisdiction of Congress upon which an enterprise like this might be fastened more appropriately.

Suppose that instead of referring to a canal across Central America the appropriation related to a canal or other improvement at New Orleans or elsewhere in this country, with like provisions about acquiring land upon which the work might be done, would it be said that it was "general legislation" and could not be initiated upon this bill?

I have not before me the original rule of the Senate assigning the jurisdiction of the river and harbor bill to the Committee on Commerce, but this I know, that there is a connection, a direct connection, between the idea of constructing a great waterway from the Atlantic to the Pacific oceans and the general purpose of improving the bays, rivers, and harbors of the United States.

We are justified in building this great canal under that clause of our Constitution which authorizes Congress to regulate foreign commerce, and all the improvements which are found upon this bill relating to our exterior navigation are founded upon the exercise of that self-same power of Congress. From beginning to end the bill is one setting on foot needed facilities to interstate and international commerce, and the Nicaragua Canal will be but another and wider and surer facility to these great ends. It is, therefore, clearly germane. There is no other appropriation bill, as I

have said, in all those committed to the jurisdiction of the Senate upon which it could be put with more fitness.

Mr. CULLOM. Not as much.

Mr. CHILTON. Not as much, the Senator from Illinois suggests; and I for one feel that both the points of order which have been submitted deserve to be overruled by the Chair.

Mr. MORGAN. As I understand, only one point of order is insisted on.

Mr. CHILTON. Part of my remarks were intended to meet the intimation of the distinguished Senator from Maine. I for one can not accept his admission that the appropriation is not germane and relevant to this appropriation bill.

Mr. FRYE. I did not admit, by any manner of means, that it is not germane.

Mr. CHILTON. I so understood.

Mr. FRYE. I said that point might possibly be raised, but that I did not believe there was anything whatever in this.

Mr. MORGAN. Mr. President, on the point of general legislation, the observations of the Senator from Texas [Mr. CHILTON] are so clearly right, so perfectly undeniable as to the purpose and effect of the rule as to general legislation, that I do not think it is worth while to add anything to them. I do not think I could, by amplifying them ever so long, make the point any clearer.

As to its being germane, what is meant by "germane?" To the bill; to the general scheme of legislation; to the general topic or subject of legislation; it should be akin to it. It should be classified with it in the human mind. Let us see what this bill proposes. Take the title of it. It is a bill "making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes." There is a broad title. The phrase "other purposes" does not mean to include general and independent legislation, but other purposes mentioned in the bill, such as public works on rivers and harbors. So much for the title. Perhaps that is not so important, and yet it does show the characteristics of the bill. It shows the purpose of the committee in bringing this subject to the attention of the body, in making the report and inviting us to consider it, in bringing it within the general purview of consideration that is presented here when this bill is presented for action. Let us see the first section:

That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named.

Not private works, not the maintenance of some independent branch of the Government, such as the Army or the Navy or the Post-Office or any other scheme of legislation outside of the purview of this bill, but "public works" which are "hereinafter named."

For the construction, completion, repair, and preservation of the public works hereinafter named.

Is this a public work? If it is a public work, it is a work that is germane to this measure. It is not foreign to it. Whether it is a public work within the limits of the United States or outside of the limits of the United States makes no difference. It is, nevertheless, a work for the advantage of commerce, the advantage of our postal service, the advantage of our national defense. It covers a number of subjects in the benefit that it proposes to give to the country. The canal is, therefore, in every sense a public work.

I merely wanted to draw the attention of the Senate to the nature of the legislation that we are upon. I think there can be nothing clearer than that this is entirely germane.

Mr. RAWLINS. Mr. President, upon the question whether this is general legislation within the third subdivision of Rule XVI, I wish to say a few words. The first subdivision of that rule uses this language:

All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce.

This is, therefore, classed with the general appropriation bills. The third subdivision provides:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant, etc.

The first clause is the one under which the question of order is now raised, as to whether this is general legislation in that sense. Does it change or propose to change existing law? The amendment in the third section of the bill provides:

That the President of the United States is hereby authorized to acquire, for and in the behalf of the United States, such portion of territory now belonging to Costa Rica and Nicaragua, or such rights, easements, or privileges therein or connected therewith, as may be desirable and necessary to excavate, construct, control, and defend a canal of such depth and capacity as will be sufficient for the movements of ships of the greatest tonnage and draft now in use, from a point near Greytown, on the Caribbean Sea, by way of Lake Nicaragua, to Brito, on the Pacific Ocean; and such sum as may be necessary to make such purchase is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The next section reads:

That when the President has secured the territory in section 1 referred to, or said rights, easements, or privileges, he shall direct the Secretary of War to proceed with the construction of the canal.

Mr. President, Nicaragua and Costa Rica are both independent nations. The President, without the authority of legislation, is not empowered, independently of the concurrence of the Senate, to make a contract or treaty with either of those Governments for the acquisition of Territory. If this legislation has any validity, it is by reason of the fact that it is legislation empowering the President to do that which otherwise he would have no authority to do under the Constitution.

For instance, the President proposes to these two Governments, or to one or both of them, to buy a strip of country over which they now have sovereign control. They accept the proposition. It is embodied in a written agreement. This amendment proposes that as soon as the agreement is executed on the part of those Governments and the President, he shall direct the Secretary of War to proceed with the construction of the canal. It seems to me very plain that such an agreement is a treaty in the sense of the Constitution. It seems to me there is no power in Congress to impart any validity to such an agreement unless it receives the concurrence of the Senate of the United States. But certain it is that the President has no such power and can possess no such power under the Constitution unless Congress confers it upon him.

This proposed legislation assumes that Congress may confer upon the President authority which he would not otherwise possess. There is no answer, it seems to me, to the proposition that this legislation is in contravention of the Constitution or that it is general legislation authorizing the President to do that which otherwise he could not do, namely, to make a valid agreement between this Government and another independent nation relating to the acquisition of territory.

Mr. President, the question now presented is, Is this general legislation? If it has any validity, it is general legislation; and that proposition, it seems to me, can not be controverted. If it is a nullity, then for another reason it ought to be rejected. But the moment it is decided that this is general legislation it must be eliminated from the bill, according to the rule I have read.

Mr. SPOONER. Will the Senator from Utah allow me to ask him what, in his judgment, constitutes this project general legislation in distinction from any other project of improvement in the bill; for instance, in distinction from a great scheme of improvement of the navigation of the Mississippi?

Mr. RAWLINS. If it is a subject-matter over which the United States has jurisdiction, if it is a navigable river coming within Federal control, which does not require action on the part of the Government or any department of the Government in order to gain control over it, and it is a question germane to a river and harbor bill, then I would concede (although I confess I am not familiar, so far as experience is concerned, with the practice of the Senate in passing upon the questions of order which are raised) that such an objection as this, that it is general legislation, while simply making an appropriation to improve a river or harbor over which the Government of the United States has control, would not hold.

But in this case it involves the question of acquiring territory from an independent foreign government. It is a question of the very highest consideration. It involves a compact or agreement between independent governments. This provision undertakes to delegate to the President alone the authority which the Constitution gives to the President and Senate, to enter into and make valid a compact to bring this territory within the jurisdiction of the United States. That certainly depends upon legislation, and if it be valid at all, it is general legislation.

Mr. SPOONER. That is just the point which I wanted to put to my honorable friend the Senator from Utah. I did not have in mind his proposition that Congress has no power to authorize the President alone, without the intervention of the Senate, to acquire territory to be utilized in constructing the canal. That is another thing. But, admitting the power of Congress, how is this general legislation within the rule?

Mr. RAWLINS. This changes the existing law.

Mr. SPOONER. No; there is no—

Mr. RAWLINS. It is general legislation proposing to clothe the President of the United States with an authority which he does not now possess. It involves a question which is not related to the question of making an appropriation for the improvement of a river or harbor over which the Government already possesses control.

Mr. SPOONER. The Senator certainly will not claim that Congress can confer upon the President the power to negotiate a treaty. He gets that power from the Constitution.

Mr. RAWLINS. This amendment does propose to do that; and the point I make is that if it is valid legislation it is general legislation and subject to the point of order. If it is invalid because in contravention of the Constitution, then it should be eliminated

upon its merits and for a very palpable reason. But the committee has reported it here in its present form, assuming it to be in harmony, I take it, with the Constitution, and it is legislation in that sense. Upon that theory it undertakes to clothe the President with an authority which he does not now possess—the authority to enter into negotiations and make a treaty with an independent foreign nation in order to extend the jurisdiction and sovereignty of this Government over territory to which they do not now extend.

Is there anything which can be of higher signification in the way of general legislation than a proposition of this character? It seems to me not; and there can be no mistake about the purpose of this legislation. It is perfectly free from ambiguity. It is that the President is hereby authorized to acquire. That is not necessarily related to a river and harbor bill. If it were proposed in the form of an independent bill here, no one would question that it was general legislation, and that if it were enacted into law it would change existing law. If it had any validity under the Constitution, it would impart to the President a power which he does not now possess and which, as a matter of fact, has never heretofore been conferred upon him.

Mr. President, if we strike out the third subdivision, and if we had jurisdiction over the territory or the line of communication, and this bill simply proposed to appropriate the money for the improvement of that thing over which the Government had control, then it would not be subject to this point of order. But it seems to me there can be no question that it is subject to it.

Mr. LINDSAY. Mr. President, according to the Senator's argument, if section 3 read:

The President of the United States is hereby authorized to acquire by a treaty for and in behalf of the United States—

Then this would not be conferring by statute a power upon the President which he does not now possess. Now, I maintain that unless an act of Congress by its language necessarily implies that it intends to disregard the Constitution, no such interpretation as that will be allowed. So, then, if it be necessary, in order to the validity of this legislation, that we shall read into this authority conferred upon the President the words "by treaty," then they are in virtue of the Constitution. But if the Senator will turn to section 7, he will see that negotiations are contemplated by this identical bill:

That in any negotiations with the States of Costa Rica or Nicaragua the President may have, the President is authorized to guarantee to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

This provision evidently contemplates that this right of way, this cession, this easement, whatever it may be, shall be secured by the President through negotiation with these two independent States. Without any act of Congress the President, in virtue of his constitutional power, may negotiate a treaty with these two powers for this identical purpose, subject to ratification by the Senate of the United States. It does not at all change his relation to this act because Congress, in advance of the exercise of this Executive power of treaty making, indicates to the President that it is desirable that such a treaty shall be made—that such negotiations shall be had as will result in cessions to the Government of the United States which shall authorize this great work to be done.

Mr. RAWLINS. Will the Senator yield to me for a question?

Mr. LINDSAY. Certainly.

Mr. RAWLINS. The third subdivision, if the Senator will observe it, provides that the President of the United States is hereby authorized to acquire, etc., and the fourth one that when the President has secured the territory, he shall direct the Secretary of War to proceed with the excavation or construction of the canal.

Mr. LINDSAY. That is absolutely consistent with the argument I am making. If the President can only acquire a concession through a treaty, then when the negotiations have been closed by the President and the treaty shall have been ratified by the Senate, without any further legislation upon the subject of the appropriation, the President may go on and do those things provided for in the fourth section.

Mr. RAWLINS. Then, if that is true, the provision is absolutely vain and idle legislation; that is to say, the President may, in his discretion, make a treaty with those Governments, to be ratified in the usual way by the Senate, acquiring this territory. That is a power which he will exercise or not in his own discretion. It is a matter in which we have no power to direct him as to what he will do in respect to it. But I submit to the Senator whether the reading of this legislation does not make it plain that the purpose of this measure is that the President shall by himself, without the concurrence of the Senate, make these negotiations and acquire this territory, and then, when he has so acquired it, shall at once proceed to carry out the work of the excavation and construction of the canal as the measure directs.

Mr. LINDSAY. While I admit that the language is broad enough to admit of that interpretation, that is not the necessary interpretation of the language used; and therefore this bill, if it

become an act, will be read in connection with the Constitution, and the President will exercise, if he exercises at all, the high powers conferred upon him by this bill in consonance with the Constitution.

Mr. BACON. Will the Senator from Kentucky permit me to interrupt him?

Mr. LINDSAY. Certainly.

Mr. BACON. I desire to know the opinion of the Senator as to whether the President would, in a proper construction of this law, be required to proceed through the agency of a treaty? I desire to say before the Senator replies to me that my object in making the inquiry is to have, if possible, such an expression of the Senate as may be taken as the intention of the Senate. I very much favor the project. At the same time I am very strongly convinced that the President, without the machinery of the treaty-making power, is not authorized to acquire foreign territory; and for that reason, which the Senator will appreciate, I ask him the question.

Mr. LINDSAY. I do not think the President, in the exercise of any executive duty, owes obedience to any act of Congress. In other words, while Congress may indicate to the President by its legislation that it is desirable that a certain executive duty resting in the discretion of the President shall be performed, and that in case of its performance he shall be authorized to do certain other things, we can not put the President under the obligation to exercise that great executive power.

Mr. BACON. I do not wish the Senator to understand me as taking issue with him at all; but I understand him, then, to construe the phraseology of this act as simply an indication to the President of the desire of Congress that it shall be acquired by him through constitutional methods.

Mr. LINDSAY. That is the first phase of the question, that Congress indicates to the President its opinion that this duty, which is executive in its character, should be performed. But the President has a right to put up his judgment against that of Congress if he chooses to do so.

The amendment further provides that if the President shall exercise the treaty-making power in consonance with the expressed desire of the Congress of the United States and the treaty which he makes, the negotiations which result in an agreement, shall meet the approval of the Senate of the United States, then he shall proceed to make these expenditures and to execute this work in the manner provided by the statute.

Mr. ALLEN. Can we ratify a treaty in advance?

Mr. LINDSAY. We can not ratify a treaty in advance, but we can make an appropriation dependent for its expenditure upon the existence of a treaty in the future.

Mr. ALLEN. Suppose the Senate should refuse to ratify the treaty after it was made?

Mr. LINDSAY. Then there will never be a dollar of money expended under this act, if I comprehend its real meaning.

Mr. ALLEN. Does it not authorize the President to secure title or a cession and begin the work before the Senate acts?

Mr. LINDSAY. It authorizes him to begin the work when he shall have secured the title.

Mr. ALLEN. Very well. Now, suppose—

Mr. LINDSAY. If he can not secure the title except by a treaty and its ratification by the Senate, then he will never commence the work at all.

Mr. ALLEN. But how can he acquire title except by treaty?

Mr. LINDSAY. I do not say that he can acquire it in any other way, and I say section 7 of the provision evidently indicates that he shall acquire title by treaty.

Mr. ALLEN. We can only acquire title by conquest or by treaty. As I understand it, a purchase is a treaty. It is a treaty of cession. Now, suppose the President is authorized by this bill to acquire title by cession and is authorized to expend money in the construction of the canal, and the Senate should finally refuse to ratify the treaty?

Mr. LINDSAY. I have certainly been unfortunate in expressing myself. My theory of the case is that this provision contemplates a treaty.

Mr. ALLEN. I admit that it contemplates a treaty. Suppose the President makes that treaty, and before the Senate convenes and ratifies it the President goes on and expends money—

Mr. LINDSAY. What right have we to assume—

Mr. ALLEN. Wait a minute. When the Senate convenes, it declines to ratify the treaty. What becomes of the money?

Mr. LINDSAY. In the first place, we have no right to assume that the President will proceed to expend any of this money until the treaty shall have been ratified.

Mr. ALLEN. It authorizes him to do so, does it not?

Mr. LINDSAY. Not if we read this act in connection with the Constitution and if we give effect to section 7. Then it does not authorize him to expend any money until the treaty shall have been ratified.

Mr. ALLEN. What does it mean when it says that he may

secure the title and that he may direct the Secretary of War to begin the construction of the canal?

Mr. LINDSAY. If he can secure the title only through treaty, then he can not secure it until the treaty has been ratified.

Mr. ALLEN. The Senator knows—

Mr. LINDSAY. Then the act will be read by the President to mean that he shall commence these expenditures when the treaty shall have been ratified, without awaiting any further action on the part of Congress.

Mr. ALLEN. Does the Senator know of any way the United States can acquire title to property except by conquest and by treaty?

Mr. BERRY. How about Hawaii?

Mr. LINDSAY. It can be acquired by joint resolution. So we decided at the last session.

Mr. ALLEN. That amounts to a treaty.

Mr. LINDSAY. It was a treaty with ourselves.

Mr. ALLEN. Oh, no; not at all.

Mr. LINDSAY. Who was the other party to that treaty?

Mr. ALLEN. The Government of Hawaii.

Mr. LINDSAY. When and where?

Mr. ALLEN. By their asking to be annexed.

Mr. LINDSAY. They asked to come in by treaty, and we took them in by joint resolution; and without waiting to have any further investigation of their desire, we took possession by force.

Mr. RAWLINS. I will ask the Senator if that was not general legislation?

Mr. LINDSAY. I submit that it was no legislation at all, in my opinion, neither general nor special.

Mr. ALLEN. I call the attention of the Senator to the fact that a treaty is nothing more nor less than an agreement between two nations.

Mr. LINDSAY. I understand that.

Mr. ALLEN. Very well. I admit that the annexation of the Hawaiian Islands was a little irregular. I did not vote for it myself. But when that government, a de facto government if not a de jure government, consented and we accepted their proposition by a joint resolution, was not that virtually a treaty?

Mr. LINDSAY. They never made any proposition to us to be accepted by joint resolution.

Mr. ALLEN. Oh, well.

Mr. LINDSAY. They provided for a ratification of the treaty and for an exchange of ratifications. We never did ratify the treaty. Therefore there never has been an exchange of ratifications. Therefore there never has been any acceptance of their proposition.

Mr. ALLEN. That was the Republican view of the situation, not a Populistic nor a Democratic view.

Mr. LINDSAY. It was not my view.

Mr. President, section 4, to which special objection is taken or about which so great a point has been made, reads:

That when the President has secured the territory in section 1 referred to, or said rights, easements, or privileges, he shall direct the Secretary of War.

Now, until he secures that territory, or until he secures those rights, privileges, and easements, this act does not provide that he shall do anything at all. It is argued, and I admit with great force, that he can only secure the territory or those rights by treaty, and that the treaty will not become effective until ratified or confirmed by the Senate. So, then, although the President may close the negotiations so far as the Executive is concerned, he will not proceed to act under section 4, but he will submit the result of his negotiations to the Senate; and when the Senate shall have ratified those negotiations or that treaty, then he will proceed to carry into execution the provisions of section 4 and the subsequent provisions, and that is all there is in this act.

Now, then, it is not extraordinary that Congress shall make an appropriation to take effect when something else shall have been done. We scarcely ever appropriate money to build a custom-house or a post-office without providing that when the title to the site shall have been secured to the satisfaction of the Government the President, or the proper Department, shall then proceed to expend the money.

Mr. BACON. That is a general law.

Mr. LINDSAY. If it were not a general law, it would be a special law in each particular case. We put it in in some cases.

Mr. FRYE. There are a great many such provisions in the river and harbor bill.

Mr. LINDSAY. Yes; there are a great many in the river and harbor bill. So, then, the only question that remains here is whether or not we can make an appropriation of money to be expended on a great public work when the title to the land over which it is to be built and when the rights, easements, and privileges necessary to the execution of the work shall have been secured, and that is all there is in this question.

Mr. ALLEN. We secure title to post-office building sites and such things, and that by virtue of the power of eminent domain.

Mr. LINDSAY. I understand that, but we do not spend any money until we have exercised the right of eminent domain or until we have made a contract with the owner.

Mr. SPOONER. Does not the word "acquired" mean lawfully acquired?

Mr. LINDSAY. Constitutionally acquired in this case; lawfully acquired in all other cases. So, then, this bill does not attempt to confer upon the President a power in excess of the Constitution, and the President will not undertake, I take it, to execute these powers except in obedience to the Constitution and as the Constitution directs their exercise.

Mr. PETTIGREW. Mr. President, this amendment provides, first:

That the President of the United States is hereby authorized to acquire, for and in the behalf of the United States, such portion of territory now belonging to Costa Rica and Nicaragua, or such rights, easements, or privileges therein or connected therewith as may be desirable and necessary to excavate, construct, control, and defend a canal, etc.

There is a provision, then, for the purchase of the old Maritime Canal Company's property—for the purchase of a concession previously given, and clearly it is legislation under the rule. The President can make a treaty with these countries without any legislation on our part. But here is a power to buy the property in a foreign country and an unlimited appropriation with which to pay for it. Here is a power to purchase the two canal companies that are in conflict struggling for the right to occupy that country, but in reality struggling for the right to get some portion of this appropriation.

Mr. SPOONER. What language is that?

Mr. PETTIGREW. It is on page 91—

Or such rights, easements, or privileges therein or connected therewith as may be desirable and necessary—

Mr. FRYE. The words "desirable and" are stricken out, so that he can only get that which is absolutely necessary for the construction of the canal.

Mr. PETTIGREW. The friends of this movement have contended on this floor constantly that all that was necessary to acquire was the right of the Maritime Canal Company; that all that it was necessary to have was to purchase this old franchise with its rusty material and rotten buildings and filled-up harbor. The propositions heretofore brought before this body were to limit the amount we would pay these people to \$4,000,000, and now it is proposed to authorize the purchase without any limit whatever to the amount that shall be paid. Theright is conferred here, and it is legislation of the broadest sort.

If this was limited simply to the treaty-making power which the President now has, it would be unnecessary to say anything about it. But if you are going to buy the property, or so-called property, of the old canal company, it is necessary to have this wording, and it is here in all its force. Therefore, we raise the point of order.

Not only that, Mr. President, but all through it is legislation. There are other provisions almost as broad as that. There can be no mistaking the language or the purpose of this amendment.

In section 7 of the amendment there is the following provision:

That in any negotiations with the States of Costa Rica or Nicaragua the President may have, the President is authorized to guarantee to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

Now that the President can make a treaty which will provide for those things, there can be no question but that under this provision he can make an agreement that is not a treaty, and confer upon them those rights and privileges without submitting it to the Senate at all. That is the purpose of this provision, and therefore it is general legislation as broad and strong as you can make it.

Why is the provision here if it is expected that the President will make a treaty and afterwards submit it to us? That power exists. It is unnecessary to put it here. The purpose is to evade the necessity of making a treaty and to confer upon him powers which are general powers that he does not possess, broad in their scope and general in their operation.

Mr. FRYE. Now, let us have the decision of the Chair.

The VICE-PRESIDENT. The Senator from Utah [Mr. RAWLINS] has raised the direct point of order that the amendment is general legislation under the third section of the sixteenth rule. Incidentally the question of relevancy has been raised by the Senator from Maine and also by the Senator from Utah under the same section in his remarks. The Chair is very glad to relieve himself from the responsibility of ruling as to what is general legislation included in this bill. He therefore avails himself of the opportunity given him by the twenty-first rule to submit the question of order to the Senate whether the amendment is in order and whether it is, under the rules, proper to be submitted to the Senate. The question to be submitted to the Senate therefore is, Is the amendment in order?

Mr. PETTIGREW. We raised the question of order that it is general legislation. We did not raise the question of relevancy.

The VICE-PRESIDENT. The Chair so understood and now so understands.

Mr. PETTIGREW. Then, do I understand that the Chair submits the question of order?

The VICE-PRESIDENT. The direct question of order raised by the Senator from Utah.

Mr. PETTIGREW. The question of order and not the question of relevancy?

The VICE-PRESIDENT. Not the relevancy of the amendment, but the direct question of order that it is general legislation. The question to be submitted is, Is the amendment in order?

Mr. PETTIGREW. I wanted to understand the ruling of the Chair.

The VICE-PRESIDENT. If the question of relevancy had been directly raised by either the Senator from Utah or the Senator from South Dakota, the Chair would have been compelled then to submit the question of order to the Senate. The Chair avails himself of his privilege to submit it to the Senate upon the other question directly raised by the Senator from Utah and supported by the Senator from South Dakota.

Mr. PETTIGREW. That is just what I wanted to understand.

The VICE-PRESIDENT. Is the amendment in order? [Putting the question.] The ayes seem to have it.

Mr. PETTIGREW and Mr. VEST called for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE], who is absent. If he were present, I should vote "yea."

Mr. MASON (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. SULLIVAN]. As he informs me that he would vote "yea," I will vote. I vote "yea."

Mr. WELLINGTON (when his name was called). I have a general pair with the Senator from North Carolina [Mr. BUTLER]. In his absence, not knowing how he would vote if present, I withhold my vote.

The roll call was concluded.

Mr. MCBRIDE. My colleague [Mr. SIMON] is necessarily absent from the Chamber. If he were present, he would vote "yea."

The result was announced—yeas 51, nays 7; as follows:

YEAS—51			
Baker,	Gallinger,	Mallory,	Pritchard,
Berry,	Gear,	Mantle,	Proctor,
Cartor,	Hanna,	Mason,	Roach,
Chandler,	Hansbrough,	Mills,	Ross,
Chilton,	Harris,	Mitchell,	Sewell,
Clark,	Helfeld,	Morgan,	Shoup,
Clay,	Jones, Nev.	Murphy,	Spooner,
Cullom,	Kenney,	Nelson,	Stewart,
Deboe,	Lindsay,	Penrose,	Turley,
Elkins,	Lodge,	Perkins,	Warren,
Fairbanks,	McBride,	Pettus,	White,
Faulkner,	McLaurin,	Platt, Conn.	Wilson.
Frye,	McMillan,	Platt, N. Y.	
NAYS—7			
Allen,	Cockrell,	Rawlins,	Vest.
Bate,	Pettigrew,	Teller,	
NOT VOTING—32			
Aldrich,	Davis,	Kyle,	Sullivan,
Allison,	Foraker,	McEnery,	Thurston,
Bacon,	Gorman,	Martin,	Tillman,
Burrows,	Gray,	Money,	Turner,
Butler,	Hale,	Pasco,	Turpie,
Caffery,	Hawley,	Quay,	Wellington,
Cannon,	Hoar,	Simon,	Wetmore,
Daniel,	Jones, Ark.	Smith,	Wolcott.

The VICE-PRESIDENT. The Senate therefore declares the amendment is in order. The question is on agreeing to the amendment of the committee.

Mr. FRYE. The amendment is perfectly understood, and I hope we may now have a vote upon it.

Mr. VEST. I beg the Senator's pardon.

Mr. FRYE. I did not know the Senator had risen to speak.

Mr. VEST. I had not risen to speak, but to make an inquiry as to whether I can now raise the question of relevancy under the third subdivision of Rule XVI?

The VICE-PRESIDENT. The Chair so understands.

Mr. VEST. I raise that question, and call for the yeas and nays. It is not debatable.

The VICE-PRESIDENT. The question of the relevancy of the amendment is raised by the Senator from Missouri [Mr. VEST]. The Chair is bound, under the rules, to submit that question to the Senate.

Mr. VEST. I understand the question of relevancy was not included in the point of order.

The VICE-PRESIDENT. It was not included. The Senator is in order.

Mr. VEST. I raise, then, the question as to the relevancy of the amendment, that it is not relevant to a river and harbor bill.

The VICE-PRESIDENT. The question before the Senate is: Is the amendment relevant?

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. WETMORE]. If he were present, I should vote "yea."

Mr. FRYE. So would the Senator from Rhode Island.

The roll call was concluded.

Mr. BERRY. I desire to state that my colleague [Mr. JONES of Arkansas] is detained at home sick. He is paired on all these questions with the Senator from Maine [Mr. HALE].

Mr. WELLINGTON. As I heretofore announced, I have a general pair with the Senator from North Carolina [Mr. BUTLER] upon political matters. I do not know how he would vote, if present, upon this question, but as it is not a political matter I am at liberty to vote, and I vote "yea."

Mr. McBRIDE. My colleague [Mr. SIMON] is temporarily absent from the Chamber. If present, he would vote "yea."

The result was announced—yeas 48, nays 12; as follows:

## YEAS—48.

Baker,	Gallinger,	Mason,	Proctor,
Berry,	Hanna,	Mills,	Ross,
Carter,	Hansbrough,	Mitchell,	Sowell,
Chandler,	Harris,	Morgan,	Shoup,
Chilton,	Hawley,	Murphy,	Spooner,
Clark,	Jones, Nev.,	Nelson,	Stewart,
Cullom,	Kenney,	Penrose,	Sullivan,
Deboe,	Lindsay,	Perkins,	Turley,
Elkins,	Lodge,	Pettus,	Warren,
Fairbanks,	McBride,	Platt, Conn.,	Wellington,
Faulkner,	McMillan,	Platt, N. Y.,	White,
Frye,	Mantle,	Pritchard,	Wilson.

## NAYS—12.

Allen,	Cockrell,	Pasco,	Reach,
Bate,	Daniel,	Pettigrew,	Teller,
Clay,	McLaurin,	Rawlins,	Vest.

## NOT VOTING—30.

Aldrich,	Foraker,	Kyle,	Thurston,
Allison,	Gear,	McEnery,	Tillman,
Bacon,	Gorman,	Mallory,	Turner,
Burrows,	Gray,	Martin,	Turpie,
Butler,	Hale,	Money,	Wetmore,
Caffery,	Helfield,	Quay,	Wolcott.
Cannon,	Hoar,	Simon,	
Davis,	Jones, Ark.,	Smith,	

So the amendment was decided to be relevant.

The VICE-PRESIDENT. The amendment is in order.

Mr. SPOONER. If agreeable to the chairman of the committee, I should like to offer an amendment to the committee amendment on page 93, to come in as an additional section.

The SECRETARY. It is proposed to insert, as an additional section, the following:

SEC. 9. That if the President shall be unable to secure from the Governments of Nicaragua and Costa Rica such concessions as will enable the United States to build and perpetually own and control the said canal, the President is authorized to negotiate for a control of, or a right to construct and maintain and perpetually control, some other canal connecting the Atlantic and Pacific oceans; and the President is requested to negotiate for the abrogation or modification of any and all treaty obligations, if any such exist, as shall in any wise interfere with the construction, ownership, and perpetual control of any such canal.

Mr. FRYE. I have no objection to that amendment, Mr. President.

Mr. CHILTON. Mr. President, I am disposed to object to the amendment of the Senator from Wisconsin [Mr. SPOONER]. I can not vote to admit that there is any outstanding treaty obligation interfering with the right of the United States to construct an interoceanic canal. I have examined that subject thoroughly, and I feel that it places this Government in a false position to make any sort of declaration which tends to give color to the claim that the Clayton-Bulwer treaty is still in existence. It seems to me it can do no possible good to clutter our records with such an intimation. It encourages Great Britain to hold her pretensions at a high key and engenders doubt in the minds of our own people.

Mr. BATE. Mr. President, I wish simply to say to the Senator from Texas that we are aware that in all the discussions upon this question in the Senate the Clayton-Bulwer treaty has figured very conspicuously; and whether that treaty is still in existence or not, I can not conceive that there is any harm in so framing the provision as to leave the matter to the President, and that is all that this amendment does, as I understand.

I wish to say, furthermore, that this bill as it now presents itself has certainly been stripped of a great many of its objectionable features, which govern my action regarding it. The Government can now become the owner of the canal; and from this bill there will be no embarrassment, because Costa Rica and Nicaragua will have an interest in the canal. There will be no Maritime Canal Company who will have anything to do with it, for there is nothing in the way of an appropriation of \$5,000,000 supposed

to be in the interest of that company, and we may get a clean and naked title in the way we want it, and let the Government build the canal under the supervision of its own officers.

Certainly, Mr. President, the provision for the Nicaragua Canal has been improved in every way, and one of the main objections is obviated by the amendment of the Senator from Wisconsin [Mr. SPOONER], to which the Senator from Texas [Mr. CHILTON] objects. Let us have that removed and let us enter upon the work without being hampered by any improper restrictions.

Mr. SPOONER. Mr. President, the amendment does not assert the existence of the Clayton-Bulwer treaty; it does not mention that treaty. It requests the President to negotiate for the removal of any treaty obligations, if any such exist. In passing such legislation, especially under the circumstances of this case, we should not assume by our legislation that no treaty obligations do exist. The same amendment precisely was passed by the Senate on the Morgan bill.

Mr. SULLIVAN. Mr. President, I think the Senator from Texas will not object when it is understood that his objection means the defeat of the building of the Nicaragua Canal. I think he wants the canal built as much as I do. If objection is now made, the canal can not be built. Clearly I do not think the objection which the Senator opposes to this amendment exists, and therefore I hope he will withdraw the objection and let this provision remain in the bill.

Mr. BATE. I should like to say, in addition to what I have already said, and in the same line, that I have an objection to this bill, and that is the amount of money it appropriates; but that, I see, is guarded here by letting the President pay for the work only as it may be accomplished.

Mr. CHILTON. I find that the Senator from Alabama [Mr. MORGAN], who has for many years led the fight for the Nicaragua Canal, desires that the amendment should be adopted, and on that account I think it best to withdraw my objection.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Wisconsin [Mr. SPOONER] to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. TURLEY. I wish to offer an amendment to section 3 of the committee amendment. It merely changes the phraseology of it. After the words "United States," in line 23, I move to insert "from Costa Rica and Nicaragua;" after the word "of," in the same line, to insert the word "their;" then strike out the words on that line and the next line "now belonging to Costa Rica and Nicaragua;" so as to read:

That the President of the United States is hereby authorized to acquire for and in the behalf of the United States from Costa Rica and Nicaragua such portion of their territory or such rights, easements, or privileges therein or connected therewith, etc.

The reason I offer that amendment is that it would tend to eliminate any idea of purchasing any of the rights possessed by any corporation in either of those countries and confine it to the purchase from the countries themselves, and to obviate the objection that we might be empowering the President under this bill to buy out the old Maritime Canal Company.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Tennessee [Mr. TURLEY].

Mr. SPOONER. I want to say simply a word about that amendment. I suspect the amendment, if adopted, might defeat the grant by Nicaragua and Costa Rica of the easements and franchises which we will require. I do not know how many private concessions are outstanding, but if any are outstanding that are valid Nicaragua or Costa Rica might very well be obliged to say that they had incapacitated themselves by outstanding contracts from making the grants to the United States which this bill is calculated and intended to obtain, and if there is no power given the President to remove obstacles of that kind it might operate to defeat this bill. The Senator from Alabama [Mr. MORGAN] will know better about that than I.

Mr. MORGAN. Mr. President, this amendment was taken from the amendment offered in the House of Representatives to the sundry civil bill, upon which a question of order was raised. The gentleman who is chairman of the Commerce Committee in the House of Representatives proposed that amendment. He has had some conference with me and with other members of the Senate, and we concluded that the amendment here reported was a very liberal advance toward his position. It is, in fact, as I understand it, agreed to as being substantially the same; and this form of legislation is acceptable to the gentlemen in the other House, who have really presented this measure, and who take all of the credit and all of the responsibility for it. I am not in any way contesting for honors in this matter. I want the canal.

I have made every possible concession that I could for the one single purpose of getting this canal constructed. The company for which I provided in the bill which the Senate passed by such a decisive majority have authorized me to say, as I have said on the floor of the Senate, and I repeat the remark here to-day,

that, although they had spent a large amount of money in promoting the building of this canal, the Government was welcome to every cent of it rather than have the canal fail; that what they want to do is to build the canal, or they want to see the Government of the United States build it and control it.

It is hardly necessary and it seems to be very unjust to use words in our legislation for the purpose of cutting those gentlemen out now and hereafter of any right that the Congress of the United States might see proper to recognize. This bill as it stands here to-day makes it necessary, before the President of the United States can proceed to expend one dollar in constructing the canal, to obtain from Costa Rica and Nicaragua the rights which are herein mentioned—the right to the land or such easements therein as are necessary for the purpose of building and constructing the canal—that he shall agree with Costa Rica and Nicaragua as to these matters.

It is wise and necessary that this appropriation should be made to fortify the President in making that negotiation or arrangement with the Governments of Nicaragua and Costa Rica. He can not move an inch under this bill in the direction of building that canal by any arrangement that he might make with the Maritime Canal Company, or with the Grace Company, or with the British Atlas Company, or with any other company which has claims or concessions in that quarter. He has to commence with these two Governments. He is bound to begin with them. They owe obligations to these different companies. Nicaragua can not escape her obligations to our people with impunity. If she breaks her contract, either in making an agreement with us or if she has broken it already, we can not afford to say to our citizens, "If you have got reclamations of any kind against Nicaragua, you shall abandon them."

I do not think there is any occasion here for inflicting hardship upon men who have sacrificed their time and their money in good faith for the purpose of bringing this matter forward and gaining such position and attitude for the Government of the United States as will enable us to build this canal. I could not have it in my heart, if they were my personal enemies, to do that, and make a legislative enactment here which would exclude them entirely from all consideration. They do not deserve such treatment.

But this bill provides that we shall commence with Nicaragua and Costa Rica, and if we can not go through with them we can not go a step further. After we have begun with Costa Rica and Nicaragua, it does not compel us to make any concession to relieve Nicaragua from any responsibility to these people or to anybody else. So I hope the language we have agreed upon will be allowed to remain in the bill.

Mr. FRYE. I want to call the Senator's attention to the fact that the words he was anxious at first should be in the bill, "as may be desirable and necessary," have been stricken out, and now the power is left with the President to acquire only what is absolutely necessary for the construction of the canal.

Mr. MORGAN. Yes, sir.

Mr. BACON. Before the Senator from Alabama takes his seat, I should like to inquire of him if he agrees with the construction put upon this language by the Senator from Kentucky [Mr. LINDSAY], as to the method by which the President would be authorized under this bill to acquire the necessary territory for the canal?

Mr. MORGAN. I do, Mr. President, agree with that construction. I do not think it necessarily involves the question that has been brought into consideration here, of making the ratification of a formal treaty necessary. I do not believe that, although that may be contrary to the judgment of the President of the United States. I am placing my interpretation upon the existing state of the law and the state of facts now existing. I could go on and amplify this matter, but I do not want to take the time of the Senate to do it.

Mr. BACON. If the Senator will pardon me, I understood that the Senator from Kentucky expressed the view that that would be necessary which the Senator from Alabama now says in his opinion would not be necessary. That was the object of my inquiry.

Mr. MORGAN. In determining what are the obligations and rights and duties of the President of the United States and of the Government in any of its departments, we have to give attention to existing conditions and situations. Now, a situation has been created here by our own act of legislation. What was that? A general act chartering the Maritime Canal Company. That act was approved on February 20, 1899. A good deal has been done under that act to carry it into effect. That act provides an incorporation for the purpose of carrying into effect—I will read the language in a moment. After naming the incorporators and the general purposes of the act, it defines them more particularly, as follows:

For the construction, equipment, management, and operation of a ship-canal from the Atlantic to the Pacific Ocean either entirely through the territory of the Republic of Nicaragua or through Nicaragua and in part through the territory of the Republic of Costa Rica with such collateral connecting, or cross canals as may be necessary to connect therewith, and to exercise such other powers as have been conferred by the Government of Nicaragua

by the concession of that Republic to the Nicaragua Canal Association, through Mr. A. G. Menocal, its representative, and dated the 23d day of March, A. D. 1887, and finally approved by the legislative and executive authority of the Republic on the 25th, 23d, and 24th days of April, A. D. 1887, and such powers as the Republic of Costa Rica may confer of the same kind as those named in said concession.

Now, those legislative acts upon the part of Nicaragua continue, and whatever effect they may have to confer rights upon the United States of America, they certainly prescribe the line of duty and the line of obligation on the part of Nicaragua, and afterwards on the part of Costa Rica, which afterwards made a similar concession. These duties and obligations are toward the United States as well as the concessionaires.

Mr. President, this bill, if it shall be enacted, will carry into effect that general legislation of the United States providing that the President of the United States shall obtain the consent of Costa Rica and Nicaragua, and by an arrangement made directly with them shall proceed to excavate and build the canal.

So, while I made the remarks which have been drawn from me by the question of the Senator from Georgia, I do not wish to be understood as discussing a new question, one standing by itself. I take the environment, I take the surrounding facts and circumstances; and I think the President of the United States in the execution of this act might make what we call a diplomatic agreement with those Governments, an enlargement of their concessions already made to our people, by which they would consent that the Government of the United States might go on and complete the canal.

I merely make this explanation to avoid being misunderstood, and would not have offered these remarks at all, but they were called for by the question of the Senator from Georgia, and I thought it was my duty to reply to the Senator. There is no doubt at all that if we make an acquisition of territory from the Governments of Costa Rica and Nicaragua by contract that is new, that will stand by itself, confer upon us rights that we have not got now, and it must be done in the form of a treaty and brought to the Senate of the United States for ratification. How far such a contract may be independent of the existing state of facts we do not know.

Mr. TURLEY. Mr. President, just a few words. The Senator from Alabama [Mr. MORGAN] said we have to commence with Nicaragua and Costa Rica, and the amendment which I have introduced is to make that purpose plain, because the language of the section as it now reads might bear a different construction. It says:

That the President of the United States is hereby authorized to acquire, for and in the behalf of the United States, such portion of territory now belonging to Costa Rica and Nicaragua—

So far, of course, as it goes that would require direct negotiation with those two countries, but it goes on and says:

or such rights, easements, or privileges therein.

That might cover the purchase of privileges existing therein from third parties. Therefore I move to amend it so as to make the title to be acquired by the United States to come through these Governments; and if the rights of third parties are outstanding, let those Governments then denounce those rights or get them in in whatever may be the best and most satisfactory way.

Mr. FRYE. Let us have a vote.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Tennessee [Mr. TURLEY] to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. BACON. Mr. President, I want that made plain which the Senators say this amendment means now. They say it means that he can acquire it by treaty. That is not the language of the amendment proposed by the committee. I am most heartily in favor of the construction of this canal, and so much so that I propose to vote for any bill which presents any reasonable plan promising its construction which does not involve a violation of the Constitution as I understand it. I can not follow it whenever it goes counter to that. Therefore, in order that there may be no misunderstanding about that, and in order that what the Senator from Kentucky and the Senator from Alabama say must be the proper construction of this law may be expressed in the law, I offer an amendment. After the word "acquire," in line 22, page 91, I move to insert the words "by treaty."

Of course I understand that a suggestion has already been made that Congress can not confer upon the President the right to make a treaty. That is undoubtedly true, but the use of the word "authorized" here would be construed in the nature of a request. I will say further that if that is what the proposed amendment means, the word "authorized" is already used. Therefore I offer the amendment.

Mr. MORGAN. Mr. President, I can not conceive that the Senator from Georgia has reflected fully upon this proposition when he comes to consider the advantage that it gives to Costa Rica and Nicaragua in wringing money out of the United States. Are we to say we will lay aside everything that has occurred, all

the advantages that they have bestowed by their legislation and their concessions; the attitude that they have taken here, upon which we have spent more than \$1,000,000 in making surveys and explorations without their consent, entering their territory as a matter of right; shall we lay aside every right of every citizen of the United States and all the relations that these Governments bear to us under these circumstances and confine ourselves to the question whether we can get out of the authorities of Nicaragua and Costa Rica new treaty obligations? In pursuing such a course they would have us where they would grind from us the last dollar they might choose to demand, or else the canal would fail.

Now, why should we thus tie our hands for the mere sake of accommodating the views of a particular Senator as to the construction of language, when this subject had been under examination for years and we have got into this measure such words as we think are ample security to the Government, to the President of the United States to prevent him falling a prey to this embarrassing situation?

This could all have been done a year ago if the president of the Maritime Canal Company had advanced to Mr. Zelaya—they had the money to do it—\$100,000 to buy arms to make war upon Costa Rica. But this company, with a due sense of propriety and patriotism, said to Mr. Zelaya, "You can refer that question to the Government of the United States. We will not undertake to arrange affairs between this Government and your Government." They could have done this a year ago.

Mr. President, I hope that the Senate will not permit language of this kind to be inserted in the bill merely for the sake (that is not what it is offered for, but that will be its effect) of giving Costa Rica and Nicaragua an advantage over the United States in these negotiations which will have to be expressed in a great many dollars when this matter is wound up.

Mr. BACON. I desire to ask the Senator from Alabama, in order to get his view (of course this is not the particular section now under consideration, but by way of illustration), if he thinks that the powers attempted to be conferred in the seventh section can possibly be exercised by the President of the United States by virtue of an act of Congress? In other words, can the President constitutionally enter into negotiations with Costa Rica and Nicaragua and guarantee certain things to Costa Rica and Nicaragua except by a treaty?

Mr. MORGAN. I do not.

Mr. BACON. Very well. The Senator says he does not; and yet here is a proposed act of Congress which assumes to authorize him to do that very thing—not by treaty.

Mr. MORGAN. The Senator from Georgia, I think, can well understand what that means. It does not mean to confer a new power upon the President of the United States, but to inform Costa Rica and Nicaragua that we approach those States with a due sense of respect for their rights, whatever they may be, and that it is the pleasure of the Congress of the United States that those rights shall be guaranteed to them. They must be agreed upon and formulated, of course. We are merely addressing a friendly assurance to those States. We wish to disarm any suspicion they may have that Congress, in this enactment, is seeking to gain any advantage over Nicaragua or Costa Rica. We have already provided fully for all this in our treaty with Nicaragua and will do the same as to Costa Rica. There can be no harm in that provision.

Mr. BACON. I think the suggestion of the Senator is entirely in accord with that which ought to be, but it is not in accord with what we assume and propose to do. We say he is authorized to guarantee certain things. In other words, we say to the President of the United States, by an act of Congress, that he is authorized to make a pledge in behalf of the United States to those Governments. Mr. President, that is the very essence of a treaty.

Mr. SPOONER. Does not the Senator think we can safely presume that a coordinate branch of the Government knows something about the Constitution?

Mr. BACON. I certainly would not wish to be understood as intimating anything to the contrary; but unfortunately we do not always agree in the different coordinate branches of the Government as to the construction of the Constitution, and I know of no better illustration than the one we have had in the last year, when we did acquire territory by a joint resolution, which is the same as an act of Congress, and a coordinate branch of the Government at that time thought it was a constitutional exercise of power. It is a final exercise of it, because there is no appeal from it, it being a political act, and we being the highest court, if I may use such a word, to construe our powers under that provision of the Constitution.

Mr. President, I offer this amendment in no antagonism to the bill. Quite to the contrary, as I have said, I most earnestly desire that there shall be a bill, and I am willing to sacrifice anything short of what I conceive to be a constitutional duty to secure its passage. For that reason I have offered the amendment. If we could have from this body and from the House an announcement of the construction, such as the Senator from Alabama puts upon

it and such as the Senator from Kentucky puts upon it, I should be willing to let the matter go, although I think it ought to be in other language.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Georgia [Mr. BACON] to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. RAWLINS. Mr. President, since the point of order was made developments have made quite clear the purpose of this provision. The Senator from Kentucky and the Senator from Georgia, and I understood the Senator from Wisconsin, agree that this Government can not acquire territory from another government except by treaty. The Senator from Kentucky insisted that while this provision authorizes the President, or purports to authorize the President, to acquire territory necessary for the purposes of this canal from these two foreign Governments, it would be presumed that he would act in accordance with the Constitution and that he would not assume that he himself, without the concurrence of the Senate, could make a valid exercise of that authority.

The Senator from Georgia, in order to make that plain, proposed to amend this provision so that the meaning of it would be unmistakable; that the President would have no question as to the interpretation that Congress put upon the question of the authority to be exercised in this case. He moved to insert the words "by treaty." Now, if the purpose of the Senate and Congress is that it must be done by treaty, and that when the agreement or treaty is made it must be ratified by the Senate, as the Constitution provides, then there could be no possible objection to the adoption of the amendment which the Senator from Georgia proposed. That amendment, however, has been rejected by the Senate. That makes it clear to the President that we intend to confer upon him the authority to make a compact or treaty between these two independent governments, and assume that when he has done it, without its submission to the Senate for ratification, it is a valid act, and that the territory is thus acquired, and that the responsibilities of the Government of the United States, so far as they may be assumed by virtue of that act of the President alone, will be undertaken by this Government.

Mr. President, so far as it relates to myself personally, I am not much concerned about the river and harbor bill. It has been described by some Senators who are interested in it as being the declaration of a dividend to this creek and that creek, to this river and that river, in order to appease the demands of representatives of the States in this body or the representatives of the people in the other branch of Congress. This is a measure, if the amendment is adopted, which will carry from two to three hundred million dollars. There is no conceivable good or benefit that can come from it so far as a large majority of the people of the United States are concerned. I make no apology for the position I take in respect to this measure.

It does not imply that I have any undue lack of confidence in the Chief Executive of the nation, but I am unwilling to delegate to him, in contravention of the Constitution, the power to make a treaty for the acquisition of territory without the concurrence and advice of the Senate, as this amendment proposes to do. I am not willing to leave the question in his discretion, and his discretion alone, as to whether, upon the basis of an agreement he may see fit to make with Costa Rica and Nicaragua, or upon the basis of an agreement which he may see fit to make with the old Maritime Canal Company, beclouded as that situation may be with our treaties with foreign governments relating to that subject-matter—I am unwilling, so far as my vote is concerned, to turn over to his care and to his keeping the expenditure of these vast sums of money without conforming to any of the usual limitations and qualifications which pertain to legislation or the making of treaties under the provisions of our Constitution.

Mr. President, why this haste in respect to this provision at the present time? If it were designed that this territory should be acquired, these privileges obtained by treaty, which would have to be submitted to the Senate for its ratification before it could become valid, before the President, under the provisions of the amendment, could give direction to the Secretary of War to proceed with the construction of the canal and the expenditures of these vast sums of money—if it were intended, I say, that the form the Constitution prescribes should be adhered to in making these treaties, then it would be wholly unnecessary to make any appropriations in this bill.

Before any money is to be spent, if the Constitution is to be complied with, before the Secretary of War is to be directed to take any steps in the execution of this project, the right to that territory must be acquired, and it can be acquired only by treaty. The President can not make a valid treaty under the Constitution without the concurrence of the Senate. The Senate will not be in session until the next session of Congress. The President can not make and submit to the Senate during the existence of this Congress a treaty made in conformity with the provisions and directions of this measure.

Hence, if the Constitution is to be complied with, no valid agreement for the acquisition of the necessary territory for the construction of the canal can be made until a coming session of the next Congress. When it is made and submitted to the Senate, if it be a treaty with Nicaragua and Costa Rica, if it involves the acquisition of concessions made by either of those Governments to corporations or companies, if it involves modifications of our treaty provisions with other governments, if it be such an arrangement by which we can not only construct the canal but possess and control it, protect it and guard it so as to subserve not only the purposes of commerce but make it a means of strengthening our military and naval defenses—I say if such an arrangement is made and it is submitted to the Senate of the United States at the coming session of Congress, the Senate will then be entitled to take into consideration all the questions therein involved and determine whether or not, by a two-thirds vote of this body, it will concur in all those provisions and all those conditions; whether it will be willing that we shall embark upon this tremendous enterprise upon the footing or foundation which may then be presented to us.

Mr. President, if the Senate shall see fit under the Constitution to concur with the President in making such a treaty, it will then be left to Congress to determine, in the light of the arrangements which have been made in the manner in which the Constitution provides, whether or not they will make the appropriation of money necessary to carry into execution the plan which may then be submitted to us.

Mr. President, I will refer for a moment to the statement of the distinguished Senator from Alabama, for whom I have the highest respect, who is sincerely devoted to the consummation of this project. I question not his motives or those of any other Senator, but it seems to me the development of this case makes plain certain things. We can acquire no territory from Costa Rica or Nicaragua by treaty until the Senate shall have an opportunity to act and concur with the action of the President.

Mr. President, the authority given to the President in this case to acquire rights and privileges by purchase, coupled with the appropriation in this bill of the necessary money to enable him to carry out that direction, can only mean, and the President will be authorized and justified in construing it as, an expression of Congress to him to acquire what rights? Rights, supposed rights, conjectural rights and privileges of the Maritime Canal Company of Nicaragua, or of some other speculative enterprise initiated and promoted, doubtless, by certain gentlemen more interested in their own financial welfare than in the great public good of this country; men who have embarked in the enterprise of obtaining concessions from those Governments in order that they might dispose of them to this nation for speculative purposes.

After a very careful investigation of all the rights under the concession made to the Maritime Canal Company of Nicaragua I conceive that they have nothing to sell. If this provision shall go through it will be an instruction to the President to carry out the propositions which have been submitted to Congress, to one Congress after another, for the past ten years. It is to induce him to take from the Treasury of the United States some five or twenty million dollars—how much, of course, I can only conjecture, because their claims or pretensions have varied according to the exigencies of the circumstances. But it will be a demand from them to the President for the surrender of that which has no value, to take from the Treasury of the United States a vast sum of money, the good money contributed for the support of this Government, to subserve its legitimate and public ends and purposes by the taxpayers of this country, my constituents and your constituents.

Mr. President, there is something involved in this, higher and more important far than that this bill shall be passed during the few remaining days of the present session when a combination—I will not say a conspiracy—of gentlemen come down here (without anything of value according to the showing which has been made, and as to which there can be little or no controversy, based upon any considerations which have been presented to us) demanding enormous sums of money for a thing which is without value and which expires by its own limitation before the next Congress can convene, before the Senate can have an opportunity of passing upon any treaty which may be submitted to it relating to this subject-matter. Are we going to do that? Is it necessary, Mr. President, for the sake of this river and harbor bill, that we vote now, to-night, in order that this scheme may be carried out to take from the Treasury of the United States and to turn over to private individuals without consideration money which was put there upon a sacred trust to subserve the great ends and purposes of this Government?

Mr. President, a proposition looking to a legitimate exercise of power by the President in the due forms prescribed by the Constitution is met with hostility and objection here. It is true it is met with objection by those who are in the majority in this body if in any way the proposition made is to interfere with the project by which the money is to be taken from the Treasury and turned

over to a private speculative corporation, which is possessed of nothing of value to give or to cede or to turn over to the United States in consideration of the vast sum of money which they demand and exact.

Mr. President, if this bill were passed, and if the President, according to the instructions which will be given if this amendment is adopted, should buy the concessions made to the Maritime Canal Company of Nicaragua, or the other concessions which may be at large and which are without value, will that facilitate or advance one degree, one step, the consummation of that gigantic project by which the oceans are to be intermarried, to use the expression which has been used by some Senator here? My opinion is, judging from the circumstances which surround the injection of this amendment into the bill, which I conceive not to be germane to it, that when the worthless concessions of the speculative corporations have been disposed of and the millions have been taken out of the Treasury and turned into their coffers, the interest in this project will cease to be so acute and intense as it is just at this juncture.

These private concerns can not wait three or four days. The question of the construction of that canal has lingered through the centuries; and when this first step of turning over this money into their hands without consideration has been consummated, then there will be multitudes of difficulties which will thereafter arise in respect to the inauguration of that work, and its consummation will give Senators time enough to reflect upon the misstep which in my judgment they are taking when they adopt a provision like this. We can not construct a little post-office building inside of ten years under the Government's supervision in the city of Washington, involving an expenditure of \$2,000,000 and less. In a tropical climate, under conditions which are little known, when will the Nicaragua Canal be completed?

Mr. President, so impatient are we, so impatient are those who want to part with their worthless concessions, who stand on the outside of us urging us on, that we can not wait in order to realize the fruits of the investigation for which we have made an appropriation of something like \$250,000,000.

Mr. CHILTON. Two hundred and fifty thousand dollars.

Mr. RAWLINS. Two hundred and fifty thousand dollars. We are dealing with such tremendous figures in this project, in these appropriations that are now under consideration, that it is difficult for men to get down to the thousands or hundreds of thousands. It is hundreds of millions, Mr. President; and that is the question which in reality is involved.

Mr. President, we are so impatient that we can not wait to receive the fruits of the expenditure of \$250,000 to know whether it is feasible to construct this canal, whether there is any line of transit through which by any possibility, by any stupendous feat of engineering, a ship canal can ever be completed.

If this matter were proceeding in the ordinary way, as if we were endeavoring to ascertain the best possible method by which to accomplish this gigantic enterprise, if we could for a few short moments eliminate the extraneous influences which are more interested in realizing wealth for themselves than to subserve the great public good of the American people, what would we do?

It seems to me that any intelligent business man who had an enterprise like that on hand would do this: He would have an examination, as we have proposed and made. He would wait until the facts elicited by the examination could be laid before him involving the expenditure of so much money as this will necessarily involve. He would go over the question in detail and with care and deliberation. If, after due consideration, he determined that the question was feasible, he would inquire as to the cost, and, after ascertaining the cost, he would next inquire as to whether he was financially able to carry it to success.

Mr. President, what is the predicament of this nation to-day? Of course, I do not represent a party; I speak only for myself. The responsibility of the administration of this Government is not with the Democratic party. It is with the Republican party. But we are told as to the condition of the Treasury of the United States. We know what that condition is. We know we have serious burdens and responsibilities upon our hands. The extent of those responsibilities, and the expenditure of how much money will be involved therein, what sacrifice of life, we can only to-day conjecture. But if we are to subjugate or if we are to exterminate 10,000,000 people across the Pacific Ocean, it will require many, many millions of dollars to bring about that result, that glorious achievement.

Mr. President, long ere we have consummated that, the surplus in the Treasury will have been exhausted. In order to take on that responsibility we will be invited here in a few days to appropriate \$20,000,000 for the transfer of that turbulence and bloodshed 10,000 miles away from our seat of government. Now, in conjunction with all this, there stand around us, hovering about us like so many harpies, in the corridors of the Capitol, men seeking for worthless concessions relating to a territory which is so remote that the people of the United States know little about it.

They want to get their hands into the Treasury and take away the little surplus that now remains there.

Mr. President, where are we going to get the \$115,000,000 with which to initiate this proceeding?

Mr. LINDSAY. Bonds.

Mr. RAWLINS. It is suggested to me that we will issue bonds. Aye, and another Senator says to me that is a fact. I am not going to enter into any discussion of the financial question as to whether they will be gold bonds or silver bonds or coin bonds, but they will be bonds, and there will be an obligation on the part of the people of the United States to contribute the necessary money to pay the interest upon those bonds.

Mr. President, I have no duty in this matter except that which I conceive to be my right as a Senator, having a common privilege with my colleagues in this body, to point out objections which I believe are vital objections to this amendment. I will ask the Senator from Maine who is in charge of the bill if he will consent to eliminate that feature of the amendment which makes an appropriation of \$115,000,000 and the other features appropriating money out of the Treasury of the United States in order that that may await the further action of the Senate and of Congress after we shall have determined whether anything of value can be obtained by way of a cession from Costa Rica and Nicaragua?

Mr. FRYE. The Senator from Maine has no power to eliminate anything from this amendment.

Mr. RAWLINS. Will he consent to its elimination as chairman of the committee in charge of the bill?

Mr. FRYE. He can not consent as chairman in charge of the bill. He has no authority. The committee put this amendment in the bill. The Senator knows perfectly well that there is going to be no expenditure of \$115,000,000 for the next ten years. It will be impossible to expend it.

Mr. RAWLINS. Therefore, I see no possible reason for the enactment of the provision making this appropriation of \$115,000,000. The Senator admits that it is without any necessity whatsoever at this juncture. It can not legitimately be expended this year or next year. He says it will not be expended in the next ten years; and I ask why this haste to make the appropriation now?

The Senator from Maine, I understand, moved an amendment to the bill by which the words "desirable and" were stricken out.

Mr. FRYE. That is true.

Mr. RAWLINS. The section under those circumstances will read:

That the President of the United States is hereby authorized to acquire \* \* \* territory \* \* \* rights, easements, or privileges therein or connected therewith as may be necessary to excavate, construct, control, and defend a canal, etc. \* \* \* and such sum as may be necessary to make such purchase is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

The Senator from Kentucky [Mr. LINDSAY] says that the condition upon which that money can be expended can only be when the arrangement or treaty has been submitted to the Senate and ratified by the Senate. For that reason there is no necessity for making that appropriation at this time. I move, therefore, to strike out from the section the words "and such sum as may be necessary to make such purchase is hereby appropriated, out of any money in the Treasury not otherwise appropriated."

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The amendment will be reported by the Secretary.

The SECRETARY. In the last clause of section 3, page 92, after the word "Ocean," it is proposed to strike out:

And such sum as may be necessary to make such purchase is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah to the amendment of the committee.

Mr. RAWLINS. On that I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I announce my pair with the Senator from Rhode Island [Mr. WETMORE].

Mr. BURROWS (when his name was called). I am paired with the senior Senator from Louisiana [Mr. CAFFERY]. If he were present, I should vote "nay."

Mr. DANIEL (when his name was called). I would vote "yea," but I am paired with the Senator from North Dakota [Mr. HANSBROUGH], who is not here, but who, I suppose, would vote "nay."

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. McLAURIN].

The roll call was concluded.

Mr. HANSBROUGH. Is the senior Senator from Virginia [Mr. DANIEL] recorded as voting?

The PRESIDING OFFICER. The Chair is informed that he has not voted.

Mr. HANSBROUGH. I am paired with that Senator and will withhold my vote.

Mr. CARTER. On this question I am paired with the Senator from Nebraska [Mr. ALLEN]. I do not see him in the Chamber. I ask the Chair if he has voted.

The PRESIDING OFFICER. The Chair is informed that the Senator from Nebraska has not voted.

Mr. CARTER. I withhold my vote.

The result was announced—yeas 5, nays 48; as follows:

YEAS—5.			
Bate, Pettigrew.	Rawlins,	Turley,	Vest.
NAYS—48.			
Berry, Butler, Chandler, Chilton, Clark, Clay, Cullom, Deboe, Elkins, Fairbanks, Faulkner, Frye,	Gallinger, Gear, Hanna, Harris, Hawley, Heitfeld, Jones, Nev. Kenney, Lindsay, Lodge, McBride, McEnery,	McMillan, Mallory, Mantle, Mitchell, Morgan, Murphy, Nelson, Pasco, Penrose, Perkins, Pettus, Platt, Conn.	Platt, N. Y. Proctor, Roach, Ross, Sewell, Shoup, Simon, Spooner, Stewart, Warren, White, Wilson.
NOT VOTING—37.			
Aldrich, Allen, Allison, Bacon, Baker, Burrows, Cannon, Carter, Cockrell,	Daniel, Davis, Foraker, Gorman, Gray, Hale, Hansbrough, Hoar, Jones, Ark. Kyle,	McLaurin, Martin, Mason, Mills, Money, Pritchard, Quay, Smith, Sullivan, Teller.	Thurston, Tillman, Turner, Turpie, Wellington, Wetmore, Wolcott.

So the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on the amendment of the Committee on Commerce as amended.

Mr. MANTLE. I wish to offer an amendment to the amendment.

The PRESIDING OFFICER. The amendment submitted by the Senator from Montana will be stated.

The SECRETARY. It is proposed to amend the amendment of the committee on page 92, section 3, at the end of line 8, by inserting:

Provided, That not more than two and one-half million dollars shall be expended in the purchase of such rights, easements, and privileges as may be owned or claimed by parties other than the States of Costa Rica and Nicaragua.

Mr. MANTLE. I simply desire to say in reference to that amendment that it proposes to limit the amount which may be paid to the Maritime Canal Company for such rights and franchises as it may own or claim to the sum of \$2,500,000.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the committee as amended.

Mr. PETTIGREW. Mr. President, I do not wish to make a speech at this time, but I wish to say that I do not believe the Nicaragua Canal will ever be built under this amendment. If I thought this was the final disposition of the matter, I should desire to address the Senate at some length upon it.

One hundred and fifteen million dollars will not build this canal. In my opinion \$315,000,000 will not build it.

But when it is built, if constructed by the United States alone, we must either make it a neutral canal, unfortified, to be used by all the nations of the world, or else we must fortify it at an expense of hundreds of millions more, and we must guard this 176 miles of canal in order to prevent its destruction, for its great embankments can be destroyed by a single person in a few hours of time with modern explosives. If it is not guarded, or if it is not fortified, our fleet, having reached Lake Nicaragua, could be imprisoned by the efforts of one man at each end of the canal along these enormous embankments 70 feet in height. Therefore I believe it is wise that we should delay the disposition of this matter until this whole question can be investigated.

Further than that, Mr. President, I believe it would be wiser for the United States to join with the other nations of the world and complete the canal at Panama. The canal at Panama is two-fifths completed already. The distance across the Isthmus at that point is 46 miles, as against 176 miles at Nicaragua. It takes fourteen hours to go from ocean to ocean at Panama, and it takes forty-four hours at Nicaragua.

Therefore, in view of the fact that the Panama Canal is sure to be built—for no great enterprise was ever abandoned where so much money has been expended as has been expended at Panama—the Nicaragua Canal, our private canal, will never be used by the ships of the world. There is no occasion for using it. No vessel will cross at this point. A vessel will have to spend forty-four hours in crossing, when it can cross in fourteen hours at another

place; and the commercial value of the canal will be absolutely destroyed if the other canal is completed.

Four thousand men are at work to-day on the Panama Canal, and only 23 miles more of that canal remain to be built. The excavation for the rest of it is nearly done. Immense excavations have already been made along the 23 miles yet to be excavated. The money they are expending there is being expended with the most modern means of excavation and with great economy and great skill. Every single engineering problem has been settled. It has been determined beyond question that it is entirely practicable to build an excellent canal at Panama.

The problems with regard to the Nicaragua Canal have not been settled. There is no report before this body or before the American people to show that this is a practical route, or that a canal can be built upon it. Our own engineers, who were sent there at an expense of \$350,000, have not yet made their report to this body, and it is not in our possession.

Now, what is the proposition? To expend a vast sum of money to purchase an old concession which is valueless; to undertake to build a canal which we say shall be our canal.

The Suez Canal is owned by the nations of Europe. Its neutrality is guaranteed by all the nations of Europe, and if the vessels of two nations at war with each other choose to pass through it, they can do so under the terms of that guaranty, only the vessel which first enters must first leave, and has twenty-four hours for departure before the vessel of the other nation at war with her can leave the canal, thus guaranteeing it against danger of conflict or destruction; and the canal across the Isthmus of Panama must and will be guided, governed, controlled, and guaranteed in the same way.

It is all nonsense to talk about our building, fortifying, and owning a canal of our own so long as it is a commercial canal, but if we wish one simply through which to pass our war ships, through which none of the commerce of the world will go, if the canal is to be our canal, and you are to spend \$400,000,000 or \$500,000,000 upon it, you are undertaking to start a project in this amendment without that intelligent consideration which it should receive.

This canal—and only one canal is needed—is of questionable commercial advantage. The distance from New York by Nicaragua or Panama to Manila or to Hongkong is 200 miles farther than it is from New York to Manila by the way of the Suez Canal. The route by the Suez Canal passes through the great populations of the world and by the great commercial marts of the world, with coaling stations everywhere.

A vessel leaving New York for Yokohama, Japan, would go through the Suez Canal in preference to the Nicaragua Canal. Why? Although the Isthmus is called 1,500 or 1,600 miles farther, it is really a shorter route, because when a vessel leaves New York to go by the Panama or Nicaragua Canal to Yokohama, if it goes by Hawaii, it must carry its coal to pass over 9,000 or 10,000 miles of the ocean, and carry so much coal that she could not carry freight, and she would have no intervening business. Therefore, the commerce with the Eastern world will not go through this canal when it is finished, but it will go by the way of the coaling stations of the East; by the way of the great populations of the world; by the way of the great commercial centers of the world.

It is 3,200 miles from New York to Gibraltar; it is 1,900 miles from Gibraltar to the Suez; it is 1,200 miles to the entrance of the Red Sea; it is 2,200 miles across to the island of Ceylon, and then across to the Straits 1,300 or 1,400 miles farther; then from the Straits to Singapore along the eastern coast of Asia, with coaling points at every stopping place.

A vessel loading at New York will take that route, because she can load with freight, because she can receive freight and discharge passengers every few days' sail; while if she starts for Yokohama, or the coast of Asia, through the Panama or Nicaragua Canal, she must sail 2,000 miles from New York to Panama; then she must sail nearly 5,000 miles to Honolulu, if she goes that way; and there she must buy coal, which has been carried there by ship, and upon which freight has been paid, or she must carry coal enough to sail the other 4,000 miles to the coast of Japan; and therefore she can not carry a load of freight and will not go that way. So the commerce of the Nicaragua Canal will be limited.

There are three or four problems connected with this transaction. The first one is, is it of advantage to the United States to possess this canal alone, to fortify it and use it purely as a war measure, and guard the whole length of it at the immense expense of maintenance, or would it not be better to join with the nations of Europe and finish the Panama Canal, so that any ship of any nation can pass through it at any time, whether the nations are at war or at peace?

The next question is, Do we want two canals as a commercial venture where but little commerce passes? A canal which gives access only to a great ocean to accommodate what is really but a small commerce which will go that way to the western coast of the United States and the western coast of South America.

The commerce of the western coast of South America is almost nothing. Why? Because mountain ranges of unparalleled height run along the western coast of South America, leaving but a shelf along the Pacific, with a sparse population. Therefore there are but few people there, for the crossing of these mountain ranges is almost impracticable, in fact, impossible, by railroads. There are but few people with whom business could be done, and those people are simply the people of western South America and the western coast of the United States. They are the only ones who are to be commercially reached by this route.

No vessel going to Australia will use the Nicaragua Canal. Such vessels will go by the Suez Canal and by the commerce of the world, although the distance is a little farther. But the distance is less when you take into consideration the facilities for securing coal and the chance for doing business on the route.

But it is said that the Nicaragua Canal will be a check upon the transcontinental railroads; and some one urges the building of the Nicaragua Canal because it will make the price of freight from coast to coast less than it is now. The commerce from one coast to the other, from the Pacific coast to the Atlantic coast, is infinitesimal.

The commerce of the transcontinental railroads is large, but the bulk of their business does not reach either coast. Therefore the commerce that will go over these lines will not be diverted by the building of this canal, because that commerce will be subject to a charge on the part of these railroads to bring it to the coast and to take it from the coast after you have carried it around.

If we wish to put a check upon the great transcontinental lines of railroads, half of the money it will cost to build this canal will build a transcontinental railroad from ocean to ocean, owned by the people of the United States and operated by the Government, fixing a rate of freights which would entirely destroy the competition of the canal and govern and regulate the rates of every transcontinental line. For my part, when I vote to expend money I will vote to expend it within the borders of my own country. When I vote the money collected from the people of the United States per capita, it shall be for those enterprises which will confer their blessings upon the people of the United States.

I would rather dig a canal down the lakes; I would rather spend this money to reach that vast commerce, so that an ocean vessel could load at Chicago or Duluth, than to spend it upon this canal of doubtful expediency and of doubtful utility in a semitropical region. I would rather spend that money to reclaim the arid lands of the West. We have 600,000,000 acres of arid lands, and 100,000,000 acres of that land can be irrigated by the streams of water which flow over those lands. They are also owned by the Government of the United States.

A population of 15,000,000 can be maintained upon that 100,000,000 acres, and the money that it would cost to build this canal would reclaim those lands and people them with people of our own blood, and in a climate where a man can be produced capable of self-government. The commerce of the people of this country resulting from the peopling of the arid regions of the United States would be a dozen times greater than all the benefit to commerce which will come from digging this ditch.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Committee on Commerce as amended.

The amendment as amended was agreed to.

Mr. FRYE. By an act of Congress approved June 3, 1896, the War Department was instructed to codify the laws touching rivers and harbors. We have passed laws in each river and harbor act, and they are scattered from the beginning of the Revised Statutes through to the end, and some of them are a little bit crude. The War Department have attended to that work and reported to the House. Now, they have placed in our hands all but two sections of the law, and they are contained in this bill, with some very few amendments to make the laws more certain. There has been some contention about the laws hitherto, the Attorneys-General disagreeing.

This amendment of three pages which I now offer is the result of their work. As it is all contained in the Revised Statutes, I do not see any necessity of reading this long amendment. It was referred to a subcommittee of the Committee on Commerce, and they examined it very carefully and found it to be entirely correct and in accord with the statutes now in existence, only scattered, as I said before, from the beginning of the statutes down through to the end, with some brief amendments, in order to make the meaning of the statutes more clear. So I ask that this amendment may be inserted. I do not think there is any necessity of reading it. It is only these sections of the Revised Statutes codified.

Mr. TELLER. I do not want to detain the Senate unnecessarily, but we have taken a good many things on faith in this bill, it seems to me. Here we have a provision to build a canal which I do not believe is acceptable to any man. I do not believe anybody is satisfied with it, and yet when we suggest amendments we are told, "Oh, well, that will be fixed somewhere else." I insist upon the reading of the amendment.

Mr. PETTIGREW. Is the amendment printed?

Mr. FRYE. It is printed. It came in in a Senate or House document. It was prepared by the War Department.

Mr. PETTIGREW. Do the amendments come from the Committee on Commerce?

Mr. FRYE. They came from the War Department to the Committee on Commerce and were reported by the Committee on Commerce.

Mr. PETTIGREW. The committee have duly considered them?

Mr. FRYE. Oh, yes, and examined them through a subcommittee with great care.

Mr. CHANDLER. I wish to ask the Senator whether there is any change made in the existing law by the amendments?

Mr. FRYE. Very slight changes to remove ambiguities. I have here a letter from Colonel Mackenzie, who understands the laws about rivers and harbors and understands rivers and harbors better than any man living, and I propose to have that placed in the RECORD.

Mr. PETTIGREW. Is it in regard to these amendments?

Mr. FRYE. It is.

Mr. PETTIGREW. Let it be read.

The VICE-PRESIDENT. The Secretary will read as requested. The Secretary read as follows:

In addition to the matter above referred to I beg to invite your attention to the following:

In accordance with the direction of Congress in section 2 of the river and harbor act of June 3, 1890, the compilation of all general laws that had been enacted from time to time by Congress for the maintenance, preservation, and protection of navigable waters of the United States was prepared and submitted to Congress, together with a draft of an act embodying such provisions and enlargements of the aforesaid laws as the experience of this office had shown to be advantageous to the public interests. The draft submitted covered every subject embraced in the existing laws with two exceptions, and was printed in House Document No. 293, Fifty-fourth Congress, second session, a copy of which is inclosed.

This proposed act I believe to be clear from ambiguity, and better adapted to serve the interests of commerce and navigation than the laws in their present form. The proposed act has 13 sections, the last 3 of which (sections 11 to 13) were incorporated by the House Committee on Rivers and Harbors in the pending bill. (See sections 6 and 7 of H. R. 11766.)

In my opinion it would be to the public interest to incorporate in the bill the remaining 10 sections of the proposed act, and I can conceive of no objection thereto, as these sections contain no new matter, but simply revise and make clearer and more definite laws that have been already enacted.

Sections 1 and 2 of the proposed act are intended to replace section 7 of the act of September 19, 1890, as amended by section 3 of the act of July 13, 1892, and I beg to invite your attention to the accompanying brief, giving special reasons why this particular law should be revised and amended.

Very respectfully,

A. MACKENZIE,

Lieutenant-Colonel, Corps of Engineers.

Mr. PETTIGREW. I do not like to object, but I think this is a dangerous precedent. It seems to me we are enacting an entire revision of these laws.

Mr. FRYE. Oh, no. There are not ten words changed in the entire thirteen sections. It is a compilation. The Senator understands that these laws have been passed in this way: A section in a river and harbor act fifty years ago, another one forty years ago, another one twenty years ago, another one later, and so on down. We put a provision in the last river and harbor act to codify those laws. The Department have codified them, and in their careful examination during the codification they found two or three of them, relating principally to impediments placed in harbors and things of that kind, which required to be changed, as to just a word or two, because the Attorneys-General had rendered different decisions in regard to the effect of the law.

It seems to me there is no necessity of reading them. I will state further, as I said before, that I examined them myself. I then had them referred to a subcommittee of the Committee on Commerce to go over them carefully, and the subcommittee reported that they were all right.

Mr. NELSON. I wish to say to the Senator from South Dakota that I carefully examined these amendments, and if the Senator will look at the sheets he will see that they are all printed portions of the statutes, nearly every word. There is no material change in the law. It simply puts them all into one body instead of having them scattered. I took special pains especially to see whether they interfered with existing structures and bridges and navigation, and they do not.

Mr. PETTIGREW. Of course, none of those statements satisfies my objection. It appears that we have a codification of these laws, and it is proposed to bring them in here—

Mr. FRYE. If there is any objection, let the amendment be read. I ask those who favor this bill to stay here to-night and pass it. That is all.

Mr. PETTIGREW. I have not said that I would raise an objection, neither have I yielded the floor to the Senator from Maine.

Mr. FRYE. I beg the Senator's pardon. I ought to have addressed the Chair in proper form, but I am getting a bit tired.

Mr. PETTIGREW. The Senator has committed the same offense again. I did not yield the floor, and neither did the Senator from Maine address the Chair.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from South Dakota is entitled to the floor.

Mr. PETTIGREW. I do not know how important this legislation is. I have great confidence in the Senator from Maine and the Senator from Minnesota, but it seems to me a bad precedent that we should codify the laws upon this subject, bring it in here at the last minute, at the end of the day, and without reading it, without having it printed and laid upon our desks, without any chance to consider or think about it, practically knowing nothing about it, put it through as an amendment to an appropriation bill. But there are so many awful things in this bill now that I do not think you can possibly make it much worse, and I will not object, for the reason that I believe this will be another reason why the other House will never let the bill see daylight after they get hold of it.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Maine [Mr. FRYE]. The amendment was agreed to, as follows:

SEC. 12. That it shall not be lawful to construct or commence the construction of any bridge, dam, dike, or causeway over or in any port, roadstead, haven, harbor, canal, navigable river, or other navigable water of the United States until the consent of Congress to the building of such structures shall have been obtained and until the plans for the same shall have been submitted to and approved by the Chief of Engineers and by the Secretary of War: *Provided*, That such structures may be built under authority of the legislation of a State across rivers and other waterways the navigable portions of which lie wholly within the limits of a single State, provided the location and plans thereof are submitted to and approved by the Chief of Engineers and by the Secretary of War before construction is commenced: *And provided further*, That when the plans for any bridge or other structure have been approved by the Chief of Engineers and by the Secretary of War, it shall not be lawful to deviate from such plans either before or after completion of the structure unless the modification of said plans has previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of War.

SEC. 13. That the creation of any obstruction not affirmatively authorized by Congress to the navigable capacity of any of the waters of the United States is hereby prohibited, and it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty, or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States outside established harbor lines, or where no harbor lines have been established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of War; and it shall not be lawful to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War prior to beginning the same.

SEC. 14. That where it is made manifest to the Secretary of War that the establishment of harbor lines is essential to the preservation and protection of harbors he may and is hereby authorized to cause such lines to be established, beyond which no piers, wharves, bulkheads, or other works shall be extended or deposits made, except under such regulations as may be prescribed from time to time by him: *Provided*, That whenever the Secretary of War grants to any person or persons permission to extend piers, wharves, bulkheads, or other works, or to make deposits in any tidal harbor or river of the United States beyond any harbor lines established under authority of the United States, he shall cause to be ascertained the amount of tide water displaced by any such structure or by any such deposits, and he shall, if he deem it necessary, require the parties to whom the permission is given to make compensation for such displacement either by excavating in some part of the harbor, including tide-water channels between high and low water mark, to such an extent as to create a basin for as much tide water as may be displaced by such structure or by such deposits, or in any other mode that may be satisfactory to him.

SEC. 15. That every person and every corporation that shall violate any of the provisions of sections 12, 13, and 14 of this act, or any rule or regulation made by the Secretary of War in pursuance of the provisions of the said section 14, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$2,500 nor less than \$500, or by imprisonment (in the case of a natural person) not exceeding one year, or by both such punishments, in the discretion of the court. And further, the removal of any structures or parts of structures erected in violation of the provisions of the said sections may be enforced by the injunction of any circuit court exercising jurisdiction in any district in which such structures may exist, and proper proceedings to this end may be instituted under the direction of the Attorney-General of the United States.

SEC. 16. That it shall not be lawful to throw, discharge, or deposit, or cause, suffer, or procure to be thrown, discharged, or deposited either from or out of any ship, barge, or other floating craft of any kind, or from the shore, wharf, manufacturing establishment, or mill of any kind, any refuse matter of any kind or description whatever other than that flowing from streets and sewers and passing therefrom in a liquid state, into any navigable water of the United States, or into any tributary of any navigable water from which the same shall float or be washed into such navigable water; and it shall not be lawful to deposit, or cause, suffer, or procure to be deposited material of any kind in any place on the bank of any navigable water, or on the bank of any tributary of any navigable water, where the same shall be liable to be washed into such navigable water, either by ordinary or high tides, or by storms, or floods, or otherwise, whereby navigation shall or may be impeded or obstructed: *Provided*, That nothing herein contained shall extend to, apply to, or prohibit the operations in connection with the improvement of navigable waters or construction of public works, considered necessary and proper by the United States officers supervising such improvement or public work: *And provided further*, That the Secretary of War, whenever in the judgment of the Chief of Engineers anchorage and navigation will not be injured thereby, may permit the deposit of any material above mentioned in navigable waters, within limits to be defined and under conditions to be prescribed by him, provided application is made to him prior to depositing such material; and whenever any permit is so granted the conditions thereof shall be strictly complied with, and any violation thereof shall be unlawful.

SEC. 17. That it shall not be lawful for any person or persons to take possession of or make use of for any purpose, or build upon, alter, deface, destroy, move, injure, obstruct by fastening vessels thereto or otherwise, or in any manner whatever impair the usefulness of any sea wall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the United States, or any piece of plant, floating or otherwise, used in the construction of such work under the

control of the United States, in whole or in part, for the preservation and improvement of any of its navigable waters or to prevent floods, or as boundary marks, tide gauges, surveying stations, buoys, or other established marks, nor remove for ballast or other purposes any stone or other material composing such works: *Provided*, That the Secretary of War may, on the recommendation of the Chief of Engineers, grant permission for the temporary occupation or use of any of the aforementioned public works when in his judgment such occupation or use will not be injurious to the public interest.

SEC. 18. That it shall not be lawful to tie up or anchor vessels or other craft in navigable channels in such a manner as to prevent or obstruct the passage of other vessels or craft; or to voluntarily or carelessly sink, or permit or cause to be sunk, vessels or other craft in navigable channels; or to float loose timber and logs, or to float what is known as sack rafts of timber and logs, in streams or channels actually navigated by steamboats in such manner as to obstruct, impede, or endanger navigation. And whenever a vessel, raft, or other craft is wrecked and sunk in a navigable channel, accidentally or otherwise, it shall be the duty of the owner of such sunken craft to immediately mark it with a buoy or beacon during the day and a lighted lantern at night, and to maintain such marks until the sunken craft is removed or abandoned, and the neglect or failure of the said owner so to do shall be unlawful; and it shall be the duty of the owner of such sunken craft to commence the immediate removal of the same, and prosecute such removal diligently, and failure to do so shall be considered as an abandonment of such craft, and subject the same to removal by the United States as hereinafter provided for.

SEC. 19. That every person and every corporation that shall violate, or that shall knowingly aid, abet, authorize, or instigate a violation of the provisions of sections 16, 17, and 18 of this act shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$2,500 nor less than \$500, or by imprisonment (in the case of a natural person) for not less than thirty days nor more than one year, or by both such fine and imprisonment, in the discretion of the court, one-half of said fine to be paid to the person or persons giving information which shall lead to conviction. And any and every master, pilot, and engineer, or person or persons acting in such capacity, respectively, on board of any boat or vessel who shall knowingly engage in towing any scow, boat, or vessel loaded with any material specified in section 16 of this act to any point or place of deposit or discharge in any harbor or navigable water, elsewhere than within the limits defined and permitted by the Secretary of War, or who shall willfully injure or destroy any work of the United States contemplated in section 17 of this act, or who shall willfully obstruct the channel of any waterway in the manner contemplated in section 18 of this act, shall be deemed guilty of a violation of this act, and shall upon conviction be punished as hereinbefore provided in this section, and shall also have his license revoked or suspended for a term to be fixed by the judge before whom tried and convicted. And any boat, vessel, scow, raft, or other craft used or employed in violating any of the provisions of sections 16, 17, and 18 of this act shall be liable for the pecuniary penalties specified in this section, and in addition thereto for the amount of the damages done by said boat, vessel, scow, raft, or other craft, which latter sum shall be placed to the credit of the appropriation for the improvement of the harbor or waterway in which the damage occurred, and said boat, vessel, scow, raft, or other craft may be proceeded against summarily by way of libel in any district court of the United States having jurisdiction thereof.

SEC. 20. That the Department of Justice shall conduct the legal proceedings necessary to enforce the foregoing provisions of sections 11 to 18, inclusive, of this act; and it shall be the duty of district attorneys of the United States to vigorously prosecute all offenders against the same whenever requested to do so by the Secretary of War or by any of the officials herein-after designated, and it shall furthermore be the duty of said district attorneys to report to the Attorney-General of the United States the action taken by him against offenders so reported, and a transcript of such reports shall be transmitted to the Secretary of War by the Attorney-General; and for the better enforcement of the said provisions and to facilitate the detection and bringing to punishment of such offenders the officers and agents of the United States in charge of river and harbor improvements, and the assistant engineers and inspectors employed under them by authority of the Secretary of War, and the United States collectors of customs and other revenue officers, shall have power and authority to swear out process and to arrest and take into custody, with or without process, any person or persons who may commit any of the acts or offenses prohibited by the aforesaid sections of this act or who may violate any of the provisions of the same: *Provided*, That no person shall be arrested without process for any offense not committed in the presence of some one of the aforesaid officials: *And provided further*, That whenever any arrest is made under the provisions of this act the person so arrested shall be brought forth with before a commissioner, judge, or court of the United States for examination of the offenses alleged against him; and such commissioner, judge, or court shall proceed in respect thereto as authorized by law in case of crimes against the United States.

SEC. 21. That whenever the Secretary of War shall have good reason to believe that any railroad or other bridge now constructed, or which may hereafter be constructed, over any of the navigable waterways of the United States is an unreasonable obstruction to the free navigation of such waters on account of insufficient height, width of span, or otherwise, or where there is difficulty in passing the draw opening or the draw span of such bridge by rafts, steamboats, or other water craft, it shall be the duty of the said Secretary, first giving the parties reasonable opportunity to be heard, to give notice to the persons or corporations owning or controlling such bridge so to alter the same as to render navigation through or under it reasonably free, easy, and unobstructed; and in giving such notice he shall specify the changes recommended by the Chief of Engineers that are required to be made, and shall prescribe in each case a reasonable time in which to make them. If at the end of such time the alteration has not been made, the Secretary of War shall forthwith notify the United States district attorney for the district in which such bridge is situated, to the end that the criminal proceedings hereinafter mentioned may be taken. If the persons, corporation, or association owning or controlling any railroad or other bridge shall, after receiving notice to that effect, as hereinbefore required, from the Secretary of War, and within the time prescribed by him willfully fail or refuse to remove the same or to comply with the lawful order of the Secretary of War in the premises, such persons, corporation, or association shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$5,000, and every month such persons, corporation, or association shall remain in default in respect to the removal or alteration of such bridge shall be deemed a new offense and subject the persons, corporation, or association so offending to the penalties above prescribed: *Provided*, That in any case arising under the provisions of this section an appeal or writ of error may be taken from the district courts or from the existing circuit courts direct to the Supreme Court either by the United States or by the defendants.

Mr. TELLER. Mr. President, I know how ungracious it is to take the time of the Senate just at this hour of the day. I was not aware that the Senator from Maine intended to sit out the bill

until just now, but I am not going to detain the Senate very long. As I am going to vote against the whole bill, with the Nicaragua proposition in it, I want to state in a very few words why.

In the first place, it is the most remarkable thing that I have ever seen in a legislative body in my legislative experience. As I said a few moments ago, we have a provision here that everybody admits is crude and unsatisfactory. I have not found a single Senator who did not admit when approached on the subject that that is true. I do not know whether that argues that the Senate is incapable of drafting a proper provision of law or not, but I want merely to have the attention of the Senate for a moment in justification at least of my vote on this subject, so that I shall not be charged, because I voted against this, as being hostile to that great enterprise—an enterprise that I know is to be consummated some time, and that in the course of reasonable time.

You authorize the President of the United States to acquire property. How is he to acquire it? Is he to buy it? You authorize him to pay whatever he chooses to pay for it. There is no limit upon that. When he has bought it—and the term "purchase" is used here—when he has purchased the property, he is authorized to go on and make a canal—just exactly such a canal as he sees fit. Who knows what the canal will be? It seems to me a statement that we propose to turn over to the President of the United States the exercise of such extraordinary power ought to be enough without amplifying it or wasting the time of the Senate. When that is done, you authorize the Secretary of War to make any amount of contracts he sees fit, up to a thousand million dollars, if in his judgment it is necessary. Such a statement as that, if it is truthful—and I think it can not be denied—is enough to mark this whole proceeding as one of remarkable character at least.

The President of the United States has not any power, and we have no power to authorize him, to purchase and make him our agent to buy real estate. He has the power, without any authority from us, to enter into negotiations with these powers for the privileges we propose he shall secure. He has not any power then to expend the public money. We can not authorize him justly and rightfully under the Constitution to expend the money of the United States unless the Senate of the United States shall ratify that agreement or contract or whatever it may be.

Then the appropriation here is \$115,000,000, a practical tying up of \$115,000,000, when everybody knows that under the circumstances there can not be used in the next year, if the canal is attempted to be constructed, more than one-tenth of that sum. The assumption is that the canal will cost \$150,000,000. As I said the other day, there is not a man living who knows what the canal is going to cost, nor is there a man living with the data before him who can, before an intelligent body like this, declare that he knows. There is no unit upon which he can base the calculation of cost. You do not know what the unit of quantity is. You do not know anything about it. You do not know what the character of the canal must be or what it will cost. It may cost three or four hundred million dollars.

The expenditure is sufficiently large and the whole enterprise is of sufficient character and importance to demand of us a businesslike proceeding. There is no such demand made by the people of the United States upon us that we shall without proper safeguard and without proper attention to our public duties put into a bill of this character a provision of this kind full of loopholes and dangers.

I have no doubt a canal will be built, but I do not know, nor does anyone here, whether it is better to build it on the Nicaragua route or the Panama route. There is no one here who knows whether it should be built upon the Lull route or the Childs route. I have myself examined those surveys with a good deal of care, and yet I say that no one in this country would risk his reputation a moment by saying that there are sufficient data there to say that one route is preferable to the other.

I agree with the Senator from South Dakota that in all probability the Panama route is the better route. When the congress of engineers met some years ago to determine which route should be adopted, there was a general consensus of opinion that that was the best route if it was to be a lock route, and that that was the only possible route if it was to be a water-line route, except that the American engineers thought the expense of it was too great, and that therefore the other route must be taken.

There has already been expended on the Panama route about \$75,000,000, as near as I can learn. It will probably take from fifty to a hundred million dollars more to build the canal. If it does not take more than a hundred million dollars, it is the cheaper route of the two and infinitely the better one, because it has not these great and dangerous dams which are to be found on the Nicaragua route—dams, as I said the other day, and I repeat, which have no precedent in canal building.

There is not a canal in the world that ever had such dams on it. The locks proposed never have been built by any engineer on the face of the earth; and I say that any good engineer, a man fit to

deal with this question, would say they are of very doubtful feasibility. Yet this whole thing is to be done in a hurry. This whole question is to be settled because the Senator from Maine is in a hurry to have the pending bill passed.

I can take the data here and, I think, prove to any intelligent board of engineers that this canal is not a feasible canal, as proposed now to be built, by any plan that has ever yet been submitted to the American people; and yet, in my judgment, a feasible route can be found and the canal can there be built. However, it will take time to determine that, and the President of the United States—I do not speak of him as a man—has no data before him which will enable him to say what kind of a canal should properly there be built; whether there should be four locks or six, whether the locks should be a thousand feet or fifteen hundred feet long, or whether they should be eighty feet wide or a hundred feet wide.

There are no data. We are going into this matter absolutely blind. For that reason I propose to enter my protest against this class of legislation by voting "nay." Whenever any feasible and decent and respectable scheme comes before the American Senate for this purpose, I am prepared to vote for it. I am prepared to vote for it not because it is going to carry the commerce of the world through it, but I am prepared to vote for it because it brings the Pacific coast and the Atlantic coast nearer together.

It will never be, in my judgment, a great profitable investment like the Suez Canal, for the reason the Senator from South Dakota stated. All the prophecies which have been made of profit and return must be received, I believe, with a great deal of allowance. And yet, Mr. President, if it ever returns anything, in my judgment the time will come, and it is not far distant, when the American people will believe it is to their interest to build this canal, not with the expectation, in my opinion, if they are intelligently informed on it, that it is to be a paying investment, but an investment that will be of interest to us, and that we can afford to put our money in the canal just as we put it out in very many other things that make no financial or cash return to the people of the United States.

Every time since this question has been debated in the last few months those of us who have not been willing to accept the crudest and worst form for the building of the canal have been charged with being hostile to the canal. But for that I should have contented myself with letting this provision—which I think some day will rise up before us to make us trouble if the President should go on under it—pass in silence. I do not believe that the President of the United States will ever build a canal under this kind of an authority. I do not believe this kind of legislation hastens progress toward building the canal. On the contrary, in my judgment, it hinders and delays.

Now, Mr. President, I have said all I care about saying to-night. The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

Mr. SULLIVAN. Mr. President, on this subject I desire to say but one word—

The PRESIDING OFFICER. The Chair will suggest that Senators are proceeding by unanimous consent. There is nothing before the Senate. The Senator from Mississippi will proceed.

Mr. SULLIVAN. I desire to discuss the question which was under consideration.

Mr. TELLER. I should like to inquire if I was speaking by unanimous consent?

The PRESIDING OFFICER. The Chair understands that the amendment submitted had been agreed to. Of course the reading of the bill would have been in order.

Mr. TELLER. I was speaking to the bill. I was not speaking to the amendment, and if I had been I suppose I would have been in order.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. SULLIVAN. I shall make my remarks in response to the suggestion of the Senator from Colorado a little later on.

The Secretary continued the reading of the bill. The next amendment of the Committee on Commerce was, in section [7] 12, page 98, line 12, after the word "section," to strike out "six" and insert "eleven;" and in line 21, after the word "interfere," to insert the word "with;" so as to read:

That under emergency, in the case of any vessel, boat, water craft, or raft, or other similar obstruction, sinking or grounding, or being unnecessarily delayed in any Government canal or lock, or in any navigable waters mentioned in section 11, in such manner as to stop, seriously interfere with, or specially endanger navigation, in the opinion of the Secretary of War, or any agent of the United States to whom the Secretary may delegate proper authority, the Secretary of War or any such agent shall have the right to take immediate possession of such boat, vessel, or other water craft, or raft, so far as to remove or to destroy it and to clear immediately the canal, lock, or navigable waters aforesaid of the obstruction thereby caused, using his best judgment to prevent any unnecessary injury; and no one shall interfere with or prevent such removal or destruction.

The amendment was agreed to.

The Secretary read to the end of section 12, line 17, on page 97.

Mr. FRYE. In line 14, I move to strike out the words "this

section or the preceding section" and insert "the foregoing sections;" so as to make the paragraph read:

That all laws or parts of laws inconsistent with the foregoing sections of this act are hereby repealed: *Provided*, That no action begun or right of action accrued prior to the passage of this act shall be affected by this repeal.

The amendment was agreed to.

The reading of the bill was continued. The next amendment was, on page 98, line 16, before the words "Point Wilson," to strike out "Pinol" and insert "Pinole;" so as to make the clause read:

Channel between the straits of Carquinez and the Golden Gate, off Point Pinole, Point Wilson, and Lone Tree Point, with a view to obtaining a channel 300 feet in width, of a depth of 30 feet.

The amendment was agreed to.

The next amendment was, on page 98, after line 18, to insert: Harbor of South San Francisco, San Mateo County.

The amendment was agreed to.

The next amendment was, at the top of page 99, to insert:

St. Jones River, Delaware, from a point 60 yards above the drawbridge crossing said river at the town of Lebanon.

The amendment was agreed to.

The next amendment was, on page 99, after line 23, to insert:

#### GEORGIA.

Brunswick, Ga.: Inner harbor, with a view of determining what improvement thereof is desirable in the interest of commerce and the cost thereof.

The amendment was agreed to.

The next amendment was, on page 100, after line 12, to insert:

Waukegan Harbor, with a view to obtaining a channel 300 feet wide and 20 feet deep.

The amendment was agreed to.

The reading of the bill was continued to the end of page 100.

Mr. FRYE. At the bottom of page 100, at the end of line 25, I move to insert:

And the aforesaid depth of 21 feet is hereby adopted as the project depth for the improvement in lieu of that fixed by the act of June 3, 1896: *Provided*, That all the work of removing and reconstructing bridges and piers and lowering channels necessary to permit a practicable channel with said depth to be obtained shall be done or be caused to be done by the city of Chicago without expense to the United States.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment was, on page 101, after line 6, to insert:

Survey of the Mississippi River between Station 1840, as established by Government survey reported in Executive House Document No. 111, third session Fifty-third Congress, and the railroad embankment at the railroad bridge crossing in front of Quincy, Ill., with a view to preventing the filling up of Quincy Bay by sediment carried by the river in times of high water.

The amendment was agreed to.

The next amendment was, at the top of page 102, to insert:

#### LOUISIANA.

Survey of Atchafalaya Bay from the mouth of Atchafalaya River to deep water in the Gulf of Mexico, 12 feet deep at mean low water and 200 feet wide, with an estimate of the cost of said improvement.

The amendment was agreed to.

The next amendment was, on page 102, after line 9, to insert:

Parkers Head Harbor and Channel, Kennebec River.

The amendment was agreed to.

The next amendment was, on page 102, after line 10, to insert:

Bucksport Harbor.

The amendment was agreed to.

The next amendment was, on page 102, after line 11, to insert:

Kennebec River between Gardiner Bridge and Augusta Dam, with a view to securing a channel equal in capacity to that below said bridge.

The amendment was agreed to.

Mr. FRYE. I move to insert, after line 14, page 102:

Kenduskeag River, at its mouth, with a view to securing a channel 2 feet at extreme low tide for the entire width of the river.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment was, under the head of "Maryland," page 102, line 19, before the word "Bay," to strike out "Brittons" and insert "Brettons;" so as to read:

Brettons Bay, on the Potomac River.

The amendment was agreed to.

The next amendment was, on page 102, after line 19, to insert:

Elk River.

The amendment was agreed to.

The next amendment was, on page 102, after line 20, to insert:

Tyaskin Creek.

The amendment was agreed to.

The next amendment was, on page 102, after line 21, to insert:

Rockhall Harbor, with a view to obtaining a channel through Swan Point Bar 150 feet wide and 12 feet deep and a channel in the inner harbor of the same width and depth; also for a channel 190 feet wide and 12 feet deep across the bar.

The amendment was agreed to.

The next amendment was, for survey of New Bedford Harbor, Massachusetts, on page 103, line 7, after the word "Bridge," to insert "and also of removing the bar in the channel of New

Bedford Harbor about 800 feet southerly from Fish Island;" so as to make the clause read:

New Bedford Harbor: To remove the bar between the present channel and the northerly terminus of the proposed channel on the northerly side of the New Bedford and Fairhaven Bridge, and also of removing the bar in the channel of New Bedford Harbor about 800 feet southerly from Fish Island.

The amendment was agreed to.

The next amendment was, under the subhead "Winthrop Harbor," on page 103, after line 18, to insert:

Piers and breakwater at Rockport.

The amendment was agreed to.

The reading was continued to line 24 at the bottom of page 103.

Mr. FRYE. At the bottom of page 103, after line 24, I move to insert:

Cohasset Harbor, with a view to deepening the same and its channel.

The amendment was agreed to.

The next amendment, was for surveys in Michigan, on page 104, after line 11, to insert:

Mackinac Harbor: For the protection of the harbor by breakwaters.

The amendment was agreed to.

The next amendment was, on page 104, after line 18, to insert:

Copper Harbor: To obtain a depth of 18 feet.

The amendment was agreed to.

The next amendment was, on page 105, after line 4, to insert:

Long Prairie River and Lakes Carlos, Darling, Le Homme Dieu, and Geneva, Minnesota: With a view to the construction of reservoirs for the improvement of the navigation of the Mississippi River.

The amendment was agreed to.

The next amendment was, on page 105, after line 8, to insert:

Two Islands or Saxton, Minnesota, situate about midway between Two Harbors and Grand Marais, Minn.: With a view of making a harbor of refuge at that point.

The amendment was agreed to.

The next amendment was, on page 105, after line 11, to insert:

Red River of the North, Minnesota and North Dakota: With a view of ascertaining what improvements, if any, should be made to govern and repress the floods of the river, and to prevent the undue erosion of the banks.

The amendment was agreed to.

The next amendment was, on page 106, after line 4, to insert:

#### NEW HAMPSHIRE.

Pull-and-be-damned Point, Portsmouth Harbor: With a view to its removal, so far as the same is an obstruction to navigation.

The amendment was agreed to.

The next amendment was, on page 106, after line 8, to insert:

Isles of Shoals: With a view to building a breakwater from Smutty Nose Island to Cedar Island.

The amendment was agreed to.

The next amendment was, for surveys in New Jersey, on page 106, after line 13, to insert:

Maurice River, Oldmans Creek.

The amendment was agreed to.

The next amendment was, for surveys in New York, on page 107, after line 15, to insert:

Patchogue River: With a view to deepening the channel from Fire Island Inlet to Patchogue to a depth of 8 feet, with a channel 80 feet in width.

The amendment was agreed to.

The next amendment was, on page 107, after line 21, to strike out:

East Chester Creek.

The amendment was agreed to.

The next amendment was, on page 107, after line 24, to insert:

Port Chester Harbor.

The amendment was agreed to.

The next amendment was, on page 108, line 4, before the word "in," to strike out "the mouth of the Grand Ronde River" and insert "Pittsburg Landing;" so as to make the clause read:

Snake River: That portion of the Snake River extending from the town of Asotin, in the State of Washington, to Pittsburg Landing, in the State of Oregon.

The amendment was agreed to.

The next amendment was, on page 108, after line 5, to insert:

Lower Willamette and Columbia rivers below Portland, Oreg.: Survey and estimate of the cost of obtaining a channel depth of 25 feet at low water from Portland to the mouth of the Columbia River.

The amendment was agreed to.

The next amendment was, on page 108, after line 13, to insert:

Mouth of Columbia River, Oregon and Washington: Survey and estimate with a view to obtaining a channel of 35 feet depth at lowest low water, and a report as to the desirability of such improvement.

The amendment was agreed to.

The next amendment was, for surveys in Pennsylvania, on page 108, after line 21, to insert:

Pittsburg Harbor: With a view to ascertaining the means necessary to preserve it from unauthorized encroachments and other damage, the dredging required, the marking of harbor lines, and patrolling harbor, and the probable expense thereof.

The amendment was agreed to.

Mr. FRYE. On page 109, under the head of "Rhode Island," I move to strike out from line 2 to line 5, inclusive, in the following words:

Pawtucket River: Cost of straightening the channel between the mouth of Ton-Mile River and Bucklins Island, intending to use so much of the old channel as might be found advantageous.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment was, for surveys in Tennessee, on page 110, after line 7, to insert:

Richland River: From its mouth to Dayton.

The amendment was agreed to.

The next amendment was, on page 110, line 12, before the word "River," to strike out "Ocoee" and insert "Ocoee;" so as to make the clause read:

Hiwassee River: For its survey from its mouth to the mouth of the Ocoee River.

The amendment was agreed to.

The next amendment was, for surveys in Texas, on page 111, after line 8, to insert:

For a canal 10 feet deep and 100 feet wide around the raft in the Colorado River, in Matagorda County.

The amendment was agreed to.

The next amendment was, on page 111, after line 10, to insert:

Red River, from the mouth of the Kiamitia River to the mouth of Blue River.

The amendment was agreed to.

The next amendment was, on page 112, after line 2, to insert:

#### WASHINGTON.

Neah Bay: With a view to its improvement as a harbor of refuge.

The reading of the bill was concluded.

The PRESIDING OFFICER. The bill is in Committee of the Whole and open to amendment.

Mr. SPOONER. Mr. President—

Mr. FRYE. One moment. The amendments of the committee are not completed. There were two or three items passed over. The first one is on page 29, in the clauses for Conneaut and Fairport, Ohio. Neither of those amendments was agreed to.

The SECRETARY. On page 29, line 5, after the word "improvement," strike out "one hundred" and insert "seventy-five;" so as to make the clause read:

Improving harbor at Conneaut, Ohio: Continuing improvement, \$75,000.

The amendment was agreed to.

The SECRETARY. On page 29, line 7, after the word "improvement," strike out "one hundred" and insert "seventy-five;" so as to make the clause read:

Improving harbor at Fairport, Ohio: Continuing improvement, \$75,000.

The amendment was agreed to.

The SECRETARY. On page 29, line 13, before the word "thousand," strike out "eighty" and insert "sixty;" so as to read:

Improving harbor at Sandusky, Ohio: Continuing improvement in accordance with plans submitted February 23, 1896, \$60,000.

The amendment was agreed to.

The SECRETARY. On page 36, line 23, after the word "reported," strike out "by Capt. James G. Warren;" and on page 37, line 1, after the word "reported," strike out "by Capt. George A. Zinn;" so as to read:

Improving harbor at Racine, Wis., according to the project reported January 13, 1890, and the project for widening and deepening said harbor and correcting the funnel-shaped entrance thereof, reported January 27, 1897, \$50,000.

The amendment was agreed to.

The SECRETARY. On page 37, line 3, after the word "dollars," strike out the following proviso:

Provided, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said projects, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$67,650, exclusive of the amount herein and heretofore appropriated—

And insert:

Of which \$3,000 may be used for maintenance.

Mr. FRYE. The Senator from Wisconsin [Mr. SPOONER] has satisfied me that the proviso should not be stricken out. I ask that that committee amendment striking out the proviso be disagreed to.

The amendment was rejected.

Mr. FRYE. Now, let the amendment of the committee, at the end of the proviso inserting the words "of which \$3,000 may be used for maintenance," which are in italics, be agreed to.

The amendment was agreed to.

The SECRETARY. The next amendment of the committee passed over is, on page 37, line 14, after the word "ninety-eight," to strike out "by Capt. George A. Zinn;" so as to read:

Improving harbor at Sheboygan, Wis.: For maintenance, \$3,400; for improving said harbor according to the project for a breakwater reported July 23, 1893, \$25,000.

The amendment was agreed to.

The SECRETARY. On page 37, line 15, after the word "dollars," strike out the following proviso:

*Provided, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate the sum of \$22,000, exclusive of the amount herein and heretofore appropriated.*

Mr. FRYE. Let that be disagreed to.

The amendment was rejected.

The PRESIDING OFFICER. The Senator from Wisconsin was recognized. Does he desire the floor?

Mr. SPOONER. I am through.

Mr. FRYE. That is all that I have to present in the bill.

Mr. LODGE. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. After line 11, page 5, insert:

For the repair of the sea wall at Marblehead, Mass., made necessary by the great storm of November, 1898, \$1,000, to be expended under the direction of the Secretary of War.

Mr. FRYE. That is all right.

The amendment was agreed to.

Mr. CULLOM. I ask the attention of the chairman of the committee to page 31. The local engineer at Chicago asks that the full amount there in reference to Calumet Harbor be given, stating that it is necessary to complete the work. I will state to the Senator that the amendment I propose only makes a slight difference in the amount of the appropriation. I move to strike out "\$800,830" and insert "\$903,740."

Mr. FRYE. I think the Senator has not got it right. That appropriation is exclusive of the appropriation in another part of the bill, and the Senator is now proposing to put in the full amount.

Mr. CULLOM. The engineer says:

Calumet outer harbor requires \$903,740 for the completion of the work estimated for February 9, 1898.

Mr. FRYE. But there is \$100,000 appropriated in the bill itself, which takes off part of that amount.

Mr. CULLOM. If the chairman is sure of that, I am satisfied.

Mr. FRYE. Of course I am sure of it. There is not any question of it.

Mr. CULLOM. On that statement I withdraw the amendment.

Mr. GEAR. I offer the amendment which I send to the desk.

The SECRETARY. On page 82, after line 6, it is proposed to insert:

That the sum of \$50,000 be appropriated to construct a levee along the west bank of the Mississippi River from the mouth of the Iowa River, in Louisa County, to the city of Muscatine, in Muscatine County, Iowa: *Provided, That the right of way shall be donated for said purpose.*

Mr. FRYE. I am afraid I shall have to make the point of order on that amendment.

Mr. GEAR. I do not think so.

Mr. FRYE. Why not?

Mr. GEAR. This is a river and harbor bill for the general improvement of rivers and harbors; and that being so, the amendment is certainly in order.

Mr. FRYE. There is no estimate for it.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Iowa [Mr. GEAR].

The amendment was agreed to.

Mr. GEAR. I offer another amendment, to come in after the amendment just adopted.

The SECRETARY. It is proposed to insert after the amendment just adopted:

That the sum of \$50,000 be appropriated to construct a levee along the west bank of the Mississippi River, from the bluff above the city of Fort Madison, Lee County, Iowa, to the mouth of Skunk River, in said county, State of Iowa: *Provided, That the land be donated for the right of way for said levee.*

The amendment was agreed to.

Mr. WILSON. I offer the amendment which I send to the desk, to come in on page 40, after line 7.

The SECRETARY. On page 40, after the word "dollars," at the end of line 7, in the appropriation for "Improving Everett Harbor, Washington: Continuing improvement, \$50,000," it is proposed to insert:

*Provided, That the Secretary of War may enter into a contract or contracts for the materials and work necessary for the completion of said project, to be paid for as appropriations may from time to time be made by law, \$342,000.*

The VICE-PRESIDENT. The question is on the amendment. The amendment was agreed to.

Mr. BUTLER. I offer the amendment which I send to the desk, to come in on page 53, after line 24. The chairman of the committee is familiar with the amendment.

The SECRETARY. On page 53, after line 24, it is proposed to insert:

Improving Town Creek, Brunswick County, N. C.: To make a channel 40 feet wide at bottom and 5 feet deep at mean low water from the mouth to

Upper Bridge, and to snag and remove obstructions from the creek from the mouth to The Rocks: *Provided, That no work be done until Upper Bridge is provided with a proper draw, \$8,500.*

The amendment was agreed to.

Mr. MANTLE. I offer the amendment which I send to the desk, to come in on page 82, after line 22.

The SECRETARY. On page 82, after line 22, it is proposed to insert:

To repair the south bank of the Missouri River at the town of Judith, Mont., \$5,000.

To repair the levee at the town of Fort Benton, Mont., and confine the river within its present limits, \$5,000.

The amendment was agreed to.

Mr. WHITE. When the river and harbor bill was under consideration, I was unavoidably detained from the committee. There are three or four amendments regarding California matters which I desire now to call to the attention of the Senate.

On page 39, line 6, in the appropriation for "Improving harbor at San Luis Obispo, Cal.," I move to insert the word "five" after the word "fifty," so as to make the appropriation \$55,000 instead of \$50,000.

The amendment was agreed to.

Mr. WHITE. On the same page, in line 4, in the appropriation for "Improving harbor at San Diego, Cal.," I move to strike out the word "fifty," before "thousand," and insert "sixty-five," so as to make the appropriation \$65,000.

The amendment was agreed to.

Mr. WHITE. On page 98, after line 10, where the surveys are provided for, I move to insert after line 10, under the head of "California:"

Inner harbor, San Pedro.

The amendment was agreed to.

Mr. WHITE. Returning to page 39, at the end of line 2, I move to insert:

Improving Alviso Harbor, Santa Clara County, Cal., in accordance with project reported December 11, 1896, \$48,000.

The amendment was agreed to.

Mr. CULLOM. I believe the Senator from Maine, in charge of the bill, is now willing to accept the amendment which I offered a while ago. On page 31, line 15, I move, after the word "hundred," that the words "and fifty" be restored to the bill; and on the same page, line 30, that the words "and fifty-nine" be restored.

Mr. FRYE. The committee amendments will be disagreed to.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 31, in the clause making appropriations for "improving Calumet Harbor, Illinois," in line 15, the words "and fifty" were stricken out, so as to make the amount of the appropriation \$100,000; and in line 20, after the word "hundred," the words "and fifty-nine" were stricken out, so as to make the amount \$800,830.

The VICE-PRESIDENT. The question is on the amendments of the committee striking out the words named.

The amendments were rejected.

Mr. McBRIDE. I move to amend, on page 108, line 16, in the appropriation for "Mouth of Columbia River, Oregon and Washington," before the word "feet," by striking out "thirty-five" and inserting "forty," so as to provide for obtaining a channel 40 feet deep.

The amendment was agreed to.

Mr. PENROSE. At the request of my colleague [Mr. QUAY], who is unavoidably absent, I offer an amendment reported by him from the Committee on Public Buildings and Grounds.

The SECRETARY. It is proposed to insert, on page 72, the following:

Improving Ohio River: Continuing improvement for dam No. 7, \$25,000, to be used for the local survey, acquisition of site, and improvement of construction of said dam: *Provided, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$900,000, exclusive of the amount herein appropriated.*

Mr. FRYE. I make the point of order against that amendment. It has never been referred to the Committee on Commerce.

The VICE-PRESIDENT. The Chair must sustain the point of order.

The bill was reported to the Senate as amended; and the amendments made as in Committee of the Whole were concurred in. The amendments were ordered to be engrossed and the bill to be read a third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. PETTIGREW. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BURROWS (when his name was called). I am paired with the senior Senator from Louisiana [Mr. CAFFERY]. If at liberty to vote, I should vote "yea."

Mr. FRYE. So would he.

Mr. CARTER (when his name was called). I am paired with

the Senator from Nebraska [Mr. ALLEN], and therefore withhold my vote.

Mr. GALLINGER (when his name was called). I have a standing pair with the senior Senator from Texas [Mr. MILLS], who does not seem to be in his seat; but I understand he is in favor of the bill, and so I take the liberty of voting. I vote "yea."

Mr. GEAR (when his name was called). I am paired generally with the Senator from New Jersey [Mr. SMITH], but I will transfer that pair, by permission, to the Senator from Michigan [Mr. BURROWS], who has been paired with the Senator from Louisiana [Mr. CAFFERY], and I vote "yea."

Mr. HANSBROUGH (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL]. That Senator being absent, I withhold my vote.

Mr. PRITCHARD (when his name was called). I have a general pair with the Senator from South Carolina [Mr. McLAURIN], but as I am informed he would vote for the bill if he were here, I vote "yea."

Mr. WHITE (when Mr. VEST's name was called). The Senator from Missouri [Mr. VEST] asked me to state that he was paired with the Senator from Rhode Island [Mr. ALDRICH], but if he were present, he would vote "nay" and the Senator from Rhode Island would vote "yea."

Mr. WARREN (when his name was called). I have a general pair with the junior Senator from Washington [Mr. TURNER], but I have been voting to-day, as I understand he favors this bill. I therefore feel authorized to vote. I vote "yea."

The roll call was concluded.

Mr. COCKRELL. I am paired with the senior Senator from Iowa [Mr. ALLISON], who is necessarily absent.

Mr. BACON. I have a pair with the junior Senator from Rhode Island [Mr. WETMORE]. I am informed, however, that if present, he would vote "yea."

I desire to say that, while there are some things in this bill which I do not approve of, and especially anything which indicates the power of the President to acquire territory other than by treaty, generally upon the bill I would vote "yea."

Mr. BATE. I do not know that I have any right to explain my position during the taking of the vote, and before that time I was out of the Chamber engaged in official business in the Military Committee. As I can not properly make a statement of my position at this stage of the proceedings, I content myself with voting "yea."

Mr. BURROWS. I transfer my pair with the Senator from Louisiana [Mr. CAFFERY] to the Senator from Ohio [Mr. FORAKER], and vote "yea."

Mr. BERRY. My colleague [Mr. JONES of Arkansas] is absent sick. If he were present, he would "yea." He is paired generally with the Senator from Maine [Mr. HALE].

Mr. PERKINS (after having voted in the affirmative). I have a general pair with the junior Senator from North Dakota [Mr. ROACH], but upon this vote I think we would agree, and so I will let my vote stand.

The result was announced—yeas 50, nays 3; as follows:

## YEAS—50.

Bacon,	Faulkner,	McMillan,	Ross,
Bate,	Frye,	Mallory,	Sewell,
Berry,	Gallinger,	Martin,	Shoup,
Burrows,	Gear,	Morgan,	Simon,
Butler,	Hanna,	Murphy,	Spooner,
Chandler,	Harris,	Nelson,	Stewart,
Chilton,	Hawley,	Pasco,	Sullivan,
Clark,	Jones, Nev.	Penrose,	Turley,
Clay,	Kenney,	Perkins,	Warren,
Cullom,	Lindsay,	Pettus,	White,
Debos,	Lodge,	Platt, Conn.	Wilson.
Elkins,	McBride,	Pritchard,	
Fairbanks,	McEnery,	Proctor,	

## NAYS—3.

Pettigrew,	Rawlins,	Teller.
------------	----------	---------

## NOT VOTING—37.

Aldrich,	Foraker,	Mantle,	Tillman,
Allen,	Gorman,	Mason,	Turner,
Allison,	Gray,	Mills,	Turpie,
Baker,	Hale,	Mitchell,	Vest,
Caffery,	Hansbrough,	Money,	Wellington,
Cannon,	Heitfeld,	Platt, N. Y.	Wetmore,
Carter,	Hoar,	Quay,	Wolcott.
Cockrell,	Jones, Ark.	Keach,	
Daniel,	Kyle,	Smith,	
Davis,	McLaurin,	Thurston,	

So the bill was passed.

## REORGANIZATION OF THE ARMY.

Mr. HAWLEY. I ask consent at this time to report from the Committee on Military Affairs a bill for increasing the efficiency of the Army of the United States, and for other purposes. There is great unanimity on the part of the committee in this report, and we confidently believe the bill will pass the Senate.

The bill (S. 5378) for increasing the efficiency of the Army of the United States, and for other purposes, was read twice by its title.

Mr. HAWLEY. I move that the bill (H. R. 11029) for the reorganization of the Army of the United States, and for other purposes, be recommitted to the Committee on Military Affairs, and also the bill introduced by the Senator from Missouri [Mr. COCKRELL].

Mr. COCKRELL. I understand the Senator from Connecticut [Mr. HAWLEY] to include in his motion the bill (S. 5516) to provide for the discharge of volunteers for the war with Spain, and for the continuance of the permanent military establishment on a war footing, and for other purposes, which was introduced by himself.

Mr. HAWLEY. I include that bill in my motion.

The VICE-PRESIDENT. The question is on the motion of the Senator from Connecticut that the two bills which have been indicated be recommitted to the Committee on Military Affairs.

The motion was agreed to.

## HOUR OF MEETING.

Mr. CARTER. I move that when the Senate adjourn to-day it be to meet at 11 o'clock to-morrow morning.

The motion was agreed to.

## MRS. LETITIA TYLER SEMPLE.

Mr. SHOUP submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House of Representatives and agree to the same.

GEORGE L. SHOUP,  
M. A. HANNA,  
WILLIAM LINDSAY,  
*Managers on the part of the Senate.*  
H. C. LOUDENSLAGER,  
G. W. WEYMOUTH,  
T. W. SIMS,  
*Managers on the part of the House.*

The report was agreed to.

## GEORGE HUGHES.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 1154) for the relief of George Hughes, of Portland, Oreg., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to amendment numbered 1 of the House of Representatives, and agree to a new amendment, as follows: Strike out the word "twenty" and insert the word "twenty-five;" and the House agree to the same.

That the Senate agree to amendment numbered 2 of the House of Representatives.

J. H. GALLINGER,  
J. C. PRITCHARD,  
W. N. ROACH,  
*Managers on the part of the Senate.*  
H. C. LOUDENSLAGER,  
G. W. WEYMOUTH,  
T. W. SIMS,  
*Managers on the part of the House.*

The report was agreed to.

## ENGROSSED AND ENROLLED BILLS.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was read:

*Resolved by the House of Representatives (the Senate concurring). That during the last six days of the present session of Congress the engrossing and enrolling of bills and joint resolutions by printing, as provided by act of Congress approved March 2, 1895, may be suspended, and said bills and joint resolutions may be written by hand.*

Mr. PLATT of Connecticut. I think the resolution may be referred or lie on the table.

The VICE-PRESIDENT. Rather than to act upon it now?

Mr. PLATT of Connecticut. I think it ought not to be acted upon at this time.

The VICE-PRESIDENT. The concurrent resolution will lie on the table for the present.

## CITY AND SUBURBAN RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 189) to promote the relocation of certain tracks of the City and Suburban Railway Company, of the District of Columbia.

Mr. GALLINGER. I move that the Senate disagree to the amendment made by the House of Representatives and ask for a committee of conference on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint conferees on the part of the Senate; and Mr. McMILLAN, Mr. PROCTOR, and Mr. FAULKNER were appointed.

Mr. PLATT of Connecticut. I move that the Senate adjourn. The motion was agreed to; and (at 6 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 25, 1899, at 11 o'clock a. m.

## HOUSE OF REPRESENTATIVES.

FRIDAY, February 24, 1899.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

## ORDER OF BUSINESS.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill I send to the Clerk's desk.

Mr. HULL. Mr. Speaker, I gave notice yesterday that immediately upon the reading of the Journal I would move to go into Committee of the Whole for the consideration of the Army appropriation bill.

Mr. SHERMAN. Will the gentleman withhold his motion for a moment. This is a right-of-way bill and I have been waiting a week.

Mr. HULL. I have been appealed to by so many members of the House that I do not feel like granting indulgence to anyone until we get through with this appropriation bill.

Mr. SHERMAN. This is an important bill and it will not take but a moment, and I have been waiting for a week, and I appeal to the gentleman to let me in.

Mr. HULL. I can not yield to any member this morning.

## GEORGE HUGHES.

Mr. LOUDENSLAGER. Mr. Speaker, I have a conference report on the bill (S. 1154) for the relief of George Hughes.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill S. 1154, "An act for the relief of George Hughes, of Portland, Oreg.," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to amendment numbered 1 of the House of Representatives, and agree to a new amendment, as follows: Strike out the word "twenty" and insert the word "twenty-five;" and the House agree to the same.

That the Senate agree to amendment numbered 2 of the House of Representatives.

H. C. LOUDENSLAGER,

G. W. WEYMOUTH,

T. W. SIMS,

Managers on the part of the House.

J. H. GALLINGER,

J. C. PRITCHARD,

W. N. ROACH,

Managers on the part of the Senate.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House agree to the conference report.

The conference report was agreed to.

On motion of Mr. LOUDENSLAGER, a motion to reconsider the vote agreeing to the conference report was laid on the table.

## LETITIA TYLER SEMPLE.

Mr. LOUDENSLAGER. Mr. Speaker, I have another conference report, on the bill S. 1776, "An act to increase the pension of Mrs. Letitia Tyler Semple."

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill S. 1776, "An act to increase the pension of Mrs. Letitia Tyler Semple," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House of Representatives, and agree to the same.

H. C. LOUDENSLAGER,

G. W. WEYMOUTH,

T. W. SIMS,

Managers on the part of the House.

GEORGE L. SHOUP,

M. A. HANNA,

WILLIAM LINDSAY,

Managers on the part of the Senate.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House agree to the conference report.

The conference report was agreed to.

On motion of Mr. LOUDENSLAGER, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

## SUSPENSION OF ACT RELATING TO ENGROSSED BILLS.

Mr. HULL. Mr. Speaker, I am informed that the gentleman from Iowa [Mr. HAGER] has a resolution which it is very important should be now considered, in view of the necessary business of the House during the last days of the session.

Mr. HAGER. Mr. Speaker, I ask for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring). That during the remaining days of the present session of Congress the engrossing and enrolling of bills and joint resolutions by printing as provided by act of Congress approved March 2, 1895, may be suspended, and said bills and joint resolutions may be written by hand.

Mr. DOCKERY. The law provides for that to be done during

the last six days of the session, and I hope the gentleman will change the resolution so as to conform to the law.

Mr. SULZER. If the law provides for it, what is the use of adopting this resolution?

Mr. DOCKERY. The law authorizes the two Houses by concurrent resolution to do exactly what the gentleman from Iowa proposes to do by this resolution, except that the resolution provides for "the remaining days" of the session while the law authorizes the change to be made during the last six days of the session.

Mr. HAGER. But it requires a resolution.

Mr. DOCKERY. Certainly; and I suggest it should be made to apply only to the last six days.

Mr. RICHARDSON. That is time enough, too.

Mr. DOCKERY. Yes, that is time enough; and it ought not to be done if it can be avoided.

Mr. HAGER. I am willing to accept the amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the word "remaining" and insert the words "the last six;" so that it will read "during the last six days of the present session."

The amendment was agreed to.

The resolution as amended was agreed to.

On motion of Mr. HAGER, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

## EXTENDING POWERS OF COMMISSION OF FISH AND FISHERIES TO GAME BIRDS AND OTHER WILD BIRDS.

Mr. PERKINS. Mr. Speaker, I present the following conference report on the bill H. R. 3589, "An act to extend the powers and duties of the Commission of Fish and Fisheries to include game birds and other wild birds useful to man."

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 3589, "An act to extend the powers and duties of the Commission of Fish and Fisheries to include game birds and other wild birds useful to man," having met, after full and free conference report that they have been unable to agree.

GEO. D. PERKINS,

SERENO E. PAYNE,

W. JASPER TALBERT,

Managers on the part of the House.

GEO. F. HOAR,

A. O. BACON,

H. M. TELLER,

Managers on the part of the Senate.

Mr. PERKINS. Mr. Speaker, I move that the conference report be accepted, and that the House request a further conference.

The SPEAKER. The conference report needs no action on the part of the House.

Mr. PERKINS. But I ask for a further conference.

The SPEAKER. The gentleman from Iowa moves to insist on the disagreement to the Senate amendment and ask for a further conference.

The motion was agreed to.

The Chair appointed as conferees on the part of the House Mr. PERKINS, Mr. PAYNE, and Mr. TALBERT.

## OLIVIA WORDEN.

Mr. RAY of New York. Mr. Speaker, there are two pension bills on the Speaker's table on which the Senate has disagreed to the amendments of the House and asked a conference. I ask that those bills be taken up, that the conference asked by the Senate may be agreed to.

The bill (S. 2919) granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy, was read, with the amendments.

Mr. RAY of New York. I move that the House insist on its amendments and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. RAY of New York, Mr. HENRY of Connecticut, and Mr. DRIGGS as conferees on the part of the House.

## GEORGE W. NEVINS.

The bill (S. 1968) granting an increase of pension to George W. Nevins was read, with the amendments.

Mr. RAY of New York. I move that the House insist on its amendments and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. RAY of New York, Mr. SULLOWAY, and Mr. CASTLE as conferees on the part of the House.

## CHANGE OF REFERENCE.

By unanimous consent, the Committee on Foreign Affairs was discharged from the further consideration of the joint resolution (S. R. 61) for the relief of August Bolten and Gustave Richelieu; and the same was referred to the Committee on Claims.

## ADMISSION TO THE FLOOR.

The SPEAKER. The Chair desires to call attention to the fact that at fifteen minutes before 12 o'clock each day persons not entitled by the rules of the House to the privileges of the floor are called upon to leave the Chamber. The Chair hopes that members will not detain their friends on the floor after that time, as it is difficult in the closing days of the session to keep the House in order and enforce the rules, and the more so if unprivileged persons are upon the floor. The Chair calls special attention of members to this rule.

## ARMY APPROPRIATION BILL.

Mr. HULL. I move that the House resolve itself into Committee of the Whole on the state of the Union for consideration of the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900. Before that motion is put, I ask unanimous consent that all general debate in Committee of the Whole be limited to five hours, two hours and a half to be controlled by myself and two hours and a half by the gentleman from New York [Mr. SULZER].

Mr. SULZER. We are satisfied with that.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. HULL]? The Chair hears none.

Mr. HULL. I ask unanimous consent that the session this afternoon be continued until half past 5 o'clock, so that the general debate may be closed to-day. I think we can get through by that time.

Mr. RAY of New York. A parliamentary inquiry. Would that interfere, Mr. Speaker, with taking the recess this evening for pension business?

The SPEAKER. It would not. In the absence of objection, the request of the gentleman from Iowa will be considered as agreed to.

There was no objection.

Mr. SULZER. I ask unanimous consent that all gentlemen who may speak on this bill may have leave to extend their remarks in the RECORD.

There was no objection; and leave was accordingly granted.

Mr. SULZER. I ask unanimous consent that there be a session to-morrow night.

Several MEMBERS. For what?

Mr. SULZER. To debate this bill.

Mr. HULL. I must object to that for the present.

The question being taken on the motion of Mr. HULL, that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of the Army appropriation bill, it was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. HOPKINS in the chair) and proceeded to the consideration of the bill.

Mr. HULL. I ask unanimous consent that the first reading of the bill be dispensed with.

There was no objection.

Mr. HULL. Mr. Chairman, the Committee on Military Affairs, in the preparation of this bill for the support of the Army for the fiscal year ending June 30, 1900, have been confronted with some difficulties. The estimates submitted by the War Department were on the basis of 160,000 men, and, as I remember, required in round numbers about \$145,000,000 for the support of the Army.

It was evident to the committee, Mr. Chairman, that a reduction would be made in the Army before the close of the present fiscal year, for which appropriation is already made. Taking as a basis what is known as the Hull Army bill for the ensuing year, it will make the Army, substantially, to consist of 100,000 men. We have therefore framed the appropriation bill on that basis and on the lines of that bill, believing that it will not be possible to reduce the number below the number provided for in the bill during the next fiscal year.

We called for supplemental estimates from the Department, and we have had before us the officers of the various departments of the Government connected with the military establishment—men dealing with the pay, subsistence, and care of the Army—and the result of the investigation is the bill which is now presented to the House for its approval, carrying a total appropriation of \$79,038,229.66.

There will be an addition to that of \$50,000, which will be offered by the committee as an amendment with reference to the Ordnance Department, and that is the only amendment the committee recommends which will make a net increase. There is \$25,000 authorized to be offered for the hospital service, including the care and maintenance of the hospital at Hot Springs, Ark., and \$9,700 to replace the power house recently burned at Rock Island Arsenal. On the other hand, some reduction will be made in the total for the expenditures of the Commissary Department, in accordance with a supplemental estimate from the Commissary-General, which will about equalize these sums.

It has been stated by a very distinguished authority on appropriations that there will be a deficit, if the bill carries only the

sum named, of at least \$45,000,000. But let me state, in my judgment, Mr. Chairman, that if the bill passes as reported by the committee, framed as it is substantially on the lines of the Hull bill—and that seems to be pretty nearly what the Army will be for the ensuing year, if the reports in the newspaper press of the country are to be trusted—there will be no deficit at all.

The War Department, as all members know, in dealing with estimates are liable to make very liberal estimates for the expenditures of that Department; and we have deducted from their estimates the sum only of \$5,277,495.00 from the total amount asked, which is as small a reduction in proportion as has ever been made in the preparation of bills for this Department.

Another thing, I think it is better to have a small deficiency than to have a large surplus to be carried over. I think it better legislation to get as near the absolute demands of the service as can be reached and appropriate under rather than over these estimates, for the reason that before harm could come from a shortage of the appropriation a session of Congress will intervene and supply what may be required. A too liberal appropriation leads to extravagance. But, in my judgment, the amount that we are appropriating is ample.

Now, I will call attention to various reductions that have been made, so the Committee of the Whole may know exactly. There is \$200,000 taken from the contingencies for the Army. We gave them a very large increase over what has been given heretofore, and, in my judgment, we have given all that there is any reasonable probability of being expended. There is a \$776,000 cut in the pay of the officers of the line, and there is a possibility that there may be a little deficiency in that when the results are finally reached. But we cut it out on the theory that all of the officers can not be appointed promptly enough to draw full pay for the entire fiscal year. It would take some time to organize the new force and get the officers mustered in so that they will be placed on the pay rolls of the Government and draw compensation.

We have deducted from the pay of the men \$1,625,484. The estimate submitted to us was for the entire number of men provided for by the bill and for the full fiscal year, while as a matter of fact there has never been a time when all of the men authorized by our law were enlisted in the Army. We took about the average of what is shown by the records to have been the enlistment heretofore in proportion to the total force authorized, and on that made the calculation. We believe the amount to be sufficient and ample. All know that it would be almost impossible for the next fiscal year, at least, to have an army of 100,000 men—that is to say, an army enlisted up to the maximum. And so, while the maximum of the officers authorized under the law may be more nearly reached than in reference to the men, yet in the judgment of the committee there will be no deficiency in this regard.

Another proposition was considered by the committee and adopted, and that is to cut the amount of \$125,000 from the appropriation for the subsistence of the Army. That was done on the suggestion of the Commissary-General that the reduction could be made, and we have taken \$181,000 from the amount appropriated to pay the Cubans after the 30th of June next. We still leave \$100,000 for that purpose, and the committee thought, and, so far as I am concerned personally, I wish to say that I am of the opinion, that we ought not to appropriate a single dollar after that time, for after the 30th of June the inhabitants of Cuba should be able to maintain themselves entirely independent of all expenditures for charity on the part of the people of the United States. But we left \$100,000 for rations for Cubans, which, to say the least, is generous.

On the subject of horses for the Army, we deducted \$770,000. The Quartermaster-General proposed to mount every cavalryman and every artilleryman in the Army within the next fiscal year. The committee believe that that would not be necessary; that it was an unusual state of affairs which would require an entire remount during the next fiscal year. We have purchased a large number of horses for the Volunteer Army for the service, and own them now, but many of them are in bad condition, it is true, many of them unfit for service; but still the Army is well supplied, as well as it has ever been, and we have simply taken off one-half of the amount, leaving enough money to remount one-half of the entire Army during the next fiscal year; so that, I believe, in place of a deficit in the appropriations there will be a surplus.

Mr. GAINES. Mr. Chairman, I make the point of order that we can not hear.

The CHAIRMAN. The committee will be in order.

Mr. HULL. Mr. Chairman, the next item on which a reduction is made is barracks and quarters. We cut off one million there. The Department estimated for four millions; an enormous increase over any appropriation ever made before, and an increase that we can conceive is necessary in large part from the fact that we are building barracks and quarters on territory not heretofore in the jurisdiction of the United States; but we still leave them \$3,000,000, which is more than four times as much as ever appropriated in any session of Congress since I have been a member.

We can not conceive how it will be necessary to use more than the three millions allowed by the committee.

The next reduction is \$600,000 for medical and hospital supplies. We give them \$1,500,000 in the bill. The testimony of the Surgeon-General was that he had a large amount of supplies on hand; and after the civil war closed the Medical Department was selling supplies for some time in place of purchasing more. We have increased this appropriation largely over what was contained in the last bill, and in my judgment it is absolutely ample for all the demands of the service.

Mr. VANDIVER. Will the gentleman allow me to ask him a question for information?

Mr. HULL. I yield to the gentleman for that purpose, if it is on this line.

Mr. VANDIVER. When the chairman of the committee speaks of reduction on a given point, I wish to know whether he refers to a reduction from the estimates of the Secretary of War or a reduction from the previous expenditures.

Mr. HULL. It is a reduction from the revised estimates that are not published, but were given to the committee.

Now, Mr. Chairman, I want to call attention to one other thing in the bill, and that is to the new legislation. There is some new legislation in the bill.

On page 2, lines 9 and 10, we have inserted the words "including the purchase of law books, books of reference, periodicals, and newspapers." That is done at the request of the Adjutant-General's Department and, we think, is necessary for the public service. It is a small item of expense, and if you will remember, after the war commenced, the House passed a bill making this item on an appropriation bill available for the present fiscal year.

The next new legislation will be found on page 3, and it is a question in my mind whether it is really new legislation or not, for this reason: The law now provides for clerks and messengers at department headquarters and at Headquarters of the Army. The committee has increased the number of clerks made necessary by the larger number of departments and by the demands of the service, and has further than that increased the salaries of the clerks in some of those places.

Mr. GAINES. How much does this bill propose to appropriate?

Mr. HULL. Seventy-nine million thirty-eight thousand two hundred and twenty-nine dollars. I think the appropriation, when it is finally filled out, will be in the neighborhood of \$79,080,000.

Mr. MOODY. These are not clerks in the departments?

Mr. HULL. These are clerks that have been provided for, but we have increased the number. They are not in the departments. There is no law fixing the number except on appropriation bills, and it is a question in my mind whether the point of order will lie against it, but I want to call attention to it.

On page 3, again, in line 25, and over in line 1, page 6, the committee has changed the language from "to departments and headquarters" to the words "to the offices and positions;" so that in place of reading as it does now, "assigned by the Secretary of War to the departments and headquarters in which they are to serve," it will read: "assigned by the Secretary of War to the offices and positions in which they are to serve." That has been done at the request of the Department, and we felt satisfied that it was reasonable.

On page 9 all the provision with regard to the Record and Pension Office could be construed to be new legislation, from the fact that it provides for the pay of a brigadier-general and an assistant in the office with the rank of lieutenant-colonel, whereas the law as it stands to-day would only provide for a colonel. But I think the committee will recognize the fact that the bill that passed the House and every bill that has been reported to the Senate provide for substantially just what we have in this bill.

Mr. BARTLETT. Is the gentleman explaining the provision on page 9?

Mr. HULL. Yes; it is simply an appropriation for the Record and Pension Office. It appropriates for a brigadier-general and for an assistant with the rank of lieutenant-colonel, while the present law only provides for a colonel; and I was stating as a reason for that, that I have no doubt before this Congress closes some law will pass, substantially as indicated in this appropriation.

Mr. MOODY. And in case the rank is not created the money will not be expended.

Mr. HULL. Oh, certainly not.

Mr. GAINES. Now, will the gentleman answer one question? Is this appropriation based on the assumption that our Regular Army will be a hundred thousand men, or what number?

Mr. HULL. A hundred thousand, officers and men. It is based on what is known as the Hull bill. I will say very frankly that that is what it was figured on, all through. Now, Mr. Chairman, on page 11, in line 8, the committee inserted the words in regard to mileage for contract surgeons. Under the present law contract surgeons may be paid, but there is no law really provid-

ing for it. This gives them the same rights that a surgeon has when traveling for the Government.

The proviso on page 11 is all new legislation. It is in regard to the payment and settlement of mileage accounts of officers, and is in the following words for the first proviso:

*Provided*, That the payment and settlement of mileage accounts of officers shall be made according to distances computed over routes established and by mileage tables prepared by the Paymaster-General under the directions of the Secretary of War, and all payments made by paymasters on account of mileage previous to the passage of this act shall be settled in accordance with the mileage distances as above provided.

That was put in at the request of some of the officers of the War Department. I will not say at the request of the Department, and was put in for the reason that there is constant friction between the Treasury and the War Department as to the mileage of officers. Frequently a paymaster settles on a basis approved by the War Department, and the account goes to the Treasury, and on some other tables prepared there the Treasury Department may raise or lower the amount. It seemed to the committee that some one Department should be responsible for figuring the mileage by the nearest usually traveled route, and that that should be final.

I will say to the committee that some officers of the Treasury Department do not like this proviso and would prefer, if it is to be enacted into law, that the Treasury in place of the War Department should do the figuring on mileage. There is another proviso right here on the same page which reads as follows:

*Provided further*, That actual expenses only shall be paid to officers when traveling to and from our island possessions in the Atlantic and Pacific oceans.

That is subject to a point of order, but I do not believe that any member of this committee would raise it. At present officers traveling on duty without troops get 7 cents a mile. That law was passed when we had only our own interior lines to take care of. To-day an officer going from San Francisco to Manila or from New York to Porto Rico, traveling without troops, would be entitled to 7 cents a mile, even if he should go on a Government transport. This proviso makes it so that hereafter all these officers shall receive only their actual expenses when so traveling, and I believe that it is just to the officers and absolutely just to the Government. So that I do not believe any man in the House will raise the point of order on the last proviso.

Mr. TODD. Would the gentleman allow me a question regarding the tables which it is proposed to have the Secretary of War make—the mileage tables? I understand the gentleman to say that the War Department will make those mileage tables over the shortest and most direct route.

Mr. HULL. The law requires that.

Mr. TODD. All right.

Mr. HULL. Now, Mr. Chairman, on page 16 you will find new legislation under the head of "Incidental expenses," commencing after the word "soldiers," in line 16, as follows:

And that in all cases where they would have been lawful claims against the Government, reimbursement may be made of expenses heretofore or hereafter incurred by individuals of burial and transportation of remains of officers, including acting assistant surgeons, not to exceed what is now allowed in the cases of officers and for the reimbursement in the cases of enlisted men of what is now allowed in their cases, may be made out of the proper funds appropriated by this act, and that the disbursing officers shall be credited with such reimbursements heretofore made.

This is in regard to officers or men who have been killed in action or who die on duty when in the field or at a military post. The amendment extends that, so that if they are killed or die at a place where there is no quartermaster, and the amount is paid, it shall be a claim against the Government, to be reimbursed by the Treasury. I will not take time upon it further, except to say that to-day, unless the quartermaster himself pays the bill, the charge can not be paid. The provision applies to all officers of the Army and enlisted men.

On page 24 there is a little amendment in line 10, inserting the words "National Home of Washington, D. C." That is in regard to supplying ammunition for burials. Heretofore the law has limited the ammunition furnished for burials to the National Homes for Volunteer Soldiers. We believe that the same thing should be supplied to National Homes for the regulars here adjoining Washington. And the same amendment was put in on page 25, lines 5 and 6, and the proviso on page 25, beginning after the word "manufacture," in line 13, is new legislation. That is as follows:

*Provided*, That on application of the governor of any State or Territory the Secretary of War is authorized to replace the ordnance and ordnance stores which the volunteers from said State or Territory carried into the service of the United States Army during the recent war with Spain, and which have been retained by the United States, \$300,000.

The National Guard, as you remember, were taken into the Army as organized under the bill passed last spring. There was no proviso in that bill that when they were mustered out they could take their arms back to their States. The result is that a large number of States, probably all of them, are now short of

arms, and there is no authority in the Government to reissue them. This proviso meets that emergency and authorizes the United States Government to return the arms and equipments on the application of the governors of the different States.

I think, Mr. Chairman, that is all the legislation in this bill which would under any circumstances be subject to a point of order. The committee has, however, inserted a proposition in the bill which we think to be exceedingly valuable, to commence the manufacture of small arms at the arsenal at Rock Island. That arsenal is designated in the law as a "national arsenal and armory," and there has been built at the arsenal heretofore a row of buildings especially designed for the manufacture of small arms. This bill simply provides for the machinery and fixtures to commence the manufacture. The provision is on page 25, commencing on line 20 and ending at line 23. I do not believe that this is subject to a point of order, but I call attention to it because it is the beginning of the manufacture at another armory of the small arms for the Government.

There is a universal demand over this country for arming and equipping of the National Guards, or State organized militia, if you want to call it so, to arm and equip them in the same manner that the Regular Army is armed and equipped. They should be so armed and equipped. They are entitled to learn to use the best arms the Government can furnish them, so that, in the event of their services being required, they could feel that they were familiar with the arm they were using. Unless we commence to manufacture the arms as suggested in this bill, those of us that are now living would not live to see the day come when the Government of the United States could arm the National Guard with what is now, I believe, called the United States service gun—the old Krag-Jorgensen.

Mr. GAINES. What kind of arms do you propose to manufacture?

Mr. HULL. The Krag-Jorgensen gun, fixtures, and ammunition. We propose to commence the manufacture on the same lines that we are now manufacturing them at Springfield, Mass.

Mr. GAINES. When were these buildings erected there?

Mr. HULL. The gentleman from Illinois can perhaps give the gentleman the information. They have been there some time.

Mr. GAINES. The gentleman thinks it is time the United States commenced the manufacture of their arms from the raw material?

Mr. HULL. I do, indeed.

Mr. GAINES. Then I hope we shall soon have an armor-plate manufactory.

Mr. HULL. Now, it has been suggested to me repeatedly that the committee had no right, and that the House would not indorse the theory of proceeding on the line of a bill carrying with it provision for 100,000 men. We have had other propositions before us; there have been substitutes offered to the bill. When it was before the House, especially the one offered by the gentleman from Virginia [Mr. HAY] providing for 80,000 men, 50 regiments of volunteers and 30 of infantry, making 80,000 officers and men, that was voted down in the House. There has been discussion in the newspapers as to what would be done in this Congress in regard to the military bill, and a great many of my friends on the other side insist that we should not appropriate in this bill for more than the law now provides for.

A section of the bill provides that the appropriation shall be available not only for the payment of the regulars, but of any volunteers in the service during the next fiscal year. So the amount could be applied to whatever troops may be in the service. If what I saw in the press last evening had been true, we would expect a large reduction in this bill when it reaches the Senate. But, Mr. Chairman, a fuller investigation of the situation convinces me that the press was entirely wrong in the estimate of what would be the probable action of the Senate in regard to the Army legislation. It is true that that body at least proposes to make something of a compromise.

The statement has been published that this measure follows the lines laid down by the Senator from Missouri; and there is no doubt in my mind that that Senator is the cause of the change of front in regard to army legislation. He has been strong enough, evidently, to compel the Senate of the United States—the majority of it, I suppose—to agree to a proposition which a few days ago it would not have agreed to. I do not know whether the statement published is true or not; but one of my friends in this House said to me this morning that he could supplement the remarks of the distinguished gentleman from Missouri [Mr. CLARK] by a later one—that "the Democratic party had taken the Republicans by the scruff of the neck and compelled them to go into war," and that now another leading Democrat had taken the whole party by the scruff of the neck—

Mr. GAINES. Mr. Chairman, I rise for the purpose of inquiring whether the remarks of the gentleman from Iowa are in order when he refers to a Senator from Missouri and makes comments

upon what that Senator has said. I remember that a few days ago remarks of that kind were ruled out of order—

Several MEMBERS. Let him go on.

Mr. GAINES. I think myself that was a wrong ruling.

The CHAIRMAN. The point of order is well taken.

Mr. HULL. I am through that part of my remarks. I was saying, however, that it appeared another distinguished Democrat had "taken the Republican party by the scruff of the neck" and compelled it to accept what the Democrats were willing to give us on army legislation.

Mr. GAINES. Who has had your President by the nape of the neck?

Mr. COX. Who was it said that?

Mr. HULL. I do not know that I need name him.

Mr. CLARK of Missouri. Mr. Chairman—

Mr. HULL. I will yield to the gentleman for a question.

Mr. CLARK of Missouri. This is not exactly a question; but I do not want the gentleman from Iowa to put those latter words in my mouth, because I never said them.

Mr. HULL. Oh, no; you did not; you are not the man. [Laughter.]

Mr. Chairman, I now send to the Clerk's desk, that it may be read in my time, a full copy of a bill that I understand is to be presented in the Senate and which probably this House will have an opportunity to vote for.

Mr. BLAND. What bill is that? Is it the Army reorganization bill?

Mr. HULL. If the gentleman will listen, he will find out what it is. It is a bill which I think the gentleman will vote for.

Mr. COX. Will the chairman of our committee [Mr. HULL] yield for one question?

Mr. HULL. Most certainly.

Mr. COX. The gentleman sends up this bill, and he says to the House that it is a proposition from the Senate which we shall probably have to vote on. Now, I thought we were going to vote on the gentleman's bill.

Mr. HULL. I think that question answers itself in connection with what I have said. We have voted upon and passed my bill. Let the bill—or, rather, paper; I will not call it a bill—be read.

Mr. COX. Then your bill is all "out of fix," and you have adopted the Senate bill.

The Clerk read as follows:

A bill for increasing the efficiency of the Army of the United States, and for other purposes—

Mr. SULZER (interrupting the reading). Before the Clerk reads further this proposed bill, I desire to say to the gentleman from Iowa that all points of order on this appropriation bill have been reserved.

The CHAIRMAN. The Clerk will read.

Mr. HENDERSON. May I ask my colleague what is the bill which he is proposing to have read?

Mr. HULL. I am proposing to have read a proposition that is pending before Congress, or will be pending, in regard to the organization of the Army, and I ask that it be read in my time.

Mr. HENDERSON. Do you mean the Senate proposition?

Mr. HULL. I do not know whether you would call it "the Senate proposition." I understand it to be what was arranged by a distinguished conference that I heard of yesterday.

Mr. HENDERSON. Is this to be offered here in the House to-day?

Mr. HULL. I think it will be introduced after it is read. It is in my hands to do what I please with it.

Mr. HENDERSON. Will it be offered on this Army appropriation bill?

Mr. HULL. No, sir; I am asking that it be read as showing the reason why we want to appropriate for substantially 100,000 men.

Mr. SULZER. I understand that this paper is one—

Mr. HULL. I decline to yield further, if this is to come out of my time.

Mr. SULZER. I rise to a parliamentary inquiry. I understand that this paper which the gentleman from Iowa has sent up to the desk is to be read simply as a part of his remarks in his time.

The CHAIRMAN. The gentleman from Iowa has so stated. The Clerk will read.

The Clerk read as follows:

A bill (H. R. 12176) for increasing the efficiency of the Army of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the approval of this act the Army of the United States shall consist of 3 major-generals, 6 brigadier-generals, 10 regiments of cavalry, 7 regiments of artillery, 25 regiments of infantry, an Adjutant-General's Department, an Inspector-General's Department, a Judge-Advocate-General's Department, a Quartermaster's Department, a Subsistence Department, a Medical Department, a Pay Department, a Corps of Engineers, an Ordnance Department, a Signal Corps, 80 chaplains, to be assigned to regiments or posts in the discretion of the Secretary of War, the officers of the Record and Pension Office, the officers and enlisted men of the Army on the retired list, the professors, corps

of cadets, an army-service detachment and band at the United States Military Academy, and such other officers and enlisted men as may hereinafter be provided for.

SEC. 2. That each regiment of cavalry shall consist of 1 colonel; 1 lieutenant-colonel; 3 majors; 14 captains, 2 of whom shall be available for detail as adjutant and quartermaster; 16 first lieutenants, of whom 1 shall be available for detail as commissary and 3 for detail as squadron adjutants; 12 second lieutenants; 2 veterinarians; 1 sergeant-major; 1 quartermaster-sergeant; 1 commissary-sergeant, who shall have the rank, pay, and allowances of a regimental quartermaster-sergeant of cavalry; 3 squadron sergeant-majors, who shall be senior to and have the pay and allowances of first sergeants of cavalry; 1 band, and 12 troops organized into 3 squadrons of 4 troops each: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored cavalry. Each cavalry band shall consist of 1 chief musician; 1 chief trumpeter; 1 principal musician; 1 drum major, who shall have the rank, pay, and allowances of a first sergeant; 4 sergeants; 8 corporals; 1 cook, and 11 privates.

Each troop of cavalry shall consist of 1 captain; 1 first lieutenant; 1 second lieutenant; 1 first sergeant; 1 quartermaster-sergeant, who shall have the pay and allowances of a sergeant; 6 sergeants; 6 corporals; 2 cooks; 2 farriers and blacksmiths; 1 saddler; 1 wagoner; 2 trumpeters, and 43 privates, the commissioned officers to be assigned from among those hereinafter authorized. Of the veterinarians provided for in this act, one shall have the pay and allowances of a second lieutenant of cavalry and one shall have the pay of \$75 per month and the allowances of a sergeant-major: *Provided*, That the veterinarian appointed to the first grade shall not be so appointed until he shall have passed an examination, to be prescribed by the Secretary of War, as to his physical, moral, and professional qualifications: *Provided further*, That the veterinarians now in the service who do not pass such competitive examination shall be eligible to the positions of the second class under such rules as are now prescribed by the regulations. The regimental sergeant-major and the regimental quartermaster-sergeant provided for in this section shall have the pay and allowance of an ordnance sergeant.

SEC. 3. That each regiment of artillery shall consist of 1 colonel; 1 lieutenant-colonel; 3 majors; 16 captains, 2 of whom shall be available for detail as adjutant and quartermaster; 16 first lieutenants; 14 second lieutenants; 1 sergeant-major; 1 quartermaster-sergeant; 1 band, and 14 batteries, of which 2 may be organized as field artillery.

Each artillery band shall consist of 1 chief musician; 1 chief trumpeter; 1 principal musician; 1 drum major, who shall have the rank, pay, and allowances of a first sergeant; 4 sergeants; 8 corporals; 1 cook, and 11 privates.

Each battery of heavy artillery shall consist of 1 first sergeant; 1 quartermaster-sergeant, who shall have the pay and allowances of a sergeant; 8 sergeants; 12 corporals; 2 musicians; 2 mechanics, who shall have the pay and allowances of sergeants of artillery; 2 cooks, and 52 privates.

Each battery of field artillery shall consist of 1 first sergeant, 1 stable sergeant, 1 quartermaster-sergeant, 6 sergeants, 12 corporals, 4 artificers, 2 musicians, 2 cooks, and 51 privates.

In addition to the enlisted men specified there shall be 1 electrician sergeant to each post garrisoned by coast artillery having electrical appliances, who shall have the pay and allowances of an ordnance sergeant.

SEC. 4. That each regiment of infantry shall consist of 1 colonel; 1 lieutenant-colonel; 3 majors; 14 captains, 2 of whom shall be available for detail as adjutant and quartermaster; 16 first lieutenants, of whom 1 shall be available for detail as commissary and 3 for detail as battalion adjutants; 12 second lieutenants; 1 sergeant-major; 1 quartermaster-sergeant; 1 commissary-sergeant, who shall have the rank, pay, and allowances of a regimental quartermaster-sergeant of infantry; 3 battalion sergeant-majors, who shall be senior to and have the pay and allowances of a first sergeant; 1 band, and 13 companies, organized into 3 battalions of 4 companies each: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored infantry.

Each infantry band shall consist of 1 chief musician; 1 principal musician; 1 drum major, who shall have the rank, pay, and allowances of a first sergeant; 4 sergeants; 8 corporals, 1 cook, and 12 privates.

Each infantry company shall consist of 1 captain; 1 first lieutenant; 1 second lieutenant; 1 first sergeant; 1 quartermaster-sergeant, who shall have the pay and allowances of a sergeant; 4 sergeants, 6 corporals, 2 cooks, 2 musicians, 1 artificer, and 48 privates, the commissioned officers to be assigned from among those hereinafter authorized: *Provided*, That the limits of age for original enlistments in the Army shall be 18 and 35 years.

SEC. 5. That all vacancies created or caused by the provisions of this act above the grade of second lieutenant in the line of the Army shall be filled by promotion according to seniority in the several arms, subject to the examinations now prescribed by law: *Provided*, That the additional second lieutenants now attached to each regiment of artillery shall be absorbed in the artillery or transferred to other arms where vacancies exist without loss of relative rank, leaving but 1 second lieutenant in each battery.

Vacancies in the grade of second lieutenant shall be filled as now provided by law, except that no person shall be appointed from civil life before he shall have reached the age of 21 years nor after he shall have reached the age of 27 years, nor until he shall have passed a satisfactory examination as to his moral, physical, and educational qualifications.

SEC. 6. That upon a declaration of war by Congress or a declaration of Congress that war exists the enlisted strength of the Army may, in the discretion of the President, be increased to not exceeding 65,000 enlisted men, to be distributed by the President among the several branches of the service according to the needs of each: *Provided*, That the President is authorized to continue the Army at the war strength as prescribed herein until July 1, 1901.

SEC. 7. That the Adjutant-General's and Inspector-General's departments shall consist of the number of officers now in those departments, respectively: *Provided*, That vacancies in the grade of major occurring in either department shall hereafter be filled from captains in the line of the Army: *And provided further*, That all such captains who have evinced marked aptitude in the command of troops shall be reported by their regimental commanders to the War Department and shall be entitled to compete for any such vacancy under such system of examination as the President shall prescribe.

SEC. 8. That the Judge-Advocate-General's Department, Quartermaster's Department, Subsistence Department, Medical Department, Pay Department, Corps of Engineers, Ordnance Department, and Signal Corps shall consist of the officers and enlisted men now provided by law: *Provided*, That the battalion of engineers, and the officers serving therewith, shall constitute a part of the line of the Army: *Provided*, That in time of war retired officers of the Army may, in the discretion of the President, be employed on active duty, other than in the command of troops, and when so employed they shall receive the full pay and allowances of their grades.

SEC. 9. That the Chief of the Record and Pension Office of the War Department shall hereafter have the rank, pay, and allowances of a brigadier-general; and there shall be an assistant chief of said office, who shall have the rank, pay, and allowances of a major, and who may be appointed from civil life: *Provided*, That whenever a vacancy shall occur in the office of Chief of the Record and Pension Office subsequent to the first appointment made under this act, said grade shall cease and determine, and thereafter the chief of said office shall have the rank, pay, and allowances of a colonel.

SEC. 10. That the cooks authorized by this act shall have the pay and allowances of sergeants of infantry.

SEC. 11. That the corps of cadets shall consist of 1 from each Congressional district, 1 from each Territory, 1 from the District of Columbia, 2 from each State at large, and 20 from the United States at large. That they shall be appointed by the President, and shall, with the exception of the 20 cadets appointed at large, be actual residents of the Congressional or Territorial districts, or of the District of Columbia, or of the States, respectively, from which they purport to be appointed.

SEC. 12. That so much of the acts approved July 7, 1898, as authorizes the assignment of certain officers of the Quartermaster's and Subsistence Departments with increased rank and the continuance in service of certain volunteer officers of those departments for a period of one year after the close of the present war is repealed.

SEC. 13. That to meet the present exigencies of the military service the President is hereby authorized to raise a force of not more than 35,000 volunteer infantry, and to form the same into not more than 30 regiments organized as infantry regiments of war strength in the Regular Army: *Provided*, That each regiment shall have 1 surgeon, with the rank of major; 2 assistant surgeons, one of whom shall have the rank of captain and one that of first lieutenant; and 3 hospital stewards.

No person other than an officer of the Regular Army who has passed the age of 45 years shall be appointed as a field officer in said force, nor as a company or staff officer therein if he be past the age of 35 years; neither shall any person not a Regular Army officer be so appointed until he shall have demonstrated his moral, physical, and professional fitness for the grade in which he is to be commissioned to the satisfaction of an examining board: *Provided*, That the field officers of the force herein authorized be appointed from officers of the Regular Army or from persons who served as officers of volunteers in the war with Spain.

All enlistments for the force herein authorized shall be for the term of two years and four months, unless sooner discharged: *Provided*, That no part of said force shall be continued in service beyond the last day of July, 1901.

SEC. 14. That the President shall have power to continue in service or to appoint, by and with the advice and consent of the Senate, brigadier-generals of volunteers, at a rate of not more than one for every 3,000 enlisted men actually in service, and major-generals of volunteers at a rate not more than one for every 9,000 enlisted men: *Provided*, That Regular Army officers continued or appointed as general officers or as field or staff officers of volunteers, under the provisions of this act shall not vacate their Regular Army commissions: *And provided further*, That no general officers appointed under the provisions of this section shall be continued in service as such beyond July 1, 1901.

SEC. 15. That the President is hereby authorized to continue in service or to appoint, by and with the advice and consent of the Senate, officers of the volunteer staff as follows:

One assistant adjutant-general with the rank of colonel, 2 assistant adjutants-general with the rank of lieutenant-colonel, and 6 assistant adjutants-general with the rank of major.

Three inspectors-general with the rank of lieutenant-colonel and 6 inspectors-general with the rank of major: *Provided*, That officers continued or appointed under this section in the Adjutant and Inspector General's departments of the volunteer staff shall be selected from officers of the Regular Army.

One judge-advocate with the rank of colonel, 4 judge-advocates with the rank of lieutenant-colonel.

Four quartermasters with the rank of lieutenant-colonel, 16 quartermasters with the rank of major, and 30 assistant quartermasters with the rank of captain.

Two commissaries of subsistence with the rank of lieutenant-colonel, 4 commissaries of subsistence with the rank of major, and 12 assistant commissaries of subsistence with the rank of captain.

Four surgeons with the rank of lieutenant-colonel and 30 surgeons with the rank of major.

Thirty additional paymasters with the rank of major.

One signal officer with the rank of lieutenant-colonel, 3 signal officers with the rank of major, 9 signal officers with the rank of captain, 9 signal officers with the rank of first lieutenant, and 9 signal officers with the rank of second lieutenant: *Provided*, That no person not an officer of the Regular Army shall be appointed an officer of volunteers who has passed the age of 45 years: *And provided also*, That all the volunteer staff officers herein authorized to be appointed or retained in the service shall be honorably discharged on July 1, 1901; or sooner if their services are no longer required.

SEC. 16. That as soon as practicable after the approval of this act the officers and enlisted men of the Volunteer Army not herein authorized to be retained in service shall be mustered out of the military service of the United States and discharged: *Provided*, That enlisted men of volunteers who desire to remain in the military service, either in the Regular Army or the temporary force authorized by this act, may, if found qualified therefor, be transferred to and enlisted in such batteries, troops, or companies as may be below the maximum authorized strength, and when so transferred and enlisted shall be credited on their new enlistment with the periods of service rendered by them, respectively, as volunteers.

SEC. 17. That all laws or parts of laws which conflict with the provisions of this act are hereby repealed; and nothing in this act shall operate to cause the discharge from the service of the United States of any commissioned officer now in the Army.

During the reading of the preceding the following took place:

Mr. HULL (interrupting the reading). I do not care, Mr. Chairman, for the reading beyond the point the Clerk has now reached. What has been read refers to the line of the Army, and is substantially on the same line as the other bill. It reduces the number in one sense and not in another—

Mr. SULZER. Let it all be printed.

Mr. HULL (continuing). It makes an army of 65,000 native Americans for a little over two years, up to July 1, 1901, and authorizes the President to enlist 35,000 additional—

Mr. SULZER. I ask unanimous consent that the entire bill be printed in the RECORD.

Mr. HULL. I do not yield to the gentleman now for that request. I was going on to say that it authorizes 35,000 additional enlistments for service in the islands, who may be inhabitants of the islands or Americans.

Mr. BROSIUS. At the discretion of the President?

Mr. HULL. Yes; but discretion is taken from the President as to size of the Army. Instead of fixing a minimum to which, in the judgment of the President, the Army should be reduced, this

bill fixes the limit of enlistment at a certain point, which may be far beyond the time when this service would be needed.

Mr. BROSIUS. But does it allow discretion on the part of the President as to the enlistment of this additional force, whether they shall be from the islands or elsewhere?

Mr. HULL. Oh, yes; I think so, entirely. But the reduction comes absolutely July 1, 1901.

Now, so far as the staff is concerned, the lines of what is called the Hull bill have been pursued; and it provides for continuing the volunteer staff until the date which is named. So, taking the bill as a whole, it complies with the organization which the bill we are now considering was framed to appropriate for. So I presume that no objection would be raised on the theory that we are appropriating for more men than there are in the service, or ought to be.

But for myself, Mr. Chairman, let me say, I should not be willing to accept a compromise at the dictation of a minority composed of any people on earth. [Applause on the Republican side.] I believe in the Republican and Democratic theory, that a majority should rule, and a minority—a confessed minority—should not be allowed to dictate to the Government of the United States what the Government should do in any manner, or say to it, "You must take this or take nothing!" If that alternative were offered to me, I would say, "Take nothing, and trust to the wisdom and patriotism of the people of the United States." [Applause on the Republican side.]

I reserve the remainder of my time.

Mr. SIMPSON. Before the gentleman takes his seat, I would like to ask a question for information.

Mr. HULL. Certainly.

Mr. SIMPSON. I would like to ask if the gentleman has any figures to give to the committee of the total appropriations by this Congress for the Army during the continuance of the war?

Mr. HULL. I think between three hundred and four hundred millions of dollars. I can not be exact in reference to the matter. All of these extra appropriations, over and above the amounts covered by the Army bill, do not come through my committee, and I have not kept strict track of them.

Mr. SIMPSON. Then about \$350,000,000, I understand—

Mr. HULL. I think so, for the volunteers and all. But the gentleman from Illinois [Mr. CANNON] can tell better than I.

Mr. MORRIS. I would like to ask the gentleman a question, to see if I understand his statement. I understand him to say that the 35,000 volunteers provided for by the bill will be enlisted for a term of three years—

Mr. HULL. No.

Mr. MORRIS (continuing). And can not be discharged at any time prior to that?

Mr. HULL. No. Their term of service expires on the 1st of July, 1901. It is practically a two years' enlistment.

Mr. MORRIS. Are they obliged to be kept in the service, whether they are needed or not, for that length of time?

Mr. HULL. I have stated exactly what the provision is, and gentlemen can draw their own conclusions.

Mr. MORRIS. But the point is, if these men are enlisted, under the law, will it be obligatory upon the Government to keep them in the service, or to discharge them if they are not needed?

Mr. HULL. The bill makes no such provision, and gentlemen can judge as to that matter as well as I can.

I want to say to the gentleman from Kansas, by way of correcting my former statement, that the total amounts appropriated for the Army were \$235,218,187 as a deficiency and \$23,193,000 as the regular appropriation.

Mr. BROWN. I would like to ask the gentleman as to a matter of detail in the bill—whether there is a provision for the payment of physicians for the treatment of soldiers outside of the military organizations?

Mr. HULL. There is not, I will state; but there is a bill which the committee have on the Calendar that provides for this.

Mr. BROWN. I was desirous of getting the information, because I have a great many inquiries respecting it.

Mr. HULL. I should not object myself to such a provision as an amendment to this bill; but it is clearly subject to the point of order.

Mr. BROWN. I understand that.

Mr. SULZER. With the consent of the gentleman from Iowa, we should like to have the alleged compromise bill which he had partially read in his time printed in the RECORD to-morrow in full.

Mr. HULL. The gentleman asks to print that part that was not read—the part in regard to the staff.

The CHAIRMAN. The gentleman from Iowa provided for that. It will appear in the RECORD to-morrow, as the Chair understands.

Mr. SULZER. I yield thirty minutes to the gentleman from Indiana [Mr. JOHNSON].

The CHAIRMAN. The gentleman from Indiana [Mr. JOHNSON] is recognized for thirty minutes.

Mr. JOHNSON of Indiana. Mr. Chairman, a few evenings ago the Home Market Club, of Boston, Mass., gave a banquet, at which the President of the United States was the principal guest. Judging from the newspaper accounts of the affair, it was an exceedingly elaborate one in all of its details. We are told that the number of plates laid at the table was largely in excess of that usually laid at such entertainments and that the hall was decorated with great profusion, the table at which the Chief Executive sat in particular being loaded down with rare and fragrant flowers. It appears, too, that sweetest music lent its charms to the occasion; that an ode to the President was sung by the banqueters to the tune of "America," and that a vast concourse of people looked down from the galleries upon the festal board.

The Secretary of War was in attendance, he whom the Boston populace had hissed upon the street a few hours before, ere they turned to greet with rapturous applause the chief who had bestowed upon him his official character. We can hardly blame them though for this, Mr. Chairman, for they were only following the precedent set them by some of the leading Republican newspapers of the country, which, for months past, have been fiercely attacking the Secretary, and yet have lacked the courage to lay their ax to the root of the evil and censure the gentleman who, to reward him for his political services and disbursements in the campaign of 1896, appointed him to his present position, and has maintained him these ever since, notwithstanding his incompetency and against the righteous complaints that have been made against him.

The Secretary of the Navy, sir, also graced the occasion with his presence, and so far forgot his usual courtesy, so far belied his New England training and associations, as to repeat the stale and untruthful charge that those who opposed the ratification of the infamous treaty of peace with Spain were responsible for the bloodshed that occurred in the Philippines.

When the Chief Magistrate had ceased speaking, another member of his official family, the gentleman who presides over the Post-Office Department, arose in his place and proceeded to load his chief down with an eulogy so fulsome and extravagant, so absolutely given over to hyperbole, that no individual not wholly eaten up with vanity could possibly have endured it without nausea and disgust.

The newspapers further inform us, Mr. Chairman, that among the decorations there were suspended over the entrance to the banquet hall three portraits, one of Washington, one of Lincoln, and one of the President himself, and that beneath these was inscribed in letters so bold and plain that even a blind man could read it with ease the single, significant word, "Liberators."

Now, George Washington, Mr. Chairman, fought with his sword for eight long and bloody years to establish the right of a people to govern themselves, and in his farewell address he counseled his countrymen to live on terms of amity with all nations and to enter into entangling alliances with none.

Abraham Lincoln's whole political life, God bless his memory, was a contention for the rights of man; and it was his kindly hand which penned the immortal emancipation proclamation that struck the shackles from the limbs of millions of bondmen. One would think, sir, that the gentleman who was just then, as the Commander in Chief of the Army and Navy, engaged in the prosecution of a bloody war against a poor and defenseless people in the Orient, with a view to forcing upon them a government against their will, who was employed in the unsavory task of Christianizing them with the sword and civilizing them at the mouths of cannon, would naturally have felt some little embarrassment as he gazed upon these portraits and read the significant inscription below.

Possibly His Excellency did not see them. He may have turned his back upon them just as he has turned his back upon the Declaration of Independence and upon the cardinal principles of liberty, upon which the Republican party was founded forty-three years ago. If he did see them, possibly there may have passed through his mind the faintest suspicion as to the bona fides of the hospitality extended to him. He may even have caught a transient glimpse of the satire which hung these three pictures in juxtaposition and wrote that word of bitter irony beneath. Be this as it may, sir, the President does not appear to have been at all abashed by this incongruous circumstance, but to have arisen from his seat and there, within the shadow of the monument on Bunker Hill, where Warren fell fighting for liberty, and within a stone's throw of Faneuil Hall, where time and again the true sons of the old Bay State have sent forth to the country their messages of freedom, he delivered perhaps the most remarkable, certainly the most disingenuous, address that ever fell from the lips of an American President.

This address, together with certain prefatory matter and a synopsis of the remarks of the Secretary of the Navy and of the Postmaster-General as they were published in the Washington Post of this city, I shall take the liberty of incorporating into the RECORD along with my remarks.

The address, Mr. Chairman, divested of its verbiage, considered apart from its platitudes and the ostentatious professions of virtue with which it was interlarded, was nothing more nor less than a carefully devised and studious misstatement of the issue between the Chief Executive and those of his own party who are opposed to his wretched policy in the Philippines. It was an effort to befog the subject and to mislead the public judgment. We are told, sir, that this speech was received with enthusiastic applause by those who heard it, but we who read it in cold print and in the light of the indefensible tragedy now being enacted near the shores of Asia involuntarily think of that creation of Charles Dickens who was accustomed to roll his eyes piously to heaven and exclaim with great ostentation to those about him, "My friends, let us be moral!" and who was the father of two daughters, one of whom he named Charity and the other Mercy.

His Excellency declared upon this occasion, if not in so many words, at least in effect, that he had never entertained any policy with respect to the Philippines up to the time the treaty of peace was ratified, but that he had simply held them as Commander in Chief of the Army and Navy, leaving the question as to their disposition and control to be determined thereafter by Congress. This, sir, is precisely the same plea that was made for him by his mouthpiece upon the floor, the gentleman from Ohio [Mr. GROSVENOR], in the speech which that gentleman made here while the Army bill was pending, in answer to some remarks which I had previously submitted in the debate. The President, however, was not so candid in his Home Market utterance as was the gentleman from Ohio, for he made no profert therein of his proclamation to the Philippines, issued immediately after the signing of the treaty of peace at Paris, whereas the gentleman from Ohio inserted that document in full in the RECORD when he came to revise his remarks, where it can easily be discovered, by those who might read it, that it is as an entirety directly at variance with the construction which the gentleman placed upon it while reading fragmentary portions of it during his speech.

If the Chief Executive really feels, as he declared at this banquet, that the disposition of the Philippines is a matter to be determined by Congress, why does he not call a special session of Congress to settle the matter at once, and then keep his hands off the legislative branch of the Government and not attempt to influence it while the subject is being discussed and decided? Heaven knows there is need of action and of speedy action. If he is sincere, why did he permit his supporters in the Senate to vote down the other day the Bacon resolution, which distinctly declared that the United States entertained no intention of permanently holding these islands, but that it would, when the people there had established their government firmly, withdraw and leave them to govern themselves?

Why did he insist that the McEnery resolution should be passed—a resolution which is a fraud, a delusion, and a snare, a shameful evasion, which, like a Christmas tree, has something upon it for everybody—a resolution which is all things to all men and which can be construed to suit the predilections of the man who reads it, whether he be for or against the permanent holding of the Philippines? That resolution, Mr. Chairman, is intended simply to quiet the conscience of the American people, to lull all opposition to sleep while the President goes ahead waging relentless and merciless war against the Filipinos and laying deep and secure the foundations for a permanent American colony in their territory. No Representative, sir, who is opposed to such a policy as this can vote for this resolution without self-stultification and the loss of self-respect. Its passage is precisely what the advocates of imperialism in the East most earnestly desire.

But, Mr. Chairman, the Chief Executive of this nation had scarcely hidden himself behind the plea of a simple holding of the Philippines as the Commander in Chief of the Army and Navy, had scarcely disavowed that he had entertained any policy as to their disposition, until, with an inconsistency that would have been impossible in anyone save himself, he gave his whole case away by declaring that the islands came into our possession by circumstances beyond anyone's control and by launching out into a labored defense of the very terms of the obnoxious treaty of peace itself.

Hesitated further that we had been obliged to take the Philippines to ourselves because to withdraw from them would have been, first, to abandon the Filipinos to anarchy because of their incapacity for self-government; second, to leave them exposed to the renewed oppression and tyranny of Spain; and third, to abandon them to absorption by the great powers of the Old World. If, sir, by the statement that the Philippines came into our possession through circumstances which no man could control, the Chief Executive referred to the temporary possession of them which came as a result of the victory of Admiral Dewey and his gallant tars, I have no issue to make with him. But if, in the use of that expression, he seeks to convey to his countrymen the idea that their present permanent acquisition by us was beyond control, I utterly deny

it, and think I will be able to fix this responsibility, before I am through, where it properly belongs.

Now, Mr. Chairman, I am determined that the President of the United States shall neither befog the issue between himself and those of the Republican party who oppose his Philippine policy, nor mislead the public judgment, nor escape responsibility for the gross official blunder which he has committed in connection with this Eastern problem. If this war for subjugation of an alien race, waged without the declaration of Congress, the permanent acquisition of their territory to our own domain, the creation of a great standing army and navy, the loading down of our people with grievous taxation, the departure from the policy of nonintervention in European affairs, under which we have outstripped in progress and development any nation on the face of the globe, is right, then the President is entitled to the glory of the accomplishment, and no man should be permitted to snatch a single laurel from his brow.

If, on the other hand, the policy is wrong and fraught with grave menace and serious danger to the American public, the President is alone responsible for it, and he must bear the whole burden of the fearful responsibility. I assert that the entire policy is not simply an error, but that it is a crime, and that the Chief Executive of this nation is the one who has precipitated upon us the embarrassments and the difficulties by which we are now confronted. I insist that he did not simply hold the Philippines as Commander in Chief of the Army and Navy, leaving the question of the disposition and control of them to Congress, but that he formulated and put into execution an affirmative and aggressive policy, that of their permanent annexation to this country, and forced it through the Senate of the United States with all the power and influences which his high office enabled him to employ.

Let us see whether I am right in this. When Spain sued for peace, it became not simply the right, but also the duty of the President to take the initiative in determining what should be the terms of the peace. The Constitution expressly conferred the treaty-making power upon him, by and with the advice and consent of the Senate. Right then and there, Mr. Chairman, was the Presidential opportunity. He could insert in that treaty whatever terms he pleased. He could omit from it whatever terms he desired, acting always, of course, within the limits of his constitutional powers. True, the instrument would be of no validity until Spain agreed to it and it was ratified by the Senate; but Spain would have consented to anything. She was defeated, disheartened, and impotent.

Not a nation on earth was willing to come to her rescue. The Senate would have ratified anything which the President had seen fit to submit to it. The Chief Executive was popular with the people. Whether he deserved that popularity I shall not stop to inquire. I simply stated as a well-known fact that he possessed the entire confidence of the country, and therefore he had no reason to fear to do what was right. The occasion was one calling for the exercise on his part of intelligence, sound judgment, patriotism, and wise statesmanship. His first impression was to demand of the Filipinos simply a coaling station, a measure amply sufficient for all of our legitimate purposes, and the evacuation of the island by Spain without compensation by the taxpayers of the United States.

Had he adhered to this view of the matter, all would have been well. The whole nation would have followed him cheerfully, and to-day we would have been at peace with the Philippine republic, and our Army and Navy, which is now waging war against our former friends and allies, would have been disbanded. No Army bill for a standing army of 100,000 men would have been pending or necessary, and we could now be getting ready to reduce instead of getting ready to greatly increase the burden of our taxation. But the President changed his original intention. He committed a fatal error. He wrote into that treaty the absolute transfer of Spanish sovereignty over the Philippines to ourselves, and the payment of \$20,000,000 out of the United States Treasury as a consideration for the cession.

He sent this treaty to the Senate of the United States for ratification. Then he issued to the people of the Philippines that proclamation in which he informed them that the United States had succeeded to the title of Spain, declared that the government and control of their territory belonged to us, ordered them to pay their taxes to the military government which he established over them, and blandly made known to them that our mission in their midst was one of "benevolent assimilation." They were further assured by him, as he took their islands without their consent and established government over them against their will, that we came in order that we might confer inestimable advantages and blessings upon them, and that if they accepted our control without remonstrance they would be protected, but that if they failed to do so they would be coerced.

Then sir, turning again to the treaty which he had negotiated, he drove it through the Senate of the United States by the unlimited

exercise of all those powers and influences which the great office he holds makes possible.

Mr. Chairman, these facts which I have stated are true; they are now known to all intelligent men. They can not be successfully denied. What, then, did the Chief Executive mean by telling those who gathered around the banquet board at Boston that up to the ratification of the Paris treaty he had simply held the Philippines as Commander in Chief of the Army and Navy without any policy of his own, leaving the whole matter to be determined afterwards by the Congress of the United States? Was he foolish enough to believe that his mere statement would be allowed to pass unchallenged? Was he vain enough to imagine that his ipse dixit would conclude the matter, with the damning proof of its falsity so near at hand?

Mr. Chairman, why did the President change his original intention as to the terms to be incorporated into the treaty? What were the influences that brought the change about? I have heard it stated that the applause of the people who greeted him just about this juncture of public affairs, while he was on his tour in the West, was the reason for it. Was it, then, the condition of public sentiment rather than the right or wrong of the matter which influenced the Presidential mind? Does the Chief Executive regard his great prerogatives to be so supinely representative that he must needs abdicate them at every popular wind that blows? Does he feel that his high office gives him no latitude for the exercise of individual judgment and of independent action? Did he make no allowance for transient ebullitions of public enthusiasm and excitement, overlook his opportunity to save the people from themselves, lose sight of all the sacred traditions of the country, and fear to make his appeal to that ultimate tribunal which has so often in our national history vindicated those who have fearlessly stood for the right in public affairs—the sober, second thought of the great American people?

And is His Excellency quite sure that he properly gauged the condition of the public mind on the subject of Philippine annexation? Is he absolutely certain that one swallow really makes a whole summer? It would seem so, for in this Home Market address he exultingly declared that the annexation treaty had passed the Senate by over two-thirds majority of that body and was sanctioned by the judgment of nine-tenths of his countrymen. How that treaty finally got its two-thirds majority in the Senate—the tremendous pressure necessary to secure it there—where its fate hung doubtful and trembling in the balance until the very latest moment, and was then only saved by the votes of Senators who had most of them spoken against it, no man knows better than William McKinley, the President of the United States. Every Representative upon this floor knows that it is doubtful whether the treaty could secure a two-thirds vote in this House if the test were to be made here to-day.

Judging, then, by the opinion of their Representatives, sir, only two-thirds, and not nine-tenths, of the American people are inclined to ratify this treaty. Adulation has indeed sorely blinded the Chief Executive to the truth if he imagines that even the majority of his countrymen approve of this permanent holding in the Orient. Let him not pin his faith too securely to the sordid interests which clamor so loudly in his hearing, to those who so confidently and recklessly assume to speak for the whole of our mighty population. If he will but quiet the noisy throng which surrounds him long enough to put his ear to the ground and listen he will distinguish the premonitions of a coming storm; he will hear the steady tread, not of the 100,000 men whom he demands for a crusade against liberty, but of a mighty army of free people who are beginning to move in defense of their cherished traditions and their violated honor.

We have been told further that the President yielded up his first-blush impressions at the importunity of Admiral Dewey, who urged that the Philippines should be retained. Ah! Mr. Chairman, the Chief Executive can not screen himself behind the gold lace of the hero of Manila. No one can honor more profoundly than I do the officers of our Regular Army and Navy. They have ever been the mainstay of the nation in the hour of battle. Their heroic achievements have shed imperishable glory upon our arms and will be the priceless legacy which we will bequeath to our posterity, but their predilections are naturally for arms.

They have imbibed, of course, the prejudices and the preferences of their calling. We can not blame them for desiring to magnify the size and importance of the Army and Navy; for advocating the expansion of our territorial limits and the taking on of a colonial policy. Such a departure will open up to them opportunities for promotion and for honorable service and distinction which they could not otherwise enjoy. For this very reason, sir, their advice as to our national policy should be received with caution, and the President, who is not merely the Commander in Chief of the Army and Navy, but is also the Chief Executive of 75,000,000 of peaceful and liberty-loving people, whose happiness and prosperity have been achieved by a rigid adherence to

their own affairs, should have been quick to recognize and prompt to act upon these considerations to which I have adverted.

Again, we have been assured that the demand of our peace commissioners at Paris to hold the Philippines is what induced the President to yield. So far as one of the commissioners is concerned, we know that this is false. This commissioner, the Senator from Delaware, whatever may be his opinion upon the matter now, wrote earnestly from abroad protesting and arguing against the annexation policy of the Administration. But even if this statement were true, it furnished not the shadow of a justification for the conduct of the President. The constitutional power to negotiate the treaty was his, not the commissioners. They were simply his instruments, appointed to carry out his will. They were utterly powerless to resist. No, Mr. Chairman, this plea, like all the others, will not avail. The truth is that these commissioners got their inspiration and their instructions from the White House. Those instructions once changed, the action of the commissioners would have been different. The wrong was with the Chief Executive. He alone is responsible.

Mr. Chairman, in my humble opinion the reason for the change in the Presidential policy in the Orient is to be sought for and found in quite another direction from any of those already referred to. It was his concession to the selfish capitalists of the country, his surrender to their demands. These are the gentlemen who furnished the money for his nomination and election and who, I doubt not, have pledged him a renomination and a reelection. These are the gentlemen who are already seizing upon valuable franchises in China, in connection with the English syndicate, with a member of Parliament from Wales at its head. These are the gentlemen whom Lord Beresford has in mind in his cordial but not wholly disinterested invitation to an alliance in China with Britain, Germany, and Japan against Russia and France, the old-time enemies of his country and the old-time friends of ours.

These are the gentlemen who are already grasping after special privileges in the Philippines, in Cuba, and in Porto Rico. It was, I imagine, for their especial benefit that the President created his advisory board to the War Department, composed of three American citizens, the object being to farm out valuable privileges and immunities which should belong to the people of those islands themselves, and in whose disposition they should have a voice, if their government is to be free and their rights maintained. Do not misunderstand me. I have no fault to find, sir, with the spirit of legitimate American commerce. It should be fostered, encouraged, and extended. My contention is against the spirit of American greed which cares nothing for the spirit of American liberty and still less for the freedom of an alien people, which would trample ruthlessly upon the most sacred rights and count life and human happiness for nothing, as against the power to plunder under the plausible pretense of legitimate trade.

And what do these gentlemen propose? To amass colossal fortunes in the islands by virtue of their franchises and upon the cheap labor of the native population, not one dollar of which will ever find its lodging place in the pockets of the American people. To enable them to do this, our whole population is to purchase their field of operations for them in the Philippines for the round sum of \$20,000,000, and is to be taxed interminably and excessively for the creation and maintenance of a great army and navy, which is to conquer and hold the Philippines in subjection and defend the islands after they have been expensively fortified against the assaults of the great European nations, with which our new foreign policy will be certain to bring us into frequent contention.

What else is upon the programme of these gentlemen? The open door in the Philippines, making it forever totally impossible to discriminate in tariff duties there in favor of the products of the American farm and the American shop.

What is the other sacrifice that is required? That the annexation of Cuba, Porto Rico, and the Philippines, absolutely sure to come at an early day, for they have registered it in their vows, shall precipitate the sugar, tobacco, hemp, and other cheap products of these islands and Hawaii upon the American market in free and unrestricted competition with the agricultural and laboring elements of our own country.

This policy, sir, would be free trade in William Jennings Bryan. What is it in William McKinley?

Where, now, Mr. Chairman, is the masterful champion of protection, the author of the McKinley bill, the man who advocated protection in season and out of season and earnestly contended that it shed its blessings, "as the gentle rain from heaven," upon all classes of our people, alike upon the farmer, the laborer, and the manufacturer? Has he changed his views upon the tariff also? Has he recanted his old faith? Has he resolved to abandon the farmer and the laborer to unrestricted competition with the pauper labor of the Old World and of the Tropics? Let the Senator from Ohio, Mr. FORAKER, whom I much like and admire, and the Senator from Minnesota, who recently nominated him for

reelection in their post-prandial speeches at the Dayton banquet, and who seek to forestall the choice of the next Republican national convention many months in advance of its assembling, answer this question; answer it, not merely to the party bosses who make nominations, but to the great, honest, and liberty-loving masses of the Republican party, without whose ratification at the polls their work will all have been done in vain.

Mr. Chairman, the President of the United States, as I have said, told his auditors at Boston that the Filipinos were incapable of governing themselves. It is a complete answer, sir, to this to say that at the very moment he made this statement the Filipinos were governing themselves on every inch of their territory which we had not wrested from their possession? They were not only governing themselves, but they were also fighting desperately for the right to do so in the future. At the very instant those words fell from the Presidential lips there was only one native government in the Philippine Islands. This was the Philippine republic, loyally supported by all the people. It had a written constitution, a president, cabinet officers, a legislative body, a seat of government, and an army officered and in the field and equipped with munitions of war. It has possession and control of all the territory except the city of Manila and, perhaps, one other seacoast city, which we held ourselves. This government, too, was in existence the very day the treaty of peace was signed at Paris. It was then capable of maintaining itself against Spain. Her power to overthrow it was gone, and gone forever. This is the report rendered to our Chief Executive by our own consul abroad. This Philippine republic was entitled to recognition under the laws of nations. Spain's title, sir, was destroyed. How could she convey to us a sovereignty which she had irretrievably lost?

The Filipinos incapable of self-government, Mr. President? Liable to fall into anarchy, you say, if left to themselves? Have you observed, sir, that they publish and read newspapers in Manila? Did you see in the Washington Post, not long ago, the high tribute paid to them by the two United States naval officers who, by permission of Aguinaldo, traveled extensively in the interior of the islands? Have you failed to note the intelligence of Agoncillo and the other Philippine representatives recently within our borders? Are you aware that Admiral Dewey made use of this language in his communication to the Secretary of the Navy on the 29th day of last August:

The population of Luzon is reported to be something over 3,000,000, mostly natives. These are gentle, docile, and, under just laws and with the benefits of popular education, would soon make good citizens.

In a telegram sent to the Department on June 23 I expressed the opinion that "these people are far superior in their intelligence, and more capable of self-government than the natives of Cuba, and I am familiar with both races." Further intercourse with them has confirmed me in this opinion.

Do you know, Mr. President, that in the "Notes on the Philippines," issued by the Adjutant-General's Office of the War Department last September, the following language occurs:

The Philippine Malays are a superior race to many other Asiatic peoples. Orderly, amiable, courteous, honest, and exceedingly superstitious, they are easily influenced upon professions of Christianity. Like most tropical people, their efforts are intermittent rather than steady, their wants are readily provided for, and they take life easy. \* \* \* The inhabitants are generally tractable and amenable to government, and generally not hostile to foreigners.

Has it escaped your notice that the United States consul-general at Hongkong, China, made use of the following language in his communication to Mr. Moore, of the Department of State, in his letter of July 18, 1898?—

I have lived among the Malays of the Straits Settlements and have been an honored guest of the different sultanates. I have watched their system of government and have admired their intelligence, and I rank them high among the semicivilized nations of the earth. The natives of the Philippine Islands belong to the Malay race, and while there are very few pure Malays among their leaders, I think their stock has rather been improved than debased by admixture.

I consider the forty or fifty Philippine leaders, with whose fortunes I have been very closely connected, both the superiors of the Malays and the Cubans. Aguinaldo, Agoncillo, and Sandico are all men who would all be leaders in their separate departments in any country, while among the wealthy Manila men, who live in Hongkong and who are spending their money liberally for the overthrow of the Spaniards and the annexation to the United States, men like the Cortes family and the Basa family, would hold their own among bankers and lawyers anywhere.

Let me call your attention still further, Mr. President, to another paragraph in this consul-general's communication, which reads as follows:

In conclusion, I wish to put myself on record as stating that the insurgent government of the Philippine Islands can not be dealt with as though they were North American Indians, willing to be removed from one reservation to another at the whim of their masters. If the United States decides not to retain the Philippine Islands, its 10,000,000 people will demand independence, and the attempt of any foreign nation to obtain territory or coaling stations will be resisted with the same spirit with which they fought the Spaniards.

Mr. President, you are mistaken, sadly mistaken. The Philippine people are capable of self-government. Take your mailed hand from their throats, sir, and give them a chance to demonstrate this fact still further. Cease sending our brave soldiers to meet death in an ignoble war. What right have you to demand such a sacrifice as this? Stop wasting our national resources in

an effort to belie all the professions of sympathy which we have made in times past for the downtrodden and oppressed. You are maligning the national character. You are bringing reproach upon the greatest Republic of modern times. There is serious danger ahead, too, if you do not desist. You were warned in the concluding paragraph of our consul-general's communication, which I have just read, that the Filipinos were a spirited people, and that they would not be deterred by overwhelming odds from resisting any nation which might assail their independence as bravely as they had resisted Spain, and yet you insisted on undertaking the experiment. You have gotten us into our difficulties. Now, sir, you must do your full share in extricating us from them.

Stand back, Mr. President, and accord to these people who by their valor have earned the right to be free the privilege of establishing such a form of government as they themselves prefer. It will not, of course, be nearly so perfect a government as ours, for they are of an inferior race to our own. But though it may be somewhat crude, especially at the outset, it will answer all their needs well enough, and will bring to them peace and happiness.

You can not command public sympathy, aye, you will soon forfeit public respect, if you keep on exclaiming, as you did in your speech to the Home Market Club, "It is not a good time for the liberator to submit important questions concerning liberty and government to the liberated while they are engaged in shooting down their rescuers." The inhabitants of the Philippines are not liberated; they are oppressed. We are not liberators; nor are we rescuers. We are inflicting upon them a grievous wrong. The spirit of liberty is not yet dead in the breasts of your countrymen, and the time is near at hand when such sentiments as those you have uttered will, from the lips of any public man, however high his station, be everywhere received with manifestations of dissent rather than of approbation.

The Chief Executive's declaration, Mr. Chairman, that we were forced to take the Philippines in order to save them from again falling under the domination of Spain is a pretext, not a fact.

When the treaty was signed at Paris, the Philippine republic was in the condition which I have already described—firmly established, cordially supported by all of the people, occupying all the islands, except the city of Manila, which was held by us, and the city of Iloilo, which soon thereafter passed into their possession. It has a good-sized army in the field, well officered and equipped.

On the other hand, Spain's soldiers were scattered or imprisoned; her ships antiquated, crippled, or at the bottom of the sea; her finances disordered; her treasury well-nigh bankrupt, and her people in despair.

How, sir, could she thus situated have regained her ascendancy over 10,000,000 people in the Philippines, 12,000 miles from her borders, when before these misfortunes befell her, with an army of 150,000 men and a great fleet at her command, she had signally failed to subdue a million or two of Cubans only 3,000 miles distant?

Mr. Chairman, Spain not only could not have accomplished this task, but she never would have undertaken it, especially had the President required her to evacuate the Philippines, without compensation from the Federal Treasury, and leave the people of these islands to manage their own affairs.

Again, His Excellency told his Home Market auditors that we were obliged to commit grand larceny of the Philippines in order to prevent the great European nations from committing the crime.

Mr. Chairman, the Presidential defense seems to be summed up about as follows: First, I never had any policy with respect to the Philippines prior to the ratification of the treaty of peace—I only held them ministerially to preserve the peace; second, no one is responsible for our having determined to hold them permanently and by force—we have possession of them by virtue of circumstances beyond anyone's control; third, we take them because the Filipinos are not capable of self-government; fourth, we take them to prevent Spain from recovering them; fifth, we take them in order to prevent the great European nations from parceling them out among themselves.

The gentlemen in this Chamber who follow the profession of law, sir, will not fail to observe the marked resemblance between this Presidential answer and the answer permitted to be filed in cases at law in those States of the Union which have adopted what is generally known as the "reformed system of code pleading." One of the distinguishing features of this system is that defenses which are totally inconsistent and irreconcilable with each other are allowed to be set up in different paragraphs of the same answer. In some of the States, however, the provision is practically done away with by requiring the defendant to verify his answer under his oath.

Mr. Chairman, what a dilemma the Chief Executive would be in if this latter rule were applied to his defense in the case of the Philippines! What would be his confusion, too, if instead of giving to him the boundless universe to defend in he was suddenly required to elect upon which paragraph of his answer he would rely?

When the President, sir, of 75,000,000 of free people assigns as a reason for overthrowing the liberty of an alien race that other nations would have committed the wrong if he had not, I submit that we have certainly reached a pretty low ebb in our national existence. Far nobler, sir, to have left to nations less humane than ourselves a monopoly of such wrong. It is not in line with our traditions or our practices. We could at least have kept our hands clean and our honor unsullied. We owed to the Filipinos no duty of protection. They neither desired nor asked it of us. We never promised it to them. What they demanded was absolute independence—independence of us as well as of Spain, and of all the world besides. They entertained no fear of other nations. Why, then, should we have feared for them? They ask our permission, aye, they demand their right, to run the risk. We only deny it because we have designs upon them.

Mr. Chairman, no nation on earth manifested any disposition to lay violent hands upon the Philippines, unless it was Germany, and she was inspired to whatever course she pursued by the belief that we were intending to appropriate them to ourselves. Had we compelled Spain to evacuate, and then recognized the Philippine republic and given it a helping hand, the example would not have been lost upon Europe, and the full measure of our duty would have been righteously performed. To say that our example would not have been followed and that the Philippines would have been appropriated by other nations is, to say the least, to deny to them that which is theirs of right—the opportunity to try the experiment.

Mr. Chairman, our treatment of the Filipinos is among the saddest and most disgraceful incidents of all our national history. It is incapable of defense, though not yet, thank heaven, beyond our power of reparation. This people have been cruelly oppressed by Spain for years. Their sufferings have been extraordinary. Time and again they have risen against their oppressors and struggled to be free. They were fighting for their independence when our war with Spain commenced. We sought and accepted their aid against the common enemy. We brought Aguinaldo back from China, supplied him with arms and ammunition, and sent him to lead his countrymen against the Spanish army in the Philippines. We did not ask his submission to us. He did not agree to accept our domination. We encouraged him and his people to believe that their rights should be zealously regarded. They had heard of the great Republic beyond the sea. They knew of Washington and of Lincoln, of our struggle for our independence, and of the representative character of the Government which we have established. They knew that we had proclaimed a holy war to emancipate in Cuba a people who were the victims of the same relentless master who had been the author of all their woes.

They had heard the positive declaration of the President that our war was not being waged for the forcible annexation of territory; that this, according to our code of morals, would be criminal aggression and was not to be thought of for one moment. They thought that he spoke the truth; they believed in us; they trusted us. They looked upon our flag with glad eyes and with hopeful hearts. Never did it occur to them for one instant that we were capable of deception, that we could by any human possibility cherish designs against their liberties. So they assembled their army; they attacked the common foe. They drove the Spanish outposts into Manila and besieged Spain there by land, while Dewey's victorious fleet menaced her by sea. They were our faithful friends and our loyal allies. Gentlemen may deny this if they please. They may stickle for technicalities. They only add to our record of shame when they do so, for part 1 of Senate Document No. 62 and current history also attest the truth of what I declare. In the days which immediately succeeded the destruction of the Spanish fleet we had no American soldiers to land, capture Manila, and occupy the soil, but Aguinaldo and the insurgents were our army of occupation.

Then these people created a government in order that they might enjoy the blessings of liberty. It was a free government, too; a republic modeled largely after ours. I need not describe it. I have done that already; but I repeat once more—indeed, it can not be emphasized too strongly—that it was a government which was acceptable to all the people and that it was supreme and powerful over all the territory except the city of Manila, and, perhaps, one other city, since passed into Philippine possession. The sentiment which this people cherished toward us, Mr. Chairman, was made manifest by a simple incident which occurred when a consul-general of the United States paid a visit to Manila. The consul informs us that he was received with the utmost enthusiasm, that he was cheered to the echo, and that the people of all ages and conditions and of both sexes pressed eagerly upon him, and, in their anxiety to grasp his hands in welcome, impeded his progress for blocks through the city.

But the Administration, which had at first been perfectly willing to receive the aid of the Filipinos against Spain, and had actually done so, began early to ignore them. Dispatches were then sent calling down our consuls in the Orient who had spoken

well of them and had helped to enlist their services in our behalf. We commenced to treat them with coldness and neglect, to separate ourselves from them. Possibly the President then contemplated turning them back to Spain when peace should come, and therefore thought that he had better not recognize them too far; that such a course might create embarrassment in negotiating a treaty of peace—an event then just ahead. Soon, however, came his resolution to deprive them of their liberty and take them unto ourselves. They heard Spain sue for an armistice. They witnessed the signing of the protocol, leaving the disposition of their territory a subject for future determination. They had by this time learned to suspect us, to doubt our integrity. They were filled with anxiety and alarm. They drew apart from us, and unto themselves. They soon saw with indignation that President who not eight months before had declared to the world that the Spanish war was not waged for the forcible annexation of territory negotiate a treaty which robbed them of their soil and annexed it to our own domain, and send it to the Senate of the United States for its approval. They listened with heavy hearts and kindling resentment to the same President's proclamation, couched in language as cruel as it was diplomatic, and in his honeyed phraseology they read the death knell of all their long-cherished aspirations to be free.

In this their great emergency they dispatched to our shores a representative, whose mission was one of amity, and who came only to intercede with the Chief Executive and to implore him and us to do them no wrong. In what manner, Mr. Chairman, did the President receive this intelligent and inoffensive man, this messenger from our friends and allies? He ignored him entirely. His respectful petitions were treated with silent contempt. When he knocked mildly and respectfully at the doors of the Department of State the silence within was like unto that of the grave; they were barred against him. Spies were set to watch him at his hotel, as though he were a common malefactor. When he walked out into this city his footsteps were dogged by the detectives of the secret service. He was denounced, misrepresented, and mistrusted. Finally he was threatened with arrest, and then, when to avoid so great an indignity he fled our domain, we added insult to injury by falsely charging that he had telegraphed to Aguinaldo to attack our troops at Manila as a means of preventing the ratification of the treaty of peace in the Senate, and had left us to escape punishment for that offense.

How, sir, could this innocent man have sent such a telegram and escaped prompt detection here, when his every act was under our constant surveillance, when we had established a strict censorship over all that he said or did? What man not a driving idiot believes that Agoncillo was fool enough to precipitate bloodshed in the Philippines when he knew only too well that peace there was the only hope for the defeat of the treaty here?

Then we ratified this unjust treaty, voted down in the Senate the Bacon resolution, which disavowed any intention of holding these islands permanently, refused even to consider a similarly worded resolution in this House, and, having provoked this unhappy people to attack us at Manila by our menace of them, we now find ourselves waging against them at all points not only a defensive, but an aggressive and bloody war to reduce them to our arbitrary wills; and now comes the Chief Executive of this nation, the one person responsible above everyone else for the whole wretched business, and in inglorious accents informs his Boston audience that every red drop of blood around the trenches of Manila, whether of an American soldier or of a "misguided" Filipino, brings anguish to his heart.

How it must augment the agony of the great sufferer to reflect that his own hand has precipitated his all-absorbing grief upon him! Let him reflect upon unaffected sorrow—the sorrow that dwells in the breast of the heart-broken wife or child as the terrible message is flashed to them over the ocean cable that a loved one has fallen far off in the East, under the hot skies of the Tropics. Let him turn his face to the Orient, and there in the lurid glare of their burning homes behold in the jungles the dusky bodies of the lifeless Filipinos, whose sightless orbs turn upward, as though mutely appealing to high heaven for the justice which he has denied them.

And all of these wrongs to which I have made reference, Mr. Chairman, have been committed in the name of a people who boast of their free institutions, and who live under a written Constitution, every line of which fairly bristles with guaranties for the liberties of the citizen.

Mr. Chairman, these remarks of mine will be certain to be followed, both in and out of Congress, by a prolonged howl of denunciation from a particular class of persons. Notwithstanding the fact that I announced over two years ago to many persons in my district that I would never again be an aspirant for Congress, and was not a candidate either for renomination or reelection to this House, we will hear it stated and published that my constituents have "retired" me from public life. My motives will be aspersed, my purpose misrepresented, and my conduct unjustly assailed. The vocabulary of epithets will be exhausted upon me.

I will, of course, be accused of having made a vindictive and unjustifiable attack upon a great and noble President. I will be stigmatized as a coward and as a traitor to my party. It was so when I arraigned the Chief Magistrate for his faithlessness to public duty on a former occasion from this floor. It will be so again. In this peculiar style of warfare, sir, you will find the gentlemen who have been incapable of contributing anything in the way of argument in support of the policy of the Administration taking most conspicuous rank. They will have the cordial cooperation of the gentlemen who are more anxious to be popular than they are to be right.

The gentlemen who are grateful for patronage already received and stimulated by the lively anticipation of patronage yet to come will also attune their voracious voices to the general chorus. Only a blind and unreasoning acceptance of the doctrine of Presidential infallibility and a supine acquiescence in the Presidential ipse dixit can commend a Representative to these kind of individuals. With them independence in thought and action is a crime. To their minds "the king can do no wrong," even though the king is caught in the very perpetration of a wrong. They load the Chief Magistrate down with eulogies—a common trick of mediocrity—surrender up their independence and judgment to his keeping, and thus encouraging him in his errors, follow him uncomplainingly, even though he is leading them and the party into danger and the country into serious difficulty and embarrassment. These gentlemen, who demonstrate their own bravery by rushing at the head of what they conceive to be an overwhelming public sentiment to assail a Representative who is making his fight single-handed and alone, so far as this side of the Chamber is concerned, would do well to reflect before they impeach any man's devotion to the Republican party.

I was a Republican, sir, long before these debates arose. I am a Republican still. I expect to remain a Republican, though I trust I may be pardoned for declaring that no political organization deserves support which proves recreant to the fundamental principles of liberty upon which it is founded and surrenders both its conscience and its traditions to the demand of greed and avarice. Those who charge me with party disloyalty would do well to specify with particularity wherein I have been guilty instead of confining themselves to wholesale charges and vague generalities.

Mr. Chairman, it is the President and those who are particeps criminis to his wrong, either by giving him their active support or by quietly submitting to his aggressions while he is leading the party into pitfalls, who are lacking in party fealty, not I. The time for earnest Republicans to make their fight is here and now, before the organization is irretrievably committed to a policy which will, if adhered to, assuredly lead to overwhelming defeat.

The President seems fatally bent on giving the Democratic party the right side of a great moral issue, which will take an abiding hold upon the consciences of the American people in the next campaign. He is determined to commit it to the championship of oppression, violence, and excessive taxation—to appeal to a free people for indorsement upon an unsavory record, in which an abandonment of our most cherished traditions, the enslavement of an alien people, and the creation of a large and expensive standing army and navy shall be the most prominent feature.

To this, sir, as a Republican, I am unalterably opposed.

Mr. Chairman, it is not simply in the matter to which I have already referred that the President has failed to discharge the high duty which he owes to his party and his country. He has not lived up to the full measure of his responsibility in the administration of the civil service of the nation. Of what avail is it, sir, that he stands for the integrity of the classified service as it already exists if he is to aid in turning over the census, a work of vital importance, requiring the highest degree of accuracy and efficiency for its proper execution, to the sacrilegious hands of the spoilsmen? How can he predicate an appeal to the friends of civil service for their support when over and over again, both during and since the war, he has violated the spirit and essence of the reform in his appointments to the Army and in the civil and military administration of our newly acquired territories? What of the shameful appointments of incompetents who have brought scandal and reproach upon the service and which no amount of whitewashing can possibly conceal?

What of the appointments of the sons, relatives, and retainers of Senators, Representatives, and public men who have had political "pulls," to the neglect in many instances of American citizens of merit who would have honored the service, but who have been passed over in cold neglect? Will the cause of civil service be advanced, sir, by the establishment of a colonial policy which vastly augments the power of appointment and makes it easy to confer office upon unworthy applicants that, in distant climes, away from the restraining influence of a watchful public sentiment which operates here, they may plunder and oppress the helpless victims of our system, just as Clive and Hastings plundered and oppressed in British India?

Sir, let the friends of civil service throughout the entire country reflect upon all of this.

And there, too, Mr. Chairman, is the revision of the banking and currency system of the nation. Every thoughtful man who has investigated the subject knows that our currency is lacking in simplicity, uniformity, and elasticity; that it hampers commerce, impedes business, and arrests development; that it plunders the gold reserve, discriminates unjustly against our rural population, and oftentimes keeps the business interests of the country in a state of feverish anxiety and alarm and entails loss upon the people. We are running along now, sir, I grant you, with apparently little friction; but have we forgotten the dark days of '93? Have we no care for the future? Do we not know that the gold standard will never be really assured until we have reformed it with a banking and currency system which will do away with the demand for free coinage of silver by giving to those who insist upon such coinage a cheap, safe, and elastic paper money, which will subserve all of their legitimate wants?

Mere patching up of the present old machine, Mr. Chairman, will not suffice. Such a makeshift will serve only as a pretext to put off indefinitely the genuine reform in the currency which is so much required. To this reform, sir, the Republican party has pledged itself to the country. The President has declared for it in his letter of acceptance, his inaugural address, and in one or two of his messages to Congress. Is he sincere in this? Does he mean it? Is the pledge to be faithfully kept? If so, what means the talk of postponing the whole subject of banking and currency reform until the next regular session of Congress? What is the significance of the following, which appeared in this morning's issue of the Washington Post, an ably conducted and accurate newspaper of this city, in relation to the compromise just agreed upon in the Senate with respect to the Army bill, recently passed by this House?

#### A WHITE HOUSE CONFERENCE.

This was the situation until yesterday morning, when a conference was held at the White House, in which Senators ALLISON, HAWLEY, HANNA, SPOONER, and CARTER participated, and at which the compromise with the Democrats was agreed upon. Senators ALLISON, SPOONER, and HANNA have always favored any step which would render an extra session unnecessary. Senator HAWLEY, on the other hand, only two days ago proclaimed publicly in the Senate that he would accept nothing but "unconditional surrender" from the opponents of the bill, and Senator CARTER insisted that the reorganization measure must be passed pure and simple. These Senators were, however, willing to agree to a compromise yesterday. The reasons which operate against an extra session are mainly two, as follows:

"The discussion of the financial question, which would be precipitated, is avoided.

"By a recess of Congress the President is given nine months of unrestricted power to operate in the Philippines and solve the problems of expansion."

Ah, Mr. Chairman, a discussion of the financial question is to be avoided, is it? And this is why the President consents to the compromise of his Army bill, which a few days ago he declared must be pushed through, even if it required a special session of Congress to do it. And here, too, we find the gentleman who told the Home Market Club that Congress was the proper tribunal to settle the Philippine question now asking that he be given "nine months of unrestricted power to operate in the Philippines and solve the problem of expansion." Verily, sir, our noble President is the embodiment of sincerity and good faith! Give him an army of 100,000 men, the American Navy, the purse strings of the nation, and "nine months of unrestricted power to operate in the Philippines," and I submit to you, sir, that there will be mighty little left for the Congress which assembles next December to do in the way of solving "the problem of expansion."

Mr. Chairman, if a special session of Congress is not called; if banking and currency reform is postponed until Congress assembles in regular session next December, when that time arrives the Presidential and Congressional elections will be just ahead of us. Both the Chief Executive and the Representatives will then be afraid to undertake the revision. They will contend that it is dangerous to tamper with the greenbacks for fear of exciting the opposition of certain powerful elements at the polls. Thus the policy of procrastination will prey upon opportunity, and banking and currency reform will indeed be dead.

Now is the time, sir, for the President to act, if he is in favor of this legislation.

Let him call at once a special session of Congress. Both branches will be safely Republican. Let Congress take up, consider, and pass with reasonable promptness a bill properly revising the banking and currency system. This will give ample time for the legislation to indicate itself in the judgment of the people before the next general election occurs. By this course we will give adequate relief to all classes of our population, keep our just pledges as a party, and reap the reward of our fidelity by the popular approval at the elections.

The President, as I have said, declared several days ago that he would call a special session of Congress if the present session failed to pass this Army bill giving him a great army with which

to wage war for the subjugation of the Filipinos. He doubtless intended at that time to do so, although just now—

The native hue of resolution  
Is sicklied o'er with the pale cast of thought.

Will he persist in refusing to call a special session for the reformation of our banking and currency law?

Mr. Chairman, let the friends of this great and much-needed reform, including the hard-money Democrats who gave him their support in the campaign of 1896, fasten their eyes upon the President and await his answer.

The world of civilization and of letters, Mr. Chairman, was still lingering under the charm of Rudyard Kipling's great poem, the "Recessional," when he again arrested its attention with another product of his pen entitled "The White Man's Burden." The appearance of this latter poem called forth from some writer to me unknown a parody entitled "The Brown Man's Burden," which recently appeared in the paper of Henri Labouchere. This parody, sir, could with great propriety have been dedicated to the President of the United States, for it is in effect a severe and caustic arraignment of his policy in the Orient. I can not, of course, arrogate to myself the right of dedication. That is the exclusive privilege of the author. But I will take the liberty of concluding my remarks by reading a part of it to the House and commending it to the Chief Executive's most thoughtful and earnest consideration. That portion of the poem which I desire to read is as follows:

Pile on the brown man's burden  
To gratify your greed;  
Go, clear away the "niggers"  
Who progress would impede;  
Be very stern, for truly  
'Tis useless to be mild  
With new-caught, sullen peoples,  
Half devil and half child.

Pile on the brown man's burden,  
And if ye rouse his hate,  
Meet his old-fashioned reasons  
With Maxims up-to-date;  
With shells and dum-dum bullets,  
A hundred times make plain  
The brown man's loss must ever  
Imply the white man's gain.

Pile on the brown man's burden,  
Compel him to be free;  
Let all your manifestoes  
Reek with philanthropy,  
And if with heathen folly  
He dares your will dispute,  
Then in the name of freedom  
Don't hesitate to shoot.

Pile on the brown man's burden,  
Nor do not deem it hard  
If you should earn the rancor  
Of those ye yearn to guard;  
The screaming of your eagle  
Will drown the victim's sob—  
Go on through fire and slaughter,  
There's dollars in the job.

Pile on the brown man's burden,  
With equity have done,  
Weak, antiquated scruples  
Their squeamish course have run;  
And though 'tis freedom's banner  
You're waving in the van,  
Reserve for home consumption  
The sacred "Rights of man."

Address of the President of the United States before the Home Market Club, of Boston, Mass., together with certain prefatory matter and synopsis of remarks of the Secretary of the Navy and the Postmaster-General, as published in the Washington Post:

The President's table was made conspicuous by immense bouquets of American Beauty roses and pinks. Over the stage, under an arch of bunting and electric lights, were large portraits of Washington, Lincoln, and McKinley, and underneath was the word "Liberator" in large letters. Each balcony was draped with bunting and shields, and from the roof hung long streamers. Over the speaker's platform were large pictures of Speaker Reed and ex-President Harrison, and between them the banner of the Home Market Club, under which both Presidents Harrison and McKinley were nominated at the national convention.

#### DEWEY'S PICTURE PROMINENT.

Upon the balcony was a picture of Admiral Dewey, with the motto, "To the captain of a German ship: You must not sail by the United States flag without seeing it," and his famous command at Manila: "You may fire, Gridley, when ready." On either side of this portrait were those of Grant and McKinley. On the rear balcony were portraits of Governor Wolcott and War Governor Andrew.

The menus were handsome. Each was an eight-page book, containing a life-like portrait of the President, the names and positions of the guests at the tables, the names of all the marshals, the dinner menu, the toasts to which the guests were to respond, the musical programme, and an ode to the President, written by Sam Walter Foss to the music of "America," and which was sung by the audience after the President concluded his speech.

At the President's plate the menu was satin bound, with an elaborate hand-painted cover.

President McKinley sat at the front of the platform, and among those at his table were Bishop Mallalien; Mayor Quincy, of Boston; Secretary Long; Secretary Alger; Governor Wolcott; Secretary Gage; Postmaster-General Smith; Secretary Bliss; Governor Rollins, of New Hampshire, and ex-Mayor Strong, of New York.

The invocation was pronounced by Bishop Mallalien.

There was great enthusiasm when the dinner had been concluded and some of the tables removed to make way for chairs. President Plunkett introduced Governor Wolcott and then Mayor Quincy, who made brief addresses welcoming the President. President McKinley was then introduced, and spoke as follows:

#### PRESIDENT M'KINLEY'S ADDRESS.

"Mr. TOASTMASTER AND GENTLEMEN: The years go quickly. It seems not so long, but it is in fact six years since it was my honor to be a guest of the Home Market Club. Much has happened in the intervening time. Issues which were then engaging us have been settled or put aside for larger and more absorbing ones. Domestic conditions have improved and are generally satisfactory.

"We have made progress in industry and have realized the prosperity for which we have been striving. We had four long years of adversity, which taught us some lessons which will never be unlearned and which will be valuable in guiding our future action.

"We have not only been successful in our financial and business affairs, but have been successful in a war with a foreign power which added great glory to American arms and a new chapter to American history.

"I do not know why in the year 1899 this Republic has unexpectedly had placed before it mighty problems which it must face and meet. They have come and are here, and they could not be kept away. Many who were impatient for the conflict a year ago, apparently heedless of its larger results, were the first to cry out against the far-reaching consequences of their own act. Those of us who dreaded war most, and whose every effort was directed to prevent it, had fears of new and grave problems which might follow its inauguration.

#### FATE BROUGHT THESE PROBLEMS.

"The evolution of events which no man could control has brought these problems upon us. Certain it is that they have not come through any fault on our own part, but as a high obligation, and we meet them with clear conscience and unselfish purpose, and with good heart resolve to undertake their solution.

"War was declared in April, 1898, with practical unanimity by the Congress, and, once upon us, was sustained by like unanimity among the people. There had been many who had tried to avert it, as on the other hand there were many who would have precipitated it at an early date. In its prosecution and conclusion the great majority of our countrymen of every section believed they were fighting in a just cause, and at home or on sea or in the field they had part in its glorious triumphs. It was the war of an undivided nation.

"Every great act in its progress, from Manila to Santiago, from Guam to Porto Rico, met universal and hearty commendation. The protocol commanded the practically unanimous approval of the American people. It was welcomed by every lover of peace beneath the flag.

"The Philippines, like Cuba and Porto Rico, were intrusted to our hands by the war, and to that great trust, under the providence of God and in the name of human progress and civilization, we are committed. It is a trust we have not sought; it is a trust from which we will not flinch.

#### CAN NOT FORESEE RESULTS OF WAR.

"The American people will hold up the hands of their servants at home to whom they commit its execution, while Dewey and Otis and the brave men whom they command will have the support of the country in upholding our flag where it now floats, the symbol and assurance of liberty and justice.

"What nation was ever able to write an accurate programme of the war upon which it was entering, much less decree in advance the scope of its results? Congress can declare war, but a higher power decrees its bounds and fixes its relations and responsibilities. The President can direct the movements of soldiers on the field and fleets upon the sea, but he can not foresee the close of such movements or prescribe their limits. He can not anticipate or avoid the consequences, but he must meet them.

"No accurate map of nations engaged in war can be traced until the war is over, nor can the measure of responsibility be fixed till the last gun is fired and the verdict embodied in the stipulations of peace.

"We hear no complaint of the relations created by the war between this Government and the islands of Cuba and Porto Rico. There are some, however, who regard the Philippines as in a different relation, but, whatever variety of views there may be on this phase of the question, there is universal agreement that the Philippines shall not be turned back to Spain.

#### DARE NOT SHIRK OUR RESPONSIBILITIES.

"No true American consents to that. Even if unwilling to accept them ourselves, it would have been a weak evasion of manly duty to require Spain to transfer them to some other power or powers and thus shirk our own responsibility. Even if we had had, as we did not have, the power to compel such a transfer, it could not have been made without the most serious international complications.

"Such a course could not be thought of. And yet had we refused to accept the cession of them we should have had no power over them, even for their own good. We could not discharge the responsibilities upon us until these islands became ours, either by conquest or treaty. There was but one alternative, and that was either Spain or the United States in the Philippines.

"The other suggestions—first, that they should be tossed into the arena of contention for the strife of nations, or, second, be left to the anarchy and chaos of no protectorate at all, were too shameful to be considered. The treaty gave them to the United States. Could we have required less and done our duty?

"Could we, after freeing the Filipinos from the domination of Spain, have left them without government and without power to protect life or property, or to perform the international obligations essential to an independent state? Could we have left them in a state of anarchy and justified ourselves in our own consciences or before the tribunal of mankind? Could we have done that in the sight of God and man?

#### CONCERN FOR THE FILIPINOS.

"Our concern was not for territory or trade or empire, but for the people whose interests and destiny, without our willing it, had been put in our hands. It was with this feeling that from the first day to the last not one word or line went from the Executive in Washington to our military and naval commanders at Manila or to our Peace Commissioners at Paris that did not put as the sole purpose to be kept in mind, first, after the success of our arms and the maintenance of our own honor, the welfare and happiness and the rights of the inhabitants of the Philippine Islands.

"Did we need their consent to perform a great act for humanity? We had it in every aspiration of their minds, in every hope of their hearts. Was it necessary to ask their consent to capture Manila, the capital of their islands? Did we ask their consent to liberate them from Spanish sovereignty, or to enter Manila Bay and destroy the Spanish sea power there? We did not ask these; we were obeying a higher moral obligation which rested on us and which did not require anybody's consent.

"We were doing our duty by them with the consent of our own consciences and with the approval of civilization. Every present obligation has been met

and fulfilled in the expulsion of Spanish sovereignty from their islands, and while the war that destroyed it was in progress we could not ask their views. Nor can we now ask their consent.

#### FILIPINOS SHOOTING THEIR RESCUERS.

"Indeed, can anyone tell me in what form it could be marshaled and ascertained until peace and order, so necessary to reign of reason, shall be secured and established? A reign of terror is not the kind of rule under which right action and deliberate judgment are possible. It is not a good time for the liberator to submit important questions concerning liberty and government to the liberated while they are engaged in shooting down their rescuers.

"We have now ended the war with Spain. The treaty has been ratified by more than two-thirds of the Senate of the United States and by the judgment of nine-tenths of its people. No nation was ever more fortunate in war or more honorable in negotiations in peace. Spain is now eliminated from the problem. It remains to ask what we shall do now.

"I do not intrude upon the duties of Congress or seek to anticipate or forestall its action. I only say that the treaty of peace, honorably secured, having been ratified by the United States, and, as we confidently expect, shortly to be ratified in Spain, Congress will have the power, and, I am sure, the purpose, to do what in good morals is right and just and humane for these people in distant seas.

"It is sometimes hard to determine what is best to do, and the best thing to do is oftentimes the hardest. The prophet of evil would do nothing, because he flinches at sacrifice and effort, and to do nothing is easiest and involves the least cost. On those who have things to do there rests a responsibility which is not on those who have no obligations as doers.

#### FUTURE OF PHILIPPINES OUR CHARGE.

"If the doubters were in a majority, there would, it is true, be no labor, no sacrifice, no anxiety, and no burden raised or carried; no contribution from our ease and purse and comfort to the welfare of others, or even to the extension of our resources to the welfare of ourselves. There would be ease, but, alas, there would be nothing done.

"But grave problems come in the life of a nation, however much men may seek to avoid them. They come without our seeking. Why, we do not know, and it is not always given us to know; but the generation on which they are forced can not avoid the responsibility of honestly striving for their solution. We may not know precisely how to solve them, but we can make an honest effort to that end, and if made in conscience, justice, and honor, it will not be in vain.

"The future of the Philippine Islands is now in the hands of the American people. Until the treaty was ratified or rejected the executive department of this Government could only preserve the peace and protect life and property. That treaty now commits the free and enfranchised Filipinos to the guiding hand and the liberalizing influences, the generous sympathies, the uplifting education, not of their American masters, but of their American emancipators.

"No one can tell to-day what is best for them or for us. I know no one at this hour who is wise enough or sufficiently informed to determine what form of government will best subserve their interests and our interests, their and our well-being.

#### SOME PEOPLE KNOW EVERYTHING.

"If we knew everything by intuition—and sometimes I think there are those who believe that if we do not, they do—we should not need information; but unfortunately most of us are not in that happy state. The whole subject is now with Congress, and Congress is the voice, the conscience, and the judgment of the American people. Upon their judgment and conscience can we not rely? I believe in them; I trust them. I know of no better or safer human tribunal than the people.

"Until Congress shall direct otherwise, it will be the duty of the Executive to possess and hold the Philippines, giving to the people thereof peace and order and beneficent government, affording them every opportunity to prosecute their lawful pursuits, encouraging them in thrift and industry, making them feel and know that we are their friends, not their enemies; that their good is our aim; that their welfare is our welfare, but that neither their aspirations nor ours can be realized until our authority is acknowledged and unquestioned.

"That the inhabitants of the Philippines will be benefited by this Republic is my unshaken belief; that they will have a kinder government under our guidance, and that they will be aided in every possible way to be self-respecting and self-governing people is as true as that the American people love liberty and have an abiding faith in their own Government and in their own institutions.

#### OUR PRINCIPLES UNCHANGED.

"No imperial designs lurk in the American mind. They are alien to American sentiment, thought, and purpose. Our priceless principles undergo no change under a tropical sun. They go with the fiat:

"Why read ye not the changeless truth—  
The free can conquer but to save?"

"If we can benefit these remote peoples, who will object? If in the years of the future they are established in government under law and liberty, who will regret our perils and sacrifices? Who will not rejoice in our heroism and humanity? Always perils, and always after them safety; always darkness and clouds, but always shining through them the light and the sunshine; always cost and sacrifice, but always after them the fruition of liberty, education, and civilization.

"I have no light or knowledge not common to my countrymen. I do not prophesy. The present is all-absorbing to me, but I can not bound my vision by the blood-stained trenches around Manila, where every red drop, whether from the veins of an American soldier or a misguided Filipino, is anguish to my heart, but by the broad range of future years, when that group of islands, under the impulse of the year just past, shall have become the gems and glories of those tropical seas, a land of plenty and of increasing possibilities, a people redeemed from savage indolence and habits devoted to the arts of peace, in touch with the commerce and trade of all nations, enjoying the blessings of freedom, of civil and religious liberty, of education and of homes, and whose children and children's children shall for ages hence bless the American Republic because it emancipated and redeemed their fatherland and set them in the pathway of the world's best civilization."

#### HON. EMORY SMITH'S REMARKS.

Postmaster-General Smith, the next speaker, began with a eulogy of the President, and then entered upon a summary of the work accomplished by the Administration in the revision of the tariff, the restoration of business confidence, the routing of the North and South. He continued:

"Whatever the doubts and differences of this hour, I see the darkened peoples who are liberated from oppression looking back to the Administration of William McKinley and blessing it for the humanity and freedom which go with American rule, while our own people, with faith confirmed by fruits, will honor that Administration as dating a new epoch in the advancement and development of the Republic.

"Four days ago we celebrated the birthday of Lincoln. Six days hence we shall celebrate the birthday of Washington. Neither Washington nor Lin-

coln started for what became the ultimate necessity and object, but neither hesitated to accept the obligations and consequences of their glorious deeds.

"Lincoln emancipated 4,000,000 of beings; McKinley has lifted 10,000,000 into new light and freedom, and the devoted President, who, of all American leaders, is most like Lincoln in his moral attributes and his popular sympathy, is keeping touch with the popular heart as he fulfills his lofty mission of taking the flag of American liberty where Lincoln has left it, pure and stainless, and carrying it forward to wider sway and influence in the world."

#### OVATION TO SECRETARY LONG.

Secretary of the Navy Long was then introduced. He received an ovation second only to that of the President. He was cheered to the echo, and even President McKinley rose and waved his napkin in salute with the audience. Some one in the balcony called for three cheers for "Dewey's friend."

Secretary Long said, in part:

"The treaty of peace with Spain, thank Heaven, has been ratified; and while, unfortunately, the delay in its ratification may be accountable for the recent bloodshed at Manila, the discussions which preceded it have not been without their value in an honest presentation of all phases of the situation and in holding the country to the highest ideals of national duty and honor. It is certainly cause for congratulation that the extreme imperialists who resisted the treaty have been signally overthrown. By resisting its ratification they have been insisting upon the extremest imperialism and have out-heroded Herod.

"They not only would have prolonged the war with Spain, but would have taken out of the hands of the people and put into the hands of one man, the President, absolute authority over the Philippines, limited only to the indefinite scope of what is called the war power, wielded by a purely military arm holding a naked sword. Think of that for imperialism. It is a great credit to the President that, like those two other modest candidates, Julius Caesar and George Washington, he has refused this offer of 'a kingly crown.'"

Mr. HAMILTON. Mr. Chairman, I rise to ask unanimous consent to have read at the Clerk's desk that part of President McKinley's Boston speech which defines his Philippine policy.

Mr. SULZER. I object to that.

Mr. HAMILTON. Very well; then I ask that it be read in my own time.

Mr. JOHNSON of Indiana. I have no objection to the whole address being read.

Mr. HAMILTON. I ask the gentleman from Iowa [Mr. HULL] to grant me time enough in which to have it read.

Mr. HULL. All right.

Mr. JOHNSON of Indiana. I object.

Mr. HULL. You can not object.

Mr. JOHNSON of Indiana. I ask that the whole address be read.

Mr. HAMILTON. The American people have read it and understand it.

Mr. JOHNSON of Indiana. Yes; they have read it, and the time will come when they will damn it, as they ought to.

Mr. SULZER. I hope the Republicans over there will not quarrel. [Laughter.]

Mr. HAMILTON. Republicans are not quarreling.

Mr. SIMPSON. Do not muddy the water.

Mr. WILLIAMS of Mississippi. Put in the whole document.

Mr. SULZER. Put the President in.

Mr. HAMILTON. He is in.

Mr. SULZER. You can bet he is in.

Mr. LOW. Perhaps the gentleman from New York would like to get in.

Mr. SULZER. We will get in if it is necessary.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### McKINLEY'S PHILIPPINES POLICY.

The Philippines, like Cuba and Porto Rico, were intrusted to our hands by the war, and to that great trust, under the providence of God and in the name of human progress and civilization, we are committed. It is a trust from which we will not flinch.

There is universal agreement that the Philippines shall not be turned back to Spain. No true American would consent to that.

The suggestions that they should be tossed into the arena for the strife of nations or be left to the anarchy or chaos of no protectorate at all were too shameful to be considered. The treaty gave them to the United States. Could we have required less and done our duty?

Our concern is not for territory, or trade, or empire, but for the people whose interests and destiny were put in our hands.

It is not a good time for the liberator to submit important questions to the liberated while they are engaged in shooting down their rescuers.

The future of the Philippine Islands is now in the hands of the American people.

I know of no better or safer human tribunal than the people.

Until Congress shall direct otherwise it will be the duty of the Executive to possess and hold the Philippines.

That the inhabitants of the Philippines will be benefited is my unshaken belief.

No imperial designs lurk in the American mind. They are alien to American sentiment.

Mr. HULL. I ask the other side to consume a portion of its time.

Mr. JOHNSON of Indiana. I ask unanimous consent to insert in the RECORD in its entirety the President's address at Boston.

Mr. WALKER of Massachusetts. I object.

Mr. JOHNSON of Indiana. I ask to insert it as a part of my remarks, and I think I have that right.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to print the speech of the President at Boston in the RECORD.

Mr. JOHNSON of Indiana. A parliamentary inquiry. By virtue of the general leave given by the House to extend remarks in

the RECORD in the debate, have I not the right to put the whole of the address that the President of the United States delivered before the Home Market Club at Boston, in the RECORD with my speech?

Mr. PERKINS. I think not.

Mr. MARSH. I hope, Mr. Chairman, that unanimous consent will be given to the gentleman from Indiana to insert as a part of his remarks the President's speech at Boston.

Mr. JOHNSON of Indiana. That is all I ask. I have the right to do it anyhow.

Mr. MARSH. It will be an embellishment to the gentleman's speech.

Mr. JOHNSON of Indiana. I know, from the gentleman's standpoint, it will.

The CHAIRMAN. The Chair desires to say to the gentleman from Indiana—and the Chair hopes the gentleman will give his attention—that the House and not the committee gave gentlemen who address the committee on this bill the privilege to extend their remarks in the RECORD. Each gentleman can exercise his judgment upon that, and it is a matter for the House to determine when those remarks are printed, and not for the Chairman of the committee.

Mr. JOHNSON of Indiana. I have always intended to, and will incorporate the address of the President at Boston in my speech and publish it in the RECORD.

Mr. MARSH. I will say—

Mr. JOHNSON of Indiana. I prefer that it should be printed as a whole, and not merely a part of it.

Mr. PERKINS. Mr. Chairman, while I think the consent asked for by the gentleman from Indiana would vastly improve his speech, at the same time I think the consent granted by the House was to extend remarks, and it has always been held that no gentleman under privilege to extend his remarks had the right to go outside and incorporate as a part of his remarks any speech or document or book that might be on hand.

The CHAIRMAN. The Chair desires to state to the gentleman from Iowa that that is a matter for the House to determine after the gentleman from Indiana exercises his supposed privilege to extend his remarks.

Mr. PERKINS. I want to say a word further. I understand the Chair to be deciding this matter upon authority granted by the House.

The CHAIRMAN. The Chair decides nothing. The Chair has just stated to the gentleman from Indiana that the House, before it went into Committee of the Whole House on the state of the Union, authorized any gentleman who addressed the committee on the bill pending to extend his remarks in the RECORD.

Mr. PERKINS. Did I understand the Chair to say—

The CHAIRMAN. One moment. The gentleman from Indiana asked the Chair if under that authority he had the privilege to incorporate in his remarks the address of the President at Boston. The Chair stated to him that each gentleman must exercise his own discretion as to the proper construction of that authority, and it will be for the House hereafter to determine whether that authority has been abused or not.

Mr. BOUTELLE of Maine. That is the whole of it.

Mr. MAHANY. I rise to suggest that as the gentleman from Indiana addressed his remarks to the speech of the President of the United States, it is eminently fit and proper that he should print that speech as a part of his remarks, especially as no Republican ought to be ashamed of the utterances of the leader of his party.

Mr. JOHNSON of Indiana. Why, the gentleman from Iowa is evidently ashamed of the utterances of the President, because he does not want them inserted in the RECORD.

Mr. PERKINS. "The gentleman from Iowa" is not ashamed of, and "the gentleman from Iowa" distinctly stated that he thought that the utterances of the President would vastly improve the gentleman's speech.

Mr. JOHNSON of Indiana. Yes; I heard the gentleman indulge himself in that fling at me. I am quite accustomed to that thing from gentlemen of his disposition. [Applause.]

Mr. PERKINS. My contention is, Mr. Chairman—

Mr. HAMILTON. It is a clear deliverance by one of the ablest statesmen of modern times.

Mr. CANNON. Mr. Chairman, I demand the regular order.

Mr. BAILEY. Mr. Chairman—

Mr. HULL. Mr. Chairman, let us have the regular order.

Mr. BAILEY. I simply desire to say, as, in view of what the gentleman from Iowa, the chairman of the Committee on Printing, has stated, he intends, perhaps, to make objection after the gentleman from Indiana has printed the President's speech in the RECORD—I simply desire to say that under the leave the gentleman from Indiana has the right to print anything that he could properly have read during the delivery of his speech. I think the Chair has correctly decided that the question belongs to the

House, but I was not willing for it to be closed with the statement of the gentleman from Iowa, because he may claim that he had given fair warning that he intended to object to it.

Mr. PERKINS. Now, I think, in justice to myself, I should be permitted to state one thing. I have never indicated, I believe, that I should have any objection, either by myself or in the committee, on the subject of printing the speech referred to in connection with the remarks of the gentleman from Indiana, and the gentleman from Texas is wrong when he assumes that I will object; but as a matter of precedent it ought to be understood that when the request is to be made it should be separated from the general request that has been submitted, and should be made to the House, because all gentlemen can readily see how great an abuse in printing might be, and it is merely as a matter of precedent that I raise the point.

Mr. SULZER. Will the gentleman from Iowa go on now?

Mr. HULL. I think the gentleman from New York had better occupy a portion of his time now.

Mr. SULZER. Mr. Chairman, how much time has the other side occupied?

The CHAIRMAN. One hour.

Mr. HULL. I understand, Mr. Chairman, technically we have occupied fifty-eight minutes. I believe I occupied fifty-seven minutes and I yielded one minute—

The CHAIRMAN. Several minutes have been occupied by disorder on both sides, but I will say to the gentleman in charge of the bill that no injustice has been done.

Mr. HULL. How much has been charged up to the other side?

The CHAIRMAN. The same to both sides, seven minutes each for disorder. [Laughter.]

Mr. SULZER. I object to that. Mr. Chairman, I now yield twenty minutes to the gentleman from Kentucky [Mr. SETTLE].

Mr. SETTLE. Mr. Chairman, I shall not occupy any of my time in the discussion of the pending bill, for which I expect to vote for the reasons I may give further on in my remarks. But I desire to submit some observations, without regard to their orderly arrangement, upon a subject very closely connected with this bill, and which, I believe, will be closely connected with the legislation of this House for many years to come, and that is the foreign policy of this Government toward the Philippine Islands, to the retention of which, either by forcible or by peaceable methods, I am unalterably opposed.

I confess that I address the House with some reluctance, although I have sought the opportunity to do so. I am reluctant because I fear the House may resent the occupying of so much time in the closing days of the session upon what they may consider a threadbare subject. I am reluctant because I feel that I shall be able to throw very little new light upon it, because I know the ground has been well trodden and well beaten. But I feel impelled by a sense of justice to myself, as well as to the people whom I represent on this floor, that I should not remain silent upon this vital question that is now attracting the attention of Congress and the country.

Equity declares that he who is silent when he ought to speak may not afterwards be permitted to speak, when he ought to remain silent. It is simply for my own satisfaction, that I may define in a positive way my own conviction, and not with the vain hope that I may influence the action of the House or convince its superior wisdom of the truth of my position, that I claim its attention for a brief period this afternoon.

I have been very deeply impressed of late with the truth of the fact that the world moves in spite of our efforts to prevent it; that "there's a divinity that shapes our ends, rough hew them how we will." I have been impressed with the truth of the fact that the mere individual, the mere one man, is an almost unfelt factor in the great problems that are being worked out, or, to put it more accurately, the great problems that seem to be working themselves out, around us and about us. The last year has been a year of surprises to all of us, and of unexpected happenings. Recent events have crowded upon each other thick and fast—so rapidly, indeed, that all the calculations that we may make to-day we find upset on the morrow.

Like some swollen river, this fast-rushing current of events in its onward flow, outrunning its banks, has gathered up many of our pet theories and many of our fond conclusions and borne them away on its broad bosom to the sea, separating us from them forever. I doubt if there is a member on this floor who has not sustained such losses during that time, who has not been compelled to abandon positions that he once deemed unassailable and given up conclusions which he thought were permanently fixed and embedded in his mind, not because we lost faith in the wisdom of our position, not because we doubted the correctness of our conclusions, but simply because we found ourselves face to face with changed conditions, that rendered those theories mere vagaries and those fixed conclusions impracticable for present use and present purposes.

Six months ago I could not have been persuaded to believe that I would, under any circumstances, have voted to pay Spain \$20,000,000 or one cent for indemnity on account of the war; but I found myself confronted with a new state of affairs and realized that I had got past that stage. I found myself impelled by what I thought was a sense of national honor to discharge a national debt, and so I voted cheerfully for that appropriation. And so to-day or to-morrow I shall vote for this appropriation bill. Although I voted against the Army bill, although I am opposed to this unusual increase in the Army, yet, having an Army, we must maintain and feed and equip that Army, not starve it to death. [Applause.]

These are some of the theories that I have buried with other friends who have gone before. I believe it is a safe rule for a Representative to adopt that whenever his Government commits itself irrevocably to any line of action—that is to say, to such a course as that to retrace it would involve the impairment of national honor or imperil the national safety—it is the duty of the Representative to stand by his Government, whether it be right or whether it be wrong. [Applause.] It is better to build up than to pull down—to create than to destroy. It is better to put our shoulders to the wheel in the common effort to make successful that which seems to be a questionable proposition and beclouded with doubt than to pose in the future in the attitude of an obstructionist, desirous that the time may come when he can wag his head and say, "I told you so." [Applause.]

But my vote upon the \$20,000,000 appropriation and my vote upon this Army appropriation bill do not in any wise commit me to the policy of the acquisition of this foreign territory, either with or without the consent of the inhabitants of those islands. And while these facts do not influence me, neither do the unhappy occurrences of the last few weeks in those islands deter me from that opposition.

Mr. MARSH. Will it disturb the gentleman if I ask him a question?

Mr. SETTLE. I hope not. [Laughter.]

Mr. MARSH. Are not the Philippine Islands and Porto Rico already our territory? If not, whose territory are they?

Mr. SETTLE. I will answer the gentleman in the course of my argument. It would interrupt the natural current of my remarks to do so at this time. I beg the gentleman to believe that I will define my position and give him answer before I conclude.

I deplore as much as any man the loss of the lives of our brave men in the Philippine Islands within the last ten days; and I deplore it on another ground—that it has created a diversion in the minds of the American people from the true question, the abstract right of this Government to acquire that territory and to retain it permanently. I am opposed to the peaceful annexation of those islands; and it is not necessary to elaborate my reasons, for they have been gone over again and again by gentlemen able to maintain their position on this floor.

The remoteness of the islands, the character of the people, their unadaptability to ever becoming American citizens, the danger of foreign entanglements, all these arguments appear to me unanswerable. But when it comes to the proposition to forcibly, against the consent of that people, annex them to this country, it does seem to me that it passes beyond the pale of argument.

We talk about living in a land of freedom, and so we do; but we live in a land of freedom hampered and restrained by law, without which there is no freedom, and without which there is no true liberty.

Nations, like individuals, are subject to law. The principles of equity, of common, fair dealing, that obtain between men obtain also between nations. There may, indeed, be no international court of arbitration in which these complaints may be heard, but there is a forum, and that forum is the forum of conscience and intelligent public opinion, and wherever it resides, in the breasts of whatever people, the American people must there be judged. There is such a thing as the law of estoppel that binds individuals to a certain line of conduct, and equally binds nations.

I want to present in a very brief period a few legal propositions containing this law of estoppel and some kindred legal propositions which in my judgment render the contention of gentlemen who advocate forcible annexation clearly untenable. The law tells us that a man who purchases property that is at the time in the adverse possession of another acquires no title, but that his purchase is absolutely void. The law tells us that no man may by word or act induce a certain line of conduct on the part of a third person and then ever afterwards be permitted to deny the binding force of that act or the facts of that admission.

The law says that if I stand by and permit my property to be sold without objection to an innocent purchaser, I am thereby estopped from thereafter asserting any claim to it. The law says further that parties occupying the position of trustees—such as guardians, executors, and administrators—are forbidden to speculate in the estates of their beneficiaries. So that if any fiduciary should purchase land of his cestui que trust at decretal sale, equity

would deem him to hold it as a trustee for the beneficial owner and would set the sale aside. The law says that no man shall by word or act encourage another to buy and be afterwards permitted to set up any claim of title in himself.

Now, Mr. Chairman, I would apply some of these general legal principles to the case of the Filipinos, and while I am aware that all analogies are more or less imperfect, yet I am persuaded that a review of our relations to these Filipinos will satisfy any intelligent lawyer, or, for that matter, any intelligent, fair-thinking man, that we are estopped by every consideration of right and justice and good faith from forcibly taking possession of these islands.

When we went to war with Spain we found these people also involved in a war with them. They were in rebellion against the Spanish Government, and we knew it. They had arms and armies in the field, and had fought and were fighting battles. They claimed the right of self-government. They could not buy it with silver and gold, but with their blood, and their treasure, and their sacrifices during many years. We went to war with Spain for one purpose, they for another. Our ends were different, but our common aim was to effect the destruction of the common enemy, the effect of which would be to attain the end sought by each.

We found in these people allies in our war. We said to them, "We are fighting for one thing; you for another; we will make it a common cause, and when we defeat the common enemy we shall each then obtain the relief we have sought."

What right did we recognize in them when we took them into a companionship of this kind with us? What right did we recognize in them when we fought side by side with them against the common enemy and when they helped us to win our most recent victories in the East?

Why, we recognized their right to throw off the Spanish yoke. We recognized their right to be free and independent. We said to them, "You do right to throw off the Spanish yoke. We, too, want to help other people now oppressed by Spain. Help us and we will help you." It is now said that they are rebels. We are estopped to call them rebels, for we have recognized their right to rebel.

Mr. WHEELER of Kentucky. Will my colleague allow me an interruption just there?

Mr. SETTLE. Certainly.

Mr. WHEELER of Kentucky. I understand my friend to take the position that the Filipinos were the allies of the people of the United States—

Mr. SETTLE. Yes.

Mr. WHEELER of Kentucky (continuing). During the late war; and that we are placed under a sort of moral obligation in relation to them because of their assistance, which we must recognize. Now, I would like to ask my friend to state which obligation is in his judgment the greater on the people of the United States—whether it is greater in respect to the treaty which the Senate of the United States, in accordance with the Constitution, has prepared and ratified with Spain, or the obligation to which he refers in connection with the people of the Philippines.

Mr. SETTLE. I will endeavor to satisfy my colleague from Kentucky on that point. If I correctly apprehend his question, I fail to see that the treaty has anything to do with this question. I do not concede that the treaty commits us to the retention of the islands, or that having voted recently myself for the payment of the \$20,000,000 indebtedness to Spain, I am thereby committed to such a policy. I recognize, of course, that he had the right to vote against it, if he so desired, but I do not see that he could give any good reason for such a vote except that he had the constitutional right to cast it. [Laughter.]

Now, I desire to state in connection with this matter, and looking upon it as an independent proposition, that there is not a day that I would not have voted to ratify the treaty for the reason that it would complicate matters much more not to have ratified it. [Applause.] I would have voted to ratify because, as Macbeth says, to return would be more tedious than to go on, and for the reason that it kept us on the high plane upon which we began the war. It freed the islands from the Spanish Crown; it relieved them of a further continuation of the unequal struggle.

I regard it as a voluntary payment by this Government in aid of the Philippines, unasked by them, unsought by them, and, in fact, protested against by the only emissaries they could find to go to Paris during the sitting of the Peace Commission. That is my position on the twenty millions. We had infinitely better lose the twenty millions than to spend hundreds of millions in a fruitless effort to save it. I am willing to trust the moral sense of those people to see that we are paid this money back. If not, let it go. I do not think it requires the exercise of much wisdom for a man to let loose as soon as possible of the red-hot end of a poker. [Laughter.]

Now, gentlemen, you are in this position exactly: These men helped you in your battles in the East, and you knew they were fighting for freedom. You induced them to believe that you

would assist them, and what did effectual assistance mean ultimately? It meant the accomplishment of the desire, the long-cherished desire, of their hearts, an independent government of their own. It will not do for us to say to-day, "You are not capable of self-government." Did not we know it at the time we accepted their services? Are we not estopped to-day to say that they can not satisfy us that they are capable of governing themselves?

You might as well meet the question fairly. There is but one alternative. We have either got to turn these people loose or else we have got to keep them. There is no use in pretending to say that we are going to experiment with them. For we know enough about the character of those people to be satisfied now that there is no reasonable time in which either they would become fit citizens of this Government or satisfy us that they are capable of maintaining a government of their own, measured by our high standard of what a government should be.

So that we occupy the position—the absurd, the unjust, the indefensible position—of accepting aid from these men, helping them ostensibly to win their fight, and then hying us off to Paris, if the contention of the gentlemen who favor forcible annexation is correct—hying us off to Paris and negotiating a treaty by which the United States gets all the fruits of victory and these people lose out altogether.

Mr. RAY of New York. May I interrupt the gentleman there?

Mr. SETTLE. Certainly.

Mr. RAY of New York. Now, supposing that the United States Government should withdraw its fleets and its armies entirely from the Philippines and leave those people to themselves, do you think for a moment that other nations would leave them alone, leave them to establish such a government as they could and go on and have their liberty and enjoy it peacefully? Do you believe that?

Mr. SETTLE. I do not believe that those people understand liberty in the sense in which the gentleman and I understand it, and the day may not come, and will not, in my judgment, come in our time, nor in the time of our immediate posterity, when they will; but when you accepted their assistance and led them to believe you were for them and were fighting for what they wanted, not what you think they ought to want, you are estopped now to say that they ought not to be permitted to take all the chances of what leaving them alone by us would mean and would involve.

Mr. RAY of New York. I do not think you have answered my question, but I want to put another proposition.

Mr. SETTLE. I understand the question you asked me. It was, if I believed the other nations of the world would leave them alone.

Mr. RAY of New York. Now, just let me suggest another thing: The United States Government has interfered there for the benefit of those islands and that people.

Mr. SETTLE. I deny that. We interfered for the benefit of ourselves. The United States interfered right there as a matter of selfishness and policy alone, because when Dewey sunk those Spanish ships he found other work, as he thought, to do, not looking to the acquisition of the Philippines, but to the crippling of the Spanish in their dominions in the Pacific.

Mr. RAY of New York. Now, while I deny your proposition that we interfered there out of selfish motives, the fact remains that we did interfere.

Mr. SETTLE. You did interfere in the sense of going there, but you went on your own account. You did not interfere in their behalf any more than they interfered in yours.

Mr. RAY of New York. We did interfere and we have relieved those islands from Spanish domination. Now, something has got to be done, and it is incumbent, is it not, upon the United States to do what is best and what is the most just thing under all the circumstances.

Now, shall we leave that people to themselves? Shall we sail away, withdraw our armies, and leave them to anarchy—to fight among themselves—leave them a prey to other nations?

Mr. SETTLE. We must do it, if to do otherwise means a surrender of national honor and the violation of the public faith toward those people. [Applause on the Democratic side.] Charity begins at home, I will say to my friend from New York.

Mr. VINCENT. Do you think it would be better to kill them?

Mr. SETTLE. Charity begins at home; and I know of no law, human or divine, that requires us to set ourselves up as a sort of universal Ku Klux Klan or White Leaguers to regulate the morals of the world; no law that requires us to jeopardize the happiness and prosperity of seventy millions of people in the vain and fruitless effort to impart our civilization to these effete people of the East. [Applause.]

It would be far better that the Japanese, the English, or the Germans should take that land, so that they take it without our assistance or without our connivance in any way, than that we should lose national honor and sink ourselves not only in our own

self-respect, but in the estimation of the whole world. [Applause on the Democratic side.]

Mr. GROSVENOR. If the gentleman would not be inconvenienced by it, I should like to ask him a question.

Mr. SETTLE. All right.

Mr. GROSVENOR. I understand the gentleman to say that the United States accepted the cooperation of the Filipinos. Now, where is that evidence? What fact have you, not your own statements, what facts based upon any order or decree or communication made by this Government or any officer representing this Government—upon what fact do you base the statement that there was any acceptance of Aguinaldo or any cooperation on the part of the Filipinos to lend aid? Is it not, on the contrary, the fact that the first soldier that landed carried with him a proclamation ordering that the armed Filipinos should not enter Manila, and should not fight the Spanish?

Mr. SETTLE. If you ask me the facts, I am not on the inside of this Administration, but I am advised that the records of the State Department do contain facts sufficient to vindicate the position I take to-day—that they did accept them. Does the gentleman mean to deny to the country that the Filipinos did fight side by side with the American troops there?

Mr. GROSVENOR. I do most decidedly.

Mr. SETTLE. That is the first time I have ever heard it denied anywhere. They took Aguinaldo there, who was said to have taken that \$400,000, but who actually expended it in the purchase of arms and munitions of war and in the payment of his soldiers.

Mr. GROSVENOR. We invited nobody.

Mr. SETTLE. We seem to have endeavored to mislead him. He was good enough for you then, and you wanted his advice, and accepted it and acted upon it. I do not hold him up as a George Washington, but I do hold him up as a representative Filipino, selected by them as their leader. There is no standard of taste, says moral science. We can point to the complexion of this House and prove that [laughter], and the blacker you make Aguinaldo as a representative Filipino the stronger you make the argument against incorporating any such people as that into this Government of ours.

Mr. GROSVENOR. Who has proposed to incorporate them?

Mr. SETTLE. I have only five minutes left. These Filipinos, as I say, whether you gave them an instrument of writing indicating that you invited them to participate in this campaign or not, entered into this real alliance with you. They purchased guns and they armed their men; they fought side by side with you, and their expert scouts gave our commanders all the information they had of the country that led to these recent victories over there. And now you want to annex them.

Mr. GROSVENOR. I say they were forbidden to take part.

Mr. SETTLE. The gentleman ignores recent history when he says we did not invite them. These men were daily engaging the Spanish forces. We cooperated with them and they with us, and every reasonable inducement was given them to believe that success for one meant success for both. The gentleman from Ohio asks who proposes to incorporate these people into our Government, and intimates that I am fighting an imaginary enemy and that no one advocates the forcible, permanent annexation of the islands.

It is indeed true that only a few are bold enough to openly avow such a policy, but all the signs point that way. The passage of the Army bill indicates it; the generous applause which greets any sentiment on the floor of this House involved in the question "Who will pull down the flag?" and that other sentiment so frequently indulged in of late, "That we ought to retain every foot of ground captured during the war"—these, too, are signs that have but one meaning. Even the ballad mongers have put the sentiment in vaudeville verse: "Hold dem Philippines, McKinley, hold dem Philippines." [Laughter.]

Of course all these patriotic utterances are qualified and mollified with the statement that there is no desire to hold them any longer than is necessary to insure stable government, but it is plain to be seen that the ultimate purpose in view is to enslave these people and to annex them permanently to the United States. But the purpose is concealed for the present. We are to be led up by easy stages to this realization. We are first to endure, then pity, then embrace. [Loud applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SETTLE. I ask unanimous consent that I may have twelve and one-half minutes more. [Laughter.]

The CHAIRMAN. Does the gentleman ask that general debate be extended that long—fifteen minutes? The House has already fixed the time with reference to general debate, and gentlemen control that on the two sides.

Mr. WILLIAMS of Mississippi. I ask consent that general debate be extended by fifteen minutes.

The CHAIRMAN. The Chair will have to say the committee

has no power to change the time for debate that was fixed by the House.

Mr. WILLIAMS of Mississippi. I ask that the committee rise informally in order that we may extend the time.

Mr. PAYNE. I object to the committee rising for any such purpose.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. HULL].

Mr. HULL. I yield twenty minutes to the gentleman from Michigan.

Mr. HAMILTON. Mr. Chairman, we are told that the President has turned his back on the Declaration of Independence.

We are told that in carrying this war to its legitimate conclusions we are forgetting the traditions of our heroic past, and that under this Administration we are making swift descent toward national destruction.

I propose a brief review of current history.

The United States to-day is foremost among the living, advancing powers of the world, "the heir of all the ages in the foremost files of time."

Since, in the language of Edmund Burke, "party divisions are things inseparable from free government," it happens that national glory is often intimately associated with party success.

A policy which may stand for all time, for national glory or national apology, must be formulated and executed by the party in power, which is responsible to history for the management or mismanagement of the trust reposed in it.

The Republican party, under the splendid leadership of William McKinley, has met the responsibility which the Omnipotent Ruler of the destinies of men and nations has set before us—so well that the onlooking world wonders and applauds, and time will here turn down a leaf in human history to mark the splendid beginning of a new era of human progress.

There never was a time in all our glorious history when every part of our nation was so proud of our whole nation, never a time when our whole nation was so proud of every part of our nation, never a time when every star in our flag was so proud of the whole constellation of stars of which it is one, as now under this Administration.

#### WHAT WE ARE AND WHAT WE MIGHT HAVE BEEN.

It is perfectly true that it is no more in the power of Congress to make this nation richer by calling 50 cents a dollar than it is within the power of Congress to make this nation bigger by calling half a mile a mile.

It is no more in the power of Congress to make me richer by calling 50 cents in my pocket a dollar than it is in the power of Congress to make me taller by calling 6 inches a foot.

It is no more in the power of Congress to make the farmer richer by calling 50 cents a dollar than it is in the power of Congress to make the farmer's farm bigger by calling half an acre an acre.

But it was within the power of the Fifty-fifth Congress, under the Administration of William McKinley, to make this nation greater than ever before and every American taller than ever before and every star in our flag brighter than ever before by declaring a war, glorious in its inception, glorious in its conduct on land and on sea, and glorious in its probable future results.

I may be prejudiced, but to be perfectly candid, I think we are prouder of ourselves than as if we had cut in two some soldier's or widow's pension.

Than as if we had reduced the purchasing power of a day's work.

Than as if we had cut in two the value of existing life-insurance policies to the injury of widows and orphans.

Than as if we had so legislated that savings deposits and loan investments, slowly and savingly paid to maturity, should be repaid in clipped dollars.

Than as if we had so arranged that guardians, executors, and administrators might file their final accounts and be discharged on payment of depreciated money and thereby lawfully defraud their wards and trust estates.

I think we are prouder of ourselves than as if this great Christian nation, with church spires breaking the horizon line in every direction, where the Golden Rule and the Ten Commandments are taught, had posted notices in the markets of the world that it proposed to cheaply pay its honest debts in depreciated money.

We got down to the intrinsic bullion value of our national morality in the last national election, and we have been thinking pretty well of ourselves ever since.

We have been successful ever since, and have thereby illustrated the truth of the old saying that "Honesty is the best policy."

Now, when we have seen our war bonds taken everywhere by a patriotic people, whose purchase is a pledge of their devotion to our common country and their confidence in its integrity, we stand erect and say, "That is the kind of people we are."

And I do not believe there is a man in this country who regrets or begrudges for a single instant the contribution he has made by stamps or otherwise to thrash the conceit, cruelty, tyranny,

and treachery out of Spain, and send our flag like a sunburst of liberty into the medieval twilight of Spain's possessions.

#### PATRIOTISM.

There are some things above dollars and cents in this world, and one thing is patriotism; that sentiment of the human heart having more than a million homes, but brought under no one roof of human workmanship—which governments and magistrates and granite capitols seek to represent, but can not express—difficult to define, but as much a part of our national life as are the red drops that visit every heart and which nothing can symbolize except the Stars and Stripes.

And yet—and yet—right now—right in the midst of the grand anthem of American glory that is sweeping over the country, there are people going about like patent-medicine advertisements describing liver complaint and dyspepsia and seeking to stir up bitterness, envy, and discontent by political suggestion.

It is a scientific fact that you can make a man sick by telling him he looks sick.

And there are periods in the life of states when popular energy is relaxed into lackluster, shuffling irresolution, bagged at the knee, yellow of complexion, and unsound of reasoning, brought on by political quacks, with lying diagnoses of national liver complaint and municipal paresis.

Some of these political empirics actually take themselves seriously.

Some people think they are pious when they are only bilious.

#### THE VERDICT OF 1896.

The people of the United States on the day of the last national election, after hearing the arguments on both sides and reviewing the evidence, retired into their election booths to consider of their verdict, and returned the Republican party to power.

By that verdict they pronounced against the clipping of coin by legislative enactment.

Against legalizing the payment of honest debts in depreciated dollars.

In favor of a dollar true to name and true to the value stamped upon it, good the whole world round and the whole year round, and that will not shrink on exposure to salt water in crossing the ocean.

Now, on what grounds do the gentlemen on the other side seek a "new trial?"

Certainly not on the ground of newly discovered evidence.

There has been no evidence discovered since the last national election that does not still further demonstrate the fallacy of supplementing a policy of free trade, based on the theory that things are too high, with the policy of free silver, based on the theory that things are too low.

There is no sentiment about this—nothing but cold, metallic logic.

What do the gentlemen on the other side mean?

For years they have been saying that "the price is increased to the consumer by precisely the amount of the duty exacted," and they have been complaining because things were too high.

Now when they talk about money, they say things are too low. When did they change?

For years you could no more get an orator of the opposite political persuasion to make a speech without quoting Sydney Smith's celebrated speech on taxation, under the impression that he was delivering an original essay, than you could get a boy to go to school by a circus without stopping.

It is a mighty good thing that political oratory does not run the machinery of trade and commerce.

Sometimes it does, and then the machinery does not know which way to turn.

It is a mighty good thing that the same dynamo that operates the halo around the head of some temporary statesman does not control manufacturing plants.

#### THE NOBILITY OF AMERICAN CITIZENSHIP.

When did it become true that reduction in the price of food, fuel, shelter, and clothes was not a sign of advancing civilization?

The dollar earned in the sweat of your face means nothing until it is converted into food, fuel, shelter, and clothes, and you want that dollar capable of being converted into the largest possible amount of all these things, because you can not eat your dollar.

There is not a single silver-standard nation in the world where a laboring man receives a fair day's pay for a fair day's work.

By reason of man's invention, the cunning of machinery, and division of labor things have been growing cheaper, till the luxuries of a few years ago have become the necessities of to-day and are within the easy reach of all.

Things have been growing cheaper till a parlor carpet is no longer a luxury to be secluded from use except on high days and holidays and then to be trod on in a Sunday hush.

And no young man is too poor to have a suit of clothes with creased trousers.

And as for young women, why, the seal of the sea, the worms of

the earth, the birds of the air congregate in furs, silks, and feathers to decorate American beauty without regard to "race, color, or previous condition of servitude."

In its theory of protection to American labor and American industry and American manhood, the Republican party stands in the very vanguard of the unhesitating, unrelenting march of civilization.

For years we have been saying that we wanted no bargains that smelled of the "sweat-shop"—that told the pathetic story of hunger and want and homelessness and hopelessness; and that we could build up behind protection competing industries that would make things cheap without cheapening men and women.

And we have done it, too—not perfectly—nothing is perfect this side of God's Kingdom.

There never will be a time short of the millennium when Hunger in rags will not wait at the outer gate of Plenty, and Dives and Lazarus will not be fellow-citizens.

But things are cheap; and the men and women of America are not cheap, but intelligent, brave, patriotic, and liberty loving, wearing the high front of American citizenship, and able to hold the fort for America in the roughest breach that time and spite can bring against our common country in any time of danger.

And this is why the American citizen, behind the American gun, can knock a hole in a Spanish gunboat at long range and transform the pride of Spain's navy into scrap iron before breakfast.

#### SOME GLARING INCONSISTENCIES.

But now that things are cheap—and that is what they said they wanted; and now that we are conquering, winning, and annexing the markets of the world—and the markets of the world are what they said they wanted—there are those who say that things are too cheap and that we ought not to annex any more territory until we have introduced the millennium here.

And while claiming that things are too low, they urge free trade because things are too high.

And while urging free trade for low prices, they urge free silver for high prices; and while urging that more money makes higher prices, they urge free trade for low prices.

All this is confusing.

They went to the city in the last national campaign and sympathized with the laboring man because he was paying too much for his bread, and at the very next stop at the first way station out of town, they wept on the neck of the farmer from the rear platform of a special car because he was not getting enough for his wheat, out of which the laboring man's bread was made.

They wanted to unite the mining and farming interests. So they proclaimed that wheat and silver had been going down hill together for years and years, joint victims of the same inexorable law, and lo! in the midst of the campaign, when this fallacy had been blared on rostrums and blazoned in pamphlets, wheat went up and silver went down, and has continued to go down.

They declared that if we should free coin silver at 16 to 1 silver would soon go up to 129 cents an ounce and would therefore not cheapen money, and in the next breath they declared that the crying, excruciating need of the people of the United States was cheaper money.

Announcing opposition to capital, they nominated a multimillionaire for Vice-President.

They have been in the habit of asserting that the wealth of the country is concentrated in the Republican party, but did anyone ever suppose there were no Democrats who had consented to become rich?

Did anyone ever hear of a Populist selling all that he had and giving to the poor, or becoming solicitous lest he should acquire a competency?

The difference in men financially is due to head, heredity, and hustling, not to party; and no party, so far as I know, comes exclusively within the benediction of the beatitudes.

Knowing that it is only money in circulation that affects prices, some one scared money out of circulation two years ago.

Knowing that confidence makes business and business makes prosperity, some one destroyed confidence two years ago.

Naturally a miscellaneous medley of premises and conclusions like all this led to curious results.

Many gentlemen not brilliantly successful in the management of their own affairs became prolific in schemes for governmental management as well as in the disposition of their neighbors' surplus.

For a time a man with a dollar ahead fell into disrepute and the tramp became the ideal citizen.

There were those who actually began to think it wrong for a man to ask for repayment of his debt.

They argued that a creditor was guilty of contributory negligence for letting a man get in debt to him and thereby placing him under inconvenient obligation of repayment.

Subtle distinctions began to creep into our vocabulary. For illustration: Interest is what a man owes you when he borrows your money, but usury is what you owe another when you borrow his money.

#### THE EXODUS OF 1893.

Finally old battle-scarred Democracy, with whom we had been contending for so, these many years, holding national honor above every other consideration, strode down the political arena and took its stand side by side and shoulder to shoulder with Republicanism, with blade drawn for national integrity.

No party ever took higher political ground than did the followers of Palmer and Buckner in the last national campaign, when without hope of office or political preferment they went to the ballot box and cast their votes for conscience sake.

This is the course of devolution from consistent Democratic policy down to inconsistent, illogical, kaleidoscopic, phantasmagoric, complex decadence, rational in sections in the foreground but inconsistent as a whole, with arabesque conceits, flitting phantasms, and goblin shapes in the background.

And all the time we were warned to tread gently around these inconsistencies because it was said a man who had them was sensitive about it and ought not to be disturbed because he was engaged in reflection.

The residuum of opposition after the exodus of 1893 have been in the habit of claiming some sort of political relationship with Thomas Jefferson, but if Thomas Jefferson could see them now, there is hardly a feature he would recognize.

Why, sir, it has been observed that the very statue of Thomas Jefferson standing out here by the corridor, worn by the feet of generations that have come and gone since his time, wears a pathetic, enduring, and resigned grin as these latter-day disciples pass by to the performance of their official functions in the National House of Representatives!

#### PERIOD OF DEPRESSION, 1893-1897.

The nation remembers the years from 1893 to 1897 as a man at breakfast remembers a nightmare.

Tramps then walked our highways like squalid specters of a happier time.

Miners swarmed upward out of their pits, to starve in the sunlight or be fed by charity.

Those were the days of empty dinner pails, men out of work, dead ashes, smokeless chimneys, wheels that stood still while the current swept by. Those were the days of soup houses and Coxeyism.

Those were the days when bankruptcy sat upon the ledger of business failure.

Those were the days when Debs came and commanded silence along the rails and the wheels of industry stood still, while naked rebellion with the torch and ax stalked abroad, paralyzed industry, and defied the law.

#### RETURN OF PROSPERITY.

All that is past now, and yet nothing has happened—nothing but a Republican Administration.

Money is seeking investment at low interest,

Banks are burdened with deposits, and

Farmers are paying off their mortgages.

In the two years from July 1, 1896, to July 1, 1898, we increased the money in use and circulation in this country from \$1,506,434,968 to \$1,843,435,749, an increase of over three hundred and thirty-seven millions, being an average increase of half a million dollars a day, or \$20,000 an hour, during that time.

Two years ago gentlemen used to challenge the exhibition of gold, alleging that gold had disappeared from circulation; and it was so—gold had disappeared, hidden away in fear.

But it has reappeared, and in the two years from July 1, 1896, to July 1, 1898, we have increased the gold in use and circulation in this country by over \$200,000,000.

So that we have now the largest amount of money in use and circulation, the largest amount of gold in circulation, the largest per capita circulation of money in the history of our Government.

And yet nothing has happened—nothing but a Republican Administration.

Sir, I desire to incorporate as part of my remarks some extracts from the introduction by Mr. Frederic Emory, Chief of the Bureau of Statistics, to the Review of the World's Commerce, under date of April 25, 1898:

The commercial relations of the United States are undergoing a marked and significant change.

The United States is no longer the "granary of the world," merely. While its exports of agricultural products have increased to a remarkable extent during the past year, the sales abroad of manufactured goods have continued to extend with a facility and promptitude of results which have excited the serious concern of countries that for generations had not only controlled their home markets, but had practically monopolized certain lines of trade in other lands.

When we consider that this result has been reached with comparative ease in spite of added impediments to United States exports in the form of discriminations of various kinds, and notwithstanding the fact that organized effort to reach foreign markets for our manufacturers is as yet in its infancy, the ability of the United States to compete successfully with the most advanced industrial nations in any part of the world, as well as with those nations in their home markets, can no longer be seriously questioned.

The secret of the steady advance of United States goods in popular appreciation wherever they are introduced is to be found in their superior excellence at little, if any, difference of cost to the consumer.

Until quite recently it was a common impression in foreign countries, as well as in the United States, that the higher wages paid in the United States would operate to the disadvantage of our exports in the competition for the sale of manufactured goods abroad.

Actual trial, however, seems to have proved that owing to the greater producing capacity of the average American operative with the aid of labor-saving machinery the real cost of United States goods in many lines of manufacture is lower than that of similar products in European countries and that the American exporter is thus enabled to meet his foreign rival on more nearly equal terms or even to undersell him.

In view of what may be termed an American invasion of the markets of the world, the attitude of the leading commercial nations toward each other and the relation which their industrial activities and trade interests bear to the United States become a matter of practical concern.

It may be said that the chief business of European diplomacy at the present day is to secure "new spheres of influence" and widen opportunities for trade, as well as suitable territory for occupation by the overflow of population for the more densely inhabited countries.

China has for some years been one of the most promising fields for American enterprise.

Industry and capital and the entrance of that vast empire upon the path of Western development under conditions which would secure equality of opportunity to the United States would doubtless result in immense gains to our manufacturers in the demand sure to follow.

The solution of the problem of the future commercial conditions of the Chinese Empire has therefore an immediate and most important relation to the expansion of our export trade, especially that of the Pacific slope.

The "international isolation" of the United States, so far as industry and commerce are concerned, has in fact been made a thing of the past by the logic of the change in our economic requirements, and we can no longer afford to disregard international relations now that we ourselves have become a competitor in the world-wide struggle for trade.

Sir, municipal contracts abroad continue to fall into American hands.

The newspapers state that Glasgow and Hastings have lately awarded contracts for water pipes to American bidders against English rivals on their own ground.

American rails are going down in Liverpool streets.

American electric machinery has gone to Plymouth.

American bicycles are seen on every English road.

Foreign feet are shod with American shoes.

American steam engines are going to England, and American locomotives draw the freight of other nations over American rails laid on foreign soil.

We are buying less abroad and selling more than ever before.

We are conquering, winning, and annexing the markets of the world.

#### NATIONAL EVOLUTION.

But now that we are conquering, winning, and annexing the markets of the world, some gentlemen say we ought not to annex any more territory until we have introduced the millennium here, until there are no more mobs in North Carolina and South Carolina and Illinois, until manifestations of violence like those at Wilmington, Lake City, and Virden are no longer possible.

Sir, if we had waited until there were no poor people starving for fruit in the city of New York, while apples were rotting under the trees of Connecticut orchards; if we had waited until jails had no occupants and police magistrates no business in Philadelphia, the City of Brotherly Love; if we had waited till fools became wise, the drunken sober, the shiftless thrifty, and every man had enough and no man had too much, we would not have consented to the Louisiana purchase in 1803 or the acquisition of our splendid domain along the shores of the Pacific.

With a new century we enter upon a new era of national growth and development.

New territory has heretofore meant new opportunities for American thrift and American energy. Why not now?

National increase has heretofore meant individual opportunity. Why not now?

It is better that Americans should be winning new worlds than that our splendid civilization should fall a victim to class contention, urged on by unscrupulous demagogues, and the heart of energy be eaten out by anarchistic envy.

For purposes of classification, we may be said to be entering upon the fifth period of our political existence.

1. The formative stage and the organization of the centrifugal and centripetal political forces of our Government, which under different names have had control from time to time.

2. The period from 1820 to 1856, which witnessed the rise and fall of the Whig party and the detachment of the United States from the affairs of the Old World.

3. The period of civil war and reconstruction, from 1856 to 1876.

4. The period from 1876 to 1898, when the splendid industrial forces of our nation, left in a measure free to exert themselves, have swept our nation into the front rank of the producing and manufacturing nations of the world.

5. The period of humanity, of trade, and territorial expansion, beginning now, whose splendid history it remains for the men of this day and generation to enact.

History will not wait for the long phrases of little men. Historic events do not happen on human schedule time.

Who can control the currents of destiny?

What man or set of men is there who, by laying hold of any present condition can change the sweep of God's Providence? Sir—

I doubt not through the ages one eternal purpose runs,

And the thoughts of men are widened with the process of the suns.

The tremendous and tireless physical and mental energy of 75,000,000 of the most energetic people on earth is constantly tending to results—results which can only be dimly foreseen by those standing apart in the solitude of thought with the chart of the mighty past before them.

We have lately planted the Stars and Stripes 2,100 miles out in the Pacific by peaceable annexation of Hawaii, and thereby we have posted these islands like sentinels in the midst of the Pacific to guard our western coast.

#### THE WAR OF 1898.

But recent events have still further remodeled the map of the world.

Spain had for some time been keeping a disorderly house in the international neighborhood.

We had been obliged to patrol our Atlantic coast at some expense to ourselves to prevent the breach of international law by our own patriotic people in their sympathy for Cuba.

Finally the battle ship *Maine* sailed into the harbor of Havana, proudly flying the Stars and Stripes and bravely manned.

She was piloted to her anchorage of death by a Spanish Government pilot.

She was destroyed by a Spanish submarine mine.

To-day she lies a gaarled, twisted, shapeless mass in the mud and ooze at the bottom of Havana Harbor, never again to sail the seas, the thunder of her guns forever silenced, her gallant crew never again to walk her decks.

Other war ships have gone down since then at Manila and off Santiago—not by the hands of midnight assassins, but before the steady aim of American gunners; not in revenge—we are too great for vengeance—but for humanity.

Early in the morning of May 1, 1898, Commodore Dewey, steaming steadily up the harbor of Manila, quietly issued an order which has become historical: "When you are ready, you may fire, Gridley."

In the harbor of Manila

Lay the admiral's flotilla

Gently rocking at its anchors

In a sort of tropic swoon.

All those shapes of war and slaughter

Slept upon the peaceful water.

That was mixed with molten silver

From the overflowing moon.

As they lay there softly sleeping,

Up the harbor creeping, creeping,

Came our lean and trusty greyhounds

And the little Commodore.

You may say that he was plucky,

You may call him only lucky,

But torpedoes couldn't stop him,

Nor great guns along the shore.

That morning, as tropical night faded into tropical day, America had expanded 7,000 miles westward.

A few days later and the pride of Spain's navy, under Cervera, had been sunk into shot-shattered fragments along the Cuban coast.

The white regulars and the black regulars and the Rough Riders had marched up the hill that led to death and glory at San Juan, and America had expanded again—this time southward.

We had not then marked the metes and bounds of our expansion, but expansion had begun and was inevitable.

Mr. Day, of the Peace Commission, is reported to have said, in effect, that when Dewey failed to sail away from Manila it became impossible for us to give up the Philippines.

Sir, it is no longer a question whether we shall expand; we have expanded.

We went into this war for humanitarian reasons.

The Philippine problem has grown, as a corollary, out of the Cuban problem and remains for America to demonstrate. We can not bring back our flag, trailing in retreat, from duty in the Philippines.

It is within our power to give Spain's former colonies a firm and civilized government, and history will say it was our duty to do it.

#### EXPANSION—NATIONAL AND INDUSTRIAL.

The general power of annexation has been discussed, adjudicated, settled, and determined long ago.

We have acquired territory heretofore by purchase, by conquest, and by discovery.

We have acquired lands from the Indians time and again by conquest and by treaty, and "city lots are staked for sale above old Indian graves."

The Louisiana purchase in 1803;

The Florida cession in 1819;

The Mexican treaty of Guadalupe Hidalgo in 1848; The purchase of Alaska in 1867; The annexation of Hawaii in 1898 are the landmarks of our tremendous territorial growth.

From thirteen colonies along the Atlantic seaboard, struggling through the night of Revolution up to constitutional liberty, we have grown to forty-five States, united now as never before, North, South, East, and West, under one written Constitution, symbolized by one flag known the world over as the Stars and Stripes—we have grown to forty-five States, plus Arizona, New Mexico, Oklahoma, Indian Territory, Alaska, Hawaii, Porto Rico, and the Philippines.

The Mississippi, once, as Goldwin Smith says, "a mental horizon, afterwards a boundary line," is now a central waterway.

From a timber-cutting, grain-growing, cotton-growing, tobacco-growing new country we have become not only the "granary of the world," but a great manufacturing nation.

The necessities of widening business have inspired the dreams of inventors.

One thing accomplished has suggested another thing to be done or overcome.

Thus man has learned to apply his powers of mind and body and brought to use the powers of wind, water, and electricity; and by the mighty force obtained has spanned continents with steel, civilized deserts off the face of the map, strung telegraph and telephone wires that sing in the wind of every latitude, and joined continents by cable.

These are the magnificent verities of the present, and the future no prophet can foretell.

#### THE TRADE OF THE FUTURE.

Sir, it is no vainglorious utterance to say that in 1950 when America shall have grown to a population of 200,000,000, American purposes and American policy will be to all mankind of controlling importance.

We have passed the period of parochial politics.

The United States is no longer a self-contained country, secure in its own home market.

National bookkeeping has no regard for home-keeping theorists. Our home market, magnificent as it has grown to be under the Republican policy of protection, magnificent as it will continue to be, far surpassing any other market in the world, can not absorb the output and products of the tremendous energy of our increasing population.

In 1899 our imports were \$745,000,000 and our exports were \$742,000,000, a total of \$1,487,000,000; in 1898 our imports were \$616,000,000 and our exports were \$1,231,000,000, a total of \$1,847,000,000. We can not stand still; we must move on.

We are the greatest manufacturing and producing nation on earth and we want more customers.

Where shall we find them?

First, there are the markets of the civilized nations of Europe, into which American products are pushing their way with tremendous energy, notwithstanding the fact that we pay better wages than our competitors.

But in European markets the American manufacturer must always meet his European competitor at a disadvantage, because the European manufacturer is nearer the consumer.

More than a generation ago William H. Seward prophesied that "the Pacific Ocean, its shores, its islands, and the vast region beyond will become the chief theater of events in the world's great hereafter."

It is estimated that more than half the population of the world lives in the so-called Pacific area.

The most thickly settled portion of the world's surface is in eastern and southeastern Asia, and the wants of its people, per head and per body, now are comparatively few and primitive.

The time is fast approaching, however, when the touch of twentieth-century civilization will galvanize into life a demand among those people for the things the world outside makes and produces.

Then, when the Pacific is the chief highway of the world's commerce, Hawaii and Guam and Luzon, strung together by Pacific cable, will be stepping stones for the advance of American ideas and American commerce westward across the Pacific.

Then, when the Nicaragua Canal shall have been dug; then, when our merchant marine shall have advanced in right proportion to our general growth; then, if we shall retain the Philippines or retain controrequisite to a suzerain power, these islands will constitute a bargain counter where American enterprise can exhibit its wares and a vantage ground from which American enterprise can study oriental commercial conditions.

Gentlemen say in effect, "Why, people who live out of doors are not interested in house decorations, and people who wear gunny sacks care nothing for clothes."

But is it to be assumed that things will always be the same? Is it to be assumed that a "cycle of Cathay" will always be a "cycle of Cathay?"

Sir, it is the consensus of opinion of the civilized world that we are approaching a mighty change in the Orient, in which the stratified conditions of centuries will be broken up and a new order prevail.

Ah, but gentlemen say that when that time comes, foreign enterprise will enter and take possession, build factories, employ local cheap labor, and undersell all competitors.

Well, if that happens, we want to be there to get our share of the carrying trade; but before all that happens it is more than likely that the universal drummer will be there offering his wares for sale; it is not impossible, too, that men may not always want to work for nothing a day, and, more than all that, there will always be much wanted there that only the world outside can grow and produce, and American wheat and American cotton will find their way.

#### THE PHILIPPINE AND RELATED PROBLEMS UNAVOIDABLY INCIDENT TO THE WAR.

Many people would have been satisfied with Luzon alone.

But, sir, what is a self-respecting nation to do?

We could not divide the group, take what we wanted, and leave the rest to anarchy, a prey to the nation whose war ships first pass that way.

We conquered Spain, and, incidentally, we conquered the Philippines.

The Philippines have come to us as an incident of the war with Spain, not by conquest of the Philippines in war waged for that purpose, and all the arguments of gentlemen driven to the necessity of creating an erroneous premise on which to found an erroneous conclusion can not alter this obvious fact of history.

Gentlemen talk of the "consent of the governed" to conquest and occupation.

When New York wants to become Greater New York, a vote is taken. When Chicago annexes a suburb, she asks "consent of the governed."

The "governed" in such case is a civilized, municipal entity. But it is said that not 5 per cent of the inhabitants of the Floridas were willing to see Florida pass from Spain to the United States in 1819, and in 1821 Andrew Jackson was sent there to hold the inhabitants in subjection, clothed with autocratic power.

We did not ask the consent of the Indians beyond the Mississippi nor the mixed population at the mouth of the Mississippi when we purchased Louisiana. We took the territory and the territory was ours.

Sir, it is difficult to believe that what Hawaii has sought so many years should be repulsive to the Filipinos.

It is difficult to believe that if we can give good government to Hawaii we can not give good government to the Filipinos.

It is difficult to believe that if it was constitutional to annex Hawaii and Alaska it is unconstitutional to annex the Philippines.

It is difficult to believe that a few more dialects or a little more race mixture can make what was constitutional for Hawaii unconstitutional for the Philippines.

In a joint resolution recently introduced in the Senate, commonly called the Vest resolution, it is declared that "All territory acquired by the Government, except such small amount as may be necessary for coaling stations, correction of boundaries, and similar governmental purposes, must be acquired and governed with the purpose of ultimately organizing such territory into States suitable for admission into the Union."

But Alaska was not a "small acquisition;"

Alaska was not necessary for a "coaling station;"

Alaska was not necessary for "the correction of boundaries," or for any "similar governmental purpose."

When does "ultimately" mean, and what is the maximum amount of territory the annexation of which would be constitutional?

Is it possible that Alaska was acquired and has been held all these years unconstitutionally?

#### OUR FUTURE POLICY.

All this applies to our right to take and the necessity of taking the Philippines, but does not apply to what policy shall be pursued after we have taken them.

Then the course to be pursued must rest with Congress under delegated authority from the people.

We solemnly declared when we went into the war with Spain that we did so not to gain Cuba, but to give to the people of Cuba a stable government.

Neither did we wage war to gain the Philippines.

Few thought of them till news from Dewey concentrated the attention of the world on that quarter of the globe.

The solution of the Philippine problem can not be evaded, but must finally rest with the people, who will act through their Representatives in Congress.

In the meantime we shall do our best to give to the people of the Philippines law and social order.

If we shall not do this, who then shall do it?

We shall protect them from rapacity, violence, and anarchy.

If we fail to do this, who then shall do it?

We shall make them secure in their lives, limbs, property, and civil rights.

We shall make them safe in the rights of conscience for which men have fought since Christ gave conscience to humanity.

If we shall not do this, who then shall do it?

Gradually they shall learn the meaning of human liberty under law.

The world moves on toward the "parliament of man, the federation of the world;" slowly, it seems to our finite intelligence, but in the sweep of God's providence, a thousand years are as a day.

Sir, I say, no more glorious opportunity was ever presented to any nation than the humane and splendid opportunity of liberating thousands of mankind from bondage and despotism, and planting a free flag above the altar of free government, free religion, free schools, and free press.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BROMWELL having taken the chair as Speaker pro tempore, a message from the Senate announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 5514. An act to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11867. An act to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga.;

H. R. 11737. An act granting the right of way to the Pensacola and Northwestern Railroad Company over and through the United States naval and military reservations, near Pensacola, in the State of Florida;

H. R. 8816. An act for the relief of the heirs of Minnie Fredrich;

H. R. 4418. An act to remove the charge of desertion from the naval record of Horace G. Reed;

H. R. 2668. An act for the relief of William Henry Johnson;

H. R. 2258. An act granting a pension to Mary E. Taylor; and

H. R. 1417. An act for the relief of Thomas Mullen.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House was requested:

H. R. 5740. An act to remove the charge of desertion against William Britton; and

H. R. 8730. An act to authorize a resurvey of certain lands in Cheyenne County, in the State of Nebraska, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 5076) authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate joint resolution (S. R. 48) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5169. An act authorizing the legislative assembly of the Territory of New Mexico to create an additional indebtedness for the completion and furnishing of the Territorial capitol;

S. 5322. An act for the relief of M. B. Buford; and

S. 5543. An act for the erection of a public building at Elizabeth City, N. C.

#### ARMY APPROPRIATION BILL.

The committee resumed its session.

Mr. HULL. I yield ten minutes to the gentleman from Indiana [Mr. LANDIS].

Mr. LANDIS. Mr. Chairman, it is not my intention to attempt to prolong anything that might be termed a quarrel with my distinguished colleague from Indiana [Mr. JOHNSON]. I feel, however, that I should at least say a word or two. While he was speaking I recalled Article X, Chapter I, of the constitution of the revolutionary government of the Philippine Islands, a constitution written by his friend Aguinaldo, which reads as follows:

The president of the government—

#### Meaning Aguinaldo—

is the personification of the Philippine people, and in accordance with this idea it shall not be possible to hold him responsible while he fills the office.

I deny that the distinguished gentleman from Indiana [Mr. JOHNSON] "is the personification of the people" of the district which he pretends to represent, but I do sanction the statement that "it is not possible to hold him responsible for anything he says" while he fills the office of Representative on this floor. [Laughter.]

Several days ago, when he and I became embroiled in a colloquy on the floor of this House, he stated, with great emphasis, in answer to some remarks that I made criticising his utterances and branding them as a base betrayal of a sacred trust, that he represented the sentiments of his constituents; that he spoke for them, and that he gave me the privilege of doing the same for the people whom I represent. It occurred to me that possibly I had made a mistake; that possibly I was in error when I charged that he did not represent the true feeling of the people who live in the Sixth Indiana Congressional district. So after that utterance I stopped to the telegraph office and sent a dispatch to the editor of every Republican county-seat newspaper in his Congressional district. That dispatch read as follows:

WASHINGTON, D. C., January 30, 1899.

Does Representative JOHNSON, in his attack on the President and in his attitude on the Philippine question, represent the sentiments of your community?

C. B. LANDIS.

Within twelve hours I received messages from every newspaper with which I communicated, except one, and I will read them to this House:

NEWCASTLE, IND., January 31, 1899.

No; decidedly not.

THE COURIER,  
By M. O. WATERS.

RUSHVILLE, IND., January 30, 1899.

Mr. JOHNSON's speeches do not reflect the sentiment of this community. JNO. F. MOSES, Editor Republican.

BROOKVILLE, IND., January 30, 1899.

Emphatically no.

L. L. BURK, Editor American.

SHELBYVILLE, IND., January 30, 1899.

They do not.

J. J. WINGATE,  
Editor of the Republican.

RICHMOND, IND., January 30, 1899.

The gentleman's home—

JOHNSON's speeches do not represent the sentiment of this community. D. SURFACE, Editor Palladium.

CONNERSVILLE, IND., January 30, 1899.

Notwithstanding Fayette was a strong JOHNSON county in his last race, the Republicans here are a unit in opposition to his utterances of the past few days. We endorse the patriotic course of the President and trust in the wisdom of the Administration and a Republican Congress to settle the Philippine question.

W. F. DOWNS, Editor Republican.

[Applause.]

LIBERTY, IND., January 31, 1899.

HENRY U. JOHNSON's speeches in Congress last week do not represent the sentiments of his constituents in the Sixth district. His attack upon President McKinley is universally condemned, and Republicans repudiate his aspersions with indignation.

C. W. STIVERS, Editor Herald.

As I said, Mr. Chairman, I have no desire to prolong any quarrel with my distinguished colleague. I feel, however, that it is no more than fair that the people of that Congressional district should be heard. These are their messages, these are their words. These words come from the men who, with their fathers, held up the hands of Oliver P. Morton and Abraham Lincoln when copperheads hissed thirty-five years ago. [Applause.] And I want to say to the country for Indiana that the treasonable utterances which the gentleman has made upon the floor of this House this day, when sent over the wires to the loyal people of our magnificent Commonwealth, will be repudiated, will be received with sneers, and any man who returns there backing them up will be crucified by the wrath of our people and spit upon with indignation. [Applause on the Republican side.]

Mr. JOHNSON of Indiana. If the gentleman will pardon me, before he sits down I should like to address to him a question. I came in after the gentleman had commenced his remarks. I understand the burden of his song to be that my views on the subject of the Philippine policy of the President are not popular in my district.

Mr. LANDIS. I did not say that.

Mr. JOHNSON of Indiana. I certainly misunderstand the whole drift of the gentleman's remarks if it is not that I am not in line with the general sentiment in my district.

Mr. LANDIS. I did not say they were not popular; I simply said that the people of your district repudiated them. [Laughter.]

Mr. JOHNSON of Indiana. Well, that is the same thing. Now, the gentleman, whose contribution to this debate in the way of argument has not been a very great one—

Mr. LANDIS. Possibly not.

Mr. JOHNSON of Indiana (continuing). Will probably be able to secure an opportunity before Congress adjourns to make an argument on this great public question which so profoundly concerns the people of his country and their posterity, and if he does so I hope he will not discuss the question whether my opposition to the Philippine policy of the Administration is popular or unpopular, but whether my position itself is right or wrong, a matter with which I am more profoundly concerned than I am with being able to keep in line with public sentiment.

Mr. LANDIS. I will say to the distinguished gentleman from my own State that if I do make an argument upon this proposition I would prefer to trust the sentiment and promptings of the people of Indiana than the promptings and utterances of the distinguished gentleman from Atlantic City. [Laughter.]

Mr. JOHNSON of Indiana. Oh, well, I have no doubt that the gentleman would borrow his ideas from some source, and it is only a question of choice whether he shall take them from me or some one else. Behold, Mr. Chairman, the diminutive representative of the great Republican party of the mighty Commonwealth of Indiana!

Mr. LANDIS. Behold, Mr. Chairman, him who, in the presence of this House, on the floor of the American Congress, admitted that he was a giant! [Laughter.]

Mr. JOHNSON of Indiana. Mr. Chairman—

Mr. SULZER. I yield to the gentleman from Kentucky [Mr. RHEA].

Mr. JOHNSON of Indiana. Mr. Chairman, do I understand that I am denied a hearing?

The CHAIRMAN. Under the rule of the House the time is so divided that the Chair is compelled to recognize the gentleman from New York.

Mr. RHEA of Kentucky. Mr. Chairman, I yield two minutes to the gentleman from Indiana [Mr. JOHNSON].

Mr. JOHNSON of Indiana. Mr. Chairman, I think the gentleman from Indiana is exceedingly unfortunate in making reference to the expression which I made in the course of debate in this House when the question of civil service was pending. It naturally calls up recollection of the speech which he himself made on this occasion. One would have thought that the gentleman would hesitate to refer to that speech of his, a speech in which he absolutely turned his own batteries mercilessly upon himself, by arguing that the civil-service law was wrong in principle, and attempting to establish that fact by showing that it had been abused in its operation when administered by spoilsmen. The gentleman has only related one-half of what I said in connection with the reference I made to myself as a "giant" in the passage that occurred between us on that occasion. The gentleman had interrupted me over and over again in the argument that I was making.

Mr. LANDIS. Not as much as the gentleman had interrupted me in my remarks.

Mr. JOHNSON of Indiana. His questions had no point to them whatever; but with charity toward him, instead of declining to answer them, I treated the gentleman with the greatest possible courtesy and answered a great many of them. Finally I declined to answer him further, and thereupon the gentleman exclaimed, "The gentleman dare not answer my question," and my response was not simply that I was a "giant." The gentleman has suppressed purposely and willfully the most material part of my reply that he might put me in a false attitude before the House. My entire reply was, "That sounds like the challenge of a pigmy to a giant, and I do not pay myself a very high compliment when I say it." It will thus appear that I spoke of myself with considerable disparagement, instead of being guilty of a piece of monumental egotism, although the gentleman has now sought to convict me of this piece of vanity by intentionally confining his quotation to a fragment of my remark.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. LANDIS. I will simply say the apology of the gentleman is accepted. [Laughter.]

[Mr. RHEA of Kentucky addressed the committee. See Appendix.]

Mr. HULL. Mr. Chairman, I hope the gentleman from New York will consume the remainder of the time if he desires to do so.

The CHAIRMAN. Does the gentleman from New York desire to occupy the remainder of his time?

Mr. HAY. Mr. Chairman—

Mr. JETT. Mr. Chairman, the gentleman from New York is absent from the Hall for a moment. I understand the remainder of the time is allotted to the gentleman from Tennessee [Mr.

PIERCE]. If that is his understanding, I suppose there will be no objection to his consuming the time now.

The CHAIRMAN. The Chair will recognize the next gentleman on the committee if the gentleman from New York is not in the Hall.

Mr. HAY. I will yield, then, to the gentleman from Tennessee the remainder of the time.

Mr. SULZER. That is the understanding, Mr. Chairman. I yield the remainder of the time, thirty minutes, to the gentleman from Tennessee [Mr. PIERCE].

Mr. PIERCE of Tennessee. Mr. Chairman, I do not believe that there is a member of this body who would state that when war was declared between the United States and Spain in the remotest degree any member for a single instant thought that this Government was then entering upon a question of territorial expansion.

But questions have been evolved from the war with Spain; two of them we are called to consider now—one, that the Government of the United States must depart from one of the traditional policies of the Government under which it has grown great and strong, opposition to imperialism; and the other, the establishment of an army of 100,000 men. Against each of these propositions I enter my most earnest protest, because I can see no possible good to come to the American people by the adoption of them. On the contrary, the greatest injury will undoubtedly result.

The policy of expansion, I think, is one that will bring inestimable calamity to the country. One that I believe if pursued and carried out—which seems to be the intention, whatever may be the equivocal position of the Republican Administration—is one that will result only in injury to our people.

Behind that policy appears a determination by the action of the President and his Cabinet to retain the Philippine Islands and to hold them at any cost. With that purpose in view the establishment of an immense army is entered upon, back of which the whole power of the Administration has been thrown.

What need have we for a large standing army—an army of 100,000 men? The Indian question is practically settled. There are only a few thousand of them left in the Western States and Territories, and they are widely separated, and who doubts that the States and Territories, with a few hundred Federal soldiers, can readily quell any trouble the people of those sections may have with the Indians. And the best military authorities we have tell us 20,000 men is ample to garrison our seacoast. Two thousand men, the same authorities tell us, are ample for Porto Rico. Cuba, in a few months at the farthest, should be free of American soldiers, except probably a few hundred to do garrison duty in some of the cities. Peace and good order reign in Cuba, and 20,000 men can at once be withdrawn from there, and upon this question I quote the statement of Mr. Porter, but recently the commissioner of Mr. McKinley to Cuba, who said:

The bulk of the American soldiers must be taken out of Cuba by April 1. \* \* \* Delay in the work will be fatal. \* \* \* There is too much disposition with our people in Cuba to discuss minor details. \* \* \* Our soldiers fully realize the situation. They frankly say their chief occupation is to guard each other. \* \* \* The policing of Cuba should be done by Cubans. Once this is well done, matters will take care of themselves in Cuba. At least, that is my opinion.

And now we come to the consideration of the permanent holding of the Philippine Islands, to do which General Whittier, in his testimony before the Paris Commission, said:

If we attempt the unwise thing of ignoring the natives, an army of 50,000 men will be none too small.—Senate Doc., No. 62, part 1, page 508.

Mr. Chairman, is it not proper in the representatives of the people to pause and consider the results that darkly spread out before us in the purpose of the President to hold the inhabitants of the Philippine Islands as conquered subjects, under military domination and control, as the President in his proclamation to the islanders said his purpose was, and which his party associates in the Senate have so forcibly emphasized when they voted down the Bacon resolution and passed the McEnery resolution, which denies to the Philippines the right to come into the Union as Territories or States?

A resolution that to me is nothing more nor less than a declaration of war against these people. What are we to gain by their subjugation? And when we have subjugated them, at what cost will it be to the taxpayers? In time of peace, here in our own country, Adjutant-General Corbin testified before the Military Committee of the House that each soldier cost \$1,000, and that our soldiers abroad would cost \$1,500 each. Millions of dollars to be spent and thousands of our citizens' lives to be sacrificed in the subjugation of an alien people 10,000 miles from our shores; and when we have subjugated them, what will be the fruits of our conquest? "What will the harvest be?"

The chairman of the Committee on Appropriations, Mr. CANNON, of Illinois, said on this floor a few days ago, that on the 1st day of July next there would be a deficiency of not less than \$159,000,000 in the revenues of the Government. Will the conquest

and military possession of the Philippine Islands lessen the burden of taxation resting upon the taxpayers, the great farming and laboring classes of this country? No; for the Department of Agriculture, in a recent report on the imports and exports in the Philippine Islands, states that—

In fifteen years the imports averaged \$17,039,044 and exports \$20,526,961.

The revenues from the islands were in 1898 \$17,474,020, and of this sum \$5,600,000 was the cedula or per capita tax levied on every male and female above 18 years old.

Mr. Chairman, from among the farming and laboring classes came the soldiers who fought the Spanish war, and who are now fighting the Filipinos, and these two classes are the ones who in the main pay the taxes that make up the revenues of the Government. The heavy load of Federal taxation is felt in every humble home in this broad land of ours, and the present policy of Mr. McKinley and his party but adds to and makes heavier the burdens that now press down the common people of this land, while the "business interests," the corporations, trusts, and combines who have amassed their millions under the class legislation of the Republican party, are clamorous for the adoption of the imperial colonial policy of England, so that they may, through the numerous "colonial commissions" the President has appointed, exploit all the valuable franchises of the people of our "new possessions," without their consent, as these combines are the ones who put up the money to elect the President. I suppose he thinks the "laborer is worthy of his hire," and these things must be done in the "due course of trade."

A few days ago I clipped from the Washington Evening Star the following:

COLONIAL COMMISSION—WILL LEAVE FOR CUBA AND PORTO RICO ON MR. CURTIS'S ARRIVAL.

As soon as Mr. Henry G. Curtis, of Iowa, reaches Washington the colonial commission, advisory to the President and the Secretary of War, will leave for Cuba and Porto Rico and proceed to study and report upon the economic and other conditions existing there. The commission has now under consideration applications for franchises in Cuba and Porto Rico, aggregating contemplated investments of \$75,000,000. These include propositions to construct steam and street railways, electric light and gas plants, and establish loan and trust companies.

We see that the "business interests" are abreast of the times, carrying "republican civilization" with the "advance of Mr. McKinley's colonial commission."

Mr. Chairman, how long will it take the farmers and laborers of this country to realize that in this scheme of colonial expansion they are but the hewers of wood and drawers of water, the pack horses of the "aristocracy?" The distinguished Scotch-English author, Dr. John Watson, "Ian Maclaren," who but a few days ago reached our shores, has given out the following interview:

IAN MACLAREN ON IMPERIALISM—SAYS ENTIRE POLITICAL SYSTEM MUST BE CHANGED TO PROPERLY GOVERN THE NEW POSSESSIONS.

[Special to the New York World.]

NEW HAVEN, February 19, 1899.

Dr. John Watson, Ian Maclaren, the English author, who arrived in this country Friday, delivered his first address here to-day, speaking twice at Yale. On both occasions he gave doctrinal talks.

Dr. Watson in an interview to-day strongly emphasized the dangers to the American Republic from maladministration in the new possessions of the United States. You must train up a new class in order to govern your new possessions, as we have done in England. And you must also maintain a large standing army. Your entire political system must be changed as a result of your conquests of the past few months. The government of your new possessions, and, indeed, of your entire country, must be placed in the hands of the best class of people—an American aristocracy, if you please.

Mr. Chairman, with the adoption of the imperial colonial policy of England by Mr. McKinley, and a large standing army, the American aristocracy, "if you please," can be well provided for by the President in giving their sons and grandsons commissions in the Army and military governorships, etc., in our colonial provinces. The securing of these places the Senator from Vermont [Mr. PROCTOR] said in the Senate recently, mainly depended on political pull and not on merit.

We can revert to the action of this House to see when the discussion was up on the Army bill here to show what the policy was. You gentlemen were appealed to—distinguished members on that side of the House—when the question was asked, "What is the policy of the Administration upon this question?" Will you declare that policy? We were answered invariably that the President was to be trusted solely in this matter, and that that side of the House did not propose to assert prerogatives that belonged to the President; that they had, and have, and that the country has full confidence in whatever policy the President may adopt, and that his decision would be the best for the ultimate good of the country.

And now here, within the shadow of the Fifty-sixth Congress, when but a few more days are left, the President tells us that he has no policy, but, playing the little game of "Anthony over," that Congress must settle this vexed question. When you gentlemen upon that side said that it must be left with the President, the

President goes you one better and says that he leaves it with Congress.

Mr. GAINES. When he is the Commander in Chief of the Army, too.

Mr. PIERCE of Tennessee. Now, what are you going to do? has been more than once asked of that side of the House. In the Washington Post this morning appear two little reasons why we are not to have an extra session of Congress, and back of that is shown the policy, if not of the President, at least of the power that is back of him, of the men who put up the money to elect him President of the United States.

What is it? They do not want an extra session of Congress, the Post says, because it would bring up the financial question, and they do not want that discussed; it might disturb the "business interests;" and, secondly, because it will give the President nine long months to evolve something upon the question of expansion and settle it in his own way. That is what they tell us, that it will take him nine months to bring forth his policy and to determine what he believes in.

Why, gentlemen, we Democrats could settle the question much sooner than that. The Post, speaking as the Administration organ, says this is what the Administration wants. Well, what is he going to do with the Filipinos? Is he going to pursue the policy advocated by General Shafter, the Falstaffian hero of San Juan, when he told us that if they did not quietly submit he would kill them, make an end of them, if he had to kill two-thirds of them?

Mr. GAINES. Give them liberty or give them death!

Mr. PIERCE of Tennessee. Is that to be the policy? I say, Mr. Chairman, that this position is one that will be an everlasting shame, in my humble opinion, upon this Administration. Why is it that these people are demanding their liberty? Were they led to believe that it was not the purpose of the United States to seize their country by force of arms?

In answer to the question of the distinguished gentleman from Ohio [Mr. GROSVENOR], put to the gentleman from Kentucky as to whether or not any agent or official of the Government had led them to believe that such was the purpose of this Administration, I read from a dispatch to Secretary Day himself. I want to call the attention of the distinguished gentleman from Ohio [Mr. GROSVENOR] to the fact that on the 24th day of May, 1898, in Manila Bay, Mr. Oscar F. Williams, United States consul to Manila, telegraphed to the Secretary of State as follows:

To-day I executed a power of attorney whereby Aguinaldo releases to his attorneys in fact \$400,000 now in bank in Hongkong, so that the money can pay for 3,000 stands of arms bought there and expected here to-morrow.

There was Mr. Williams, the recognized consul and agent of the Government, telegraphing to the Secretary of State that Aguinaldo had executed and he had drawn a power of attorney purchasing several thousand stands of arms which were to be there to-morrow. I take it for granted that those arms came, and I take it for granted that they were turned over to Aguinaldo and distributed amongst his soldiers.

Mr. GROSVENOR. Will it now interrupt the gentleman if I ask him a question?

Mr. PIERCE of Tennessee. No, sir.

Mr. GROSVENOR. At what time and under what authority had a consul of the United States, located in the city of a British possession, the right to make a treaty between his own Government and some other country?

Mr. ROBINSON of Indiana. It was a war measure to secure the success of our arms.

Mr. PIERCE of Tennessee. Mr. Williams was not in a British city, but was the American consul at Manila, and wrote and sent his dispatch from on board the *Baltimore*, a ship of Admiral Dewey's fleet. He notified the Secretary of State, Mr. Day, and Mr. Day entered no objection to his action as the agent of the American Government. [Applause on the Democratic side.]

Mr. GROSVENOR. Did not the President instantly telegraph that there should be but one authority in the island?

Mr. PIERCE of Tennessee. He did not, in that connection. He said it in reference to a proposition of Mr. Wildman, the American consul at Hongkong, China. When Mr. Wildman submitted a question from Agoncillo and from Aguinaldo at Hongkong that they had submitted to him (Wildman) as to whether the United States would furnish 20,000 arms and 200,000 rounds of ammunition, he telegraphed, "No;" that "the Government would not engage in anything of the kind;" but never at any time telegraphed—and you can not find it in that book, for I have read it just as closely as you have—never at any time telegraphed any repudiation of the action of Consul Wildman. [Applause on the Democratic side.]

Mr. GROSVENOR. This book which I hold in my hand is the treaty of Paris.

Mr. PIERCE of Tennessee. Well, this book which I have contains the messages and report of the President to the Senate.

Mr. GROSVENOR. There is nothing about it in that book.

Mr. PIERCE of Tennessee. Yes; that is it; and much more,

showing that our generals at Manila recognized the Filipinos as our allies, and only changed their policy when the President determined upon his colonial scheme, which I will publish in my remarks.

Mr. GAINES. They ratified that act.

Mr. PIERCE of Tennessee. On the 4th of July, 1898, Gen. Thomas M. Anderson, commanding the United States troops at Cavite, addressed a letter to Senor Don Emilio Aguinaldo, commanding the Philippine forces at the same place, in which he said (page 390):

GENERAL: I have the honor to inform you that the United States of America, whose land forces I have the honor to command in this vicinity, being at war with the Kingdom of Spain, has entire sympathy and most friendly sentiments for the native people of the Philippine Islands.

For these reasons I desire to have the most amicable relations with you and to have you and your people cooperate with us in the military operations against the Spanish forces.

To this Aguinaldo made an earnest and instant response, which was acknowledged by General Anderson in a note dated July 6, in which, after informing Aguinaldo that large reinforcements were expected from the United States, for whom more space would be required for camps and storehouses, he said (page 391):

For this I would like to have your excellency's advice and cooperation, as you are best acquainted with the resources of this country.

He added that they did not intend to remain inactive, but to move promptly "against our common enemy."

On the 19th of July General Anderson wrote to Aguinaldo (page 393) asking a pass for Major Bell, who had been sent for information by General Merritt, and permission to examine Aguinaldo's maps. On the 21st General Anderson asked for passes and assistance for Lieutenant Bryan and party, who were about to make "a reconnaissance of the surrounding country." On the 23d General Anderson said to Aguinaldo, referring to the latter's proclamation of dictatorship (page 394):

Your fine intellect must perceive that, happy as I am to see you fighting so bravely and successfully against a common enemy, I can not, without orders, recognize your civil authority.

As to the extent and effect of Aguinaldo's military operations against Manila, in conjunction with our forces, Major-General Greene reported as follows (pages 420, 421):

Between 2,000 and 3,000 Spanish native troops surrendered to it (Aguinaldo's army) during the months of June and July; it constantly annoyed and harassed the Spaniards in the trenches, keeping them up at night, and wearing them out with fatigue, and it invested Manila early in July so completely that all supplies were cut off and the inhabitants as well as the Spanish troops were forced to live on horse and buffalo meat, and the Chinese population on cats and dogs. It captured the waterworks of Manila and cut off the water supply, and, if it had been in the dry season, would have inflicted great suffering on the inhabitants for lack of water.

The results, it is true, were obtained against a dispirited army, containing a considerable number of native troops of doubtful loyalty. Yet from August, 1896, to April, 1897, they fought 25,000 of the best regular troops sent out from Spain, inflicting on them a loss of over 150 officers and 2,500 men killed and wounded, and they suffered still greater losses themselves.

General Whittier, who received the surrender of the city, made a statement to the peace commissioners at Paris which showed that we might have been compelled to make a hard fight and suffer great loss at Manila if the Spaniards had not been disheartened because they were hemmed in and their line of retreat cut off by the Filipinos. Referring to the Spaniards' fear of the Filipinos, General Whittier said (page 491):

I think the Captain-General was much frightened. He reported in great trepidation that the insurgents were coming into the city, and I said that I knew that that was impossible, because such precautions had been taken as rendered it so.

General Whittier said, in answer to a question put by Senator GRAY (page 492):

They are somewhat undersized, are fairly good in appearance, are brave, will stand any amount of hunger and hardship, and, well led, would be very good soldiers.

Speaking of their services in "driving the Spaniards from Cavite, twenty odd miles into the defenses of Manila," General Whittier said (page 499):

All the success was on the natives' side, and the Spaniards surrendered between 7,000 and 8,000 men well armed, plenty of ammunition, and in good physical condition. The excuse of the latter may be that their enemy was in small bands, but they never captured one of these, and the small bands drove them to their walls.

Recurring to the Spaniards' fear of the Filipinos and their investment of Manila, General Whittier said (page 499):

Jaudenes, the acting captain-general, in reply to Merritt and Dewey's notice to remove his noncombatants, acknowledged that the insurrectionists surrounded the city and that he could not remove women, children, etc., out. (His fear and solicitude about the natives entering the city when I received the surrender of the city were almost painful to witness.) This admission demonstrates as well the military ability shown by the Filipinos, whose characteristics I will now enumerate.

Aguinaldo went to Cavite, under permission of Admiral Dewey, in reply to a telegram sent by Spencer Pratt, esq., our consul-general at Singapore, who offered that chief money for his expenses. The offer was declined.

He would raise a new army among his countrymen to help us drive out the Spaniards, but he would not take our money. He came on one of our ships, at his own expense, with 13 staff officers. General Whittier says (page 499):

Soon from the bay and from all sides men gathered. The fact that Dewey permitted the armed men to move from the surrounding districts and for the

rebels to take arms (not many, says the Admiral) in the arsenal was the only help we gave him, excepting, of course, the most important destruction of the Spanish navy. From that time the military operations and the conduct of the insurgents have been most creditable. Positions taken and the movements of troops show great ability on the part of some leader. I do not say it was necessarily Aguinaldo, but he gave the directions.

In answer to a question from Senator FRYE whether the Filipinos had been of material assistance to us, General Whittier said (page 501):

Very great. If the protocol had not been signed, I think the Spanish at home would have insisted upon their army doing something. They dismissed Augustin because he was not disposed to fight, and I think if they had not had this experience of having been driven back into the city and the water cut off, so even that Jaudenes said he could not remove his noncombatants, the government would have insisted on his making a fight, and he could have made a very good one, for his position was strong, if they had any fight in them at all. But every place had been taken from them by the Filipinos, who managed their advances and occupation of the country in an able manner.

This explains why we took Manila with so little loss and why our troops were surprised, on entering the city, at the surrender of well-equipped Spanish regiments with scarcely a show of resistance.

After stating what certain Spanish officers and their wives had told him of their kind treatment while prisoners in the hands of the Filipinos, General Whittier quoted from Aguinaldo's letter of August 1 to Mr. Williams, our late consul at Manila (page 501):

Say to the Government at Washington that the Filipino people abominate savagery; that in the midst of their past misfortunes they have learned to love liberty, order, justice, and civil life.

And then the General added (page 501):

I have never seen a drunken one, and this with the example of our soldiers, whom they imitate in everything else.

Mr. FRYE. I would like to ask just one question in that line. Suppose the United States, in the progress of that war, found the leader of the present Philippine rebellion an exile from his country in Hongkong and sent for him and brought him to the islands in an American ship, and then furnished him 4,000 or 5,000 stands of arms and allowed him to purchase as many more stands of arms in Hongkong and accepted his aid in conquering Luzon, what kind of a nation, in the eyes of the world, would we appear to be to surrender Aguinaldo and his insurgents to Spain to be dealt with as they pleased?

A. (Commander Bradford.) We become responsible for everything he has done. He is our ally, and we are bound to protect him.

And Mr. Day, with the full knowledge of what the consul of the United States was doing, never vetoed it, and I say here that the arms came, and that through American agency the arms and ammunition were turned over to those who are now termed the rebels by this Republican Administration in the Philippine Islands. And I desire to say that while I am no defender of Aguinaldo, yet here is what the American consul at Hongkong, Mr. Wildman, says about this \$400,000. Aguinaldo had been bitterly assailed by the distinguished gentleman from Ohio [Mr. GROSVENOR] and the distinguished gentleman from Iowa [Mr. DOLLIVER], the first saying that his place was in the lower regions, and the other that he was a traitor that had sold his country for gold.

Mr. LENTZ. Will the gentleman permit me to ask him a question?

Mr. PIERCE of Tennessee. Yes.

Mr. LENTZ. Is not that exactly what the Spaniards said about Aguinaldo?

Mr. PIERCE of Tennessee. Yes. It seems to me that our friends on the other side are apt to catch the Spanish charges that heretofore they did not believe in.

Mr. CARMACK. Here is what Consul Wildman says—

Mr. PIERCE of Tennessee. I was going to give that. Consul Wildman states, and the records show it, that openly in the Spanish Cortes General Rivera, who was the Spanish Governor-General, stated that of the money that was to be paid only \$400,000 of it, and that in Mexican dollars, was paid, when they had to pay over one million; that he did not propose to carry out what was stipulated at the time.

In 1897 Aguinaldo, Agoncillo, and other leaders of the Philippines agreed to leave the island, and that certain civil reforms were to be entered upon, but as Rivera says himself, he did not propose to carry them out, and he did not propose to pay any of the money; and this is what the consul at Hongkong says, and I will read what he says, as I do not wish to state it myself. Here is what Consul Wildman says:

CONSULATE OF THE UNITED STATES, Hongkong, July 19, 1898.

There has been a systematic attempt to blacken the name of Aguinaldo and his cabinet on account of the questionable terms of their surrender to Spanish forces a year ago this month. It has been said that they sold their country for gold; but this has been conclusively disproved, not only by their own statements but by the speech of the late Governor-General Rivera in the Spanish Senate June 11, 1898. He said that Aguinaldo undertook to submit if the Spanish Government would give a certain sum to the widows and orphans of the insurgents. He then admits that only a tenth part of this sum was ever given to Aguinaldo, and that the other promises made he did not find it expedient to keep.

I was in Hongkong September, 1897, when Aguinaldo and his leaders arrived under contract with the Spanish Government. They waited until the 1st of November for the payment of the promised money and the fulfillment of the promised reforms. Only \$400,000, Mexican, was ever placed to their credit in the banks, and on the 3d of November, Mr. F. Agoncillo, late minister of foreign affairs in Aguinaldo's cabinet, called upon me and made a proposal, which I transmitted to the State Department in my dispatch No. 19, dated November 3, 1897.

In reply the State Department instructed me "to courteously decline to communicate with the Department further regarding the alleged mission." I obeyed these instructions to the letter until the breaking out of the war, when, after consultation with Admiral Dewey, I received a delegation from the insurgent junta, and they bound themselves to obey all laws of civilized warfare and to place themselves absolutely under the orders of Admiral Dewey if they were permitted to return to Manila. At this time their president, Aguinaldo, was in Singapore negotiating, through Consul-General Pratt, with Admiral Dewey for his return.

On April 27, in company with Consul O. F. Williams, we received another delegation composed of Señor Sandico, José María Basa, Tomás Mascardo, Lorenzo L. Zialcita, Andrés E. de Garchitorena, Manuel Malvar, Mariano Llanza, Salvatore Estrella. We agreed, on behalf of Dewey, to allow two of their number to accompany the fleet to Manila, consequently, on the same day, I took in the tug *Fume*, Alizandrino and Garchitorena, accompanied by Mr. Sandico, to the *Olympia*, in Mir's Bay. On May 2 Aguinaldo arrived in Hongkong and immediately called on me.

It was May 16 before I could obtain permission from Admiral Dewey to allow Aguinaldo to go by the United States ship *McCulloch*, and I put him aboard in the night so as to save any complications with the local government. Immediately on the arrival of Aguinaldo at Cavite he issued a proclamation, which I had outlined for him before he left, forbidding pillage, and making it a criminal offense to maltreat neutrals. He, of course, organized a government of which he was dictator, an absolutely necessary step if he hoped to maintain control over the natives, and from that date until the present time he has been uninterrupted successful in the field, and dignified and just as the head of his government.

In conclusion, I wish to put myself on record as stating that the insurgent government of the Philippine Islands can not be dealt with as though they were North American Indians, willing to be removed from one reservation to another at the whim of their masters. If the United States decides not to retain the Philippine Islands, its 10,000,000 people will demand independence, and the attempt of any foreign nation to obtain territory or coaling stations will be resisted with the same spirit with which they fought the Spaniards.

I have the honor, etc.,

ROUNSEVELLE WILDMAN,  
Consul-General.

And that money Aguinaldo, as shown by Mr. Williams, consul of the United States, was turned over to buy arms. He executed a power of attorney and turned it over to him, that he might pay for the arms that had been purchased. I repeat here that the arms came under American control, and were turned over through American officials to Aguinaldo to arm the natives in their fight against the Spaniards to aid the Americans in the capture of Manila. [Applause.] We have this plain letter. It is not manufactured by me. We see here the same policy pursued by gentlemen on the other side of the House to carry out the policy of Mr. McKinley.

Before, in Cuba, the Spaniards had been defeated at Santiago those who heretofore had been patriots in the eyes of this Congress and in the opinion of this country, who are battling for civil liberty beneath the flag of the Cuban republic, as soon as the Army of the United States had taken possession of the island we find that at once certain press—the Administration press—and leading members upon the Republican side of this House begin to blacken the names of the leaders and the soldiery of Cuba.

Those people published that they took out and shot numbers of prisoners after they had been taken upon the field of battle and beheaded or killed them in some other way. That has proved to be false, as the charges against Aguinaldo have proved to be false. Now, then, what else? Did these Philippine natives believe that the United States intended to deal fairly and justly with them? Let us see. The President of the United States in the two messages to Congress, one in December, 1897, and the other upon the 11th day of April, 1898, said: "I speak not of forcible annexation, for that can not be thought of. That under our code of morality would be criminal aggression." Where does he stand now?

In December, 1897, "forcible annexation must not even be thought of." What else? "That by our code of morality would be criminal aggression."

My God, if forcible annexation is criminal aggression, in the name of Liberty what is forcible taking possession of a peaceable people's country by the strong hand of war, of the Army, and when they resist shoot them down like dogs. In God's name, what do you call that?

Mr. SIMS. "Benevolent assimilation."

Mr. PIERCE of Tennessee. The gentleman from Tennessee says the President calls it in the proclamation he issued "benevolent assimilation."

Mr. RHEA of Kentucky. The President calls it "beneficent assimilation."

Mr. PIERCE of Tennessee. Yes; and he wants to let it flow out upon these people. I alluded to this for the purpose of showing to you the facts. These declarations and messages of the President were published in the Philippine Islands, published and distributed among the armed soldiers, or the "rebels of Spain," as they were called. They had a good right to believe that the Army of the United States had come to take from them the yoke of Spanish tyranny, and not simply to change masters from Spain to the strong military arm of the Government of the United States.

What else? We find that Mr. Williams says that the feeling of gratitude was so great on the 18th day of May that when he landed, the Filipinos, citizens and soldiery, flocked around him, and the British consul remarked what a great exhibition of affection the soldiery and citizens of Manila showed toward him. They caught him by the hand and followed him for a mile or two, holding his

hands, and the British consul stood smilingly by. These are the people that the changed policy of Mr. McKinley has made necessary upon the part of this Government to send soldiery there in the name of the law to shoot and kill thousands of men who had learned to love and revere the name of an American.

Yet we are told that the Government gave them no aid, and that they gave no aid to the Americans. Why, the general in command made a requisition upon Aguinaldo, as these papers show, for horses and cattle to feed the American soldiery, and he brought them by the hundreds in order to feed the American soldiers. What else? Gentlemen on that side told us there was no rebellion in the Philippine Islands when Dewey fought the battle of Manila. That statement is untrue.

Here is Mr. Williams's telegram to the State Department, in which he says in March, 1898, 8,000 Filipino soldiers were camped within 5 miles of the city of Manila, five or six thousand of whom were well armed with rifles. These men, we are told now, that showed this devotion gave us no aid. General Whittier, in his testimony before the Paris commission, says that the Filipinos are a brave people; that they are tractable, and entirely sober and industrious. Yet these are the people that are not worthy of self-government. Admiral Dewey, a man whose name we all revere and love, says, in regard to this, in a telegram to the State Department:

These people, the Filipinos, are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races.

And yet we propose to give a free government to the island of Cuba, to the natives of Cuba; and George Dewey, a man soon to become an admiral, a title which he richly merits and deserves, says these natives of the Philippine Islands are superior to the natives of Cuba. Congress has said that the natives of Cuba should be free. What the President said to the Filipinos was given to them through their press.

The Filipinos rendered every assistance that they could to aid the United States. They drove the Spaniards into their walled city of Manila, held all the outer lines and fortifications, cut off the supplies, cut off the water and food, and rendered assistance to the American army which would have made it impossible for them without that assistance to have taken the Spanish army, for if it had not been for Aguinaldo's army the Spaniards could have retreated from the city of Manila and beyond the reach of Dewey's guns.

Mr. GAINES. And yet we gave Garcia a military burial here.

Mr. PIERCE of Tennessee. Yes; a military funeral, as my friend says, and he sleeps in his grave in his native land, and hallowed is the sod that pillows a patriot's head. The liberty for which he lived and the liberty for which he died will be given to the people of Cuba. The American people through their sovereign representatives have said so, and what their will is the man in the White House will have to respect. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SULZER. I hope the gentleman from Iowa will consume some of his time.

The CHAIRMAN. The gentleman from Iowa wishes to yield what time he has remaining to one member.

Mr. SULZER. How much time has the other side?

The CHAIRMAN. Fifty-eight minutes.

Mr. SULZER. How much time have we left?

The CHAIRMAN. Twenty-two minutes.

[Mr. SULZER addressed the committee. See Appendix.]

Mr. TALBERT. Mr. Chairman, the time allowed me is not sufficient to enable me to discuss properly this question or any other in an exhaustive manner. I merely want to say, however, that we have heard here talks and talks and talks about Cuba and the Filipinos; that I deem it necessary to direct our minds for a moment to another phase of the question. Now, I want to direct the attention of the House and the country to the fact that while we are talking and talking and talking appropriations are piling up mountain high to be paid by the people of this country, and no sufficient means are provided with which to raise revenue to pay them; a somewhat alarming condition.

What are you going to do about that? Almost every appropriation bill that has been brought in here since this Congress commenced has been double or treble that of similar bills in preceding years. Still we go on piling up these appropriations, like Ossa upon Pelion, with no means to meet them and with a tremendous deficit already existing in the Treasury, growing larger and larger as the days roll by.

The committee who have brought in this bill undertake to summarize the items of expenditure, but in order to obscure the facts they have not even had the manhood to add up these figures to show what the amount of this bill will be. By a very simple process of addition the amount will be found to be in the neighborhood of \$80,000,000. And then it must be recollected that members on this side of the House and members on that side have

combined to get through here river and harbor appropriations—their little “steals,” as they call them—for their localities. In addition to this, we have that great steal in connection with appropriations for public buildings, for the passage of which there has been formed what has been called “the hog combine,” and both parties are responsible for these enormous expenditures.

Now, Mr. Chairman, where is this thing to stop? While gentlemen are talking so much about the freedom of Cuba and the freedom of the Filipinos, I want to call attention to the freedom of the taxpayers of this country, who have to pay every dollar that you are appropriating here. This piling up of indebtedness will necessarily lead to the issuing of bonds—the carrying out of a policy which will entail further indebtedness upon the people. It is in the interest of the people who pay these taxes that I would raise my voice for a moment.

The country must understand, Mr. Chairman, that this appropriation means the creation and establishment of a great standing army in this country. It means a permanent military establishment that defies all speculation as to its future growth and cost, and its possibilities of peril and complication in the orderly administration of our domestic or home policy. After the passage of the Army reorganization bill through this House, under the whip of the Committee on Rules, to meet, it was absurdly alleged, a great public emergency, the appropriation of \$80,000,000 is the expected and logical result, and a great deal more in the end.

I protested, Mr. Chairman, against the passage of the reorganization bill, for the reason that it would involve not only the present excessive expenditure of the public money, but for the additional reason that nobody could tell where this expenditure might end. The amount expended in the Army appropriation bill is only a small beginning, Mr. Chairman, in my very humble judgment. I expect to see the amount doubled, if not quadrupled, in the next few years. I expect to see this country, under this wild un-American Republican policy of expansion and militarism, put on a war footing that will prove to be the long-dreaded and perilous first step in the direction of a strong and dangerous centralized government unless something is done to check this reckless spirit.

Once this form of governmental tyranny is fixed upon the neck of the people, it will be too late to sound the warning. The crime against personal freedom will have been committed. Every tradition and principle of our Republic will have been destroyed. The common inspiration of patriotism and loyalty to the American flag that has made our people the most homogeneous and the most progressive people on the face of the earth will have been lost. It will then be a question of physical prowess and military aggression. We will have seen the end of wars for “humanity and civilization.”

A condition will prevail, Mr. Chairman, pointing inevitably to complications and innovations that mean indisputably chaos in our domestic affairs. This apprehension compels me to raise my voice in protest against the direful consequences involved in this undemocratic legislation. I am not a pessimist, Mr. Chairman, in my reflections on this subject. No man glories more in the growth and riches and progress of our nation and its devoted, brave, patient people than I do. No man surpasses me in my admiration and adoration of its institutions. It is because I see the peril involved in this new and startling pronouncement of militarism that I so vehemently protest against this appropriation and others of like nature.

I am not a pessimist, sir, I repeat; on the contrary, I see in the near future a political millennium in the revival of Democratic ascendancy in every branch of the National Government. But for the hope, Mr. Chairman—and I cherish it with all my soul—that the next Commander in Chief of the American Army will be a Democrat whose name is now a household word in this country and whose principles stand for all that is worth preserving in our form of government and the administration of our home affairs, and stand for all that the Republican party is opposed to [applause]—I should despair of this Republic but for this comforting reflection. The clouds are lowering and threatening now, despite the glitter and tinsel of this bewildering military spirit of the Republican party. This country can grow and prosper and rank with the greatest and richest and most powerful nations of the earth without the trappings of war and the gewgaws of adolescent military statesmanship. “There were brave men before Agamemnon.”

Under the next Democratic Administration a bugle call will be worth a million of brave and resolute American patriots. No standing army will be necessary to enforce the decrees of that Administration or to command the unqualified respect of the world. This appropriation, Mr. Chairman, ought not to be made. This whole scheme of Army reorganization is radically and indefensibly wrong. It is a crime to further tax the people to maintain a large standing army in support of a brutal and un-American policy of foreign conquest. This is plain to every reasoning and thinking man.

But these, Mr. Chairman, are “glittering generalities” in the

estimation of the advocates of this unholy propaganda. And so any suggestion that this and kindred legislation of this Congress must necessarily involve another five-hundred-million-dollar bond issue is treated by the Republican majority in this House as flip-pant curiosity. It has come to that pass that it takes herculean nerve and not a little gall for a member to stand in this great presence and talk about the burdens of the taxpayer and the poverty and oppression of the people. I have defied this sentiment more than once in the performance of my duty here, and I shall risk the sneers again of the people who assume to own the country, in calling their prayerful attention to the vast expenditures proposed by this Congress.

In detail the appropriations actually made or in sight to date are as follows:

Urgent deficiency appropriation bill, passed both Houses and became law January 5 last.....	\$70,120,000
Pension appropriation bill, passed House and Senate and now in conference.....	145,230,830
Post-Office appropriation bill, passed the House and pending in Senate.....	105,471,638
District of Columbia appropriation bill, passed House and Senate and pending in conference.....	7,251,905
Diplomatic appropriation bill, passed Senate and House, pending in conference.....	1,710,533
Indian appropriation bill, pending in Senate.....	7,449,304
Legislative, executive, and judicial appropriation bill, pending in Senate.....	23,400,977
Agricultural appropriation bill, pending in Senate.....	8,717,522
Urgent deficiency appropriation bill.....	31,000
Military Academy appropriation bill, pending in Senate.....	601,817
River and harbor appropriation bill, passed House, pending in Senate.....	30,330,187
Sundry civil appropriation bill, pending in House—regular appropriations.....	42,928,101
Payment to Spain for Philippines, in sundry civil bill.....	20,000,000
Army appropriation bill, completed to-day and to be reported to-morrow.....	79,334,372
Naval appropriation bill, completed and to be reported.....	45,000,000
Three new battle ships and nine cruisers, deferred payments not included in previous item.....	35,000,000
Fortification appropriation bill, estimated, not reported.....	12,500,000
Deficiencies, not reported and no estimate—probably.....	35,000,000
Public building appropriations, passed in House Committee of Whole.....	12,000,000
<b>Total.....</b>	<b>677,150,218</b>

But this is not all. In the name of the suffering people, would to God it were! The end is not yet. The awful, startling total still climbs. What do we see in plain view?

Nicaragua Canal bill carries specific appropriation.....	\$115,000,000
Cuban claims, to be paid under treaty.....	25,000,000
Hanna-Payne subsidy bill, estimated obligation in twenty-year period of bill.....	67,000,000
Pacific cable to Philippines, in President's message; if built by Government, estimated.....	25,000,000
Naval personnel bill.....	2,500,000

**Total..... 224,500,000**

In nearly every instance there is an increase over former expenditures under the regular appropriation bills.

The deficiency appropriation bill carries \$64,440,539 for the Army and \$5,598,853 for the Navy. The pension appropriation bill is an increase of \$4,000,000 over last year. The Post-Office appropriation bill carries \$38,000,000 for railway carriage of mails; \$2,154,000 for subsidies to ships carrying mail. The increase for railway carriage is about \$5,000,000. In the legislative, executive, and judicial appropriation bill there is an increase this year of about \$1,325,000. The Military Academy increase over last year is \$143,000. The Agricultural Department increase is about \$100,000.

Since the preparation of these estimates, several days ago, there have been still greater increases, and the sum total will continue to grow until the Speaker's gavel declares the final adjournment of a Congress whose record means the end of Republican ascendancy in this country for many years to come. In this distribution, Mr. Chairman, of this colossal expenditure of their money where do the plain people of the country come in? For every thousand dollars expended directly in the interest of agriculture one million is given away in subsidy to corporations.

In the statement just submitted the railroads get nearly forty million dollars every year for carrying the United States mails, against an increase expenditure of \$100,000 in the Agricultural appropriation bill. It has been demonstrated that the mail subsidy is highway robbery, but that makes no difference. This is a great, rich, and prosperous nation, and we can not afford to dispute about such trifles! When, Mr. Chairman, I ask in all earnestness and sincerity, is this pillage and waste to end?

Until the election of a Democratic President, in 1900, says a friend on my right. Yes, thank God, the days of this “embalmed-beef” era are drawing to an end. We shall inherit the two-billion-dollar Congress as a Republican legacy. [Applause.]

Generations of taxpayers yet unborn will suffer from this Republican profligacy, but it will be light by comparison to the fate of the present generation. Is it the desperation of politics that drives the Republican party to this madness? Is it the ghost of broken pledges that drives the Administration pell mell across the ocean 10,000 miles from our shores to convert 10,000,000 of savages to the Republican idea of political reform and party morality?

What will even the benighted Philippine think of the preeminent morality of the Republican educators when he reads the last Republican platform and observes how flagrantly and shamelessly it has been repudiated by the Republican Administration? The Republican party in the last campaign was solemnly pledged to the establishment of bimetalism. Its victory was won on that issue. Millions of voters were deceived by its promises. They are now struggling under the bitter and crushing thralldom of a single gold standard, and its present evasive, cowardly, unscrupulous pretense is perpetuating its bond-issue Wall-street financial policy on the people.

But we are to forget all about this in the next campaign. We are to think only of Santiago, Manila, embalmed beef, conquest, martial greatness, expansion, civilization! What matters it that the people cry out against trusts—the rapacious domination of defiant, lawless private combinations?

What matters it that the people at home, long-suffering and patient, demand the imposition of an income tax which will compel the bondholder and the moneycrat to support the Government according to his pillage?

What matters it that the people at home demand the election of United States Senators by the people, to the end that boss rule and corporation influence may be destroyed in that body?

What matters it that the great body of the plain, productive American people demand the full restoration of silver in our national currency?

What matters it that our boasted prosperity is the result of "famine abroad and war at home?"

It is the policy of the Republican party to obscure these important and commanding domestic questions in the next Presidential campaign. But they will not be obscured or overshadowed, for they will be brought forward again in 1900, and the second great battle will be fought to the finish upon these very issues and questions. [Applause.]

Mr. SULZER. Mr. Chairman, I yield to that brilliant orator and statesman, that friend of humanity, the gentleman from Kansas [Mr. SIMPSON], the balance of my time. [Applause.]

Mr. SIMPSON. Please forgive him; he knows not what he talks of. [Laughter.]

The CHAIRMAN. The gentleman from Kansas is recognized for ten minutes.

Mr. LENTZ. I would like to ask the gentleman from Kansas, before he commences to explain, why it makes Aguinaldo a criminal to declare, in the language of Patrick Henry, "Give me liberty, or give me death?"

Mr. SIMPSON. Well, I will try to reach that in the course of my remarks.

Now, Mr. Chairman, in the brief time allotted to me I want to say a few words in the same line as the argument of the gentleman from South Carolina [Mr. TALBERT] who has just taken his seat.

I am informed by the chairman of the Committee on Military Affairs that the appropriations to support the Army during the two years that this Congress will have been in session will amount in the aggregate—the total appropriation, including this bill—to about \$400,000,000.

Mr. HULL. No; if the gentleman will allow me, I corrected the statement, and said it would be about \$350,000,000.

Mr. SIMPSON. I mean in round numbers, including the present bill.

Mr. HULL. No—I beg the gentleman's pardon—the amount is not so great as that.

Mr. SIMPSON. But the gentleman does not understand me. I am including the present bill.

Mr. HULL. Oh, that is all right.

Mr. SIMPSON. The appropriations, I say, then, including the present bill, in the present session of Congress for the Army alone, are somewhere in the neighborhood of or perhaps in excess of \$400,000,000. The appropriations for the Navy amount to \$130,000,000. So that we have for the Army and the Navy appropriations amounting to \$530,000,000 for the present Congress.

Now, that involves, of course, or will involve before the present fiscal year has expired, a large deficiency and new appropriations to meet it. We have expended \$93,000,000 more than the income of the Government, including even the bond issue. It is manifest, therefore, that extraordinary taxes must be levied. If, then, extraordinary taxes must be levied on the people of the country to meet these extraordinary expenditures, on whose shoulders will that tax fall? Under our present mode of raising revenue that tax will fall largely upon the great army of the laboring classes of the country. It will fall largely upon the agricultural community. This nation being largely agricultural, our present system of increasing revenue and our present system of taxation falls with crushing weight on the shoulders of the great army of the agricultural people. They are the sufferers from the system. Now, the question is, where will you stop?

The Republican party, particularly in this Congress, has shown beyond question that they are powerless to stop these extraordi-

nary expenditures. True, the chairman of the Appropriations Committee the other day did attempt to do something of that kind and got in front of the train, but, unfortunately, got run over [laughter], and he has subsided. We have not heard a word from him since then in an effort to reduce these extraordinary expenditures. In fact, on yesterday we witnessed the extraordinary spectacle of the chairman of the committee voting to increase the price paid by the Government for its armor plate! And so it goes on.

We find these extraordinary expenditures to carry on the Government, to equip the Army, and to equip the Navy, to maintain our troops at home and abroad. What have we got in return for it? What is the net result of the expenditure? The glorious achievements of our Army and Navy, carrying on a war that was said to be in the interest of humanity, that challenged the admiration of the whole world, witnessing as it did a nation for the first time almost in human history reaching out the strong arm of its power—its Army and Navy—to help to relieve the oppressed people of Cuba, are facts before the world.

We fought in Cuba and liberated them. So we did in Manila, side by side with the inhabitants of the Philippine Islands. We fought to drive the Spanish power from those islands, in the interest of humanity, but after all the expenditure of money and the glorious achievements of our Army and Navy, we have turned it into what? We have taken and are taking to-day the place of Spain. We have become the oppressors in the place of Spain. We are taking up the same policy that we compelled her to let go, and we are to-day witnessing the spectacle of the volunteers who enlisted to fight in the interest of humanity being used to fight against those people who fought side by side with us to attain that glorious privilege of which we have boasted for more than a hundred years—the right to govern ourselves.

Where is the lesson this great Republic has taught to the world and held up as a beacon light to all the oppressed of every land? Ah, that lesson has been forgotten, and now, instead of following out our glorious policy, we have become engaged in trying to destroy those people who are fighting for that God-given right to govern themselves. We have turned it into a disgrace and a shame that will darken the pages of the history of this great Republic. [Applause on the Democratic side.]

Who is to blame? Gentlemen, they need not hide behind the sophistry that we could not help it. It was a chain of events. We are now in possession of the islands. It is a part of the treaty that we concluded with Spain. Are you going to turn the islands back to Spain? Every man here knows that Spain was impotent, that her power had been destroyed in the Philippine Islands. She had been driven out, and it was only for us to sail away and leave those people to enjoy the fruits of their toil and victory.

One word from the President of the United States would have been all sufficient, saying to the world what his policy was. If we did not intend to play the rôle of a conqueror and oppressor, it would have been enough for him to have said so; that we, in good time, would leave the islands; that our only motive in tarrying there was to help them to put the government that they had inaugurated upon its feet. Oh, no. And gradually, secretly, working underneath the surface step by step, we have come to the point of breaking with the Filipinos—purposely, I believe—and we have news in the dispatches to-day that our soldiers there are burning the habitations of the people, shooting women and children whose only offense is to follow our example in the early struggles of this country, to get the same right to govern themselves as we fought for.

Now, that is almost the sum total of what we have gotten for this enormous expenditure of money in the equipment of a great Navy and a great Army. Not quite the whole result, of course, because we have Alger and his history; we have Eagan and his court-martial and his elevation to a higher position. [Laughter.] We have the embalmed-beef scandal, and all that chain of evils that have always followed in the wake of every war. It is not war that is so bad, but it is the train of evils that follow in the wake of war that ought to make us hesitate before we appropriate such large sums of the people's money to build up a great Army and Navy when it has been proven beyond question to be the purpose of this Administration to carry on a war of conquest in the far-off Orient.

Who knows what the final result may be? To-day the telegraphic dispatches inform us that Admiral Dewey has telegraphed for the Oregon. The papers say that indicates that we are about to get into foreign complications. Why, certainly, that is what it means—a stream of foreign complications to which nobody can see the end. And this Congress will go down with a record, not as a billion-dollar Congress, but close to a two-billion-dollar Congress; and if we carry on this policy others that follow will come close in our wake.

I thank the gentleman from New York for his courtesy in yielding time to me. [Applause.]

[Here the hammer fell.]

Mr. HULL. Mr. Chairman, I want to make a brief statement

in regard to the bill that was read from the Clerk's desk. The chairman of the Military Committee of the Senate insists that the bill as agreed upon in the Senate will show changes from the one read for the information of the House, and I wish to state further that the Senate regards the reading of the bill at the desk here to-day as rather a discourtesy to that body. I am awfully sorry if this House has been guilty of any discourtesy to the Senate, but I want to say that when the bill is printed and read it will be found on substantially the same lines as the one given to me. It was given to me with the understanding, for my part, that it was for the information of the House, and I believed that the members of the House were entitled to know about something that they may in the near future pass upon. [Applause.]

I did not want it for my own information. So far as I am concerned, my mind is very clear as to what I believe should be done by this Congress in regard to Army reorganization. So far as I am personally concerned, I am opposed to any law that makes a temporary organization of the army of the United States. We should now pass a permanent organization and place the country in possession of ample force to meet the requirements of the present situation. To reenact the blunders of the act of last spring is, to my mind, infinitely worse than the threatened extra session.

Now, Mr. Chairman, I yield to—

Mr. BAILEY. May I ask the gentleman from Iowa if we are to understand here that he will oppose that bill?

Mr. HULL. I will cross that bridge, Mr. Chairman, when we come to it.

Mr. BAILEY. That is the usual Republican answer now.

Mr. HULL. That is my answer at least. I yield the remainder of my time to the gentleman from Illinois [Mr. MARSH]. How much time have I, Mr. Chairman?

The CHAIRMAN. The gentleman has fifty-five minutes.

Mr. HULL. I yield that to the gentleman from Illinois, or so much as he may wish to occupy.

Mr. MARSH. Mr. Chairman, I shall not occupy the time of the House for the period of fifty-five minutes. I promise you that. I gather from the discussion here to-day that there is a general acquiescence—I hope I am not mistaken—that this appropriation bill, carrying in the neighborhood of \$80,000,000 for the Army for the next fiscal year, will receive the support of this House, the members on both sides.

An appropriation bill carrying this amount, Mr. Chairman, is as near to what the probable expenditures will be in the next fiscal year as the Committee on Military Affairs can arrive. We can not be informed as to the number of men or the number of officers that would constitute the Army in the next fiscal year, and we assume—I think it is a wise assumption—that the Army may not reach in the aggregate the number proposed, 90,000 men, but in the hope and the wish that it may not exceed fifty or sixty thousand men. So the bill carries what the committee believes to be, from the information we could secure, a sufficient amount to pay the expenses of the Army for the next fiscal year, if based on in the neighborhood of 90,000 men.

So far as the details in the bill are concerned, I will not occupy the attention of this House in discussing, but will reserve that for the time when the bill shall be considered under the five-minute rule. But I will follow the example set by so many gentlemen upon both sides of the House, and discuss a question that is somewhat involved—I may say, properly, largely involved—in this proposed expenditure of \$80,000,000 of the people's money.

I listened with no little regret and yet with a great deal of interest to the speech of the gentleman from Indiana [Mr. JOHNSON], who occupied the floor to-day. I listened to it with regret, and I am sorry he is not now in his seat. I listened to it with regret, because I do not think he did himself or his constituents justice in the severe philippic that he delivered against the President of the United States. I dismiss that part of his remarks with the simple statement that the President of the United States can stand the philippic of the gentleman from Indiana.

Mr. JOHNSON of Indiana. He can not help himself; he has got to stand it.

Mr. MARSH. The President of the United States stands to-day the first and highest in the hearts of the American people, and no philippic of the gentleman from Indiana can affect him.

Mr. SULZER. How about the poor Filipinos?

Mr. MARSH. And no unjust interruptions of my remarks by the gentleman from Indiana can detract from the statement I have made.

Mr. JOHNSON of Indiana. The gentleman addressed me. Certainly he would not deny me the right to reply.

Mr. MARSH. I am glad the gentleman is here. He knows he has no right to me in my time.

Mr. JOHNSON of Indiana. I shall not interrupt the gentleman against his consent.

Mr. MARSH. Now, to another statement he made I want to call the attention of this House, because it was misleading to the country, it was misleading to the House, because it was absolutely

untrue. He stated that great franchises were being granted in the Philippine Islands and in those other islands we have acquired, and that the great financial men of this country were at the back of this movement to retain those possessions we have acquired by the sword through the efforts of our Army.

I want to say, Mr. Chairman, not one solitary franchise in the shape of a charter has been granted to anybody in the Philippine Islands, Porto Rico, or Cuba by this Government—not one franchise; not even a street-car franchise or a railroad franchise or any other kind of franchise has been granted by this Government to anybody to be exercised in the islands we have acquired.

On the contrary, Mr. Chairman—and the gentleman from Indiana must have known the fact—must have known it—on the contrary, Mr. Chairman, the President of the United States has by his authority annulled every one of those charters and franchises that were granted by Spanish authority during the last weeks or months of Spanish rule in those islands. Sufficient, Mr. Chairman, for the gentleman's speech. I only hope that when the gentleman from Indiana publishes his speech for circulation, if he ever does publish it for circulation, that he will incorporate into it that which he said he desired to incorporate into it—the President's address made in Boston a few days ago. It will make his speech better reading, and it will insure a vast number more persons to read it if the President's speech is incorporated therein.

Now, Mr. Chairman, I was delighted with portions of the remarks made by the distinguished gentleman from Kentucky [Mr. SETTLE]. I was delighted with the opening proposition that the gentleman laid down when he said that a year ago he could not have been induced to believe that he would have voted or could have been brought to vote for the payment of \$20,000,000 to Spain provided for in the treaty. And yet he says that in the march of events he not only voted for it willingly, but gladly.

He says that in the last year many of the formed conclusions and theories that he had entertained during his lifetime had been buried in the sea and buried forever in the presence of the march of events and the logic of the situation. I congratulate that gentleman upon the progressive spirit of which he is made up, and I want to say to our friends upon the other side of this House that one year from now you gentlemen will be camping on the ground that the Republican party occupies to-day. [Laughter on the Republican side.]

Mr. SULZER. I have no doubt about that.

Mr. MARSH. It has been a part of the history of the old Democratic party for forty years past that it ranged itself from one to four years behind the logic of events and the conditions surrounding them.

Mr. DOCKERY. Will my friend allow me a suggestion? We are making earnest efforts to develop the Republican camping ground, without effect. We can not find it. [Laughter on the Democratic side.]

Mr. MARSH. If the gentleman from Missouri will vote for the measures growing out of this war, that are from time to time proposed in this House on the Republican side, and that will be from time to time proposed from the same source, and from the same side in the next House, he will find out gradually—I know it will be gradual [laughter]—but he will surely find out what their position is and what their position will be.

It takes my friend from Missouri some time, but he will have that time to find out, because when the Fifty-sixth Congress meets on the first Monday of December next the people of the country will be informed of the real condition of things in these islands, and when that information shall have reached the people, as it has reached a good many individuals, there will be but one voice in this whole land, East and West and North and South, and that voice will be in favor of expansion and retention of every foot of territory over which the flag of our country floats.

A MEMBER. That is right; make him say it.

Mr. MARSH. Make him say it. I have said it a half a dozen times on this floor.

Mr. GAINES. Did the President of the United States say so in his speech?

Mr. MARSH. The gentleman talks about making me say it; he does not know me. [Laughter.]

Mr. DOCKERY. I do not desire to embarrass my friend—

Mr. MARSH. You will not embarrass me; the embarrassing position is that occupied by my friend from Missouri. He will be more embarrassed on the subject when he makes the campaign in 1900 for governor of Missouri than he is now—

Mr. DOCKERY. I did not desire to embarrass my good friend by queries in the absence of an intimation from the Administration.

Mr. MARSH. When I allude to the campaign in Missouri in 1900 I want to say, loud enough for all the people of Missouri to hear, that if God Almighty, in his inscrutable wisdom, should permit another Democrat to be elected governor of my neighboring State of Missouri, I hope it will be the gentleman from that State [Mr. DOCKERY]. [Applause.]

Mr. DOCKERY. I thank the gentleman for the compliment and his expressions of good will.

Mr. OTJEN. That will kill him.

Mr. MARSH. It will not kill him in northeast Missouri. Now, further along in his speech the gentleman from Kentucky [Mr. SETTLE] said he had assented to the war; he had assented to the large increase in the Army to carry on the war. He was opposed four or five weeks ago to increasing the Army to 100,000 men, but he had got up to the point where he was ready and willing to vote the necessary money to pay that Army, although that Army had not yet been provided for by law.

I congratulate him on the progressive spirit that evidently has possession of the gentleman. I wish it had possession of more men on that side of the House. He went on to say that he was opposed, however, to the acquisition of the Philippine Islands by force or otherwise; but he largely put it on the ground that the Filipinos were our allies, and he laid down certain principles of law that govern real-estate transactions [laughter], principles of law that no lawyer can deny, but that every lawyer pretty nearly would deny had any application to the present condition of affairs.

He stated that Aguinaldo and his forces—the Filipino troops—were our allies on that occasion. But the gentleman is absolutely mistaken; and I propose to show that fact. Aguinaldo and the Filipinos never were recognized as allies of our troops; they were never recognized by the Government, and never recognized by any official of the Government, or any general officer of the Government at the time the war was proceeding; they have not been recognized heretofore and are not so recognized now. And I repeat that they were never recognized either directly or indirectly.

It is true that if a Filipino was friendly to us he was recognized in that capacity only; just as we did a friendly Indian in our wars with the various Indian tribes. There was nothing more than that in the recognition.

Mr. GAINES. But the Indians were governed by their own consent.

Mr. MARSH (continuing). And again, the same gentleman from Kentucky, as I understood his statement, said that Aguinaldo's forces in the fall of Manila fought side by side with the Federal troops. That is another mistake on his part. The gentleman is entirely inaccurate in his statement. He has misinformation on the subject. On the contrary, Aguinaldo's forces were not allowed to fight, or even align themselves either on the right, the left, or the front of our army. We kept the Filipino forces entirely in the background, and they were not allowed to participate in the battle in any manner.

They were not permitted to take part in the battle or to participate with the troops in the victory. These are facts and matters of record and can not be disputed. And it may be remembered by some gentlemen on the floor of the House that during the progress of the battle a brigade of United States troops was deployed to keep the Filipino forces from entering into the fight or joining our troops on the firing line.

Mr. SIMPSON. Will the gentleman allow an interruption?

Mr. MARSH. Certainly.

Mr. SIMPSON. I would like to ask the gentleman if the Filipinos did not, as a matter of fact, while we were engaged in the war with Spain, capture nearly one-half of the Spanish army in the Philippine Islands while we were fighting them? Did they not, amongst the different islands of this archipelago, capture over one-half of the Spanish forces engaged in them and hold them as prisoners of war?

Mr. MARSH. I do not care, Mr. Chairman, whether that is true or whether it is not true. It does not bear upon this question. It does not make Aguinaldo and his forces allies of the United States, by the acknowledgment of which, if it were true, under international law we would be placed under some sort of obligation to them. It is well known, of course, as a matter of current history, that the Filipinos did capture—I do not know how many hundreds or thousands of Spanish troops. But what has that to do with the contention of the gentleman from Kentucky that they were our allies in that contest, and that we shall consider them as our allies and must treat them as such in our dealings with the Philippine Islands? The gentleman's argument would make us embark upon a sea of uncertainty and perplexity.

Mr. LENTZ. Then will the gentleman explain why we should insist upon the delivery of the Spanish prisoners, now in the hands of the Filipinos, to the Spanish Government?

Mr. MARSH. Mr. Chairman, I desire to read from Senate Document No. 163 one or two extracts which bear directly upon this point, and to show the position we occupied toward the Philippine forces. I premise by saying that our relations to the Filipinos was the same as to the friendly Indians who joined us in a war against some hostile tribe—neither more nor less.

General Greene says:

The only general officer who saw him—

That is, Aguinaldo—

or had any direct communication with him was General Anderson.

Perhaps there are gentlemen who would claim that Aguinaldo's "orders" to General Anderson should have been obeyed, and that we should have "turned tail" and sailed away because he ordered our troops not to land on the Philippine soil without his consent.

He did much to thwart this officer in organizing a native wagon train and otherwise providing for his troops, and he went so far in a letter of July 23 (copy herewith, marked J) as to warn General Anderson not to land American troops on Philippine soil without his consent, a notice which it is hardly necessary to say was ignored. The day before the attack on Manila he sent staff officers to the same general asking for our plans of attack, so that their troops could enter Manila with us. The same request had previously been made to me by one of his brigade commanders, to which I replied that I was not authorized to give the information desired.

Aguinaldo did not call upon General Merritt on his arrival, and this enabled the latter to avoid any communication with him, either direct or indirect, until after Manila had been taken. General Merritt then received one of Aguinaldo's staff officers in his office as military governor. The interview lasted more than an hour. General Merritt referred to his proclamation—

You remember what the proclamation was—

as showing the conditions under which the American troops had come to Manila and the nature of the military government which would be maintained until further orders from Washington. He agreed upon the lines outside of the city of Manila up to which the insurgent troops could come, but no farther, with arms in their hands—

These are some 6 or 8 miles out—

he asked for possession of the waterworks, which was given; and while expressing our friendship and sympathy for the Philippine people, he stated very positively that the United States Government had placed at his disposal an ample force for carrying out his instructions, and even if the services of Aguinaldo's forces had been needed as allies he should not have felt at liberty to accept them.

The problem of how to deal with Aguinaldo's government and troops will necessarily be accompanied with embarrassment and difficulty, and will require much tact and skill in its solution. The United States Government, through its naval commander, has to some extent made use of them for a distinct military purpose, viz. to harass and annoy the Spanish troops, to wear them out in the trenches, to blockade Manila on the land side, and to do as much damage as possible to the Spanish Government prior to the arrival of our troops; and for this purpose the Admiral allowed them to take arms and munitions which he had captured at Cavite and their ships to pass in and out of Manila Bay in their expeditions against other provinces. But the Admiral has been very careful to give Aguinaldo no assurances of recognition and no pledges or promises of any description. The services which Aguinaldo and his adherents rendered in preparing the way for attack on Manila are certainly entitled to consideration; but, after all, they were small in comparison with what was done by our own fleet and army.

And nowhere, Mr. Chairman, from the time of the attack upon the Spanish ships in Manila Harbor to the present hour, has there been the slightest recognition of the Filipinos as allies of this country. And my friend from Kentucky [Mr. SETTLE], a man of high ability and character, should, for his own sake, take prompt occasion to correct the impression his language would convey.

Now, Mr. Chairman, I have but a few words more, and then I am through. I wish to submit a few propositions expressing opinions which I entertain individually and for which I am alone responsible.

Mr. SIMPSON rose.

Mr. MARSH. I decline to be interrupted. As the gentleman knows, my time is fast running out.

Now, Mr. Chairman, as I have said before on this floor, I am in favor of the retention of the Philippine Islands and Porto Rico, and of utilizing them for the benefit of the trade and commerce of our own people. In doing that I believe we shall conduce to the interests of the people of those islands as well as to our own.

As to the right of acquiring this territory, it has been claimed that the Constitution of the United States confers upon the nation the right to declare war and the right to negotiate peace. I deny that the Constitution confers any such power upon the nation. The provision in the Constitution on the subject of the war-making power and the treaty-making power was simply a recognition by the framers of that instrument that the power to make war and the power to make peace are incidents of sovereignty. The men who framed the Constitution never undertook to confer upon this nation those things which necessarily pertain to the sovereignty of a nation.

Mr. FLEMING. Will the gentleman allow me one question?

Mr. MARSH. I will not. I do not wish to be discourteous, but I have not the time.

Mr. Chairman, the provisions referred to in the Constitution simply designate who under this Government can declare war and who under this Government can make a treaty.

Suppose the war-making and the peace-making provisions had never been placed in the Constitution at all; would it be asserted by any constitutional lawyer that we could not as an incident of sovereignty go to war; and would it be claimed by any international lawyer or constitutional lawyer that when at war we could not make a treaty of peace, for want of a provision in the Constitution authorizing peace to be declared and a treaty of peace entered into? Why, sir, a mere statement of the proposition shows its absolute absurdity.

Under this war-making power, this sovereign power incident to all sovereign nations, we acquired the Philippine Islands and Porto Rico. We did not acquire them by virtue of any provision of the Constitution of the United States. We did not acquire

them by virtue of any statutory law made in pursuance thereof. We acquired them by virtue of our sovereignty, as one of the sovereign nations of the world. I am sorry to repeat so much, but the right to acquire that territory belonged to us as a sovereign nation, and that territory is ours by virtue of the exercise of our sovereignty.

And, Mr. Chairman, I hold that by virtue of the same sovereignty under which we acquired that territory this Congress may rule and control it. And hence I hold that Porto Rico and the Philippine Islands are now our territory; and no political right can attach to them here or hereafter that shall not first be conferred upon them by Congress. In other words, Congress has the right, the absolute right, to make such laws, rules, and regulations for those people and those islands as in its wisdom it may deem right and proper.

Hence, Mr. Chairman, I assume (and who will assume to the contrary?) that Congress hereafter in its wisdom will intelligently, temperately, and mercifully rule and control the people of those islands and bestow upon them such rights as they may prove themselves worthy to enjoy and exercise. I would confer upon the people of those islands all the civil rights, all the local political rights that could safely be placed in their hands and that they were capable by virtue of their intelligence, honesty, and manhood of exercising—and no more.

But we have been told by gentlemen on the other side that there is a great reaction taking place among the people of the country against holding these territories. Whence and where do you get your information? We have been told that every agricultural paper in the country is against the acquisition of those territories. We have been told that the labor unions of the country are against that policy.

When the labor unions of this country understand the matter correctly, and when the farmers of this country understand the matter correctly, they will stand along with the great mass of the American people in favor of the expansion of our territory and the retention of these recent acquisitions.

Mr. Chairman, you may search the decisions of the Supreme Court from the beginning until this blessed hour and you will not find in any of those decisions (if I may except the Dred Scott decision) anything that militates against the position I have taken here to-day, that the territory we acquire is subject to the jurisdiction of Congress, to be disposed of as the wisdom of Congress may deem best.

And when those territories shall have been reduced absolutely to our possession, when peace shall have been established, when the supremacy of the American flag has been recognized by the people there as it is recognized by the people here, then will come the time for Congress, in its wisdom, to legislate therefor.

Our farmers have been told that the sugar of the Philippine Islands would come here in competition with their beet sugar. The sugar raisers of Louisiana and Texas and perhaps southern Alabama and Mississippi have been frightened out of their wits for fear that with the annexation of the Philippine Islands their sugar would come in here, produced by cheap labor, in competition with their products.

The workmen of the country—I have in mind more particularly the thousands and tens of thousands of cigar makers of the country—have been made to believe that the moment the Philippine Islands become ours the cheap-labor made cigars of the Philippines will come into this country without any duty and drive out our manufacturers. Not a word of that is true, if this Congress in future adheres to the great American cardinal principle of protection of American labor and American industry.

As I understand the law—and I want to say here that I do understand it, and that you may search the authorities from beginning to end and you will not be able to find the enunciation of a solitary principle on the part of any respectable authority that militates against the position that I have taken here to-day—under that authority Congress may levy upon the imports of the Philippine Islands just such duty as it chooses to levy.

These laboring men and these farmers have been made to believe by misrepresentation that when the Philippine Islands become ours the trade and commerce between those islands and the United States will be as free and untrammelled as between the State of Maryland and the State of Virginia. That is not true. That does not follow. It is claimed by some gentlemen that the Constitution of the United States, the moment those islands become ours, extends itself by its own force over those territories. That is not true. That position is not tenable.

The Constitution does not go to those territories by its own force. The rights and privileges guaranteed by that instrument belong to us, and can be extended to nobody until the people of the United States, through their representatives, by enactment of law, so extend it. I said that some of these farmers and workmen had been led to suppose that the cheaply made products of the Philippine Islands would be allowed to come into this country just as the products of one State pass the lines of that State into another.

But, Mr. Chairman, I assume that this Congress and succeeding Congresses will do in the future as they have done in the past, and by protective tariff legislation prevent the unjust competition of the cheaply paid labor of the Philippines, just as we prevent the unjust competition of the cheap labor of China or any other country. And the assumption that is made here from day to day upon the other side of the House, that the moment those islands become ours, that very moment our navigation laws and our tariff laws will apply to them, is a contention that has no foundation whatever.

When the American people discover that to be the case, when they learn of the misrepresentations that have been sown broadcast all over this country upon that subject and become familiar with the true situation of affairs, you will find that the laboring men of this country, the great labor unions of the country, and great agricultural interests of the country, will stand where I stand, in favor of expansion and in favor of the extension of our trade and our commerce to every portion and part of the known world.

Mr. Chairman, I know that when anybody on this floor advocates the retention of these islands from a commercial point of view, he is accused of being sordid and selfish, accused of having in view the almighty dollar. I want to say here, Mr. Chairman, that one of the reasons, and one of the principal reasons, that actuates me in advocating the retention of the Philippine Islands is because those islands are the gateway and the key to the great eastern Asiatic commerce that is now being developed and hereafter will be developed.

Who is entitled to the trade of that great Pacific Ocean more than we? Who has greater rights upon that vast ocean than the American people? There is the Chinese nation, with something over 400,000,000 people, more than one-fourth of the population of the world, in process of disintegration. Russia, France, England, and Germany have seized upon strategic trade points along the coast of that great country. We have none whatever.

In a few more years, under the civilization of the nineteenth century carried into that country by European and American influences—under that inspiration thousands and tens of thousands of miles of railway will be built. Thousands and tens of thousands of telegraph lines and telephone lines will be constructed. The great rivers of China will float upon their bosoms the commerce and steamers of foreign nations.

And I say, Mr. Chairman, that while at the beginning of this war we did not think of the acquisition of the Philippine Islands, there is a power beyond, a higher power than ours. They have fallen into our hands, and thereby we have secured the key and the gateway to that immense traffic that is to be developed in eastern Asia. I know that there is an impression prevailing that the people of China are poor people. They are, on the contrary, the wealthiest people in the world. The precious metals have been pouring for the past three hundred years into that country in one continuous stream, and not one dollar has come back.

They consume now. They are small consumers now. They will become great consumers. They are an imitative race. They are rice eaters to-day. If we could get these people educated so that they could eat 1 peck of wheat a year where we eat 5 bushels, they would become consumers of 1,000,000 bushels of wheat a year. If we could get them educated to eat 1 bushel per year they would consume 400,000,000 bushels of wheat.

Mr. FLEMING. A bushel a day will kill them.

Mr. MARSH. Per year.

Mr. SIMPSON. That would be heavy feeding for a horse.

Mr. MARSH. If we could bring them up to consuming 2 bushels per year where American people consume 5 bushels, it means 800,000,000 bushels of wheat a year. Now, go home to Kansas, Nebraska, and elsewhere and tell your farmer constituents what a wonderful injury the acquisition of the Philippines would be to them! It would be a great thing for them. Who is to furnish the locomotives that are to run upon the thousands and thousands of miles of railroads to be constructed in the near future in that great eastern country?

Only the other day a contract was made and closed with one of our leading locomotive establishments in this country, in Philadelphia, for 89 locomotive engines. Who is to furnish them the railroad iron, the steel rails? Who is to furnish them with electrical apparatus, with electric lights, with electric street cars, and with telephone lines? Why not we? I say, Mr. Chairman, that we are in the Philippine Islands to-day. We came there without knowing it. We bless the day we did get there, and as generation after generation succeeds, why they will with enlarged prayers bless the day that Dewey captured the harbor of Manila.

Mr. COX. Will the gentleman allow me to ask him one question?

Mr. MARSH (continuing). And instead of indulging in invective and abuse upon the President, as the gentleman from Indiana has done to-day, McKinley's name will go down in song and in the hearts of the American people for the stand he has taken.

Gentlemen complain, while on this subject of traffic. I do not care so much for the Philippines; I do not care so much for the people that live there; but I am looking to that wonderful trade and commerce that in the coming half century will develop with eastern Asia upon the Pacific Ocean.

I asked a little while ago who had a better right to the commerce upon that sea than we? England has no coast-line possessions there except spots she has seized from China. France has none. She has no coast line there. Germany has no coast line there. The United States of America has 2,000 miles of coast line on that great ocean, excluding the Aleutian Islands. Then why, I say, Mr. Chairman and gentlemen of the House, why can not we bar party prejudice? Why can not we bar even supposed opportunity to make a little party capital and unite as one man and seize upon this occasion that has presented itself for the wonderful development of American trade and American commerce? [Applause.]

Mr. Chairman, I think I have said all I care to say, and I will yield the balance of my time to the chairman of the committee. [Applause.] But before I do so, some gentleman wanted to ask me a question.

Mr. FLEMING. My question will take the form of asking if you will read, or let me read, two or three extracts from General Greene's testimony, from which you read.

Mr. MARSH. I have no objection to your reading it.

Mr. COX. I want to ask the gentleman one question.

Mr. HULL. I do not want to interrupt the gentleman from Illinois or the gentleman from Georgia; otherwise I should move that the committee rise.

Mr. FLEMING. I ask unanimous consent of the House for five minutes.

Mr. HULL. I will yield to the gentleman five minutes.

Mr. FLEMING. Mr. Chairman, the gentleman from Illinois had denied that there were relationships between our forces and the Filipinos which would justify us in saying they were our allies. He read a part of General Greene's testimony in support of his position. He read down to the bottom of page 423, and stopped at a certain paragraph; and I begin just exactly where he left off:

The problem of how to deal with Aguinaldo's government and troops will necessarily be accompanied with embarrassment and difficulty, and will require much tact and skill in its solution. The United States Government, through its naval commander, has to some extent made use of them for a distinct military purpose, viz, to harass and annoy the Spanish troops, to wear them out in the trenches, to blockade Manila on the land side, and to do as much damage as possible to the Spanish Government prior to the arrival of our troops. And for this purpose the Admiral allowed them to take arms and munitions which he had captured at Cavite, and their ships to pass in and out of Manila Bay in their expeditions against other provinces.

Moreover, I read in another part, from page 421, General Greene's testimony:

On the 24th day of April Aguinaldo met the United States consul and others at Singapore and offered to begin a new insurrection in conjunction with the operations of the United States Navy at Manila. This was telegraphed to Admiral Dewey, and by his consent, or at his request, Aguinaldo left Singapore for Hongkong on April 26; and when the McCulloch went to Hongkong early in May to carry the news of Admiral Dewey's victory, it took Aguinaldo and seventeen other revolutionary chiefs on board and brought them to Manila Bay. They soon after landed at Cavite, and the Admiral allowed them to take such guns, ammunition, and stores as he did not require for himself. With these, and some other arms which he had brought from Hongkong, Aguinaldo armed his followers, who rapidly assembled at Cavite, and in a few weeks he began moving against the Spaniards. Part of them surrendered, giving him more arms, and the others retreated to Manila.

In the face of these facts printed in the official record and sworn to by an officer of the United States Army, what becomes of the bombastic utterances of the gentleman from Illinois [Mr. MARSH] on this particular question?

Mr. MARSH. The bombastic part of the gentleman's utterances I return to him with my compliments.

Mr. RIDGELY. That is the only way you could return them.

Mr. MARSH. I will simply say that I am willing to leave to the judgment of this House who has exhibited bombastic qualities to a greater degree than has the gentleman from Georgia himself. I say now, as I said a while ago, that what he has read does not establish that the Filipinos had at any time occupied the position of allies to this country. The friendly Filipinos were utilized down there just exactly, no more and no less, as our country has utilized from time to time the friendly Indians in our wars.

Mr. LENTZ. The gentleman might as well say that Sherman in his march to the sea was not an ally of Grant's.

Several MEMBERS on the Republican side. An ally of Grant's; oh!

Mr. MARSH. Sherman an ally of Grant's! [Laughter on the Republican side.] I still adhere to the statements I made a while ago, that from the very beginning until the end of the whole controversy, from the time Dewey sailed into Manila Harbor until this moment, the relation of allies has never existed between the Filipinos and the American Government or the American Army.

Mr. HULL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900, and had come to no resolution thereon.

#### SENATE BILLS REFERRED.

Under clause 3 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5543. An act to provide for the erection of a public building at Elizabeth City, N. C.—to the Committee on Public Buildings and Grounds.

S. 5322. An act for the relief of M. B. Buford—to the Committee on Naval Affairs.

The SPEAKER announced his signature to enrolled joint resolution (S. R. 252) to prevent the spread of contagious diseases in the District of Columbia.

#### ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 11717. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900; and H. Res. 359. Joint resolution to amend section 25 of the act passed June 13, 1893, entitled "An act to provide ways and means to meet war expenditures, and for other purposes."

#### ORDER OF BUSINESS.

Mr. HULL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day, it adjourn until to-morrow at 11 o'clock. There are eulogies upon two deceased members to-morrow.

Mr. GIBSON. Mr. Speaker, will that prevent the evening session?

The SPEAKER. It will not.

The motion of Mr. HULL was agreed to.

#### REPRINT OF NAVAL PERSONNEL BILL.

Mr. FOSS. Mr. Speaker, I ask unanimous consent for the reprint of the bill H. R. 10403, known as the naval personnel bill, with the Senate amendments numbered.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

#### RETURN OF A BILL.

The SPEAKER. The Chair will lay before the House the following request from the Senate:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the joint resolution (S. R. 48) "granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann."

The SPEAKER. Without objection, the request of the Senate will be complied with.

There was no objection.

#### RIGHT OF WAY THROUGH INDIAN TERRITORY TO THE DENISON, BONHAM AND GULF RAILWAY COMPANY.

Mr. BAILEY. Mr. Speaker, I desire to take from the Speaker's table the Senate bill 5514. The House Committee on Indian Affairs has substantially reported the same bill, and I ask unanimous consent for its present consideration.

The Clerk read as follows:

A bill to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company.

Be it enacted, etc., That all the rights of way, privileges and franchises granted, or which were sought to be granted, to the Denison, Bonham and New Orleans Railway Company by the act of Congress entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," be, and the same are hereby, fully vested in and granted to the Denison, Bonham and Gulf Railway Company, and said act is hereby so amended as to insert in lieu of the name of the Denison, Bonham and New Orleans Railway Company that of the said The Denison, Bonham and Gulf Railway Company wherever it occurs in the title or body of said act, and the same shall hereafter read and be construed in all respects as if the name of the said The Denison, Bonham and Gulf Railway Company had been inserted in the original act in lieu of that of the Denison, Bonham and New Orleans Railway Company.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DALZELL. Is there room for another track there?

Mr. BAILEY. I will say that this is an old charter; but the people providing the money for the construction of the road raised the question about the expiration of the Texas charter. The owners of the road reincorporated it under the laws of Texas, and

they simply ask Congress to give them precisely the rights given to the old road.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be read a third time; and being read the third time, was passed.

On motion of Mr. BAILEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### PARK IN BOULDER, COLO., ETC.

Mr. SHAFROTH. I ask unanimous consent that the Senate amendments to the bill (H. R. 11455) granting to the city of Boulder, in the State of Colorado, certain land for park purposes and for the preservation of native trees on said lands be now taken up and concurred in.

The amendments were read, as follows:

Page 3, after line 10, insert:

"Sec. 5. That the following described tract of land, situated in the county of Rolette, State of North Dakota, namely, the south half of northwest quarter of section 30, township 102 north, range 72 west, be, and the same is hereby, granted and conveyed to the Lake Schutte Cemetery Corporation, of Dunseith, N. Dak., to have and to hold said lands to its use and behoof forever for cemetery purposes."

Page 3, after line 10, insert:

"Sec. 6. That the northwest quarter of the northwest quarter of section 30, township 17 north, range 3 east, Black Hills meridian, is hereby granted to the Nashville Presbyterian Church, of Nashville, S. Dak., for cemetery purposes; and the trustees of said church and their successors in office are hereby authorized and empowered to sell or convey lots to any person at such price as they shall fix for the same for burial purposes: *Provided*, That there was no prior legal claimant upon said land at the time it was first used for cemetery purposes."

Amend the title so as to read: "An act granting to the city of Boulder, in the State of Colorado, certain lands for park purposes and for the preservation of the native trees on said lands, and for other purposes."

Mr. SHAFROTH. Mr. Speaker, concerning these two amendments which have been added by the Senate, I wish to say only a word. The bill as originally introduced and passed by the House granted certain lands in the city of Boulder, Colo., for park purposes. When the bill went to the Senate, that body added as amendments the substance of two bills which they had passed and which were pending in the Committee on Public Lands in this House. Those bills proposed to grant certain tracts of land, one 40 acres and the other 80 acres, for cemetery purposes.

Under the general law such lands can be taken up for cemetery purposes by incorporated towns; but the two places at which these cemeteries are located being nothing but post-offices, it became necessary to introduce these special bills. The Senate thought it would be better to attach the substance of those bills to this House bill as amendments than to await action upon them in the House. I will say that the Committee on Public Lands of the House has examined both those bills, finds them to be meritorious, and is unanimous in recommending that they be passed.

Mr. LACEY. In addition to the statement of the gentleman from Colorado [Mr. SHAFROTH], I wish to say that both the tracts of land referred to in the Senate amendments are already in use for cemetery purposes and have been so used for some time.

There being no objection, the amendments of the Senate were concurred in.

On motion of Mr. SHAFROTH, a motion to reconsider the vote by which the amendments were concurred in was laid on the table.

#### UNITED STATES COURTS IN TEXAS.

Mr. KLEBERG. I ask unanimous consent for the present consideration of the bill (H. R. 5497) to provide for terms of the circuit and district courts of the western judicial district of the State of Texas to be held at the city of Laredo, and for other purposes.

The bill was read, as follows:

*Be it enacted, etc.*, That there shall be two terms of the circuit and district courts of the western district of Texas, held on the third Monday in March and the first Monday in December in each year, at the city of Laredo.

Sec. 2. That all process issued after this act shall take effect against defendants residing in the counties of Webb, Zapata, Duval, Encinal, Lasalle, and McMullen shall be returned to the city of Laredo. That all actions or proceedings now pending in the courts at Brownsville and San Antonio against parties residing in the counties of Webb, Zapata, Duval, Encinal, Lasalle, and McMullen may, on the application of either party to such actions or proceedings, be transferred to the court at the city of Laredo; and in case of such transfer all papers and files therein, with copies of all journal entries, shall be transferred to the office of the deputy clerk of the court at the city of Laredo, and the same shall proceed in all respects as if originally commenced in said court.

Sec. 3. That there shall be appointed, in the manner provided by law, a deputy clerk, who shall keep his office at the city of Laredo.

Sec. 4. That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed.

Mr. PAYNE. How many new officials does this bill create?

Mr. KLEBERG. Only one—a deputy clerk.

Mr. PAYNE. Has the bill been reported by the Judiciary Committee?

Mr. KLEBERG. Yes; it is a unanimous report.

Mr. MADDOX. I should like to know when this bill was introduced.

Mr. KLEBERG. At the beginning of this Congress.

Mr. MADDOX. Last year?

The SPEAKER. The bill was introduced January 5, 1898.

Mr. MADDOX. I only wanted to know that as a matter of information. I had a similar bill referred to the committee, which they have failed to report up to this time.

There being no objection, the bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. KLEBERG, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PATENT RIGHTS OF INSANE PERSONS.

The SPEAKER. The Chair will lay before the House the amendments of the Senate to a bill on the Speaker's table.

The amendments to the bill (H. R. 7346) to amend section 4896 of the Revised Statutes were read, as follows:

On page 1, line 10, after "guardian," insert "conservator or."

On page 2, line 18, after "guardian," insert "conservator or representative."

Mr. BAILEY. I should like to know the object of these amendments. I presume it is to make the bill conform to the statutes of some of the States.

Mr. PAYNE. What is the bill?

The SPEAKER. It is a bill relative to prosecuting a patent in behalf of an inventor who may have become insane.

Mr. PAYNE. I do not see any objection to the amendment.

Mr. BAILEY. I presume in some of the States the word "conservator" is used.

The amendments were concurred in.

The SPEAKER. The hour of half past 5 o'clock having arrived, the House will take its recess until 8 o'clock p. m. The gentleman from Kentucky, Mr. EVANS, will act as Speaker at the evening session.

#### EVENING SESSION.

The recess having expired, the House, at 8 o'clock p. m., resumed its session, and was called to order by Mr. EVANS as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will read the rule under which the Friday evening session is held.

The Clerk read as follows:

The House shall, each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes.

Mr. TALBERT. Mr. Speaker, I desire, before we go into Committee of the Whole, to ask unanimous consent that all bills for the removal of charges of desertion be passed over until all the pension bills on the Calendar have been disposed of.

Mr. RAY of New York. Suppose you modify it by saying unless the member introducing the bill is here.

Mr. TALBERT. I have no objection to that. [Applause.]

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that all bills for the removal of charges of desertion be passed over until after the other business is disposed of.

Mr. MCCLELLAN. Unless the member introducing the bill is present.

The SPEAKER pro tempore. Unless the member introducing the bill is present. Is there objection?

There was no objection.

Mr. RAY of New York. Mr. Speaker, I have prepared a list of the pension bills that have been reported and passed the House during this Congress, giving the Senate number and the House number, the amount that the soldier was drawing where he was drawing anything, and the amount of increase carried by the bill with a statement of the amount it will add to the pension roll without any comments whatever aside from the figures and a tabulated statement and comparison. I ask unanimous consent that I may print that statement and the figures in the RECORD.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent—

Mr. TALBERT. I did not understand the gentleman's statement as to what it was that he wished to print.

Mr. RAY of New York. It is a list of all the pension bills that have passed the House in this Congress, giving the number of the bills, whether Senate or House, the amount that the pensioner has been drawing, if drawing anything, and the amount of increase that the bill carries, and also a tabulated statement relating thereto.

Mr. TALBERT. I have no objection to that.

Mr. RAY of New York. And then a summary, without any comments whatever.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the matter to which he has referred be printed in the RECORD. Is there objection?

There was no objection.

Mr. RAY of New York. Now I move that the House resolve itself into Committee of the Whole for the purpose of considering business on the Private Calendar under the rule.

The question being taken on the motion of Mr. RAY of New York, on a division (demanded by Mr. TALBERT) there were—ayes 28, noes 0.

Accordingly the House resolved itself into Committee of the Whole for the purpose of considering bills on the Private Calendar in order under the rule for Friday-evening sessions, with Mr. RUSSELL in the chair.

MICHAEL BAKER.

The first business was the bill (H. R. 1358) to remove the charge of desertion from the record of Michael Baker.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Navy be, and he is hereby, authorized and directed to remove the charge of desertion from the record of Michael Baker, formerly of the U. S. S. *Brooklyn*.

Mr. TALBERT. Mr. Chairman, I ask that the report be read.

Mr. LOUDENSLAGER. Let the gentleman introducing the bill make a brief statement.

Mr. McCLELLAN. The report is quite short, and will state the case as well as I can state it. I ask for the reading of the report.

The report (by Mr. DAYTON) was read, as follows:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 1358) to remove the charge of desertion from the record of Michael Baker, beg leave to submit the following report, and recommend that said bill do pass without amendment:

This is a bill enacting that the Secretary of the Navy be, and he is hereby, authorized and directed to remove the charge of desertion from the record of Michael Baker, formerly of the U. S. S. *Brooklyn*. It appears that Michael Baker enlisted for three years in the Navy as a first-class boy November 14, 1864; that he served on board several vessels without fault, as appears by the record, until January 19, 1867; and that he is marked as a deserter at that date from the U. S. S. *Brooklyn*. On March 30, 1864, the case of Baker was examined by the Navy Department with a view of relief, but the application was rejected on the ground that, owing to the act of Congress approved August 14, 1868, having expired by limitation, the Department had no authority of law to remove said charge.

When he enlisted Baker was only 14 years old, and he ran away from home to enter the service. In an affidavit he declares that he supposed he enlisted for the war only, and never knew better until he applied for a discharge at the close of hostilities and was refused. In January 1867, he learned that his father was sick and at the point of death, when he applied for leave to return home, but was refused. He then went home without consent and found his father dead. Baker declares that, being but a boy when he deserted, he "did not realize the enormity of the offense," and thinks that he in part, at any rate, atoned for it by subsequently enlisting and serving in the Navy for several years.

The committee think that this is a case in which relief may well be granted, and they therefore recommend that the bill pass.

Mr. TALBERT. Mr. Chairman, I should like to ask if there is any evidence before the committee outside of the simple statement of this man himself?

Mr. McCLELLAN. Yes; there is evidence in the files of the committee showing the facts to be as stated in the report. The boy was only 14 years old when he enlisted and 17 when he deserted, after the close of the war. Subsequently he served a full enlistment in the Navy, and has since then led a decent life, and he is now a respected citizen of my district.

Mr. TALBERT. If you will recollect, there have been several acts passed since then, if I remember, which have expired by limitation. The report says that the reason he can not get the charge removed under the general law is because the limit has expired. It seems to me he might have availed himself of some later act. There have been three or four different acts.

Mr. RAY of New York. I can assure the gentleman that there is no general law to cover this case.

Mr. TALBERT. It seems to me we ought to have information as to whether the last act which was passed would cover the case or not.

Mr. RAY of New York. I assure the gentleman that I have examined the law and there is no general statute covering such a case as this.

Mr. TALBERT. My friend on my left [Mr. JETT] says the date of the passage of the last act was 1888, and I think he is correct. Mr. RAY of New York. There never was a law covering this case.

Mr. TALBERT. When the law does not cover it, does the gentleman think this applicant ought to come in here and get special legislation?

Mr. RAY of New York. I do, under the facts which are stated in this case. The boy went home to the bedside of his dying father, and under those circumstances it is very likely that the gentleman or myself would have done the same thing. The war was over. He did not think of deserting. Desertion was not in his heart.

Mr. TALBERT. That is very likely; but we ought to put aside sentiment in these cases and deal with facts. There are many of these cases, and we are piling up such an amount of taxation here, day by day, in the way of appropriations, that it looks as though we ought to try to stop some of the little leaks some way.

I offer an amendment providing that no pay, bounty, or other emolument shall accrue by the passage of this act. I see the committee have not offered that amendment, and I ask that it be voted upon. I understand this man wants the stigma removed; that he is not thinking of a pension. There is quite a difference between having a stigma removed and wanting to get money out of it.

Mr. MIERS of Indiana. If he happens to think of that later, he can attend to that. He is not thinking of that now. [Laughter.]

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by inserting at the end of bill the following:

"Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

W. H. CASTLE.

Mr. TALBERT. In justice to my friend the gentleman from Ohio [Mr. DICK], who represents the district formerly represented by our comrade, Mr. Northway, who has gone to his long home, I wish to state that that gentleman left a very meritorious bill here, something similar to the case of my friend from New York [Mr. McCLELLAN]. I ask unanimous consent, in justice to him, that the gentleman from Ohio [Mr. DICK] be allowed to present that bill before we proceed with the others on the Calendar. The gentleman can explain the whys and wherefores, so that we can see whether it is a meritorious case.

Mr. DICK. The report of the committee is in the hands of the Clerk.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the bill which he has indicated be called up. The Clerk will report the bill.

The bill (H. R. 4670) to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle was read, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to revoke and set aside so much of Special Orders, No. 15, paragraph 50, dated January 10, 1865, Adjutant-General's Office, in War Department, as dishonorably dismissed from the service First Lieut. W. H. Castle, late of Company E, of the One hundred and fifth Regiment of Ohio Volunteer Infantry, and to grant him an honorable discharge from the service of the United States as of said date of January 10, 1865.

The following amendment, recommended by the Committee on Military Affairs, was read:

Insert at the end of the bill the following:

"Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The CHAIRMAN. Is there objection to the consideration of this bill at this time?

There was no objection.

Mr. TALBERT. I ask the gentleman to make a statement of the facts in this case.

Mr. DICK. Mr. Chairman, in addition to the testimony on file with the committee, and the report which has been made by the committee, I think the only thing necessary to convince the Committee of the Whole of the justice of this application will be the reading of the affidavit of Col. George T. Perkins, commanding the regiment of the man who asks that this correction be made.

The CHAIRMAN. The Clerk will read the document referred to.

The Clerk read as follows:

In the case of William H. Castle, dishonorably dismissed the service as first lieutenant Company E, One hundred and fifth Ohio Volunteers, January 10, 1865, by special orders of that date from the War Department.

STATE OF OHIO, Summit County, ss:

George T. Perkins, of lawful age and residing at Akron, Summit County, Ohio, and late lieutenant-colonel commanding the One hundred and fifth Regiment Ohio Volunteer Infantry, being first duly sworn, deposes and says that since the making of his former affidavit in the above case he has fully investigated and ascertained the facts in such case to be as follows:

That said Castle left his command on a leave of absence regularly issued from department headquarters, and which he had reason to believe he had a right to use at that time, and that he supposed he had my approval; and after a thorough investigation I am convinced that he did not conceal himself in a box car or any other place, or ever had such a thought; and I further declare that his entire absence was covered by his leave of absence and the extensions thereof, and the charges I preferred against him at the time were based upon a misapprehension of the facts, and I now find the same to be untrue.

And I therefore wish this affidavit to be a revocation of such charges; and I furthermore depose and say that I am not related to said Castle; and my only interest in the matter is that the truth shall be known.

GEO. T. PERKINS.

Sworn to before me and subscribed in my presence this 10th day of February, 1899.

W. E. SLABAUGH, Notary Public.

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

## JACKSON NEACE.

The next business on the Private Calendar was the bill (H. R. 4498) granting an increase of pension to Jackson Neace, late a member of Company H, Twenty-seventh Regiment of Illinois Volunteers, in the war of the rebellion.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Jackson Neace, late a member of Company H, Twenty-seventh Regiment Illinois Volunteers, in the war of the rebellion, to \$50 per month, said amount to be in lieu of the pension which he is now drawing.

The amendments recommended by the committee were read, as follows:

Line 4, strike out "increase the pension" and insert "place on the pension roll, subject to the provisions and limitations of the pension laws, the name." Strike out all after "Volunteers," in line 6, and insert "and pay him a pension at the rate of \$30 per month."

Amend the title so as to read: "A bill granting an increase of pension to Jackson Neace."

Mr. RAY of New York. Mr. Chairman, I will say to the gentleman, if he wants a statement, that this adds \$6 to this man's pension. The man is old and in extreme necessitous circumstances, and the leg is in a condition that makes it worse than those who draw \$30. He is really entitled to it.

Mr. TALBERT. He is getting \$30 to-day at the Bureau?

Mr. RAY of New York. He is getting \$30, and this only adds \$6, making him equal with the others.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

## JAMES COOPER.

The next business on the Private Calendar was the bill (H. R. 10900) to increase the pension of James Cooper.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of James Cooper, late a private in Company B, Ninety-fourth Regiment Illinois Volunteer Infantry, on the pension roll and pay him a pension of \$50 per month, in lieu of that which he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after "pension," insert "at the rate."

In line 7, strike out "fifty" and insert "forty."

Mr. RAY of New York. I would say, Mr. Chairman and gentlemen, that this adds \$10 to this man's pension. He has a family to provide for. His blindness, however, is not proved to be the result of army service, although it may be. The Pension Office does not accept it as a fact. He has other disabilities that entitle him to \$30 a month.

Mr. TALBERT. Suppose he could trace his blindness to service origin, he would get more?

Mr. RAY of New York. He would get \$73 a month.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

## ELIZA SICKLER.

The next business on the Private Calendar was the bill (H. R. 9502) granting a pension to Eliza Sickler.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Eliza Sickler, of Marinette, Wis., mother of George Sickler, late a private in Company H, Thirty-ninth Wisconsin Infantry Volunteers, and pay her a pension at the rate of \$12 per month.

The amendments recommended by the committee were read, as follows:

Line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

Line 6, after "Wisconsin," insert "the dependent."

Mr. RAY of New York. Mr. Chairman, this pension gives \$12 a month to Eliza Sickler, the dependent mother of a soldier who died undoubtedly of disease contracted in the service, although it can not be fully established that that was so. She is 75 years of age, she is very, very poor, and has no one upon whom she can depend for support. This gives her \$12 a month.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

## DORTHA E. KENNOCH.

The next business on the Private Calendar was the bill (H. R. 4661) granting a pension to Dortha E. Kennoch.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Dortha E. Kennoch, widow of William W. Kennoch, deceased, late of the United States Navy, who was pensioned under certificate No. 3086.

The amendment recommended by the committee was read, as follows:

Strike out all after "Navy," in line 7, and insert "and pay her a pension at the rate of \$12 per month."

Mr. RAY of New York. Mr. Chairman, this is the widow of a man who served in the marine service of the United States during the war and was actually engaged in fighting and pursuing the enemy. He received a wound in the service, and died, but there is no law, by some inadvertence, that would give a pension to the widow of a man who was in the marine service, even though he had engaged in the fighting. The case is within the spirit of the pension law. She is old and poor, and has no one upon whom to depend for support.

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

## JAMES W. INGRAM.

The next business on the Private Calendar was the bill (H. R. 10696) granting an increase of pension to James W. Ingram.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of James W. Ingram, late captain Company G, Eighty-fourth Pennsylvania Volunteer Infantry, and pay him a pension subject to the provisions and limitations of the general pension laws in lieu of that which he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

In lines 6, 7, and 8 strike out "subject to the provisions and limitations of the general pension laws," and insert "at the rate of \$30 per month."

Mr. RAY of New York. Mr. Chairman, I would say to the gentleman from South Carolina that this man is old and poor. He is now pensioned at the rate of \$12 a month. He received gunshot wounds in more than one battle, through the arm and body, and he has rheumatism, varicose ulcers, and other diseases, which render him substantially helpless. He is old and poor, and we only increase it to \$30 a month. If all this were the result of disabilities received in the service he would get \$72.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

## MARY CHAMBERLIN.

The next business on the Private Calendar was the bill (H. R. 2635) to grant Mary Chamberlin, of Chelsea, Vt., a pension.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, as dependent mother, the name of Mary Chamberlin, mother of Charles L. Chamberlin, late of Company D, Ninth Vermont Infantry, and Company B, Seventeenth United States Infantry, at the rate of \$12 per month.

The amendments recommended by the committee were read, as follows:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

In lines 4 and 5 strike out "as dependent mother."

In line 5, after "Chamberlin," insert "dependent."

In line 8, after "Infantry," insert "and pay her a pension."

Amend the title so as to read: "A bill granting a pension to Mary Chamberlin."

Mr. RAY of New York. Mr. Chairman, this bill gives to this old mother of a soldier who is dead a pension of \$12 a month. The old mother is now 80 years of age. She is very poor, and aided by the town. The soldier when he died left a widow, but she remarried, so that nobody is pensioned on account of the service of the soldier.

Mr. TALBERT. Why is it that she can not get a pension from the Bureau?

Mr. RAY of New York. Simply because when the soldier died he left a widow, and the law does not give two pensions for the same service. The widow remarried, so that she can not get a pension.

Mr. TALBERT. When she remarried, the mother could have gone and gotten the pension.

Mr. RAY of New York. No; if the soldier dies leaving a widow, no one else can be pensioned on account of that service.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

## DELOS M. KENYON.

The next business on the Private Calendar was the bill (H. R. 12013) to increase the pension of Delos M. Kenyon.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby,

authorized and directed to place upon the pension roll, subject to the limitations and provisions of the pension laws, the name of Delos M. Kenyon, late first lieutenant Company D, One hundred and twenty-first New York Volunteer Infantry, and pay him a pension of \$24 per month in lieu of the pension he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4 strike out "upon" and insert "on."  
In line 5 strike out "limitations and."  
In line 6, after "provisions," insert "and limitations."  
In line 8, after "pension," insert "at the rate."

Mr. RAY of New York. Mr. Chairman, this bill increases the pension of this old soldier from \$12 to \$24 a month. He is a man of good character, and suffering from a disease not of service origin—paralysis. He is in a totally helpless condition, and requires aid and attendance nearly all the time. He is an old man and poor.

Mr. TALBERT. Has he no wife or children?

Mr. RAY of New York. He has no wife or children, nor any one on whom he can depend, and will have to go into the poorhouse if he does not have an increase.

Mr. TALBERT. He is now drawing \$12 a month?

Mr. RAY of New York. He is now drawing \$12, and this gives him \$24.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY C. BEDELL.

The next business was the bill (S. 3911) granting a pension to Henry C. Bedell.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry C. Bedell, late of Company A, One hundred and ninety-first New York Volunteers, and pay him a pension at the rate of \$12 per month.

Mr. RAY of New York. This bill simply proposes to pension at \$12 per month this claimant, Henry C. Bedell, of Silver Mine, Conn., who served as a private from February to May, 1865, two months and eight days, when he was honorably discharged. He had disabilities in the service, the result of which, we think, has disabled him so that now he can not work. It is not, however, so accepted at the Bureau. He is very poor indeed. He has a wife, and was a man of good character. He was not within the law, but we give him \$12 a month.

Mr. TALBERT. Does not the gentleman think that is rather a bad precedent to establish? You even go outside of the pale of the law granting the term of service.

Mr. RAY of New York. Sometimes when they come so very near it, and had good and faithful service, we give it on account of their age and poverty, and because of the probability that he incurred this disease in the service. We have steadily refused to grant a pension when the service was under ninety days unless a man did good service and probably incurred the disability in the service?

Mr. TALBERT. Did this gentleman incur his disabilities in the service?

Mr. RAY of New York. We believe he did.

Mr. TALBERT. You give him the benefit of the doubt?

Mr. RAY of New York. Yes; because he is old and in necessitous circumstances, we would not let him go to the poorhouse. He was a good soldier while in the service, and performed active duty. If he had not been in the front and performed active duty, we would not give him this sum.

Mr. TALBERT. Does the gentleman have any idea how many more cases like this will come up here? I mean cases that do not come within the pale of the law.

Mr. RAY of New York. Very few cases, because we turn down forty where we grant one.

Mr. TALBERT. You establish a precedent in this case, and then you establish a precedent in another case, and you add them all together, and it makes a good many. I find you are making a great many precedents. I have been commending the gentleman all along, but I am afraid he is getting off the track.

Mr. RAY of New York. Not at all; this is a very worthy case; as worthy one as we could have.

Mr. MAXWELL. I want to say to the gentleman from South Carolina and the chairman of the Committee on Invalid Pensions that the law is to be liberally construed in favor of the old soldier, and we should give him the benefit of the doubt.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY F. HILLIARD.

The next business was the bill (S. 4416) granting a pension to Mary F. Hilliard.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary F. Hilliard, widow of George H. Hilliard, late of Company C, First Massachusetts Cavalry, and pay her a pension at the rate of \$12 per month.

Mr. RAY of New York. This restores a remarried widow to the pension roll. Her husband served two years in the Army, and after his death she remarried and relieved the Government for a long time of paying a pension. She is a woman of good character, 63 years of age, was the wife of a soldier during the war, and she has no one on whom she can depend.

Mr. TALBERT. Is her husband dead?

Mr. RAY of New York. Yes. She was the wife of a soldier during the war, and after he died she remarried, and that husband is dead.

The bill was laid aside to be reported to the House with a favorable recommendation.

SAMUEL S. McDONALD.

The next business was the bill (S. 5386) restoring to the pension roll the name of Samuel S. McDonald.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel S. McDonald, late of Company I, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of \$50 per month.

Mr. RAY of New York. This restores this man to the pension roll at the same rate that he had when he was dropped four or five years ago. He has the shaking palsy, is totally disabled, and he had a good, long service in the war. When he went into the Army he was pronounced sound by the United States surgeon, and he served over a year in the field. After the war he was honorably discharged. He was examined by a board of surgeons and got a pension. He was afterwards given two increases and examined by a board of surgeons twice.

Some three or four years ago he was dropped from the rolls because they claimed that he had the seeds of the palsy before he went into the service. We say he was examined and was found sound before he went into the service, and afterwards his pension was increased after two separate examinations. We believe if he had had the seeds of the palsy before he went into the service that they would not have admitted him and kept him there until the war was closed.

Mr. TALBERT. Has he made application recently to the Pension Department for restoration?

Mr. RAY of New York. Yes; he applied for restoration and they adhered to their old decision that he must have had the palsy when he went into the service.

Mr. GIBSON. He was refused on the 26th of January last.

Mr. TALBERT. There seems to be some doubt about the matter. There is a difference of opinion between the gentlemen of the committee and the Pension Bureau in regard to this matter. It seems to me that here is a case where we might compromise somewhat by making it \$40 instead of \$50. He has appealed to this court here.

Mr. RAY of New York. Would you make it \$40 where he has no one on whom he can depend?

Mr. SULLOWAY. He has no one to help him, no family at all.

Mr. TALBERT. I have examined so many of these cases and I find that the Department is full of men who are drawing a pension on the plea of total disability; I find some of them are in the Department getting good salaries; I find men tending telephone lines and drawing a pension for deafness; men who are night watchmen draw a pension for total blindness, and that is the reason why I ask these questions. [Laughter.]

I say I believe the good nature of the chairman of the committee is sometimes imposed upon, and that is the reason I want to scrutinize and ask these questions, on account of the difference of opinion between the chairman of the committee and the Pension Bureau. I think \$40 would be a happy compromise in this case, and certainly that would be enough to take care of the old gentleman.

Mr. RAY of New York. This case has been carefully examined in the Senate and passed there. This man is totally helpless.

Mr. TALBERT. Oh, over there, if a thousand dollars a month is asked, they generally give it. They need watching by this House.

Mr. RAY of New York. The gentleman from South Carolina is the only one connected with this House, either inside or outside, who has accused me of being "good-natured" in these pension matters. [Laughter.] I thank the gentleman for the compliment.

Mr. TALBERT. I feel very kindly toward the gentleman. I have watched his course here, and I do not like to see other gentlemen jump on him. But I think that now he is getting a little off the track.

Mr. RAY of New York. Oh, I trust you will let this go at \$50.  
Mr. TALBERT. Does not the gentleman think that \$40 would be enough? Let us compromise on that. I move to strike out "fifty" and insert "forty."

Mr. RAY of New York. This man, as I have said, is totally helpless; he can not do anything. If I were in that condition and asking a pension of \$50, would the gentleman from South Carolina propose to cut me down to \$40?

Mr. TALBERT. Oh, of course I could not withstand any appeal of the gentleman, even if he were or were not helpless.

Mr. RAY of New York. The law would give this man \$72 a month if there was no doubt about the disability having been of service origin. I trust the gentleman will let the bill go as reported.

Mr. TALBERT. Well, I move you make the amount \$45—to strike out "\$50" and insert "\$45."

Mr. MIERS of Indiana. Why not make it \$49.75?

The question being taken, the amendment of Mr. TALBERT was rejected.

The bill was then laid aside to be reported favorably.

GEORGE H. LAMPOROT.

The next business was the bill (S. 4845) granting an increase of pension to George H. Lampport.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. Lampport, late of the gunboat *Mound City*, Mississippi Flotilla, United States Navy, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

Mr. RAY of New York. Mr. Chairman, this applicant for increase of pension is 63 years of age and very poor. He draws now a pension of \$6 a month on account of injuries received in the service. He is substantially helpless. We propose to increase the pension to \$20 on account of that and on account of his poverty—to keep him out of the poorhouse.

Mr. TALBERT. I should like to understand from the gentleman what he calls "very poor."

Mr. RAY of New York. A man is "very poor" when he has not anything at all; and that is the condition of this man.

Mr. TALBERT. Has he nothing in the world?

Mr. RAY of New York. No; and he can not work. He has no one in the world upon whom he can depend.

Mr. TALBERT. No wife?

Mr. RAY of New York. I think not; that is my recollection.

Mr. TALBERT. Well, possibly he has a wife with considerable property, like some others who have been pensioned here.

Mr. RAY of New York. No, he has not a wife; if he had, that fact would be mentioned. I may safely say that he has no wife and no children. When an applicant for pension has a wife or children I always state that fact in the report, and there is no mention of such a fact in this case. Since the question of the wife having property has come up here I have made careful inquiry in every case to find whether the wife has property.

Mr. TALBERT. I am glad the gentleman has done so. Now I should like to ask another question. The gentleman says this man is "substantially helpless." What does he mean by "substantially helpless?"

Mr. RAY of New York. When a man can not do anything for his own support, although he may be able to move his hands or his feet; to go from one chair to another, or from a chair to a table, I say he is substantially helpless. When he lies on his bed unable to move himself at all, I say he is totally helpless.

Mr. MADDOX. How does it happen that an aged soldier in the condition which the gentleman describes this man to be receives a pension of only \$6 a month?

Mr. RAY of New York. Because he can not trace his disability to service origin. If it were wholly of service origin he could get \$72 a month at the Bureau. We propose the increase from \$6 to \$20, because, although the disability can not be traced to service origin, we still want to keep this good old soldier out of the poorhouse.

The bill was laid aside to be reported favorably to the House.

WILLIAM H. FORE.

The next business was the bill (S. 4510) to correct the military record of William H. Fore.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War is hereby authorized and directed to correct the military record of William H. Fore, a private in Battery M, in the Second Missouri Light Artillery Volunteers, by removing therefrom the charge of desertion, and substitute therefor the following, to wit: "May 13, 1864, being under 15 years of age, absented himself without proper authority, and returned to his home, and was detained there by his parents until February, 1865, when he went to Illinois, and on February 11, 1865, enlisted in Company C, in the One hundred and fifty-fourth Regiment of Illinois Infantry Volunteers, under the name of James Keeney, alias James H. Keeney, and served faithfully to September 16, 1865, when he was honorably discharged the service." *Provided,* That no pay, bounty, or allowance shall accrue to him by virtue of this act.

Mr. TALBERT. I will ask if the gentleman who represents this bill is present?

The CHAIRMAN. It is a Senate bill.

Mr. TALBERT. I ask that it be passed over under the order.

Mr. LOUDENSLAGER. I suggest that the name of the member introducing each House bill be announced when the bill is reported.

The CHAIRMAN. This is a Senate bill.

Mr. TALBERT. As my friend from Kansas [Mr. SIMPSON] who is sitting on my right suggests to me, the case is like that related by the old Irishwoman who said that her son was "in the Government sarvice," that he was "le'pin' the bounty." [Laughter.]

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that this bill be passed over without prejudice. Without objection, that will be done.

There was no objection.

JAMES H. LATHAM.

The next business was the bill (S. 4548) for the relief of James H. Latham.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to revoke the order dismissing James H. Latham from service as a captain of the Twenty-first Regiment of Connecticut Volunteer Infantry, and to issue a certificate of honorable discharge for him, to date from the 14th day of June, 1865; and the said Latham shall hereafter be held and considered to have been honorably discharged from the military service of the United States on said date.

Mr. TALBERT. Mr. Chairman, I rise to a point of order. I think that is a bill that does not come under the provision of our rule to-night. It is for the removal of the sentence of a court-martial, not to remove a charge of desertion. Hence, it is not in order, and I make that point. It does not come under the Friday-night rule.

Mr. RAY of New York. What is the nature of the bill?

Mr. TALBERT. It is for the removal of the sentence of a court-martial, to set aside a verdict, and we can not do that.

The CHAIRMAN. If the gentleman makes that point, the Chair will sustain the point of order, and the Clerk will report the next bill.

REBECCA M'MULLEN.

The next business was the bill (H. R. 4677) to increase the pension of Mrs. Rebecca McMullen.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Rebecca McMullen, widow of Alexander McMullen, late a soldier of the war of 1812, on the pension roll, and pay her a pension of \$50 per month, in lieu of the pension she is now receiving.

The following amendments, recommended by the Committee on Pensions, were read:

In line 7, strike out the word "fifty" and substitute therefor the word "twenty," so as to fix the pension at \$20 per month.

Amend the title so as to read: "A bill to increase the pension of Rebecca McMullen."

Mr. LOUDENSLAGER. Mr. Chairman, the claimant in this case is the widow of Alexander McMullen, who served in the Pennsylvania Volunteers from March 1 to August 24, 1814, war of 1812, and she is now a pensioner at \$12 per month on account of that service.

Mrs. McMullen married the soldier July 13, 1835, and he died January 2, 1862. The testimony accompanying the bill shows that she is 96 years old, nearly blind, paralyzed, and deaf; also that she is so helpless that she can not feed or dress herself.

The amendments recommended by the Committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JAMES H. PRESTON.

The next business was the bill (S. 1759) granting a pension to James H. Preston.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Preston, late of Capt. John Griffin's company, Battalion of Missouri Mounted Volunteers, and pay him a pension of \$3 per month for services against the Comanche Indians in the year 1843.

The bill was ordered to be laid aside, to be reported to the House with a favorable recommendation.

JEREMIAH B. MOORE.

The next business was the bill (H. R. 6433) granting a pension to Jeremiah B. Moore.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Jeremiah B. Moore, late a sergeant of Company K, First Massachusetts Volunteers, in the Mexican war, and subsequently lieutenant-colonel of the Third Regiment

California Volunteer Infantry in the war of the rebellion, and pay him a pension of \$30 per month.

The following amendments, recommended by the Committee on Pensions, were read:

Change the title so as to read: "A bill granting an increase of pension to Jeremiah B. Moore."

In line 9 strike out the word "thirty" and substitute therefor the word "twenty."

The amendments recommended by the committee were agreed to. Mr. LOUDENSLAGER. I offer the following amendment, to come in at the end of line 9, adding the words:

The same to be in lieu of that he is now receiving.

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOSEPH F. MOLLERE.

The next business was the bill (S. 4681) granting an increase of pension to Joseph F. Mollere.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph F. Mollere, late first-class boy, U. S. S. Cumberland, and Maynard's Navy Battery, war with Mexico, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Pensions, was read:

In line 8 strike out the word "thirty" and insert "twenty."

Mr. BELKNAP. Mr. Chairman, I should like to ask why it was that the amount recommended by the Senate has been reduced from \$30 to \$20?

Mr. LOUDENSLAGER. I will say for the benefit of the gentleman from Illinois that this is on a line with similar cases, a very large number of them, which the committee have had under consideration during this and previous sessions, and this is the amount which they have allowed in cases of this kind. The committee were unanimous in their opinion that this is an equitable amount. This man had a very short service under the Government—only about four months—was in no battles or engagements whatever, and the committee felt that in allowing him \$20 a month they had done that which in their judgment was equitable and just.

Mr. BELKNAP. Is not his condition and that of those dependent upon him such as to warrant a pension of \$30 a month?

Mr. LOUDENSLAGER. No, not under the line of precedents established by the committee.

Mr. BELKNAP. He is in a most deplorable condition and it is very unfortunate that the amount should be cut down when the Senate has given him \$30.

Mr. LOUDENSLAGER. We have given him the maximum amount allowed by our committee to claimants in cases of this character.

Mr. MIERS of Indiana. I hope this amendment will not prevail. This old soldier, 72 years of age, is absolutely blind, and has three minor children dependent upon him; and while the action of the Committee on Pensions may be consistent with what they have done heretofore, their action is not consistent with that of the House or with the Committee on Invalid Pensions in other cases where thirty and forty dollars have been allowed. I have known instances where \$50 a month have been allowed, where the applicant was not in as needy a condition as this old soldier.

I do believe, taking into account his age and his helplessness, and the fact that he has three minor children, he is entitled to \$30 a month.

I ask the committee also to take into consideration the further fact that if you reduce the amount from \$30 to \$20 the bill may fail of final passage at this late stage in the session, because it will have to go back to the Senate for further action there. For the reasons stated I hope the amendment will not be adopted, and that we may make it \$30 instead of \$20 as recommended by the committee.

Mr. LOUDENSLAGER. I desire to say in reply to the gentleman that this is simply a service pension.

Mr. MIERS of Indiana. Yes.

Mr. LOUDENSLAGER. And, as is known to all the members of this House, there are thousands of soldiers who are as dependent as this man and who served several years in the Army of our country.

Mr. MIERS of Indiana. Will the gentleman allow me just a moment? This man is absolutely blind, is he not?

Mr. LOUDENSLAGER. Yes; he is totally blind.

Mr. MIERS of Indiana. And not only that, but he has three minor children dependent upon him.

Mr. LOUDENSLAGER. Yes.

Mr. MIERS of Indiana. And he is absolutely penniless.

Mr. LOUDENSLAGER. I only desire to say that the committee have had a large number of these cases of paralyzed and totally dependent people who were physically helpless.

Mr. BELKNAP. Not all of them blind, though.

Mr. LOUDENSLAGER. No; but some of them blind, however, and I recall two cases where members of the committee introduced bills themselves for constituents of theirs and reported them at \$20 a month.

Mr. COX. I should like to ask the gentleman one question.

Mr. LOUDENSLAGER. Certainly.

Mr. COX. This is an old Mexican soldier, and he is blind and penniless?

Mr. MIERS of Indiana. And has three minor children dependent upon him.

Mr. COX. He must be very old.

Mr. LOUDENSLAGER. Has the gentleman finished his question?

Mr. COX. I am trying to get you to say something to me. [Laughter.]

Mr. LOUDENSLAGER. I desire to say now—

Mr. COX. Here we have an old man, a Mexican soldier, who is blind, penniless, and who has three minor children dependent on him.

Mr. LOUDENSLAGER. I was saying for the benefit of the gentleman, if he would listen to me, that this is similar to two bills introduced by members of the committee—

Mr. COX. I am not talking about those two bills. I am talking about this old man.

Mr. RAY of New York. May I say a word here? I desire to say to the members of the House that we have here upon the Calendar to-night about seventy pension bills, every one of them to relieve the necessities of some old soldier, soldier's widow or dependent child. Now, this is the last Friday night that we shall have.

Mr. COX. Now, will the gentleman yield?

Mr. RAY of New York. While you are discussing it, you are using up the time when we have only until half past 10 in which to do business, and we can not pass these other bills unless discussion ends. I trust the action of the Committee on Pensions will be adhered to and sustained. The committee knows best about these matters. Conservative action is wise and ends in aiding hundreds of the needy, while extravagant legislation brings our action into disrepute and defeats the aim of good legislation by special bills.

Mr. COX. Will the gentleman yield? Do you not consume more time than anybody else?

Mr. RAY of New York. The members here are interested in these bills, and we hope we can go along and pass them. Let us adopt the amendment and sustain the committee.

Mr. MIERS of Indiana. If we refuse to adopt the amendment it will not go to conference, but if we adopt the amendment it would go into a conference.

Mr. COX. Oh, let that old fellow go through.

The question was taken on the amendment, and the Chairman announced that the ayes seemed to have it.

Mr. MIERS of Indiana. Division.

The committee divided; and there were—ayes 16, noes none.

So the amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NANCY M. LINDSEY.

The next business on the Private Calendar was the bill (S. 3766) granting an increase of pension to Nancy M. Lindsey.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy M. Lindsey, widow of William Lindsey, late of Company C, Santa Fe Battalion Mounted Volunteers, Mexican war, and pay her a pension at the rate of \$12 a month in lieu of that she is now receiving.

Mr. TALBERT. Let us have the report in that case.

Mr. LOUDENSLAGER. Will a statement do? Mr. Chairman, this bill increases the pension of the widow of William Lindsey from \$8 to \$12 a month. The evidence before the committee shows that she is 69 years of age, disabled by reason of advancing age, and totally dependent and helpless. We only increase the pension from \$8 to \$12 a month.

The bill was ordered to be laid aside with a favorable recommendation.

CLARENCE L. CHAPMAN.

The next business on the Private Calendar was the bill (H. R. 11876) granting an increase of pension to Clarence L. Chapman.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Clarence L.

Chapman, late captain of Company B, First Regiment New Hampshire Volunteer Infantry, and pay him a pension of \$50 per month in lieu of that he now receives.

The amendments recommended by the committee were read, as follows:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

In line 7, after "pension," insert "at the rate."

Mr. RAY of New York. Mr. Chairman, I would say to the gentleman from South Carolina that this is an old soldier with good service. He served over three years. He has paralysis, is helpless, and has no property, and no one on whom he can depend.

Mr. TALBERT. No relative at all?

Mr. RAY of New York. He has relatives, but no one that would help him—no children.

Mr. TALBERT. What is he getting now?

Mr. RAY of New York. He is getting \$12 now.

Mr. TALBERT. Why is it that he can not go to the Pension Department?

Mr. RAY of New York. Because he can not establish to their satisfaction that his paralysis is the result of his army service, a thing that is very difficult to do.

Mr. TALBERT. Well, Mr. Chairman, here is another case just like the other one, where his disability can not be traced to service origin.

Mr. RAY of New York. Not with any certainty.

Mr. TALBERT. I submit that where it can not be traced to service origin it is too much to give him. I therefore move to make it \$45.

The question was taken on the amendment offered by Mr. TALBERT, and the Chairman announced that the yeas seemed to have it.

Mr. TALBERT. Division!

The committee divided; and there were—ayes 18, noes 1.

So the amendment was agreed to.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MAJ. JOHN H. GEARKEE.

The next business on the Private Calendar was the bill (S. 1209) granting an increase of pension to Maj. John H. Gearkee.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of John H. Gearkee, late major of the Twenty-second Regiment of Iowa Volunteer Infantry, at the rate of \$50 per month, said pension to be in lieu of the one he now receives.

The amendments recommended by the committee were read, as follows:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

In line 5, strike out "Major."

In line 5, after "late," insert "major."

In line 6, after "infantry," insert "and pay him a pension."

In line 7, strike out "said pension to be" and also the words "the one," and in lieu of "the one," stricken out, insert "that."

Amend the title so as to read: "An act granting an increase of pension to John H. Gearkee."

Mr. RAY of New York. Mr. Chairman, this is a Senate bill. This is an old soldier; he is very poor; he has a wife and child to support; he is a physical wreck. They have given us a photograph of him, and he certainly can not last a great while. He can not do anything, and if this pension is not given to him he and probably his wife would have to go to the poorhouse.

Mr. TALBERT. What is he getting now?

Mr. RAY of New York. Twenty dollars a month for disabilities of service origin. He is totally helpless, but his present condition can not be traced wholly to service origin. If it could be he would get \$72. This is as deserving a case as I have considered.

Mr. TALBERT. I move to make it \$45 instead of \$50.

Mr. CURTIS of Iowa. This is a Senate bill, and if the amendment offered by the gentleman is adopted it will be thrown into conference. I simply want to say that the bill passed both the Senate and the House in the Fifty-fourth Congress without objection, but too late to receive the signature of the President. It passed the Senate in the present Congress without objection. I remember distinctly that I explained the merits of the bill to my friend from South Carolina in the Fifty-fourth Congress, and I think he will recall it. It is a very worthy case indeed. I personally know the soldier, and I believe that it should be more rather than less.

Mr. TALBERT. Then you can vote down the amendment.

The question was taken; and the amendment was rejected.

The amendments of the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN B. BOGGS.

The next business on the Private Calendar was the bill (S. 4635) granting an increase of pension to John B. Boggs.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Boggs, late a private of Company A, Sixteenth Regiment Illinois Volunteers, and pay him a pension at the rate of \$30 per month in lieu of the pension now paid to him.

Mr. RAY of New York. Mr. Chairman, I will say to gentlemen that this is the case of an old soldier with good service. He has cancer of the face. It has eaten out one of his eyes, and it will undoubtedly eat out the other. He is poor, and we increase his pension from \$16 to \$30. He has \$16 a month on account of disability traceable to service origin.

Mr. TALBERT. Is he totally blind?

Mr. RAY of New York. I can not say he is totally blind. One eye is out, and the cancer is progressing and will, we think, destroy the other. He can not live long, in my judgment.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES S. ANDERSON.

The next business on the Private Calendar was the bill (H. R. 8804) to increase the pension of James S. Anderson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized and directed to place on the pension roll of the United States the name of James S. Anderson, late of Company C, First Illinois Infantry Volunteers, in the Mexican war, at the rate of \$30 per month in lieu of the pension he is now receiving, subject to the limitations of the general pension laws.

The amendments recommended by the committee were read, as follows:

In line 4 strike out "of the United States" and substitute therefor the words "subject to the provisions and limitations of the pension laws."

In line 6, after the word "war," insert "and pay him a pension."

In line 7 strike out "thirty" and insert "sixteen," so as to fix the rating at \$16 per month.

In line 8 strike out "subject to the limitations of the general pension laws."

Amend the title so as to read: "A bill granting an increase of pension to James S. Anderson."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

STEPHEN A. KNOWLAN.

The next business was the bill (H. R. 4501) to increase the pension of Stephen A. Knowlan, a recruit of Deman's detachment of United States Mounted Riflemen in the war with Mexico.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he hereby is, authorized and directed to increase the pension of Stephen A. Knowlan, a recruit of Deman's detachment of United States Mounted Riflemen, in the war with Mexico, \$30 per month from and after the passage of this act; said amount to be in lieu of the pension of \$12 per month which he is now receiving under existing laws.

With the following committee amendments:

Change the title so as to read: "A bill granting an increase of pension to Stephen A. Knowlan." Strike out all after the word "to," in line 4, and substitute the following: "place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen A. Knowlan, late a recruit of Deman's detachment, United States Mounted Riflemen, Mexican war, and pay him a pension at the rate of \$30 per month, the same to be in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ANDREW J. TAYLOR.

The next business was the bill (H. R. 10803) to increase the pension of Andrew J. Taylor.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Taylor, late a private in Captain Vernon's company of Tennessee Volunteers in the Indian war, and pay him a pension at the rate of \$15 per month in lieu of the pension that he is now receiving.

With the following committee amendments:

Change the title so as to read: "A bill granting an increase of pension to Andrew J. Taylor."

In line 8 strike out the word "fifteen" and substitute therefor the word "twelve," so as to allow the same pension as is allowed by law to the aged, disabled, and dependent survivors of the Mexican war.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

HENRY MULVIN.

The next business was the bill (H. R. 8063) for the relief of Henry Mulvin.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against Henry Mulvin upon the records of the Twelfth Regiment of Pennsylvania Cavalry, and to honorably discharge him to date from the 18th day of July, 1865, and the said Mulvin shall hereafter be held and considered to have been honorably discharged from the military service of the United States on that date.

Mr. TALBERT. Mr. Chairman, I would like to have the report read or a statement made.

Mr. DAVENPORT. Mr. Chairman, this young man enlisted when only 15 years of age. He fought all through the war. After peace was declared, on one occasion the captain was a little intoxicated, and this young man was a little intoxicated, and there was an altercation between them. The captain used some epithet which the young man did not like, and he struck the captain. The young man was court-martialed and sentenced and ran away. The captain has since acknowledged the wrong, acknowledged that he was in fault, and has joined in the request to have him pardoned.

Mr. TALBERT. Is this in the nature of removing the verdict of the court-martial?

Mr. DAVENPORT. No; the President has pardoned him, as far as that is concerned.

Mr. TALBERT. He only asks that the charge of desertion be removed?

Mr. DAVENPORT. That is all.

Mr. TALBERT. Well, I think that ought to be done. He deserves some credit for what he did. Some of these big swelled-head officers ought to be punished. [Laughter.]

The bill was laid aside to be reported to the House with a favorable recommendation.

PETER HECK.

The next business was the bill (H. R. 4135) for the relief of Peter alias Louis Heck.

The bill was read, as follows:

Whereas Peter Heck enlisted in Company E, One hundred and eighth Regiment Ohio Infantry Volunteers, in the spring of 1862, and served faithfully until taken a prisoner at Hartsville, Tenn., in December, 1862, when he was sent as a paroled prisoner to Columbus, Ohio, and allowed to go home to New York on leave of absence. He was afterwards informed that his services were no longer needed; and, being an ignorant German, he believed it, and he went to work for the Government in the Brooklyn Navy-Yard and continued there to work until April 25, 1864, when he again enlisted in Company C, Seventh Regiment New York Infantry, as Louis Heck, and served faithfully until May 8, 1865, when he was honorably discharged therefrom: Therefore,

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to cancel and remove the charge of desertion from said Peter Heck as private of Company E, One hundred and eighth Regiment Ohio Infantry Volunteers, and to take him up on the rolls of Company C, Seventh Regiment New York Infantry Volunteers, as Peter Heck, and grant him an honorable discharge therefrom as Peter Heck, his proper name.

With the following committee amendments:

Strike out all of the bill down to the enacting clause.

On page 2, in line 10, after the word "name," add the following:

"Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. TALBERT. Mr. Chairman, I would like to have the report read.

The Clerk read the report (by Mr. BROWNLOW), as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 4135) for the relief of Peter, alias Louis Heck, report the same back to the House with the recommendation that it do pass with amendments.

The evidence on file in support of this bill and the records of the War Department show that Peter Heck enlisted in Company E, One hundred and eighth Regiment Ohio Volunteer Infantry, in August, 1862, and served faithfully until he was taken prisoner at Hartsville, Tenn., in December, 1862, and was paroled December 10, 1862, and the evidence on file shows that he was allowed to go home to New York on leave of absence. He was afterwards informed that his services were no longer needed, and, being an ignorant German, he believed it, and he went to work for the Government in the Brooklyn Navy-Yard and continued to work there until April 25, 1864, on which date he enlisted under the name of Louis Heck in Company C, Seventh New York Volunteer Infantry, and served faithfully to June 30, 1865, when he was mustered out and honorably discharged from the service.

The evidence shows that he is a reliable and deserving man; that he is now in very poor health.

In view of all the facts in this case your committee recommend that the bill do pass with the following amendments:

Strike out all after the title of the bill down to line 1.

On page 2, in line 10, after the word "name," add the following:

"Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. TALBERT. Mr. Chairman, it seems to me that this is not a meritorious case. It seems that he changed his name and joined another command, and consequently he must have been a bounty jumper, and I do not think he deserves to have the charge of desertion removed. If he went into the business of bounty jumping, of course the charge ought not to be removed. I would like to ask if he received a bounty when he reenlisted?

Mr. CURTIS of Kansas. I do not know; I know the man, and have known him for years, and he is perfectly reliable. He was a poor, ignorant man at the time. He was working for the Government all along. He thought his services were no longer needed, and he went home on a sick leave, and when he got well he went

to work in the navy-yard until he enlisted in the New York regiment. He never knew that he was charged with desertion until a few years ago, when he applied for a pension.

Mr. TALBERT. You do not know whether he ever received a bounty?

Mr. CURTIS of Kansas. I do not.

Mr. COX. Where was he captured?

Mr. CURTIS of Kansas. He was captured in Hartsville, paroled, and was sent home on a sick leave.

Mr. COX. At what point was he captured?

Mr. CASTLE. He was one of your captains, Colonel.

Mr. COX. If he was captured at Hartsville, it was a pretty good surrender without much force. [Laughter.]

Mr. TALBERT. I submit that this is an unworthy claim, and I move that it be recommended to lie on the table.

Mr. CURTIS of Kansas. I hope the gentleman will not do that.

Mr. TALBERT. I make that motion.

Mr. COX. Pardon me a moment; but did I understand my friend to say that he was captured at Hartsville?

Mr. SULZER. How near is that to Franklin? [Laughter.]

Mr. COX. Oh, that is pretty near my town, and if he got in at Franklin, it is all right.

The question on the motion of Mr. TALBERT was taken; and on a division (demanded by Mr. TALBERT) there were—ayes 3, noes 12. So the committee refused to recommend that the bill lie on the table.

Mr. TALBERT. Mr. Chairman, I submit that this is too thin a House to pass a bill of this kind.

Mr. CURTIS of Kansas. If the Committee of the Whole will consent, I will withdraw the bill. I do not want it to lose its place on the Calendar, because we may have another Friday night session.

The CHAIRMAN. Without objection the bill will be passed over.

There was no objection.

Subsequently Mr. CURTIS of Kansas said: I ask that we go back to House bill 4131. I think the gentleman from South Carolina [Mr. TALBERT] will not persist in objection.

There being no objection, the Committee of the Whole resumed the consideration of the bill.

Mr. TALBERT. Are the usual amendments added?

Mr. CURTIS of Kansas. They are.

The question being taken, the amendments were agreed to.

The bill as amended was laid aside to be reported favorably.

MARY F. COBB.

The next business was the bill (H. R. 6328) for the relief of Mary F. Cobb, widow of Lewis Bryant, Second Regiment Kentucky Volunteers, war of 1812, and daughter of Daniel Gano, captain-lieutenant in Capt. Andrew Moody's company, Second Regiment of Continental Artillery, Revolutionary war.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Mary F. Cobb on the pension roll and pay her a pension of \$50 per month.

The amendments reported by the committee were read, as follows:

Change the title so as to read: "A bill granting a pension to Mary F. Cobb."

Strike out all after the enacting clause and substitute therefor the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the general pension laws, the name of Mary F. Cobb, widow of Lewis Bryant (otherwise known as Louis H. Bryan), late of the Second Kentucky Volunteers, war of 1812, and daughter of Daniel Gano, late an officer of artillery, Revolutionary war, and pay her a pension at the rate of \$12 per month."

The amendments were agreed to; and the bill as amended was laid aside to be reported favorably.

ANTON ERNST.

The next business was the bill (S. 1495) to remove the charge of desertion from the military record of Anton Ernst.

The bill was read.

Mr. TALBERT. I ask that this bill be passed over.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

ANN COLLINS.

The next business was the bill (H. R. 10328) granting a pension to Ann Collins.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby authorized and directed to place upon the pension roll the name of Ann Collins, dependent mother of John Collins, late of Company D, Third Maryland Infantry, and pay her a pension at the rate of \$12 per month.

The amendment reported by the committee was read, as follows:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

Mr. RAY of New York. Mr. Chairman, this old woman lives here in the city of Washington. She is 75 years of age and very poor. Her son is dead and gone. She could not get a pension at the Bureau because she did not satisfy the officers there that her son's death was the result of army service. We think it was. She is old and poor. She gave her boy to his country, and now we propose to give her a pension.

The amendment was agreed to; and the bill as amended was laid aside to be reported favorably.

SOPHIA GRUBER.

The next business was the bill (H. R. 1724) granting a pension to Mrs. Sophia Gruber, of Louisville, Ky.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension rolls of the United States the name of Mrs. Sophia Gruber, of the city of Louisville, Ky., widow of Charles A. Gruber, late captain and adjutant of the Thirty-fourth Regiment Kentucky Infantry Volunteers, and to pay her a pension during the remainder of her life at the rate of \$20 per month, to take effect from the passage of this act.

The amendments reported by the committee were read, as follows:

Line 4, strike out "upon" and insert "on."  
 Lines 4 and 5, strike out "of the United States."  
 Lines 5 and 6, strike out "of the city of Louisville, Ky."  
 Line 8, strike out "to."  
 Lines 8 and 9, strike out "during the remainder of her life."  
 Strike out all of line 10 and insert "in lieu of that she now receives."  
 Amend the title so as to read: "A bill granting an increase of pension to Sophia Gruber."

Mr. RAY of New York. This widow of an old soldier is in destitute circumstances. Her husband died of softening of the brain. He was a captain. We think he incurred his disease in the service; there is not much doubt about it; but the Bureau did not admit it. They gave her \$12 a month, which we increased to \$20, because we believe that on account of her poverty she is entitled to it, so as to keep her out of the poorhouse.

Mr. TALBERT. Does not the gentleman think that we had better abolish the Pension Board altogether?

Mr. RAY of New York. We do not overrule the board. We simply increase this old woman's pension from \$12 to \$20 in order to keep her out of the poorhouse.

The question being taken, the amendments were agreed to.  
 The bill as amended was laid aside to be reported favorably.

WILLIAM SHARROCK.

The next business was the bill (S. 1918) granting an increase of pension to William Sharrock.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Sharrock, late of Company F, First Massachusetts Heavy Artillery, and pay him a pension at the rate of \$25 per month, in lieu of that he is now receiving.

Mr. RAY of New York. Mr. Chairman, this soldier is now 54 years of age and very poor. He is drawing a pension of \$12 a month. Soon after the close of the war, in which he rendered long and faithful service, he met with an accident by which he lost both his arms. He can not do anything but walk around. In order to keep him out of the poorhouse, we increase his pension to \$25 a month.

Mr. TALBERT. Has he no means of subsistence whatever?

Mr. RAY of New York. He has no property whatever.

Mr. TALBERT. Nobody to take care of him?

Mr. RAY of New York. No family to take care of him.

Mr. TALBERT. It was not in the service that he lost his arms?

Mr. RAY of New York. No; if he had lost his arms in the service he would get \$100 a month. He lost them soon after the war by the premature discharge of a cannon.

The bill was laid aside to be reported favorably to the House.

HENRY HATCH.

The next business was the bill (S. 2235) granting an increase of pension to Henry Hatch.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Hatch, late of Battery D, First New York Light Artillery, and pay him a pension at the rate of \$17 per month in lieu of the pension now received by him.

The amendment reported by the committee was read, as follows:

In line 6, strike out "Light" and insert "Heavy."

Mr. RAY of New York. We give this man the small difference between \$12 a month and \$17 on account of his good service and on account of diseases and bodily troubles which are not strictly of service origin. He is a poor man, and \$17 a month, with what little he can do in the way of work, will enable him to live. We give him just enough increase to keep him out of the poorhouse, just enough to enable him to keep soul and body together.

The amendment reported by the committee was agreed to; and the bill as amended was laid aside to be reported favorably.

CHARLES E. BANFIELD.

The next business was the bill (S. 5267) granting an increase of pension to Charles E. Banfield.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. Banfield, late of Company G, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. RAY of New York. Mr. Chairman, this man is totally blind. He can not show this disability to be of service origin.

Mr. BERRY. I should like to ask the gentleman from New York if he regards the gentleman from South Carolina [Mr. TALBERT] as Chairman? I notice he always turns to him and addresses him.

Mr. RAY of New York. I always address the Chair, and then I turn to the gentleman from South Carolina, because he has repeatedly signified that he would like to have the report read or a statement made, and when he accepts a statement here I notice that the bill goes all right. I do it to expedite the business of the House.

Mr. SULZER. The gentleman's judgment is most commendable.

Mr. TALBERT. I ask that the gentleman will hereafter address the gentleman from Kentucky [Mr. BERRY]. [Laughter.] I am becoming too prominent.

Mr. RAY of New York. I shall be pleased always to address both gentlemen.

Mr. COX. I desire to ask—

Mr. TALBERT. The gentleman from Tennessee [Mr. Cox] now desires to be addressed. [Laughter.]

Mr. COX. There is somebody else to address besides the gentleman from South Carolina and the gentleman from Kentucky.

Mr. RAY of New York. We will join hands with you. Be good, now, and let us get the bills through.

Mr. COX. Oh, I want to hurry along. Here is a man who is blind, and you are basing your action on that ground. I want to ask, Why did you not treat the blind old Mexican war soldier in the same way a little while ago?

Mr. GIBSON. It came from a different committee.

Mr. RAY of New York. I would like to say to the gentleman that that bill, reported by the Committee on Pensions, does more for that man than this bill does for this man. This man is now drawing \$12 a month. We give him the difference between \$12 and \$30 simply and purely on account of his blindness.

Mr. COX. My man was blind.

Mr. RAY of New York. Yes, but that was purely a service pension. He had no disabilities of service origin.

Mr. COX. All right; knock out the old Mexican soldier and go on with the other boys.

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM O. TORRY.

The next business was the bill (S. 3136) granting an increase of pension to William O. Torrey.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William O. Torrey, late assistant surgeon, Eighteenth Regiment Missouri Infantry Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Line 6, strike out "Torrey" and insert "Torrey."

Line 8, strike out "thirty" and insert "twenty."

Mr. RAY of New York. Mr. Chairman, this soldier now gets \$12 a month. We increase his pension to \$30 because he has rheumatism, neuralgia, and partial paralysis of the lower limbs. We give him that extra amount because of his increased disability.

Mr. TALBERT. He is nearly dead.

Mr. GIBSON. I should like to know if that is satisfactory to the gentleman from Kentucky?

Mr. BERRY. If it is satisfactory to the gentleman from Tennessee, it is satisfactory to me.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ANNIE E. RUFF.

The next business was the bill (S. 1976) granting an increase of pension to Annie E. Ruff.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie E. Ruff, widow of Charles F. Ruff, late lieutenant-colonel Third United States Cavalry, subject to the provisions and limitations of the pension laws, and pay to her a pension of \$30 per month, in lieu of the pension which she now receives.

The following amendments recommended by the Committee on Invalid Pensions were read:

In lines 7 and 8 strike out "subject to the provisions and limitations of the pension laws."

In line 9, after "pensions," insert "at the rate."

Mr. RAY of New York. Mr. Chairman, this old soldier was a hero of two wars, the Mexican war and the civil war. We increase the pension of his widow from \$8 to \$20. She is in very necessitous circumstances, and was the wife of the soldier during the war.

The amendments of the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

EMMA J. MCINTIRE.

The next business was the bill (S. 4535) granting a pension to Emma J. McIntire.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma J. McIntire, widow of Samuel McIntire, late of Company A, Twelfth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$12 per month and the usual additional pension for her two minor children.

Mr. RAY of New York. This is the widow of an old soldier. Her husband deserted her, and after an absence of more than eight years she believed him to be dead and had good reason to believe him dead, so she married again. He afterwards turned up, and for that reason she can not get a pension at the Bureau. He is now dead—died some years ago—so that she is now the widow of the soldier, and is in poor and necessitous circumstances.

Mr. TALBERT. Is the other husband dead?

Mr. RAY of New York. Yes; they are both dead—the supposed husband as well as the other.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARIA S. URBAN.

The next business was the bill (H. R. 12104) granting a pension to Maria S. Urban, widow of Maj. Casper Urban, late of Fifth New York Artillery, in the war of the rebellion.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maria S. Urban, widow of Casper Urban, late major, Fifth Regiment New York Heavy Artillery, in the war of the rebellion, and pay her a pension at the rate of \$20 a month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In lines 7 and 8, strike out "in the war of the rebellion."

Amend the title so as to read: "A bill granting an increase of pension to Maria S. Urban."

Mr. BERRY. Mr. Chairman, I rise to a parliamentary inquiry. Was there not a resolution adopted that the members present should each have the privilege of calling up a bill to-night, and that the bills of those who were not present should not be called up?

Mr. RAY of New York. No; that was not agreed to as to pension bills.

The CHAIRMAN. That applied to desertion bills only.

Mr. BERRY. Then I make a motion that each gentleman present have the right to call up a bill.

Mr. RAY of New York. I will say to the gentleman from Kentucky that we will get through all of these bills if we travel right along.

Mr. BERRY. We shall be sure to reach them in the way I propose, and we may not in the other way. I make the motion that every gentleman present have the privilege of calling up one bill. I am ready to call up one that has been favorably reported.

Mr. RAY of New York. We have nearly reached the bill in which the gentleman from Kentucky is interested.

Mr. BERRY. Go ahead. I withdraw my request.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

SMITH JEWELL.

The next business was the bill (H. R. 11824) granting a pension to Smith Jewell.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll the name of Smith Jewell, late private in Company H, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension of \$72 per month in lieu of any pension he now receives.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."

Line 6, after "pension," insert "at the rate."

Line 7, strike out "seventy-two" and insert "forty."

Line 7, strike out "any pension" and insert "that."

Amend the title so as to read: "A bill granting an increase of pension to Smith Jewell."

Mr. RAY of New York. Mr. Chairman, I desire to say that we have a photograph of this man before the committee. He was a good soldier, with a long service. He is now poor and has such a hernia that the contents of the abdomen hang down nearly to his knee. We increase his pension to \$40 a month.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

SOPHIA W. BUXTON.

The next business was the bill (H. R. 1206) granting an increase of pension to Sophia W. Buxton, of Durango, Colo.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby authorized and directed to place upon the pension roll, at the rate of \$50 per month, the name of Sophia W. Buxton, widow of Charles Buxton, late major Eleventh Vermont Volunteers, the same to be in lieu of the pension of \$25 per month she is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In lines 4 and 5 strike out "at the rate of \$50 per month" and insert "subject to the provisions and limitations of the pension laws."

In line 7 strike out "the same to be" and insert "and pay her a pension at the rate of \$30 per month."

In lines 7 and 8 strike out "of \$25 per month."

Amend the title so as to read: "A bill granting an increase of pension to Sophia W. Buxton."

Mr. RAY of New York. Mr. Chairman, this is the widow of a major. She is now drawing \$25 a month. We add \$5 a month because she has no property, no income, no means of support, and no one upon whom she can rely. We just give her \$5 a month more to help take care of her.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WARREN C. BEACH.

Mr. SULZER. Mr. Chairman, I ask to recur to a bill which has been passed, No. 537 on the Calendar. I have a copy of the bill here.

The CHAIRMAN. The gentleman from New York asks unanimous consent to recur to a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 3389) to reappoint Warren C. Beach a captain in the Army, and to place him on the retired list in addition to the number now authorized.

Mr. LACEY. I make the point of order that that can not be considered to-night.

Mr. SULZER. I hope the gentleman will not make that point. I would like to get this bill through.

Mr. LACEY. It would not be fair to the House to consider bills that are directly against the rule.

Mr. SULZER. I withdraw the bill out of deference to the distinguished gentleman's parliamentary logic.

ELIZABETH J. COOK.

The next business on the Private Calendar was the bill (S. 2497) granting a pension to Elizabeth J. Cook.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth J. Cook, widow of Roger E. Cook, late colonel of the Thirteenth Regiment of Maryland Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

Mr. RAY of New York. Mr. Chairman, I desire to say to gentlemen of the House that this is the widow of an officer. She is poor and needy, and we give her a pension she is entitled to under the law. She lives in the State of Maryland. The marriage was a common-law marriage, which was not recognized in the State of Maryland. In nearly all the other States it is recognized as legal, and right across in the State of Pennsylvania it is recognized. If she had lived over in Pennsylvania, her marriage would be legal, and in many other States, and she would get the pension.

Mr. TALBERT. Were the soldier's disabilities incurred in the service?

Mr. RAY of New York. He died of disabilities of service origin.

The bill was ordered to be laid aside with a favorable recommendation.

ELIZA M. MILLER.

The next business on the Private Calendar was the bill (S. 4332) granting an increase of pension to Eliza M. Miller.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza M. Miller, widow of James H. Miller, late first lieutenant Company H, Fifty-fifth Pennsylvania Volunteers, and pay her a pension at the rate of \$17 per month in lieu of that which she is now receiving.

Mr. RAY of New York. Mr. Chairman, this is simply an increase from \$8 to \$17 a month, simply the rank of the husband.

We give it to her because we believe that the death of her husband was of service origin, although it can not be fully and satisfactorily proved. She is old and poor, and she has no one upon whom she can rely for support.

Mr. TALBERT. You say you believe, and yet you give her the full limit—

Mr. RAY of New York. No.

Mr. TALBERT. Upon your belief—\$30.

Mr. RAY of New York. We base it upon the fact that she is now very poor and has no one upon whom she can depend.

Mr. TALBERT. Is not that as much as she would get if there was no doubt about it?

Mr. RAY of New York. We only increase it to \$17.

Mr. TALBERT. Oh, well.

The bill was ordered to be laid aside with a favorable recommendation.

ABIGAIL WILSON.

The next business on the Private Calendar was the bill (H. R. 8207) granting a pension to Abigail Wilson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Abigail Wilson on the pension roll of the United States, and that a pension at the rate of \$12 per month be issued to Abigail Wilson, subject to the laws governing the issue and payment of pensions.

The amendments recommended by the committee were read, as follows:

Strike out all after "place," line 4, and insert the following: "on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abigail Wilson, the dependent mother of Alden M. Wilson, late of Company B, Fifty-second Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month."

Mr. RAY of New York. Mr. Chairman, this bill gives \$12 a month to this old, poor, dependent mother of a soldier who died of disease or wounds received in the service, as we believe.

Mr. COX. Mr. Chairman, I want it distinctly understood, and it shall be understood, that the chairman took a bill of an old Mexican soldier who was blind and disabled and made a distinction between that soldier and another soldier; and I am not going to submit to it.

I have never antagonized any of these bills; but, Mr. Chairman, I think I know a little about an old Mexican soldier; and you put a bill through a moment ago on account of blindness of a soldier of the civil war and yet knocked out an old Mexican soldier that was blind. [Applause.] You need not think that you can deceive me about this thing. I understand exactly, and I beg you to put the old Mexican soldier on the pension list according to your decrees that you have issued. They are a sort of decrees that I do not like very much, either.

Now, all I want, Mr. Chairman, is this, and I am going to have it if I can: You shall treat the old Mexican soldier like you treat other soldiers of our country that fought for the defense of our flag, and you have not done it. Now, go and fix it and make it right. If you do not, the country will see how you are doing.

Mr. ROBINSON of Indiana. Mr. Chairman, I ask unanimous consent, in view of the fact that we can not get through with the consideration of all these bills on the Calendar as they are now, that only Senate bills and such House bills as are represented by members on the floor be considered on the first call on the Calendar, and then recur to those other bills on the Calendar.

The CHAIRMAN. The gentleman will withhold his request until we dispose of the question now under consideration. The question is on the amendments recommended by the committee.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

#### ORDER OF BUSINESS.

Mr. ROBINSON of Indiana. I now renew my request.

The CHAIRMAN. The gentleman will again state his request.

Mr. ROBINSON of Indiana. My request is that we only consider upon the first call of the Calendar Senate bills and House bills represented by some member on the floor.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the committee consider only Senate bills and those represented by members on the floor in the first call of the Calendar. Is there objection?

Mr. GREENE of Massachusetts. I would make another suggestion, that if any gentleman has already had one bill to-night, those who have not had a bill shall first have theirs considered.

Mr. ROBINSON of Indiana. I hope the gentleman will not do that. He will understand why.

The CHAIRMAN. The Chair hears no objection, and it is so ordered.

ELIZABETH M. MEAD.

The next business considered was the bill (S. 4866) granting a pension to Elizabeth M. Mead.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth M. Mead, dependent stepmother of Francis L. Mead, late private in Company H, Twenty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

DANIEL G. EMERT.

The next business was the bill (H. R. 11767) to pension Daniel G. Emert.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel G. Emert, of Company K, Second Regiment of Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$20 a month.

With the following committee amendments:

In line 8 strike out "twenty" and insert "twelve."

Amend the title so as to read: "A bill granting a pension to Daniel G. Emert."

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOHN H. CRANDALL.

The next business was the bill (S. 4483) granting an increase of pension to John H. Crandall.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Crandall, late a private in Company I, Twenty-seventh Regiment New York Volunteers, and in Company A, One hundred and thirty-sixth New York Volunteers, and to pay him a pension at the rate of \$30 per month in lieu of the pension he now receives.

With the following committee amendments:

Line 9, strike out "thirty" and insert "twenty-four."

At the end of line 10 add "same to be paid to the committee of his person and estate."

Mr. TALBERT. I would like to have the report read.

Mr. RAY of New York. This soldier is insane and in the asylum. He has a wife and child without any property, and this gives a pension to take care of a wife and child, increasing it from \$12 to \$24 a month.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

WILLIAM F. GOWDY.

The next business was the bill (S. 1378) granting a pension to William F. Gowdy.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Gowdy, late captain Company H, Forty-seventh Regiment Illinois Volunteer Infantry, at the rate of \$12 per month from the passage of this act.

With the following committee amendments:

Line 7, after "Infantry," insert "and pay him a pension."

Line 8, strike out "from the passage of this act."

Mr. RAY of New York. I want to say that this man is old and poor and this bill only gives him a pension of \$12 a month.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

HENRY A. THOBURN.

The next business was the bill (H. R. 1698) granting a pension to Henry A. Thoburn, of Newport, Ky.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the limitations of the pension laws, the name of Henry A. Thoburn, late mate of the ship *Fairy*, in the United States Navy, and pay him a pension of \$24 per month in lieu of that which he is now receiving.

With the following committee amendments:

Line 5, after "the" and before "limitations," insert "provisions and."

Line 7, after "pension," insert "at the rate."

Line 8 strike out "which he is now receiving" and insert "he now receives."

Amend the title so as to read: "A bill granting an increase of pension to Henry A. Thoburn."

Mr. TALBERT. I would like to have a statement about this.

Mr. BERRY. This man is afflicted with locomotor ataxia, and incapable of movement. He is confined to his room and likely to die very soon.

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOHN W. LAY.

The next business was the bill (S. 3227) granting a pension to John W. Lay.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Lay, late a private in Company I, Third Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of \$12 per month.

Mr. RAY of New York. This restores the soldier to the pension roll who was dropped on the ground that he served voluntarily in the Confederate army. That is not the fact. He did not voluntarily serve there, and we restore him to the pension roll.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SUSAN MELLISOP.

The next business was the bill (S. 571) granting a pension to Susan Mellisop.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan Mellisop, dependent mother of James Mellisop, late of Company D, Fifty-first Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. RAY of New York. This is an old lady 75 years of age, very poor, and in necessitous circumstances.

The bill was laid aside to be reported to the House with a favorable recommendation.

GEORGE W. DETWILER.

The next business was the bill (H. R. 4745) to increase the pension of George W. Detwiler.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and hereby is, authorized and directed to place upon the pension roll, subject to the limitations and provisions of the pension laws, the name of George W. Detwiler, late of Company H, Twelfth Regiment of Pennsylvania Volunteer Cavalry, and that he receive a pension of \$50 per month in lieu of that which he now receives.

With the following committee amendments:

Line 7, strike out "that he receive."

Line 8, strike out "of fifty" and insert "at the rate of twenty."

Mr. RAY of New York. By an accident soon after the war this man lost both hands. He is poor, and we double his pension on that account.

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY J. HILL.

The next business was the bill (S. 894) granting a pension to Mary J. Hill.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary J. Hill, formerly widow of James I. Cleveland, first lieutenant and regimental quartermaster of the First Missouri Cavalry Volunteers, and pay her a pension at the rate of \$17 per month.

With the following committee amendment:

Strike out "Missouri" and insert "Wisconsin."

The committee amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

MICHAEL LANNON.

The next business was the bill (S. 1619) granting a pension to Michael Lannon.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Lannon, late a private in Company F, Second United States Infantry, and pay him a pension at the rate of \$20 per month.

With the following committee amendments:

In line 6 strike out the word "Lannon" and insert the word "Lannan."

Amend the title so as to read: "An act granting a pension to Michael Lannan."

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

GEORGE W. EMERY.

The next business was the bill (S. 1245) granting an increase of pension to George W. Emery.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Emery, late of Company H, Sixth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that which he is now receiving.

With the following committee amendment:

Strike out "thirty" and insert "twenty-five."

Mr. COX. Mr. Chairman, I want to get one point on the chairman of the committee distinctly understood. When you struck that old Mexican soldier that was blind, what did your committee recommend?

Mr. RAY of New York. Does not the gentleman recognize the fact that the gentleman from New York [Mr. RAY] is not the chairman of the Committee on Pensions? I am the chairman of the Committee on Invalid Pensions. I have had nothing whatever to do with reporting the bill he has referred to; never heard of it until it came into this House, so I hope he will not trim me down for the action on that bill.

Mr. COX. Oh, no; I am not going to trim you down, for the gentleman does not need it; but there was a member of the other committee that put his foot down upon the old Mexican soldier for an increase of pension.

Mr. CASTLE. He has gone out.

Mr. COX. I am very sorry he has gone. I do not care to consume one moment of the time of the House, but I do say that when you take an old soldier that is blind and penniless, a soldier of the Mexican war, he is as much entitled to the respect of this Government as the man that served in the civil war. I have not fought any pension bills, but I tried my best to make you all pensioners. [Laughter.] I have no apologies to make for it. But when members come into the House and undertake to discriminate against the old Mexican volunteer, penniless and blind, I say it is a shame.

The committee amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

J. K. HAGER.

The next business was the bill (S. 3532) granting a pension to J. K. Hager.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of J. K. Hager, dependent father of James G. B. Hager, late a member of Company H, Thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM R. WARDEN.

The next business was the bill (H. R. 7093) granting an increase of pension to William R. Warden.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William R. Warden, late a private in Company F, Third Regiment Kentucky Volunteer Infantry, at the rate of \$12 per month, and pay him said rate under certificate No. 10925, issued to him under the law of June 27, 1890, without deducting therefrom any sum theretofore erroneously paid to him under any former law.

The bill was laid aside to be reported to the House with a favorable recommendation.

Mr. FARIS. I desire to call attention, Mr. Chairman, to the fact that in the report by the committee this soldier in the bill just passed was said to have belonged to the Third Kentucky Cavalry, whereas he belonged to the Third Kentucky Infantry.

The CHAIRMAN. The correction will be made in the report.

CHARLES EDSON.

The next business was the bill (S. 2335) granting an increase of pension to Charles Edson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$50 per month, the name of Charles Edson, late a private in Company C, Fifth Regiment New Hampshire Volunteer Infantry, said pension to be in lieu of that which he now receives.

With the following committee amendments:

Strike out the words "at the rate of \$50 per month."

Insert after the word "Infantry" the words "and pay him a pension at the rate of \$24 per month."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

L. P. COOPER.

The next business was the bill (H. R. 2366) granting a pension to L. P. Cooper, Company D, Fiftieth New York Volunteer Engineers.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of L. P. Cooper, of Company B, Fiftieth New York Volunteer Engineers, and pay him a pension at the rate of \$50 per month.

The amendments reported by the committee were read, as follows:

Line 6, strike out "L." and insert "Lester."

Line 7, strike out "fifty" and insert "twenty-four."

Amend the title so it will read: "A bill granting an increase of pension to Lester P. Cooper."

The amendments were agreed to, and the bill as amended was laid aside to be reported favorably.

MARTHA ADAMS.

The next business was the bill (H. R. 8406) granting an increase of pension to Martha Adams.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$12 a month, the name of Martha Adams, widow of Nathan Adams, of Company E, One hundred and thirty-fourth Regiment Ohio Infantry, said pension to be in lieu of that now received by her.

The amendments reported by the committee were read, as follows:

In lines 4 and 5 strike out "at the rate of \$12 a month" and insert "subject to the provisions and limitations of the pension laws."

In line 7 strike out "said pension to be" and insert "and pay her a pension at the rate of \$12 per month."

The amendments were agreed to; and the bill as amended was laid aside to be reported favorably.

ANDREW MORSE, JR.

The next business was the bill (H. R. 3476) for the relief of Andrew Morse, jr.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Morse, jr., late of Company C, First Louisiana Cavalry, serving in the war of the rebellion, at the rate of \$72 per month, which rate of \$72 shall be in lieu of the pension he is now receiving.

The amendments reported by the committee were read, as follows:

In line 7 strike out "serving in the war of the rebellion" and insert "and pay him a pension."

In line 8 strike out "seventy-two" and insert "forty."

In lines 8 and 9 strike out "which rate of \$72 shall be." Amend the title so as to read: "A bill granting an increase of pension to Andrew Morse, jr."

The amendments were agreed to; and the bill as amended was laid aside to be reported favorably.

AARON B. PAGE.

The next business was the bill (S. 2217) to increase the pension of Aaron B. Page.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Aaron B. Page, late of Company E, Seventy-second Regiment Illinois Volunteers, at the rate of \$30 per month, in lieu of the pension now received.

The amendment reported by the committee was read, as follows:

Line 7, after "Volunteers," insert "and pay him a pension."

The amendment was agreed to; and the bill as amended was laid aside to be reported favorably to the House.

IRA BACON.

The next business was the bill (H. R. 2830) granting a pension to Ira Bacon.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to issue an increase pension certificate of \$72 per month to Ira Bacon, of Company A, Fifty-second Indiana Infantry Volunteers, subject to the provisions and limitations of the pension laws.

The amendments reported by the committee were read, as follows:

In lines 4 and 5 strike out "issue an increased pension certificate of \$72 per month to" and insert in lieu thereof the words: "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of."

In line 5, after the word "Bacon," insert the word "late."

Strike out all after the word "Volunteers," in line 6, and insert in lieu thereof: "and pay him a pension at the rate of \$30 per month in lieu of that he now receives."

Amend the title so as to read: "A bill granting an increase of pension to Ira Bacon."

The amendments were agreed to; and the bill as amended was laid aside to be reported favorably.

BARTLETT CORNIFF.

The next business was the bill (S. 5264) granting an increase of pension to Bartlett Corniff.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bartlett Corniff, late of Company B, Nineteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$33 per month in lieu of that he is now receiving.

The bill was laid aside to be reported favorably to the House.

MARIA S. WHITNEY.

The next business was the bill (S. 3325) granting a pension to Maria S. Whitney.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maria S. Whitney, stepmother of John M. Whitney, late acting assistant surgeon, United States Navy, and pay her a pension at the rate of \$12 per month.

The amendment reported by the committee was read, as follows: After "Whitney," in line 6, insert "the dependent;" so as to read: "Maria S. Whitney, the dependent stepmother of John M. Whitney."

Mr. TALBERT. I should like to hear the report, or some explanation of this case. It appears the proposition is to pension the stepmother of the soldier.

Mr. RAY of New York. Yes. The stepmother is not within the law. But this woman married the father of the soldier when the claimant was but a little boy. She was, in fact, a mother to him until he went into the Army, where he lost his life. The only difficulty is that she is not his mother by blood.

Mr. TALBERT. This is another precedent—a precedent for another class of pensioners.

The amendment reported by the committee was agreed to; and the bill as amended was laid aside to be reported favorably.

JOHN LINDQUIST.

The next business was the bill (S. 4495) granting a pension to John Lindquist.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Lindquist, late of Company F, First Minnesota Infantry, and pay to his lawful guardian for him a pension at the rate of \$50 per month in lieu of the pension he is now receiving.

The bill was laid aside to be reported favorably.

ABIGAIL R. ELLET.

The next business was the bill (S. 1071) granting a pension to Abigail R. Ellet, of Eldorado, Kans.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abigail R. Ellet, widow of the late Gen. Alfred W. Ellet, and grant her a pension at the rate of \$75 per month.

The amendment reported by the committee was read, as follows:

In line 7 strike out "seventy-five" and insert "fifty."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably.

WINBURN HICKS.

The next business was the bill (S. 4490) granting a pension to Winburn Hicks.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Winburn Hicks, a private in Captain Bragg's company (B), Webster County (Mo.) Home Guards, in the service of the United States, and a corporal and second lieutenant in Company G, Seventy-fourth Regiment Enrolled Missouri Militia, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELIZA S. REDFIELD.

The next business was the bill (H. R. 12148) granting a pension to Eliza S. Redfield.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza S. Redfield, formerly widow of Freeman R. Gardner, late private, First Regiment New Hampshire Cavalry Volunteers, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ORIN LONG.

The next business was the bill (H. R. 11148) to grant a pension to Orin Long.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Orin Long, late of Company G, One hundred and forty-fourth Regiment of Ohio Volunteer Infantry, upon the pension roll, and pay to him a pension at the rate of \$40 per month, said pension to be in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after "place," insert "on the pension roll, subject to the provisions and limitations of the pension laws."

In line 6 strike out "upon the pension roll."

In same line strike out "to" after "pay."

In line 7 strike out "forty" and insert "twenty."

In lines 7 and 8 strike out "said pension to be." Amend the title so as to read: "A bill granting an increase of pension to Orin Long."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PATRICK O'NEAL.

The next business was the bill (H. R. 11673) to increase the pension of Patrick O'Neal.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby,

authorized and directed to increase the pension of Patrick O'Neal, late private in Company J, Second Regiment California Volunteers, from \$12 per month to \$30 per month, subject to the conditions and limitations of the pension laws.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Line 4, strike out the words "increase the pension" and insert in lieu thereof "place on the pension roll, subject to the provisions and limitations of the pension laws, the name."  
Line 5, strike out "J" and insert "G."  
Line 6, strike out "from twelve dollars per month to" and insert "and pay him a pension of."  
Strike out all after "month," in line 7, and insert in lieu thereof "in lieu of that he now receives."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

HOLLIS O. DUDLEY.

The next business was the bill (H. R. 10962) granting an increase of pension to Hollis O. Dudley.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Hollis O. Dudley, late captain of Company C, Eleventh Regiment New Hampshire Volunteers, and pay him a pension of \$50 per month in lieu of that he now receives.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4, after "roll," insert "subject to the provisions and limitations of the pension laws."  
In line 7, after "pension," insert "at the rate."  
In line 7 strike out "fifty" and insert "thirty-six."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ROBERT PERSLEY.

The next business was the bill (H. R. 1773) granting a pension to Robert Persley, late a Government employee in the United States military railroad service.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Robert Persley, late a Government employee in the United States military railroad service, on the pension roll and pay him a pension at the rate of \$50 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 7, strike out "fifty" and insert "eighteen."  
Amend the title so as to read: "A bill granting a pension to Robert Persley."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHARLES F. HOLMES.

The next business was the bill (H. R. 877) granting a pension to Charles F. Holmes.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the act of Congress approved June 27, 1890, the name of Charles F. Holmes, of Jersey City, N. J., the permanently helpless child of Joseph H. Holmes, a soldier of the late war, being a private in Company E, Ninth Regiment New York State Militia.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In lines 5 and 6 strike out "act of Congress approved June 27, 1890," and insert "pension laws."  
In line 7 strike out "of Jersey City, N. J."  
In line 8 after "helpless," insert "and dependent."  
In lines 8 and 9 strike out "a soldier of the late war, being."  
At the end of line 10 add: "and pay him a pension at the rate of \$12 per month."  
Amend the title so as to read: "A bill granting a pension to Charles F. Holmes."

Mr. RAY of New York. Mr. Chairman, while we have reported that bill at \$13 a month, at the time we reported it I did not know the facts as I now know them. It is one of the most deserving cases that were ever presented in this House. It is that of the son of an old soldier, now in the poorhouse. I believe I can get the Senate to pass that bill at \$15 a month. I ask unanimous consent that it be amended by making the sum \$15 instead of \$12.

The CHAIRMAN. The gentleman from New York moves to amend by striking out the word "twelve" and inserting the word "fifteen."

The amendment was agreed to.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM B. PAUL.

The next business was the bill (H. R. 11568) granting an increase of pension to William B. Paul.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to William B. Paul, late of Company H, Tenth Vermont Infantry Volunteers, a pension of \$30 per month in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out "pay to" and insert "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of."  
In line 7, after the word "Volunteers," insert "and pay him."  
In line 7, after the word "pension," insert "at the rate."  
In line 8 strike out "thirty," and insert "twenty."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

STEPHEN P. CHOATE.

The next business was the bill (H. R. 4905) to correct the military record of Stephen P. Choate.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and regulations of the general pension laws, the name of Stephen P. Choate, late of Company K, Twenty-seventh Regiment Michigan Volunteer Infantry, at the rate of \$30 per month in lieu of the pension now received by him.

The following amendments, recommended by the Committee on Military Affairs, were read:

Line 5, strike out "regulations" and insert "limitations."  
Line 5, strike out "general."  
Line 7, after "Infantry," insert "and pay him a pension."  
Amend the title so as to read: "A bill granting an increase of pension to Stephen P. Choate."

The amendments recommended by the committee were agreed to. The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SAMUEL M. SMITH.

The next business was the bill (H. R. 10578) for the relief of Samuel M. Smith.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Samuel M. Smith, late of Company H of the One hundred and eighth New York Volunteer Infantry, on the pension roll and to pay him a pension at the rate of \$72 a month, he being a helpless paralytic.

Mr. RAY of New York. Mr. Chairman, that soldier has died since we reported the bill, and I move that the bill be laid aside with the recommendation that it lie on the table.

The motion of Mr. RAY of New York was agreed to.

JOHN KEACH.

The next business was the bill (H. R. 10134) to increase the pension of John Keach.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of John Keach, of Northampton, Mass., and to pay him a pension at the rate of \$30 a month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out "increase the pension."  
Strike out all of lines 5 and 6 and insert "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Keach, late private, Company K, Eighteenth Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he now receives."  
Amend the title so as to read: "A bill granting an increase of pension to John Keach."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JAMES S. ANDERSON.

Mr. SIMPSON. Mr. Chairman, I had a bill passed to-night (H. R. 8804) to increase the pension of James S. Anderson, Calendar No. 1293. They reduced the amount from \$30 to \$16. I ask unanimous consent to go back to that bill and to make the amendment \$20 instead of \$16.

There have been a dozen bills passed to-night similar to this, giving the applicant \$20. This was an old soldier who served during the Mexican war and the civil war, and who had a good record.

The CHAIRMAN. The gentleman asks unanimous consent to return to the bill H. R. 8804, Calendar No. 1293.

Mr. RAY of New York. To that I object.

Mr. SIMPSON. It is a pension case.

Mr. RAY of New York. The committee ought to rise and pass these bills, but I will not object.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Kansas, to strike out "sixteen" and insert "twenty."

The amendment was agreed to.  
The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

RUTH WALKER.

The next business was the bill (H. R. 9619) granting a pension to Mrs. Ruth Walker.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$12 per month, the name of Mrs. Ruth Walker, of Hillsboro, Mo., widow of Lyman D. Hammond, late of Company B, Second Regiment Iowa Volunteers.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Lines 4 and 5, strike out "at the rate of \$12 per month" and insert "subject to the provisions and limitations of the pension laws."

Line 5, strike out "Mrs."

Line 6, strike out "of Hillsboro, Mo."

At the end of line 7 add the following: "and pay her a pension at the rate of \$12 per month."

Amend the title so it will read: "A bill granting a pension to Ruth Walker."

The amendments recommended by the committee were agreed to.  
The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ERASMUS L. WENTZ.

The next business was the bill (H. R. 10697) granting a pension to Erasmus L. Wentz.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be placed on the pension roll of the United States, subject to the provisions and limitations thereof, the name of Erasmus L. Wentz, late chief engineer, United States Military Railway Corps, at the rate of \$25 per month from and after the passage of this act.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out the words "to cause to be placed" and insert in lieu thereof the words "to place."

In line 5 strike out the words "of the United States."

In line 6 strike out the word "thereof" and insert the words "of the pension laws."

In line 8, after the word "corps," insert the words "and pay him a pension."

In line 9, after the word "months," strike out the words "from and after the passage of this act."

Amend the title so as to read: "A bill granting a pension to Erasmus L. Wentz."

The amendments recommended by the committee were agreed to.  
The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

Mr. RAY of New York. Mr. Chairman, I move that the committee rise and report these bills favorably to the House.

Mr. JETT. Before you do that I wish you would return to Calendar No. 12902. It is a bill that my colleague [Mr. BAKER] introduced, and he is not here.

Mr. RAY of New York. It is not a pension bill.

Mr. JETT. It is a bill to remove the charge of desertion.

Mr. RAY of New York. We would not get it through.

The motion that the committee rise was agreed to.

The committee accordingly rose; and Mr. EVANS having resumed the chair as Speaker pro tempore, Mr. RUSSELL, chairman of the Committee of the Whole House, reported that that committee had had under consideration sundry bills on the Private Calendar and had directed him to report the same back to the House with various recommendations. It had also directed him to report the bill (H. R. 10578) for the relief of Samuel M. Smith, with the recommendation that it lie on the table.

#### HOUSE BILLS WITH AMENDMENTS PASSED.

The following bills of the House were severally considered, were read twice, the amendments recommended by the Committee of the Whole House were agreed to; the bills as amended were ordered to be engrossed, were read the third time, and passed:

A bill (H. R. 1388) to remove the charge of desertion from the record of Michael Baker;

A bill (H. R. 4670) to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle;

A bill (H. R. 4498) granting an increase of pension to Jackson Neace, late a member of Company H, Twenty-seventh Regiment Illinois Volunteers, in the war of the rebellion (title amended);

A bill (H. R. 10900) to increase the pension of James Cooper;

A bill (H. R. 9302) granting a pension to Eliza Sickler;

A bill (H. R. 4661) granting a pension to Dortha E. Kennoch;

A bill (H. R. 10696) granting an increase of pension to James W. Ingram;

A bill (H. R. 2635) to grant Mary Chamberlin, of Chelsea, Vt., a pension (title amended);

A bill (H. R. 12013) to increase the pension of Delos M. Kenyon;

A bill (H. R. 4677) to increase pension of Mrs. Rebecca McMullen (title amended);

A bill (H. R. 6433) granting a pension to Jeremiah B. Moore (title amended);

A bill (H. R. 11876) granting an increase of pension to Clarence L. Chapman;

A bill (H. R. 8804) to increase the pension of James S. Anderson; A bill (H. R. 4501) to increase the pension of Stephen A. Knowlan, a recruit of Deman's detachment of United States Mounted Riflemen, in the war with Mexico (title amended);

A bill (H. R. 10892) to increase the pension of Andrew J. Taylor (title amended);

A bill (H. R. 6328) for the relief of Mary F. Cobb, widow of Lewis Bryant, Second Regiment Kentucky Volunteers, war of 1812, and daughter of Daniel Gano, captain-lieutenant in Capt. Andrew Moody's company, Second Regiment of Continental Artillery, Revolutionary war (title amended);

A bill (H. R. 4135) for the relief of Peter, alias Louis, Heck;

A bill (H. R. 10328) granting a pension to Ann Collins;

A bill (H. R. 1734) granting a pension to Mrs. Sophia Gruber, of Louisville, Ky. (title amended);

A bill (H. R. 12104) granting a pension to Maria S. Urban, widow of Maj. Casper Urban, late of Fifth New York Heavy Artillery, in the war of the rebellion (title amended);

A bill (H. R. 11824) granting a pension to Smith Jewell;

A bill (H. R. 1206) granting an increase of pension to Sophia W. Buxton, of Durango, Colo. (title amended);

A bill (H. R. 8207) granting a pension to Abigail Wilson;

A bill (H. R. 11767) to pension Daniel G. Emert (title amended);

A bill (H. R. 1698) granting a pension to Henry A. Thoburn, of Newport, Ky. (title amended);

A bill (H. R. 4745) to increase the pension of George W. Detwiler;

A bill (H. R. 2366) granting a pension to L. P. Cooper, Company B, Fiftieth New York Volunteer Engineers (title amended);

A bill (H. R. 8406) granting an increase of pension to Martha Adams;

A bill (H. R. 3476) for the relief of Andrew Morse, jr. (title amended);

A bill (H. R. 2830) granting a pension to Ira Bacon;

A bill (H. R. 11148) to grant a pension to Orin Long (title amended);

A bill (H. R. 11673) to increase the pension of Patrick O'Neal;

A bill (H. R. 10862) granting an increase of pension to Hollis O. Dudley;

A bill (H. R. 1773) granting a pension to Robert Persley, late a Government employee in the United States military railroad service (title amended);

A bill (H. R. 877) granting a pension to Charles F. Holmes, of Jersey City, N. J. (title amended);

A bill (H. R. 11569) granting an increase of pension to William B. Paul;

A bill (H. R. 4905) to correct the military record of Stephen P. Choate (title amended);

A bill (H. R. 10134) to increase the pension of John Keach (title amended);

A bill (H. R. 9619) granting a pension to Mrs. Ruth Walker; and

A bill (H. R. 10697) granting a pension to Erasmus L. Wentz (title amended).

#### HOUSE BILLS PASSED.

The following bills of the House were severally considered, were read twice, ordered to be engrossed, were read the third time, and passed:

A bill (H. R. 8668) for the relief of Henry Mulvin;

A bill (H. R. 7093) granting an increase of pension to William R. Warden; and

A bill (H. R. 12148) granting a pension to Eliza S. Redfield.

#### SENATE BILLS WITH AMENDMENTS PASSED.

The following bills of the Senate were severally considered, the amendments recommended by the Committee of the Whole House were severally agreed to, and the bills as amended were read three times, and passed:

A bill (S. 4681) granting an increase of pension to Joseph F. Mollere;

A bill (S. 1209) granting an increase of pension to Maj. John H. Gearkee (title amended);

A bill (S. 3136) granting an increase of pension to William O. Torry (title amended);

A bill (S. 2235) granting an increase of pension to Henry Hatch;

A bill (S. 1976) granting an increase of pension to Annie E. Ruff;

A bill (S. 4483) granting an increase of pension to John H. Crandall;

A bill (S. 1378) granting a pension to William F. Gowdy;

A bill (S. 1619) granting a pension to Michael Lannon;

A bill (S. 896) granting a pension to Mary J. Hill;

A bill (S. 1245) granting an increase of pension to George W. Emery;

A bill (S. 2335) granting an increase of pension to Charles Edson;  
A bill (S. 2317) to increase the pension of Aaron B. Page;  
A bill (S. 3335) granting a pension to Maria S. Whitney; and  
A bill (S. 1071) granting a pension to Abigail R. Ellet.

#### SENATE BILLS PASSED.

The following bills of the Senate were severally considered, were read three times, and passed:

A bill (S. 3911) granting a pension to Henry C. Bedell;  
A bill (S. 4416) granting a pension to Mary F. Hilliard;  
A bill (S. 5386) restoring to the pension roll the name of Samuel S. McDonald;  
A bill (S. 4845) granting an increase of pension to George H. Lamport;  
A bill (S. 1759) granting a pension to James H. Preston;  
A bill (S. 3768) granting an increase of pension to Nancy M. Lindsey;  
A bill (S. 4635) granting an increase of pension to John B. Boggs;  
A bill (S. 5267) granting an increase of pension to Charles E. Banfield;  
A bill (S. 1918) granting an increase of pension to William Sharrock;  
A bill (S. 5435) granting a pension to Emma J. McIntire;  
A bill (S. 2497) granting a pension to Elizabeth J. Cook;  
A bill (S. 4382) granting an increase of pension to Eliza M. Miller;  
A bill (S. 4386) granting a pension to Elizabeth M. Mead;  
A bill (S. 3227) granting a pension to John W. Lay;  
A bill (S. 571) granting a pension to Susan Mellsop;  
A bill (S. 3532) granting a pension to J. K. Hager;  
A bill (S. 5264) granting an increase of pension to Bartlett Corniff;

A bill (S. 4485) granting a pension to John Lindquist; and  
A bill (S. 4480) granting a pension to Winburn Hicks.

The SPEAKER pro tempore. The bill (H. R. 10578) for the relief of Samuel M. Smith is reported from the Committee of the Whole with the recommendation that it lie on the table. Without objection, that order will be made.

There was no objection.

Mr. RAY of New York. Mr. Speaker, I move to reconsider the various votes by which the several bills have been passed, and also move to lay that motion on the table.

The latter motion was agreed to.

#### JEHIEL J. STEVENS.

Mr. RAY of New York. Mr. Speaker, I hold in my hand a Senate bill introduced by the Senator from Illinois [Mr. MASON]. I had the report drawn, but was not able to get it in. I will state what the bill is. We have passed two bills like it. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

This man Jehiel J. Stevens is now drawing \$36 a month, but by reason of amputation of the leg and the pain consequent thereon he is unable to wear an artificial limb. I have a report and the Senate report attached, and I ask that the bill be considered now in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 4918) granting an increase of pension to Jehiel J. Stevens.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jehiel J. Stevens, late a private in Company K, Eighteenth Regiment New York Volunteers, and pay him a pension at the rate of \$45 per month in lieu of the pension he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. RAY of New York. Mr. Speaker, I ask that the report be printed in the RECORD.

There was no objection, and it was so ordered.

The report (by Mr. RAY of New York) is as follows:

The Committee on Invalid Pensions, to which was referred the Senate act (S. 4918) granting an increase of pension to Jehiel J. Stevens, has examined the same and all the evidence and respectfully reports:

The Senate report (S. 1437) states the general purpose of the bill and the facts and so far as applicable is adopted. The act as it passed the Senate increases the pension to \$45 per month, not to \$30, as originally in the bill. The Senate report is as follows:

"The Committee on Pensions, to whom was referred the bill (S. 4918) granting an increase of pension to Jehiel J. Stevens, have examined the same and report:

"This bill proposes to increase from \$36 to \$60 per month the pension of Jehiel J. Stevens, of Washington, D. C., late private of Company K, Eighteenth New York Volunteer Infantry.

"Soldier was enlisted in Company K, Eighteenth New York Volunteer Infantry, on May 17, 1861, and discharged May 28, 1863. He reenlisted in Capt. William H. Woodward's independent battery light artillery on July 2, 1863, from which he was discharged November 4, 1863.

"He was pensioned at \$8 per month from May 29, 1863, on account of gunshot wound of left leg. His rate was increased to \$12, commencing on September

25, 1860; to \$18 from January 23, 1861, for gunshot wound of left leg, resulting in amputation; to \$24 from March 3, 1863; to \$30 from August 4, 1866, and to \$36 from June 14, 1890, for gunshot wound of left leg, resulting in amputation and reamputation above knee joint.

"On April 9, 1897, claimant filed a claim for increase, alleging that since the date of his last amputation abscesses had formed; that several pieces of bone had issued from his leg, resulting in atrophy of the muscles, especially of the posterior muscles of the stump, thereby making it impossible for him to wear an artificial limb, and that the constant use of the crutch caused partial paralysis of the left side.

"This claim was rejected on the ground that paralysis was not shown to exist and that the alleged resulting necrosis of bone, abscesses, and atrophy of muscles were included in the approval and rate (\$36).

"In the certificate of soldier's last examination, had on October 30, 1897, the examining surgeons state that the left thigh was amputated 6 inches above the knee, and that it is very difficult to determine whether he can wear an artificial limb. They give him a rating of \$36."

The Senate act is reported back with the recommendation that it pass.

On motion of Mr. RAY of New York, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### SOLDIERS OF LATE WAR.

Mr. MERCER. Will the gentleman from New York yield to an inquiry? Can the gentleman from New York inform the House what policy has been decided upon by the committees, whether it applies to his committee or the Committee on Pensions, in reference to soldiers that were wounded in the late Spanish war or those soldiers who were killed in the late war?

Mr. RAY of New York. Nothing has been decided upon except this: That the claimants should all go to the Pension Office and file their claims and establish there what they are entitled to. Then, when the evidence is on file there and an increase is sought by special act, we can call for those papers and examine the evidence before the Bureau, and also any additional evidence that may be produced before the committee, and act intelligently.

Mr. MERCER. Then you will only act on those cases after they have been examined at the Pension Bureau?

Mr. RAY of New York. We will not act on those cases unless they have gone there with their proofs. They have to go there first and exhaust their remedies there before the committees will act.

Mr. MERCER. Before the committee will act?

Mr. RAY of New York. Yes.

Mr. Speaker, there is just a moment more, and I desire to say that I have tables prepared by the Commissioner of Pensions showing the special pension legislation from the Fiftieth to the Fifty-fourth Congress, inclusive. I ask unanimous consent to print them in the RECORD. There is no comment.

There was no objection.

The tables are as follows:

House convened December 6, 1897.

Committee called together December 8, 1897.

Next, December 13, 1897 (subcommittees appointed).

Next, December 16, 1897 (House took recess from December 18, 1897, to January 5, 1898).

January meetings of committee: January 6, 1898; January 10, 1898; January 13, 1898; January 17, 1898; January 20, 1898; January 24, 1898; January 27, 1898; January 31, 1898.

Special acts granting pensions passed by Fiftieth to Fifty-fifth Congress, inclusive.

Congress.	Number.	Annual increase.
Fiftieth.....	1,014	\$306,277
Fifty-first.....	1,398	345,987
Fifty-second.....	217	35,438
Fifty-third.....	119	21,066
Fifty-fourth.....	378	89,559
Fifty-fifth.....	621	108,432

Of these passed by the House in the Fifty-fifth Congress 200 are Senate bills, and 412 House bills, of which 119 have not been acted on by Senate.

Bills introduced:

House bills..... 3,904

Senate bills..... 355

Total private pension bills, Fifty-fifth Congress..... 4,259

Total general pension bills..... 151

In Fifty-fourth Congress, average carried by each bill, by way of increase of charge on the Treasury, was \$19.74. In Fifty-fifth Congress, average carried by each bill, by way of increased charge on the Treasury, is \$14.55, or \$5.19 less than in Fifty-fourth Congress.

Of the 621 reported in the Fifty-fifth Congress, 12 beneficiaries are dead. The 12 bills carried \$2,676 annually, leaving annual amount carried by bills passed \$105,756. This is assuming that all become laws. At a later date will give exact figures.

Special acts passed by House, Fifty-fifth Congress.

NOTE.—Bills marked (\*) not yet signed by President. Bills marked (†) look at end of list for explanation.

Name.	H. R.	Amount drawing.	Amount in bill.	Increase.
William S. Adams.....	7449	.....	\$17.00	\$17.00
M. Louise Anderson.....	5994	\$3.00	24.00	16.00
Jacob N. Atherton.....	5069	.....	18.00	18.00
Emer H. Aldrich.....	9901	12.00	30.00	18.00
Junius Alexander.....	7303	.....	12.00	12.00

## Special acts passed by House, Fifty-fifth Congress—Continued.

Name.	H. R.	Amount drawing.	Amount in bill.	Increase.
Rachel T. Abbott	7257		\$12.00	\$12.00
Elam Allen*	3808	\$12.00	20.00	8.00
Timothy A. Allen*	9569	12.00	24.00	12.00
Martha Allen*	4324		12.00	12.00
George Alexander*	6876	14.00	24.00	10.00
Richard Atkinson*	9455	8.00	20.00	12.00
Martha Adams*	8406	8.00	12.00	4.00
John N. Bruce	2272	12.00	50.00	38.00
Laura A. Barry	5905		8.00	8.00
Sarah L. Busick	1039		12.00	12.00
James H. Blakeman	3184	6.00	30.00	24.00
Victor Beauboucher	1387	30.00	50.00	20.00
Francis M. Brunner	3802	24.00	50.00	26.00
William H. Byrum	1034		10.00	10.00
Henderson H. Boggs	2023		30.00	30.00
Benjamin Beach	2159	12.00	24.00	12.00
F. L. Botkin	4902		12.00	12.00
A. V. Bloodgood	2154	12.00	30.00	18.00
Charles Beckwith	4449	12.00	30.00	18.00
Carrie P. Bissell	1181	17.00	13.00	13.00
George H. Baldwin	9210	15.00	40.00	25.00
Susan B. Boynton	7793	8.00	25.00	17.00
Marcia C. Barnes	4611	8.00	25.00	17.00
George Barnes	3963		18.00	18.00
John A. Bingham	8181		25.00	25.00
Mary J. Brown*	4973	No rate.		
John T. Brewster	2318	30.00	50.00	20.00
Susan I. Barrows	377		12.00	12.00
Annie J. Bassett	7989	8.00	15.00	7.00
Jos. C. Berry	6379	30.00	50.00	20.00
Olivia Betton	2995	8.00	17.00	9.00
Addie L. Ballou	8724		12.00	12.00
Samuel H. Beckwith	7306	12.00	30.00	18.00
James Burnett	10055		12.00	12.00
Monson W. Biles	5620	12.00	14.00	12.00
John H. Boyd	9466	12.00	40.00	18.00
Mary C. Bates*	2459		17.00	17.00
Elizabeth H. Bowen*	5461		20.00	20.00
Henry O. Briggs	2967	8.00	24.00	16.00
Wilhelmina Barth*	2171		12.00	12.00
William F. Bolan	123		12.00	12.00
George Blackley*	1234	12.00	24.00	12.00
John J. Bowen*	10688	12.00	35.00	23.00
Henry Bullen*	9415	12.00	24.00	12.00
Charles H. Barber*	9359	45.00	50.00	5.00
John W. Brisbois*	8997	12.00	24.00	12.00
Tennessee N. Buckles*	10534		12.00	12.00
Ira Bacon*	2830	17.00	30.00	13.00
Sophia W. Buxton*	1206	25.00	30.00	5.00
William P. Cooper	1957	17.00	50.00	33.00
George D. Cook	345	12.00	30.00	18.00
Elizabeth Connolly	7355	8.00	12.00	4.00
Catharine Clifford	1801	12.00	25.00	13.00
Michael H. J. Crouch	333	12.00	20.00	8.00
John W. Channing	1442	20.00	30.00	10.00
Katherine L. Cushing	4469	30.00	50.00	20.00
Mary C. Case	2762		17.00	17.00
Newton W. Cooper	4189	12.00	50.00	38.00
Peter Castle	4488	8.00	20.00	12.00
John Connolly	8243		8.00	8.00
James S. Chapman	4274	12.00	30.00	18.00
Rachel J. Comer*	5054		8.00	8.00
Diana Clark	2673	8.00	12.00	4.00
Mary Hannah Clark	4977		12.00	12.00
Foster C. Carl	9195		18.00	18.00
Cordelia Cheney*	5153		12.00	12.00
Mary A. Caulfield	1045		8.00	8.00
Isabella Cross	8180		12.00	12.00
Corydon G. Crafts	8501		12.00	12.00
Mary L. Cook*	7971		12.00	12.00
Ella Charlton*	4446	8.00	12.00	4.00
Ann E. Cooley*	5204		12.00	12.00
William R. Christy*	2122	12.00	24.00	12.00
Arba Capron*	7046	12.00	24.00	12.00
Charlotte B. Cozzens*	6913	17.00	25.00	8.00
Annie Cusack*	10605	12.00	20.00	8.00
James Cooper*	10900	30.00	40.00	10.00
Clarence L. Chapman*	11876	12.00	50.00	38.00
Thomas Crinigan*	12026	17.00	24.00	7.00
Nellie V. Crosby*	10180		12.00	12.00
Mary Chamberlin*	2625		12.00	12.00
Stephen P. Choate*	4905	8.00	30.00	22.00
Ann Collins*	10328		12.00	12.00
Lester P. Cooper*	2366	12.00	24.00	12.00
Isabella G. Daniels	6211	12.00	30.00	8.00
Ellen Day	3299		12.00	12.00
Laura E. Davenport	2078		12.00	12.00
Sarah A. Denny	722		12.00	12.00
Bernard Dunn	771	10.00	24.00	14.00
Sarah E. Deub	1547		12.00	12.00
William E. De Mott	3025		50.00	33.00
Samuel E. Davis	7007	36.00	50.00	14.00
Alphonzo O. Drake	8296	12.00	20.00	8.00
John Doebler*	247	20.00	25.00	5.00
Clarissa A. Dunham	6427		12.00	12.00
Francis E. Utley Davis	10080		12.00	12.00
Frank S. Devol*	3123	12.00	24.00	12.00
Harriet T. Davis*	4982	8.00	20.00	12.00
Martha M. De Vou*	7639		20.00	20.00
Hollis O. Dudley*	10862	24.00	30.00	12.00
George W. Detweiler*	4745	12.00	20.00	8.00
Charles B. Eades	639	12.00	24.00	12.00
Henry H. K. Elliott	587		12.00	12.00
James E. Eaton	2497	12.00	24.00	12.00
Armenias H. Evans	8551	12.00	30.00	18.00
America Easton*	9843		8.00	8.00
Andrew S. Evans*	3307	12.00	50.00	38.00
Jesus Everly*	11017		12.00	12.00

## Special acts passed by House, Fifty-fifth Congress—Continued.

Name.	H. R.	Amount drawing.	Amount in bill.	Increase.
Catherine Eakin*	9059		\$12.00	\$12.00
Daniel G. Emert*	11767		12.00	12.00
Abel B. Fowler (dead)*	6078	\$16.00	30.00	14.00
Jacob G. Frick	4206	27.50	50.00	22.50
William D. Foote	4962	12.00	30.00	18.00
Charles A. Foster	4979		12.00	12.00
Isaiah F. Force	93	12.00	35.00	23.00
Virginia C. Fleenor	4916		30.00	30.00
Michael J. Fogerty	3081	36.00	50.00	14.00
Rebecca S. Foster*	3271	30.00	40.00	10.00
Robert Fletcher*	4001	12.00	20.00	8.00
Martha Jenny Freer	10117		12.00	12.00
James J. Gibbs	1971	No rate.		
Nicholas Gardner	4183	17.00	50.00	33.00
Martha E. Graves*	2506		12+2	14.00
George W. Garrison	4160	12.00	30.00	18.00
Grace Gudge	6515		12.00	12.00
John X. Griffith	8081	8.00	50.00	42.00
Joel W. Gibbons	5762	45.00	50.00	5.00
Ann Gibbons	8296	12.00	30.00	8.00
Mary C. Gardhefner	9322	8.00	12.00	4.00
Joseph Griffith	9866		8.00	8.00
John F. Gates	6944		12.00	12.00
Susan A. Gummer*	2700	15.00	24.00	9.00
Catherine C. Goodrich*	10355	12.00	17.00	5.00
Jessie Goldie*	9659		12.00	12.00
Sophia Gruber*	1724	8.00	30.00	12.00
Hannah Howard (dead)*	91		12.00	12.00
Mary J. Hart	2295		12.00	12.00
Mary E. Herd	4624	8.00	30.00	22.00
Nancy Hollenbank	4320		12.00	12.00
Price W. Hawley	3141	12.00	24.00	12.00
Orlando J. Hopkins	3737	12.00	30.00	18.00
Eliza Houghton*	4193		12.00	12.00
Thomas S. Hancox	3326		12.00	12.00
Joseph B. Harmon	2198	12.00	30.00	18.00
Franklin Hull	5067	12.00	30.00	18.00
Nathaniel Houghton	983	15.00	30.00	15.00
Lowell H. Hopkinson	378	12.00	50.00	38.00
Maria E. Hess	864		12.00	12.00
Susan A. Huber	1897	8.00	20.00	12.00
Elizabeth Holt	4143		12.00	12.00
William P. Haskell	2123	12.00	20.00	8.00
Emory T. Hipple	6688		12.00	12.00
Myrtle L. Hamilton	2966	8.00	12.00	4.00
Mary B. Hulings	8197	No rate.		
John B. Hays	8834		30.00	30.00
Charles Hoffman	4691	12.00	24.00	12.00
Emily A. Hausner	7802		12.00	12.00
Sidney J. Hare	5776	12.00	24.00	12.00
Justin O. Hottenstein	9295	24.00	30.00	6.00
Juliette Harrow*	8723	8.00	30.00	22.00
Lucy D. Heady*	909	8.00	18.00	10.00
Joel H. Hallowell*	1712	12.00	25.00	13.00
James C. Hervey	6841	20.00	30.00	10.00
Jeremiah Hackett	2967	12.00	30.00	18.00
Louis Hirsch	5402	12.00	24.00	12.00
Mary Elizabeth Heiskell	2545	8.00	20.00	12.00
Charles Howard	351		12.00	12.00
David R. B. Harlan	9224	12.00	20.00	8.00
Thomas B. Hammond	6076	8.00	30.00	22.00
Sarah A. Halter	2026		12.00	12.00
Joseph N. Harmon*	8445		12.00	12.00
Richard M. Hussey (dead)*	8855	6.00	20.00	14.00
Robert Hunt (dead)	11661	12.00	24.00	12.00
William J. Hicloway*	3195	6.00	30.00	12.00
Charles F. Holmes*	877		12.00	12.00
Milton Iserman	3798		24.00	24.00
Alex. E. Ingraham	4299	16.00	30.00	14.00
Sarah E. Ingham	1018		12.00	12.00
Ira Ingraham	99		12.00	12.00
William Iott	7554		12.00	12.00
James W. Ingram	10006	12.00	30.00	18.00
Alfred D. Johnson	4672	12.00	24.00	12.00
James E. Jones	7260		25.00	25.00
James W. Jackson	2981	12.00	20.00	8.00
Samuel F. Johnson*	4542	12.00	40.00	28.00
Howard L. James*	695	8.00	18.00	10.00
James C. Jennings*	8985	6.00	12.00	6.00
Smith Jewell*	11824	30.00	40.00	10.00
Rosa Karger	224	8.00	12.00	4.00
Gus. A. Kindblade	3524	17.00	30.00	13.00
James C. Kinkle	9242		12.00	12.00
Miriam V. Kenny	4484		30.00	30.00
John C. Knapp	8952	12.00	20.00	8.00
Abram O. Kindig*	10345	12.00	24.00	12.00
Samuel B. Koontz*	4249		15.00	15.00
Sarah A. Kizer*	10835		12.00	12.00
Delos M. Kenyon*	42013	12.00	24.00	12.00
Dorthea E. Kennock*	4691		12.00	12.00
Mary A. Kennedy*	12633		12.00	12.00
John Keach*	10134		30.00	18.00
Elizabeth Lane	2015	20.00	40.00	20.00
Weltha P. Leggett	2349		50.00	50.00
Sarah A. Landram	4247		30.00	30.00
Eliza B. Lowry	7482		12.00	12.00
Calvin P. Linn	3653	8.00	20.00	12.00
A. C. Litchfield*	5385		30.00	30.00
Robert Litzinger (dead)*	10135	8.00	30.00	22.00
Margaret A. Lowther*	11382		12.00	12.00
Elizabeth V. Litzenburg*	4398	15.00	25.00	10.00
Sarah A. Luke*	5712		20.00	20.00
Kittie Ann Loggins*	3155		8.00	8.00
John Lynch*	11363	12.00	24.00	12.00
Orin Long*	11148	8.00	20.00	12.00
Robert S. Moorhead*	3144	12.00	24.00	12.00
P. P. Miner	3132	12.00	24.00	12.00
Barbara Miller	3213	8.00	12.00	4.00

## Special acts passed by House, Fifty-fifth Congress—Continued.

Increase.	Name.	H. R.	Amount drawing.	Amount in bill.	Increase.
\$12.00	Benjamin F. Moulton	803		\$12.00	\$12.00
12.00	Eliza Miller	2815	\$8.00	13.00	4.00
14.00	Emily J. Miller	907		15.00	1.00
22.50	Charles McAllister	298	12.00	24.00	12.00
18.00	Gratia H. Martin	4435		12.00	12.00
12.00	Frederick G. Moore	1235	12.00	20.00	8.00
23.00	James F. McKinley	6793	12.00	24.00	12.00
30.00	Joseph Monteith	2253	12.00	40.00	28.00
14.00	Gezima Millsap	8819		24.00	24.00
10.00	Joseph R. Mathers	6388	6.00	24.00	18.00
8.00	Michael Mahoney (dead)*	9642	8.00	30.00	22.00
12.00	Mary McLaughlin	3001		12.00	12.00
33.00	William Manley	1858	24.00	50.00	26.00
14.00	William B. Murray	4283	12.00	30.00	18.00
28.00	Taylor McFarland*	6831	12.00	24.00	12.00
12.00	Michael Meehan*	9503	10.00	30.00	20.00
42.00	Eliza J. Mead	2869		10.00	10.00
5.00	Catharine McCarty	8259		12.00	12.00
8.00	John W. Majors*	3487	12.00	24.00	12.00
4.00	Maggie Morris	4698		12.00	12.00
8.00	William B. Matchett*	885		12.00	12.00
12.00	Allen Meeks*	11115		12.00	12.00
9.00	Joseph H. McGee	10013	25.00	40.00	15.00
12.00	Rebecca Paulding Mead*	3298	30.00	40.00	10.00
5.00	James J. Marcher*	8749		20.00	20.00
12.00	Andrew Morse, jr.*	3476	24.00	40.00	16.00
12.00	W. H. H. Nevitt*	1529	12.00	30.00	18.00
12.00	Ellen E. Nash	6063		12.00	12.00
22.00	Lucy Nichols	4741		12.00	12.00
12.00	James H. Nichols*	10417		12.00	12.00
12.00	Jackson Neace*	4408	30.00	36.00	6.00
12.00	William H. Oliver	1540	6.00	30.00	24.00
18.00	Ellen O'Rourke	1722		8.00	8.00
12.00	Henry K. Opp	6411	6.00	12.00	6.00
12.00	Lauritz Olsen	7321	12.00	40.00	28.00
18.00	George W. Osborn	4961	12.00	24.00	12.00
18.00	Rebecca Otis	4173	12.00	20.00	8.00
38.00	John W. Ohngemach*	5802	17.00	30.00	13.00
12.00	Patrick O'Shea*	5328		12.00	12.00
12.00	Patrick O'Neal*	11673	12.00	30.00	18.00
12.00	Louisa Pasquet†	1257		No rate.	
8.00	Hannah C. Pile	3172		30.00	30.00
12.00	Lovezella L. Patterson	3112		25.00	25.00
12.00	David Parker	1825	17.00	30.00	13.00
4.00	Belle Peter	8080		12.00	12.00
30.00	Pryor Perkins	8670		40.00	40.00
12.00	Thomas D. Porter (dead)*	3612	12.00	30.00	18.00
12.00	George D. Phinney	4315	30.00	36.00	6.00
12.00	Henry H. Preston*	9310	24.00	35.00	11.00
6.00	Elizabeth D. Pittman	5746		12.00	12.00
12.00	Charles R. Pradt (dead)*	10159	14.00	30.00	16.00
10.00	Samuel S. Patterson	5798	12.00	30.00	8.00
10.00	Mary Paul	7230		8.00	8.00
13.00	David W. Pennywitt*	726	12.00	24.00	12.00
10.00	George G. Pride*	5805		25.00	25.00
18.00	James Porter*	10893	14.00	20.00	6.00
12.00	Lavinia M. Payne*	2574	12.00	24.00	12.00
12.00	William W. Patterson*	11067	12.00	24.00	12.00
12.00	Robert Persley*	1773		18.00	18.00
22.00	William B. Paul*	11508	12.00	30.00	8.00
12.00	Caroy H. Russell	4467	12.00	30.00	18.00
14.00	James B. Rawlins	6601		30.00	30.00
12.00	Henry F. Rice	2199	12.00	12.00	12.00
12.00	William C. Ryan	7869		12.00	12.00
12.00	Frank Rockwith	619	12.00	24.00	12.00
24.00	Julia L. Roberts	6785		17.00	17.00
12.00	Missouri B. Ross*	9187	8.00	12.00	4.00
12.00	Pauline Robbins	3624		12.00	12.00
14.00	Mary E. Robinson*	9203		12.00	12.00
12.00	William Rolly*	6502	17.00	24.00	7.00
12.00	George W. Reisinger*	8578	12.00	30.00	18.00
18.00	Anna M. Rowe*	11296		12.00	12.00
12.00	Eliza S. Redfield*	12148		12.00	12.00
25.00	Elwin A. Scott	2346	8.00	16.00	8.00
8.00	Annie Saffell	137		12.00	12.00
28.00	Edward Starr	5006	12.00	30.00	18.00
10.00	Jerome A. Stanton	5394		18.00	18.00
6.00	William D. Seamans	4981	30.00	50.00	20.00
10.00	Charles L. Stephens	3061		40.00	40.00
4.00	Charles C. Short	4116	12.00	30.00	18.00
12.00	William S. Smith	6309		No rate.	
30.00	Jane H. Sanborn	2074		12.00	12.00
8.00	Sarah Spangler	2850		12.00	12.00
12.00	Minerva Sample	3160		17.00	17.00
12.00	William H. Savage	8515	6.00	30.00	14.00
15.00	Eva Seely	6928	8.00	16.00	8.00
12.00	Mary Spear	7523	8.00	20.00	12.00
12.00	Ann M. Smith	963	8.00	30.00	22.00
12.00	William Henry Smith	785	12.00	30.00	18.00
12.00	Almon Stuart	2276	12.00	30.00	18.00
12.00	Edson Sullivan	5102	12.00	24.00	12.00
18.00	Mary Ann Sullivan	6325		12.00	12.00
20.00	George B. Stone	6325		20.00	20.00
50.00	Eugene A. Shaw	8679	12.00	18.00	6.00
30.00	Clara A. Short	1271		20.00	20.00
12.00	Olive H. South	727		12.00	12.00
12.00	Ellen Stack	4200	8.00	15.00	7.00
30.00	Della E. Spaulding	7293		12.00	12.00
22.00	Georgia Smiley	10516		12.00	12.00
12.00	Mary E. Sessions*	2617		12.00	12.00
10.00	Albert S. Shepard (dead)*	9079	6.00	24.00	18.00
30.00	Mazie V. Sullivan*	10285	8.00	12.00	4.00
8.00	Mary Luella Steele*	6810		12.00	12.00
12.00	Isaac Stephens*	9314	12.00	24.00	12.00
12.00	Alice Smith*	1675		8.00	8.00
12.00	Peter E. Shipper*	5796	12.00	20.00	8.00
12.00	Francis Scott*	8214	36.00	45.00	9.00
4.00	Beeri Service*	10738	30.00	45.00	15.00
	Andrew J. Snowden*	2203	12.00	24.00	12.00

## Special acts passed by House, Fifty-fifth Congress—Continued.

Name.	H. R.	Amount drawing.	Amount in bill.	Increase.
Susan Stedman*	8568	\$8.00	\$815.00	\$7.00
Jere Smith*	6861	8.00	18.00	10.00
Belle Shumard*	5309		25.00	25.00
James E. Searle*	7657	12.00	24.00	12.00
Nancy Shaley*	10241		8.00	8.00
Mlanda A. Sanford*	10660		12.00	12.00
Jonathan Scott*	4880		50.00	50.00
Charles N. Smiley*	12077	12.00	30.00	18.00
Eliza Sickler*	9502		12.00	12.00
Samuel M. Smith (dead)*	10678	12.00	24.00	12.00
John P. Thomas	164	12.00	40.00	28.00
Eunice Taylor	90		12.00	12.00
Moritz Tschoepe	4314	8.00	24.00	16.00
David N. Thompson	777	12.00	35.00	23.00
Anna M. Tate	711		12.00	12.00
Thomas S. Tefft	8209	12.00	25.00	13.00
Charles E. Taylor	5800		30.00	30.00
Henry H. Tucker	2969	14.00	25.00	11.00
Margaret H. Townsend	5105		12.00	12.00
William Taylor	772	17.00	24.00	7.00
William Tompkins	8680	12.00	50.00	38.00
Zolman Tyrrell	906		15.00	12.00
Frances P. Trumbull*	1373	8.00	8.00	8.00
Margaret Thomas*	4251		8.00	8.00
Augusta Troland	9632		12.00	12.00
Mary A. Taylor*	10158		12.00	12.00
Justus Townsend*	9018		12.00	12.00
Minnie B. Titus*	8610		12.00	12.00
Mary E. Taylor*	2258		12.00	12.00
Henry A. Thoburn*	1608	17.00	24.00	7.00
Maria S. Urban*	12104	8.00	30.00	12.00
Isaac B. Vall	2275	16.00	30.00	14.00
George Van Vleet	4675	17.00	24.00	7.00
Wheelock G. Vezzey (dead)*	5683		50.00	50.00
George G. Vogel	2203		12.00	12.00
Mary I. Valentine	584		12.00	12.00
Augusta Whitmer	92	8.00	12.00	4.00
Annie Wittenmeyer	1546		25.00	25.00
Mary E. Wallick	1802	8.00	30.00	12.00
John Q. Washburn	4167	17.00	50.00	33.00
William Warner	1306	12.00	50.00	38.00
Jane A. Wilkinson	7536		20.00	20.00
William H. Webster	290	30.00	50.00	20.00
Della E. Woodward	3015		25.00	25.00
Charlotte Walker	368		25.00	25.00
B. F. Wonder*	5335	6.00	40.00	34.00
Walter D. Weaver	5064		15.00	15.00
Florence N. Waldron	5245		30.00	30.00
David C. Waring	1855	12.00	24.00	12.00
Sallie Work	2119		12.00	12.00
Catherine Wiltse	7628		12.00	12.00
Lewis K. Whitmore	5775		25.00	25.00
Janet Wemple	6680		8.00	8.00
J. S. Waggoner	8006		12.00	12.00
Matilda Waelde	9735		8.00	8.00
Lizzie Waltz	8037	12.00	24.00	12.00
George E. Welles	900	12.00	30.00	18.00
Mary A. Waits	6064		12.00	12.00
Margaret Wilber*	258		8.00	8.00
John N. Wiley	6705	17.00	50.00	33.00
Mary M. Walrath*	6714	8.00	24.00	16.00
John A. Whitman*	7583	12.00	24.00	12.00
Ellen Wright	312		12.00	12.00
Mary E. Walker	6732	8.50	20.00	11.50
George Witter (dead)	10270	17.00	30.00	13.00
Sarah E. Ward	7505		12.00	12.00
Mary Woodmansey*	9203		12.00	12.00
Reuben H. Waters*	1780	8.00	24.00	16.00
Julia Walke*	1573		30.00	30.00
James Webb*	10056	12.00	40.00	28.00
Amanda Willmarth*	10858	8.00	18.00	10.00
Anna M. Weho*	1677		12.00	12.00
Charles Williams*	8059	12.00	24.00	12.00
Mary B. Wotring*	8805		8.00	8.00
William R. Warden*	7063		12.00	12.00
Ruth Walker*	9619		12.00	12.00
Erasmus L. Wentz*	10007		25.00	25.00
Abigail Wilson*	8307		12.00	12.00
Susan D. Yates†	1623	30.00	40.00	10.00
John Yahne*	4503	17.00	30.00	13.00
Jane E. Zink	6018		20.00	20.00
James R. Zearing*	855	12.00	30.00	18.00

## HOUSE BILLS REPORTED ADVERSELY.

No. of bill.	Name.	No. of bill.	Name.
8250	Sarah A. Asplund	5229	William Fisher
88	Joseph Buckle	4944	Wm. H. Freeman
797	Cornelia L. Brownell	9120	Mary J. Freeman
3610	Charles Bitts	6500	Joshua C. Goodale
602	John J. Brewer	3718	M. E. Hamill
1028	William J. Bristow	11199	John Humphries
11082	James Bintliff	6254	Charles E. Jones
248	Warren Cochran	491	S. Plummer Morton
1951	Samuel P. Dill	9221	William H. Miller
7439	Milo Dixon	2420	Hester A. Robinson
1765	Caroline P. Dale	310	Alice De K. Shattuck
3590	Thomas J. Daniel	3396	Ogden Street
5690	Isabel F. Easum	1332	Joseph K. Weit
316	Maria N. Flint	2074	James F. Lee
5225	Frank W. Flanner		

Mary D. Griffiths, H. R. 291, recommended relief through other channels.  
Hiram R. Rhea, H. R. 8770, to repeal special act passed for relief.  
Susan D. Yates, H. R. 1623, reported by this committee.  
Susan D. Yates, S. 4491, was referred to Committee on Pensions and substituted for this bill in House.  
Louise Pasquet, H. R. 1257, pension has been allowed through regular channels at Bureau since bill passed House.

## Special acts passed by Senate, Fifty-fifth Congress.

NOTE.—Bills marked (\*) not yet signed by President. Bills marked (†) look at end for explanation.

Name.	Senate number.	Amount drawing.	Amount in bill.	Increase.
Emily E. Atherton.....	1321		\$30.00	\$20.00
John Amrein.....	1614	\$17.00	30.00	13.00
Enoch G. Adams.....	1462	24.00	50.00	26.00
Ransom S. Angell.....	1466	8.00	17.00	9.00
Nancy G. Allabach.....	1702	8.00	30.00	22.00
Mary W. C. Burgess.....	1581		17.00	17.00
Florence W. Buskirk.....	130	8.00	20.00	12.00
Joseph V. Bowie.....	1111	8.00	30.00	22.00
John J. Boatford.....	294	14.00	30.00	16.00
Annie E. Botsford.....	1181	8.00	12.00	4.00
Sarah Brumby.....	1345	8.00	20.00	12.00
Jennie E. Burch.....	368		12.00	12.00
Lewis D. Baker.....	1480	12.00	20.00	8.00
Mary A. Benjamin.....	662		12.00	12.00
William A. Beckford.....	489	30.00	50.00	20.00
Bettie Hord Brown.....	1472	17.00	30.00	13.00
John C. Brown.....	3474	17.00	30.00	13.00
Patrick Breen.....	3140		12.00	12.00
John B. Bevan.....	3160	8.00	17.00	9.00
Blanche E. Barlow.....	3350		12.00	12.00
Ephraim C. Baldwin.....	3968	15.00	35.00	20.00
Joel Blackman.....	4400	12.00	30.00	18.00
Nancy Barger.....	4451		12.00	12.00
Eva W. Brannan.....	717	30.00	50.00	20.00
Lydia E. Bowers.....	2729		8.00	8.00
John S. Beatty.....	4622	12.00	20.00	8.00
Chauncey A. Bradley.....	4630	24.00	30.00	6.00
Millie A. Berry.....	4231	8.00	17.00	9.00
Georgia H. Berry.....	4414		30.00	30.00
John B. Boggs.....	4635	16.00	30.00	14.00
John Brown.....	1697		12.00	12.00
Henry C. Bodell.....	3911		12.00	12.00
Charles E. Benfield.....	6267		30.00	30.00
Ella D. Cross.....	492		No rate.	
Sarah E. Cotton.....	1837		12.00	12.00
Sophia J. Chilcott.....	1320		12.00	12.00
Moses M. Crants.....	1751	24.00	20.00	4.00
Alonso B. Chatfield.....	4003		No rate.	
Cassius M. Clay.....	1119		25.00	25.00
Mary E. Chamberlin.....	1118	20.00	30.00	10.00
Faul Carr.....	1539	12.00	30.00	18.00
Mary C. Cook.....	2306	12.00	20.00	8.00
Abraham T. Cassey.....	1807	12.00	20.00	8.00
Eli M. Couch.....	4547	6.00	16.00	10.00
Catherine Childers.....	3705		8.00	8.00
John D. Coule.....	1537		12.00	12.00
Bartlett Corniff.....	6264		25.00	25.00
John H. Crandall.....	4483	12.00	24.00	12.00
Elizabeth J. Cook.....	2197		30.00	30.00
Peter Daley.....	158	6.00	12.00	6.00
George L. Darbin.....	853	12.00	30.00	18.00
Jesse O. Davy.....	2112		12.00	12.00
Stephen M. Davis.....	1827	6.00	12.00	6.00
Helen A. DelRussy.....	1704	30.00	40.00	10.00
Ida Emmott.....	3026		12.00	12.00
Thomas Edsall.....	3960		12.00	12.00
Farnham J. Eastman.....	1353	24.00	30.00	6.00
Alvah A. Easton.....	1353	6.00	24.00	18.00
John C. Emery.....	2101		12.00	12.00
Abigail R. Elliott.....	1071		30.00	30.00
George W. Emery.....	1245	12.00	24.00	12.00
Charles Edson.....	2336	12.00	24.00	12.00
Annie Fowler.....	2333		30.00	30.00
W. L. Faxon.....	116		12.00	12.00
Sarah E. Frary.....	400	8.00	8.00	8.00
Margaret Ferriter.....	4269		8.00	8.00
William J. Ford.....	317		No rate.	
William L. Grigsby.....	73	8.00	20.00	12.00
Della Gilman.....	487		12.00	12.00
Daniel G. George.....	506	12.00	30.00	18.00
George W. Gould.....	4422	12.00	24.00	12.00
Nellie M. Guild.....	4374		30.00	30.00
Emma V. Gile.....	2652	8.00	25.00	17.00
John H. Gearke.....	1209	20.00	50.00	30.00
Sarah Gresham.....	409	8.00	30.00	22.00
William F. Gowdy.....	1378		12.00	12.00
Marietta Hayes.....	670		No rate.	
John F. Hathaway.....	728		17.00	17.00
Mary F. Hawley.....	179		20.00	20.00
Mary Hayne.....	1300		12.00	12.00
Johnson Hays.....	310	16.00	No rate.	
Charissa E. Hobbs.....	603		12.00	12.00
Charles F. Holly.....	2220	30.00	30.00	10.00
Lucia A. Hynes.....	807		17.00	17.00
Merlin G. Harris.....	2357	14.50	30.00	15.50
Clark W. Harrington.....	769	17.00	30.00	13.00
Henry Hinckley.....	2393	6.00	12.00	6.00
Harriet F. Hovey.....	2516		30.00	30.00
Zenas T. Haines.....	3005		12.00	12.00
Lewis E. Humpton.....	2965	12.00	20.00	8.00
Mary L. Hendricks.....	4948		12.00	12.00
Mary F. Hillard.....	4410		12.00	12.00
Sarah Hamilton.....	3466	8.00	12.00	4.00
James M. Herrington.....	1929	15.00	30.00	15.00
Mary E. Hatch.....	4744		12.00	12.00
Mary J. Hill.....	896		17.00	17.00
J. K. Hager.....	8532		12.00	12.00
Winburn Hicks.....	4490		12.00	12.00
Hon y Hatch.....	2293	12.00	17.00	5.00
One Armed Jim.....	1541		12.00	12.00
Charles H. Johnson.....	2751	12.00	30.00	18.00
Sarah Jordan.....	4399		12.00	12.00
Thaddeus M. Joy.....	2896	12.00	30.00	18.00
Jane B. Johnston.....	943		12.00	12.00

## Special acts passed by Senate, Fifty-fifth Congress—Continued.

Name.	Senate number.	Amount drawing.	Amount in bill.	Increase.
Annie E. Joseph.....	3534	\$8.00	\$20.00	\$12.00
Amanda F. Jumper.....	4082	8.00	20.00	12.00
Rachel Kern.....	2577		12.00	12.00
James H. Kyle.....	1829	17.00	24.00	7.00
Adolphine Kres.....	1467		50.00	50.00
Harriet M. Knowlton.....	408		25.00	25.00
Russell B. King.....	1887	6.00	12.00	6.00
Fannie Kautz.....	2117	30.00	50.00	20.00
Rebecca E. Kutz.....	2114		12.00	12.00
Mary E. Kline.....	3506		12.00	12.00
Solomon Kline.....	4233	30.00	40.00	10.00
Lewis Kyle.....	4248	12.00	18.00	6.00
William D. Lamb.....	2728		17.00	17.00
Catherine Leary.....	1450		12.00	12.00
Adelaide H. Lambertson.....	3254		No rate.	
Levi R. Long.....	949	30.00	40.00	10.00
John N. Landon.....	1361	10.00	16.00	6.00
Geo. H. Lampert.....	4845	6.00	20.00	14.00
Samuel L. Liscom.....	1110	6.00	24.00	18.00
John Lindquist.....	4485	12.00	50.00	38.00
John W. Lay.....	3257		12.00	12.00
Michael Lannan.....	1619		20.00	20.00
William H. Morgan.....	699	17.00	30.00	13.00
Ann M. Madden.....	431		8.00	8.00
Harriet B. Matlack.....	655		8.00	8.00
James W. McMillan.....	137	30.00	50.00	20.00
Andrew C. Mensch.....	3442	20.00	30.00	10.00
Mary M. McCauley.....	486		30.00	30.00
Thomas Madden.....	2219		8.00	8.00
Carlton W. Muzzy.....	494	8.00	20.00	12.00
Corrisanda L. McGuire.....	2588	8.00	30.00	22.00
John H. Mullen.....	156	12.00	20.00	8.00
Charles E. Mann.....	2247		8.00	8.00
Cornelia M. Mason.....	3111		30.00	30.00
William J. Murray.....	1334		12.00	12.00
Jacob Miller.....	4568		12.00	12.00
John McVickar.....	4575	12.00	30.00	18.00
Samuel S. McDonald.....	5390		50.00	50.00
Susan Mellisop.....	671		12.00	12.00
Emma J. McIntire.....	5435		12.00	12.00
Eliza M. Miller.....	4382	8.00	17.00	9.00
Elizabeth M. Mead.....	4366		12.00	12.00
Charles A. Nasro.....	1603	17.00	50.00	33.00
Benjamin L. Nolan.....	2807		12.00	12.00
George W. Nevins.....	1968	30.00	40.00	10.00
Betsy B. Olin.....	497		25.00	25.00
Biram H. Palmer.....	182	12.00	30.00	18.00
Joshua Parker.....	2258	24.00	40.00	16.00
Daniel Phillips.....	1465	12.00	30.00	18.00
Susan A. Paddock.....	178		25.00	25.00
Frances E. Pease.....	663		15.00	15.00
Oscar A. Palmer.....	1473		12.00	12.00
Joseph Porter.....	1477	12.00	30.00	18.00
Halbert E. Paine.....	1481	30.00	50.00	20.00
Elijah N. Parkhurst.....	1475	30.00	72.00	42.00
Mary L. Page.....	3515	8.00	12.00	4.00
Leah L. Price.....	3993	8.00	15.00	7.00
Byron R. Pierce.....	2002	7.50	30.00	22.50
John M. Palmer.....	5342		50.00	50.00
Noah Pillsbury.....	1031		12.00	12.00
George W. Peters.....	1736	8.50	17.00	8.50
Aaron B. Page.....	2317	12.00	30.00	18.00
Bethiah H. Rollins.....	3170		12.00	12.00
Louisa M. Rice.....	1476	30.00	50.00	20.00
Clara R. Rodgers.....	2541		25.00	25.00
Annie E. Rud.....	1978	8.00	20.00	12.00
Cornelia I. Skiles.....	2213	8.00	25.00	17.00
Hannah L. Stevenson.....	439	8.00	30.00	22.00
Caroline A. Slocum.....	2299		30.00	30.00
Oliver P. Silvey.....	637	12.00	20.00	8.00
Maria Somerlat.....	2378		12.00	12.00
Richard T. Sultzter.....	1424		8.00	8.00
Edward Stanley.....	1075	6.00	24.00	18.00
Simoon Stevens.....	4169	8.00	20.00	12.00
Samuel A. Smith.....	106	12.00	30.00	18.00
Susan M. Seesford.....	1000		12.00	12.00
Barney Smith.....	2813		12.00	12.00
John H. Sanborn.....	608	8.50	24.00	15.50
Mary Sprague.....	1454	12.00	20.00	8.00
Margaret Love Skerrett.....	4246	30.00	50.00	20.00
Charles H. Streeter.....	1974		12.00	12.00
Washington Sweett.....	4975	20.00	45.00	25.00
William Sharrock.....	1918	12.00	25.00	13.00
Benjamin F. Tuck.....	1480	12.00	30.00	18.00
Lafayette Tibbets.....	699	12.00	30.00	18.00
Adda F. Thompson.....	4384		12.00	12.00
Charles W. Tilton.....	4761	17.00	30.00	13.00
Mary A. Thomas.....	596		12.00	12.00
William O. Torrey.....	2136	12.00	30.00	18.00
Rhoda A. Van Niman.....	3517		8.00	8.00
William N. Wells.....	619	10.00	30.00	20.00
John A. Worawick.....	1542	12.00	20.00	8.00
Olivia S. Washburn.....	3178		12.00	12.00
Robert P. Wild.....	1825	10.00	30.00	20.00
Mary A. Wise.....	493		No rate.	
Wm. H. H. Wright.....	732	14.00	30.00	16.00
William J. Williams.....	3722		8.00	8.00
Amos Webster.....	3553		20.00	20.00
Julia E. Warner.....	4004		12.00	12.00
Henry Wilson.....	1453	24.00	40.00	16.00
Olivia T. Worden.....	2919	30.00	50.00	20.00
Maria S. Whitney.....	3325		12.00	12.00
James C. Young.....	2938		20.00	20.00
Edward B. Young.....	4298	12.00	20.00	8.00
Lillian M. Yost.....	2015		12.00	12.00
Jehial J. Stephens.....	4918	30.00	45.00	15.00

## SENATE BILLS REPORTED ADVERSELY.

	No. of bill.		No. of bill.
Philip T. Greeley.....	618	Isaiah Mitchell.....	969
William Hamley.....	127	Evelyn N. Murray.....	945
Celia A. Jeffers.....	180	S. W. Taylor.....	601

g. 2230, Charles F. Holly, laid on table in House after being reported favorably from this committee.

S. 2230, Charles F. Holly, laid on table in House after being reported favorably from this committee.

TABLE I.—Pensions granted to commissioned officers and the widows and dependent relatives of commissioned officers under special acts passed by the Fifty-fourth Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	27	\$857.75	\$5,193	\$1,418.00	\$17,016	\$560.25	\$11,823
Widows, etc....	108	1,811.00	15,732	4,123.00	49,512	2,312.00	27,780
Total.....	135	1,743.75	20,925	5,541.00	66,528	3,800.25	45,603

TABLE II.—Pensions granted to noncommissioned officers and privates, and the widows and dependent relatives of noncommissioned officers and privates under special acts passed by the Fifty-fourth Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	147	\$1,407.00	\$16,884	\$4,014.00	\$48,168	\$2,607	\$31,284
Widows, etc....	96	122.00	1,464	1,178.00	14,136	1,056	12,672
Total.....	243	1,529.00	18,348	5,192.00	62,304	3,663	43,956

TABLE III.—Total pensions granted to all classes of pensioners under special acts passed by the Fifty-fourth Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	174	\$1,830.75	\$22,077	\$5,432.00	\$65,184	\$3,602.25	\$43,107
Widows, etc....	204	1,435.00	17,196	5,304.00	63,648	3,871.00	46,464
Total.....	378	3,272.75	39,273	10,736.00	128,832	7,473.25	90,571

## SPECIAL ACTS, FIFTY-THIRD CONGRESS.

TABLE I.—Pensions granted to commissioned officers and the widows and dependent relatives of commissioned officers under special acts passed by the Fifty-third Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	5	\$50.00	\$600	\$223.50	\$2,682	\$173.50	\$2,082
Widows, etc....	25	183.00	2,196	855.00	10,260	672.00	8,064
Total.....	31	233.00	2,796	1,078.50	12,942	845.50	10,146

TABLE II.—Pensions granted to noncommissioned officers and privates, and the widows and dependent relatives of noncommissioned officers and privates, under special acts passed by the Fifty-third Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	28	\$251.00	\$3,012	\$501.00	\$6,012	\$250	\$3,000
Widows, etc....	60	82.00	984	672.00	8,064	590	7,080
Total.....	88	333.00	3,996	1,173.00	14,076	840	10,080

\* Includes one special act not adjudicated.

TABLE III.—Total pensions granted to all classes of pensioners under special acts passed by the Fifty-third Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	23	\$301.00	\$3,612	\$744.50	\$8,934	\$443.50	\$5,322
Widows, etc....	80	235.00	2,820	1,347.00	16,164	1,112.00	13,344
Total.....	110	536.00	6,432	2,091.50	25,098	1,555.50	18,666

\* Includes one special act not adjudicated.

## SPECIAL ACTS, FIFTY-SECOND CONGRESS.

TABLE I.—Pensions granted to commissioned officers and the widows and dependent relatives of commissioned officers under special acts passed by the Fifty-second Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	0	\$146.00	\$1,752	\$324.00	\$3,888	\$178.00	\$2,136
Widows, etc....	29	40.00	480	438.00	5,256	398.00	4,776
Total.....	29	186.00	2,232	762.00	9,144	576.00	6,912

TABLE II.—Pensions granted to noncommissioned officers and privates, and the widows and dependent relatives of noncommissioned officers and privates, under special acts passed by the Fifty-second Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	93	\$439.00	\$5,268	\$1,604.00	\$19,248	\$1,165.00	\$13,976
Widows, etc....	95	167.00	2,004	1,286.00	15,432	1,119.00	13,428
Total.....	188	606.00	7,272	2,890.00	34,680	2,284.00	27,404

\* Includes two special acts, claims rejected, and one special act carrying no increase.

† Includes one special act, claim not adjudicated.

‡ Includes two special acts, claims rejected; one special act, claim not adjudicated, and one special act carrying no increase.

TABLE III.—Total pensions granted to all classes of pensioners under special acts passed by the Fifty-second Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	93	\$439.00	\$5,268	\$1,604.00	\$19,248	\$1,165.00	\$13,976
Widows, etc....	118	216.00	2,592	1,720.00	20,640	1,504.00	18,048
Total.....	217	655.00	7,860	3,324.00	39,888	2,669.00	32,024

\* Includes two special acts, claims rejected, and one special act carrying no increase.

† Includes one special act, claim not adjudicated.

‡ Includes two special acts, claims rejected; one special act, claim not adjudicated, and one special act carrying no increase.

## SPECIAL ACTS, FIFTY-FIRST CONGRESS.

TABLE I.—Pensions granted to commissioned officers and the widows and dependent relatives of commissioned officers under special acts passed by the Fifty-first Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	82	\$1,292.25	\$15,507	\$3,343.00	\$40,116	\$2,050.75	\$24,600
Widows, etc....	228	2,082.00	24,984	13,487.50	161,850	11,405.50	136,860
Total.....	310	3,374.25	40,491	16,830.50	201,966	13,456.25	161,460

\* Includes one special act carrying no increase.

TABLE II.—Pensions granted to noncommissioned officers and privates, and the widows and dependent relatives of noncommissioned officers and privates under special acts passed by the Fifty-first Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	* 653	\$3,756.00	\$45,072	\$13,540.00	\$162,480	\$10,000.00	\$121,080
Widows, etc ..	† 425	334.00	4,008	5,595.00	67,140	5,261.00	63,132
Total.....	† 1,078	4,090.00	49,080	19,135.00	229,620	15,261.00	184,212

\* Includes twenty-four special acts carrying no increase and eight special acts upon which there has been no issue.

† Includes three special acts upon which there has been no issue.

‡ Includes twenty-four special acts carrying no increase and eleven special acts upon which there has been no issue.

TABLE III.—Total pensions granted to all classes of pensioners under special acts passed by the Fifty-first Congress, showing the amount represented by prior allowances, amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	* 735	\$5,048.25	\$60,579	\$16,883.00	\$202,596	\$12,140.75	\$145,689
Widows, etc ..	† 653	2,416.00	28,992	19,082.50	228,990	16,666.50	199,908
Total.....	† 1,388	7,464.25	89,571	35,965.50	431,586	28,807.25	345,597

\* Includes twenty-four special acts carrying no increase and eight special acts upon which there has been no issue.

† Includes one special act carrying no increase and three special acts upon which there has been no issue.

‡ Includes twenty-five special acts carrying no increase and eleven special acts upon which there has been no issue.

#### SPECIAL ACTS, FIFTIETH CONGRESS.

TABLE I.—Pensions granted to commissioned officers and the widows and dependent relatives of commissioned officers under special acts passed by the Fiftyeth Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	59	\$808.25	\$9,699	\$1,944.75	\$23,337	\$1,136.50	\$13,638
Widows, etc ..	109	961.00	11,772	9,884.00	118,608	8,923.00	106,836
Total.....	168	1,769.25	21,471	11,828.75	141,945	10,060.50	120,474

TABLE II.—Pensions granted to noncommissioned officers and privates, and the widows and dependent relatives of noncommissioned officers and privates, under special acts passed by the Fiftyeth Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	* 485	\$2,800.50	\$34,326	\$10,293.75	\$123,525	\$7,493.25	\$89,199
Widows, etc ..	361	371.00	4,452	5,088.00	61,056	4,717.00	56,604
Total.....	* 846	3,231.50	38,778	15,381.75	184,581	12,210.25	145,803

\* Includes two special acts carrying no increase.

TABLE III.—Total pensions granted to all classes of pensioners under special acts passed by the Fiftyeth Congress, showing the amount represented by prior allowances, the amount pension list was increased by special acts, and the monthly and annual value under each head of the pensions allowed.

Class.	Number of special acts.	Allowance prior to special act.		Allowance under special act.		Increase in pension list by reason of special acts.	
		Monthly value.	Annual value.	Monthly value.	Annual value.	Monthly value.	Annual value.
Invalid.....	* 544	\$3,668.75	\$44,025	\$12,238.50	\$146,862	\$8,569.75	\$102,837
Widows, etc ..	470	1,352.00	16,224	14,972.00	179,664	13,630.00	163,440
Total.....	* 1,114	5,020.75	60,249	27,210.50	326,526	22,199.75	266,277

\* Includes two special acts carrying no increase.

Mr. RAY of New York. I move that the House do now adjourn. The motion was agreed to; and accordingly the House adjourned until 11 o'clock a. m. to-morrow.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioner of Internal Revenue submitting a list of the employees in his office who worked overtime on account of war-revenue legislation—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy relating to certain deficiency appropriations—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a detailed statement of the refunds of customs duties for the fiscal year ending June 30, 1898—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a copy of an agreement with the Creek Nation, with accompanying papers—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Attorney-General, transmitting, with a letter from the Commission to Revise and Codify the Criminal and Penal Laws of the United States, a revision of the laws affecting the postal service—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Secretary of State, transmitting, with a dispatch from the American embassy at Paris, a memorial of the American Chamber of Commerce at Paris relating to a larger appropriation for the American section of the Paris Exposition—to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. LEWIS of Washington, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 2552) to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park, reported the same without amendment, accompanied by a report (No. 2300); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FENTON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 664) for the relief of William J. Hines, reported the same without amendment, accompanied by a report (No. 2294); which said bill and report were referred to the Private Calendar.

Mr. McDONALD, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 1618) to authorize the President to place William T. Godwin on the retired list with the rank of first lieutenant, reported the same without amendment, accompanied by a report (No. 2296); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 718) for the relief of Benjamin F. Venum, of Wheeling, Ohio County, W. Va., reported the same without amendment, accompanied by a report (No. 2297); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Claims, to which was referred the bill of the House (H. R. 273) for the relief of McHenry Robinson, executor of the estate of Elizabeth S. Cushing, reported the same without amendment, accompanied by a report (No. 2299); which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1766) granting a pension to Carrie Dale, widow of N. H. Dale, late a colonel of the Second Wisconsin Cavalry Volunteers, reported the same adversely, accompanied by a report (No. 2289); which said bill and report were ordered to lie on the table.

Mr. GIBSON, from the Committee on Invalid Pensions, to which

was referred the bill of the House (H. R. 1851) granting an increase of pension to Maj. Samuel P. Dill, reported the same adversely, accompanied by a report (No. 2290); which said bill and report were ordered to lie on the table.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 662) to place John J. Brewer on pension roll, soldier late war, reported the same adversely, accompanied by a report (No. 2291); which said bill and report were ordered to lie on the table.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3610) granting a pension to Charles Blitz, reported the same adversely, accompanied by a report (No. 2292); which said bill and report were ordered to lie on the table.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3718) granting a pension to M. E. Hamill, reported the same adversely, accompanied by a report (No. 2293); which said bill and report were ordered to lie on the table.

He also, from the same committee, to which was referred the bill of the Senate (S. 3425) for the benefit of Evelyn N. Murray, reported the same adversely, accompanied by a report (No. 2295); which said bill and report were ordered to lie on the table.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 5899) granting a pension to Henry Dority; and the same was referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HULL: A bill (H. R. 12176) for increasing the efficiency of the Army of the United States, and for other purposes—to the Committee on Military Affairs.

By Mr. MAXWELL: A bill (H. R. 12177) making an appropriation for the purchase of a site for a post-office building in every city or town of not less than 2,000 inhabitants which has no post-office building—to the Committee on Public Buildings and Grounds.

By Mr. OSBORNE: A joint resolution (H. Res. 372) tendering a vote of thanks to the Sisters of Charity for the untiring zeal and heroic devotion displayed by them during the late war with Spain—to the Committee on Military Affairs.

By Mr. HENRY of Indiana: A memorial from the legislature of the State of Indiana, asking Congress to change the internal-revenue laws so that the express and telegraph companies will have to pay their internal-revenue tax—to the Committee on Ways and Means.

By Mr. MORRIS: A memorial from the legislature of the State of Minnesota, asking that the lands in Winnebago, Chippewa, and Leech Lake Indian reservations be withheld from sale until after January 1, 1902—to the Committee on the Public Lands.

By Mr. TAWNEY: A memorial from the legislature of the State of Minnesota, requesting a postponement of the sale of certain lands included in certain Indian reservations in that State—to the Committee on the Public Lands.

By Mr. GUNN: A memorial from the legislature of the State of Idaho, favoring the election of United States Senators by direct vote—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, a memorial favoring the free coinage of silver and fixing the value thereof—to the Committee on Coinage, Weights, and Measures.

By Mr. FLETCHER: A memorial from the legislature of Minnesota, asking that the lands in Winnebago, Chippewa, and Leech Lake Indian reservations be withheld from sale until after January 1, 1902—to the Committee on Indian Affairs.

By Mr. EDDY: A memorial of the Minnesota legislature, in regard to the sale of timber on public lands—to the Committee on the Public Lands.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. COWHERD: A bill (H. R. 12178) for the relief of Margaret Luttrell—to the Committee on Pensions.

By Mr. GIBSON: A bill (H. R. 12179) granting a pension to William P. Douglas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12180) granting a pension to Samuel McKamey—to the Committee on Invalid Pensions.

By Mr. GROUT: A bill (H. R. 12181) removing the charge of desertion from the military record of Norris W. Silver, alias Charles W. Nichols—to the Committee on Military Affairs.

By Mr. KIRKPATRICK: A bill (H. R. 12182) granting a pension to Mrs. Permelia M. Davenport—to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 12183) for the relief of William H. Wanamaker—to the Committee on Claims.

By Mr. FOOTE: A joint resolution (H. Res. 373) to authorize the appointment of Harry Lee second lieutenant in the Marine Corps—to the Committee on Naval Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petitions of the Woman's Christian Temperance Union of Uniontown; Post 570, Grand Army of the Republic, of Ohiopyle, and citizens of Burgettstown, Pa., in favor of the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. ALEXANDER: Petition of Miss Ellen Goodenough, praying for the passage of House bill No. 11735, providing that no polygamist shall be a Senator or Representative—to the Committee on Elections No. 1.

By Mr. ARNOLD: Petition of Foxburg Post, No. 249, Grand Army of the Republic, of Foxburg, Pa., favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. BARTLETT: Protest of Mrs. H. C. Tindall, president of the Woman's Home Missionary Society of the Methodist Episcopal Church South, and others, of Macon, Ga., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. BOTKIN: Petition of the Pleasant View Methodist Episcopal Church, of Mitchell County, Kans., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Pleasant View Methodist Episcopal Church, of Mitchell County, Kans., against the seating of a polygamist in Congress—to the Committee on Elections No. 1.

By Mr. BULL: Petition of the Rhode Island Woman Suffrage Association, asking for equal suffrage rights for women in Hawaii—to the Committee on the Territories.

By Mr. BURTON: Petition of James A. Roberts and other citizens of Cleveland, Ohio, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. COOPER of Texas: Papers relating to the claim of Charles H. Stunkel, of Loudoun County, Va.—to the Committee on War Claims.

By Mr. CURTIS of Kansas: Petition of fourth-class postmasters of Osage County, Kans., urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petition of the First Baptist Church of Wichita, Kans., against the appropriation of money for sectarian schools among the Indians—to the Committee on Indian Affairs.

Also, resolutions of the First Baptist Church of Wichita, the Ministerial Union of Topeka, and letter of Mrs. S. V. Beach, president of Manhattan, Kans., District Woman's Home Missionary Society, protesting against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of the First Baptist Church of Wichita, Kans., in favor of the Ellis bill—to the Committee on Military Affairs.

Also, resolution of the Commercial Club of South McAlester, Ind. T., in behalf of House bill No. 11713, to put in force in the Indian Territory certain provisions of the laws of Arkansas—to the Committee on Indian Affairs.

Also, statement of O. J. Lynn, to accompany House bill No. 5638, for a pension—to the Committee on Invalid Pensions.

By Mr. ERMENTROUT: Resolution of the General Assembly of the Knights of Labor, urging measures to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

By Mr. GRIFFITH: Protests of the Woman's Christian Temperance Union and the Home Missionary Society of the Methodist Episcopal Church of Greensburg, Ind.; Ebenezer Baptist Church, of Aurora, Ind., and the First Baptist Church of Madison, Ind., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. HENDERSON: Papers of Hyde Clark Post, No. 78, Grand Army of the Republic, of Dubuque, Iowa, and of S. H. Kortman, of Brooklyn, urging the passage of Senate bill No. 3256, for the appointment of Union soldiers to official positions—to the Committee on Rules.

By Mr. HITT: Petition of citizens of Stillman Valley, Ill., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. KIRKPATRICK: Petition of the Evangelical Alliance for the United States, against the reopening of the sectarian-school question and favoring the American common-school system among the Indians—to the Committee on Indian Affairs.

Also, petition of 83 fourth-class postmasters of Pennsylvania, in favor of the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Merchants' Association of New York, relating to the freedom of private property on the sea from capture during war—to the Committee on Foreign Affairs.

By Mr. LACEY: Petition of H. L. Spencer and 200 citizens of Oskaloosa, Iowa, for a public building at Oskaloosa—to the Committee on Public Buildings and Grounds.

Also, petition of J. D. Simon and 30 citizens of Newton, Iowa, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petitions of the Political Equality Club, L. O. Rogers and 50 citizens, John Meyer and 150 citizens, all of Newton, Iowa, for woman suffrage in the Hawaiian Islands—to the Committee on the Territories.

By Mr. MOON: Resolution of the Chamber of Commerce of Chattanooga, Tenn., relating to the improvement of the Tennessee River—to the Committee on Rivers and Harbors.

By Mr. SHOWALTER: Petition of the Woman's Christian Temperance Union of Sharon, Pa., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. SPRAGUE: Resolutions of the Boston Retail Grocers' Association, urging the enactment of the Brosius bill to prevent the adulteration of food—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of New York County Woman Suffrage League for woman suffrage in the Hawaiian Islands—to the Committee on the Territories.

By Mr. VAN VOORHIS: Petitions of the First Baptist Church, First Methodist Episcopal Church, First Congregational Church, First Presbyterian Church, United Brethren Church, all of Marietta, Ohio; Presbyterian Church of Beech Grove; Baptist Church of Adamsville; 119 citizens of Zanesville; Woman's Home Missionary Society and 37 citizens of Dexter City, Ohio, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of Eureka Grange, No. 1241, of Muskingum County, Ohio, urging the passage of House bill No. 11604, to amend the laws relating to oleomargarine—to the Committee on Ways and Means.

## SENATE.

SATURDAY, February 25, 1899.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. ALLEN, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

### APPROPRIATIONS FOR ATTORNEY-GENERAL'S OFFICE.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Attorney-General of the 23d instant, submitting estimates in appropriations for salaries and expenses of the Attorney-General's Office; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### OFFICERS IN TEMPORARY SERVICE IN THE NAVY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 1st instant, certain information relative to the officers in temporary service in the United States Navy; which, with the accompanying papers, was referred to the Committee on Naval Affairs, and ordered to be printed.

### PARIS EXPOSITION OF 1900.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting a memorial of the American Chamber of Commerce of Paris, relative to an increase in the appropriation for the American section of the Paris Exposition of 1900; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 7346) to amend section 4896 of the Revised Statutes; and

A bill (H. R. 11455) granting to the city of Boulder, in the State of Colorado, certain lands for park purposes, and for the preservation of the native trees on said lands.

The message also announced that the House had passed the following bills and joint resolutions:

A bill (S. 571) granting a pension to Susan Mellsop;

A bill (S. 1040) to provide compensation for a bridge and for buildings and other improvements constructed by certain persons upon public lands afterwards set apart and reserved as the Yellowstone National Park;

A bill (S. 1759) granting a pension to James H. Preston;

A bill (S. 1918) granting an increase of pension to William Sharrock;

A bill (S. 2497) granting a pension to Elizabeth J. Cook;

A bill (S. 3227) granting a pension to John W. Lay;

A bill (S. 3532) granting a pension to J. R. Hager;

A bill (S. 3766) granting an increase of pension to Nancy M. Lindsey;

A bill (S. 3911) granting a pension to Henry C. Bedell;

A bill (S. 4366) granting a pension to Elizabeth M. Mead;

A bill (S. 4382) granting an increase of pension to Eliza M. Miller;

A bill (S. 4416) granting a pension to Mary F. Hilliard;

A bill (S. 4480) granting a pension to Winburn Hicks;

A bill (S. 4485) granting a pension to John Lindquist;

A bill (S. 4635) granting an increase of pension to John B. Boggs;

A bill (S. 4845) granting an increase of pension to George H. Lampert;

A bill (S. 4918) granting an increase of pension to Jehiel J. Stevens;

A bill (S. 5169) authorizing the legislative assembly of the Territory of New Mexico to create an additional indebtedness for the completion and furnishing of the Territorial capitol;

A bill (S. 5264) granting an increase of pension to Bartlett Corriff;

A bill (S. 5267) granting an increase of pension to Charles E. Banfield;

A bill (S. 5386) restoring to the pension roll the name of Samuel S. McDonald;

A bill (S. 5427) granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho;

A bill (S. 5435) granting a pension to Emma J. McIntire;

A bill (S. 5514) to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company;

A joint resolution (S. R. 202) providing for the printing of the Report on the Financial and Industrial Conditions of the Philippine Islands, by Edward W. Harden, special commissioner of the United States; and

A joint resolution (S. R. 239) authorizing the Director of the Geological Survey to prepare maps of Alaska showing all known topographic and geologic features, etc.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 4745) to increase the pension of George W. Detwiler;

A bill (H. R. 4905) granting an increase of pension to Stephen P. Choate;

A bill (H. R. 9502) granting a pension to Eliza Sickler; and

A bill (H. R. 11673) to increase the pension of Patrick O'Neal.

The message also announced that the House had agreed to the concurrent resolution to print 10,500 copies of the report entitled "The Colonial Systems of the World."

The message further announced that the House had passed a concurrent resolution to print, for the use of the Director of the Mint, 3,000 extra copies of the Report on the Production of Gold and Silver for the Calendar Year 1897; in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolutions; and they were thereupon signed by the Vice-President:

A bill (H. R. 11717) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900;

A joint resolution (H. Res. 353) to amend section 25 of the act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes;" and

A joint resolution (S. R. 252) to prevent the spread of contagious diseases in the District of Columbia.

### PETITIONS AND MEMORIALS.

Mr. ALLEN presented a petition of the Brotherhood of Boiler Makers and Iron Shipbuilders of Kansas City, Kans., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

Mr. PLATT of New York presented the memorial of Ellen Good-enough and sundry other citizens of New York, remonstrating against the seating of polygamists in the Congress of the United States; which was ordered to lie on the table.

He also presented the petition of Rev. J. N. Shaffer and sundry other citizens of New York, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented the petition of Rev. J. N. Shaffer and sundry other citizens of New York, praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Union of Newburgh, N. Y., and a petition of the congregation of the First Methodist Episcopal Church of Lake Placid, N. Y., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the New York Conference of the Epworth League, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings, and for the maintenance of the prohibition law in Alaska; which was referred to the Committee on Military Affairs.

Mr. MITCHELL presented a petition of the Humane Society of Burlington, Wis., praying for the passage of the bill (S. 1552) for the prohibition of vivisection in the public schools of the District of Columbia, etc.; which was referred to the Committee on the District of Columbia.

He also presented a petition of Local Union No. 183, Cigar Makers' International Union, of Madison, Wis., and a petition of Branch No. 5, Brewers' Union No. 9, of Sheboygan, Wis., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented petitions of the congregations of sundry churches of Sun Prairie and the Congregational Church of Clinton, the Wisconsin Baptist State Convention, the Congregational Church of Fond du Lac, the Methodist Episcopal Church of Milton; of the president and faculty of Beloit College Academy, Beloit; of the First Baptist Church of Waupaca; of Andrew B. Ruger, of Racine; of the Presbyterian Church of Stevens Point, of the Baptist Young People's Union of Sun Prairie, of the Methodist Church of Kaukana, of the Congregational Church of Milton, and of the First Congregational Church of Appleton, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. FAIRBANKS presented a petition of the legislature of Indiana, praying for the adoption of an amendment to the internal-revenue laws authorizing telegraph and express companies to pay the revenue stamp required on all messages and packages; which was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Certified copy of concurrent house resolution No. 5.

Whereas uncertainty as to the construction of certain provisions of the internal-revenue laws of the United States now exists and general dissatisfaction prevails because of the unjust demands of certain corporations: Therefore, be it

Resolved by the house of representatives of the State of Indiana (the senate concurring therein), That our Representatives and United States Senators in National Congress be requested to so amend the internal-revenue laws of the United States to define specifically and fix certainly that all telegraph companies and express companies shall pay the revenue tax upon all messages and packages forwarded by them, to the end that the expenses incurred by reason of the Spanish-American war be equally distributed and paid by the whole people.

STATE OF INDIANA, etc.:

I, Fred Kimbley, principal clerk of the house of representatives of the Sixty-first general assembly of the State of Indiana, now in session, do hereby certify that the foregoing is a full and true copy of concurrent house resolution No. 5, which said resolution was duly adopted by said house of representatives on the 6th day of February, 1899, and concurred in by the senate on the 15th day of February, 1899.

In witness whereof I have hereunto set my hand this 10th day of February, 1899.

FRED KIMBLEY,

Principal Clerk of the House of Representatives.

Mr. FAIRBANKS presented the petitions of L. A. Foster and sundry other citizens of Hesston; of John Gilmerson, of Gent; of Louis A. Moomaw, of Stockport, and of T. M. Goff, of De Soto, all in the State of Indiana, praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorials of P. Ross and 19 other citizens, of W. Parry and 19 other citizens, G. Brown and 19 other citizens, R. J. Loser and 19 other citizens, M. Coffman and 19 other citizens, G. G. Cooper and 19 other citizens, and Harry L.

Pearce and 19 other citizens, all in the State of Indiana, remonstrating against the passage of the anti-scalping bill; which were ordered to lie on the table.

Mr. NELSON presented a petition of the legislature of Minnesota, praying that the lands in the Winnebago, Chippewa, and Leech Lake Indian reservations, in that State, be withheld from sale until after January 1, 1902; which was referred to the Committee on Indian Affairs.

Mr. COCKRELL presented a petition of the board of managers of the St. Louis Traffic Bureau, of St. Louis, Mo., praying for the enactment of legislation providing additional quarantine powers; which was ordered to lie on the table.

He also presented a petition of Local Union No. 13, Core Makers' International Union, of St. Louis, Mo., and a petition of the Brotherhood of Boiler Makers and Iron Shipbuilders of Kansas City, Kans., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented a petition of the Manufacturers' Association of St. Louis, Mo., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented the petition of Prof. H. A. Wheeler, president of the American Ceramic Society, of St. Louis, Mo., praying for the establishment of a division of mines and mining in the United States Geological Survey, and that an appropriation be made to enable the Director of the Geological Survey to make a study of the clay deposits of the United States; which was ordered to lie on the table.

Mr. RAWLINS presented a petition of the legislature of Utah, praying for protection from the depredations of Ute and Navajo Indians in San Juan County, Utah; which was referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

A memorial to Congress praying for protection from the depredations of Ute and Navajo Indians in San Juan County, Utah.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and legislature of the State of Utah, respectfully memorialize your honorable bodies and represent:

That the Ute and Navajo Indians residing in Colorado and Arizona respectively, and having reservations therein, wander therefrom into San Juan County, Utah, and commit depredations upon the property of the people of said section.

The foregoing facts have been ascertained after careful inquiry and investigation, wherefore your memorialists pray for immediate and effectual relief, and further represent that adequate efforts are not made by the Government to protect the settlers of San Juan County from the incursions of the Indians named or to control and restrain them within the reservations officially set apart for their occupation. As a result, they cross the State border with their flocks and herds and denude the land of its pasturage, despoil white citizens of their property, and spread terror among them.

Your memorialists therefore respectfully and earnestly request that the necessary steps be taken by the proper department to restrain and prevent said Indians from coming into the State of Utah.

And as in duty bound, your memorialists will ever pray.

AQUILA NEBEKER,

President of the Senate.

WM. M. BOYLANCE,

Speaker of the House of Representatives.

HEBER M. WELLS, Governor.

Approved February 6, 1899.

STATE OF UTAH, Office of the Secretary of State.

I, James T. Hammond, secretary of state of the State of Utah, do hereby certify that the foregoing is a full, true, and correct copy of a memorial to Congress praying for protection from the depredations of Ute and Navajo Indians in San Juan County, Utah, approved February 6, 1899.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 20th day of February, A. D. 1899.

[SEAL.]

J. T. HAMMOND,

Secretary of State.

Mr. RAWLINS presented a petition of the legislature of Utah, praying for the enactment of legislation to provide for the creation of another judicial circuit of the United States, to have jurisdiction in Colorado, Utah, Wyoming, Idaho, and Montana; which was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Memorial praying Congress to enact into law the bill introduced into the Senate of the United States by United States Senator WOLCOTT, of Colorado, providing for the creation of another judicial circuit of the United States, to have jurisdiction in Colorado, Utah, Wyoming, Idaho, and Montana.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and the legislature of the State of Utah, respectfully represent:

That United States Senator WOLCOTT, of Colorado, recently introduced in the Senate of the United States a bill for an act establishing another judicial circuit of the United States, to be known as the Tenth circuit and to have jurisdiction in and over the States of Colorado, Utah, Wyoming, Idaho, and Montana.

That the bill is of great importance to the State of Utah; that the people of Utah who have business in the circuit court of the United States, in order to be heard, must travel either to St. Louis or St. Paul, a distance of about 1,300 miles, and then be subject to indefinite delays because of the crowded state of business in the Eighth circuit; that the distance to be traveled by counsel at present to appear before the circuit court of appeals is so far and the expense so great that it would be preferable in many cases for litigants of limited means to suffer injustice and defeat.

That the Eighth circuit, comprising the States of Arkansas, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Colorado, Wyoming, Utah, Indian Territory, Oklahoma, and New Mexico, is so large and

the amount of business so great that much delay is necessarily caused in the dispatch of business.

That Utah is rapidly becoming one of the greatest mining and irrigation States, and many foreign and local corporations have been and are being organized for the transaction of business; that a large amount of the legal business arising within this State is between citizens of different States, and such business is constantly increasing.

That the principal business which would fall within the jurisdiction of the proposed circuit is peculiar to the intermountain States, and is wholly different from that arising in the Mississippi Valley or on the Pacific coast, and it is of paramount importance that the laws should be administered by judges who are familiar with the conditions of this region; that circuit courts exert a wholesome influence over communities and should be nearer the homes of the people.

That owing to the large and constantly increasing business arising within the State of Utah every alternate term of the circuit court of appeals should be held in Salt Lake City.

That on account of the large number of questions of the gravest importance respecting mining and irrigation which arise within the limits of the proposed circuit, not less than three circuit judges should constitute the circuit court of appeals.

Your memorialists therefore respectfully memorialize your honorable bodies to enact into law said bill introduced by Senator WOLCOTT, so as to provide for the creation of said proposed Tenth circuit with jurisdiction as above indicated.

And your memorialists will ever pray.

AQUILA NEBEKER,  
President of the Senate.  
WM. M. ROYLANCE,  
Speaker of the House of Representatives.

Approved February 16, 1899.

HEBER M. WELLS, Governor.

STATE OF UTAH, Office of the Secretary of State:

I, James T. Hammond, secretary of state of the State of Utah, do hereby certify that the foregoing is a full, true, and correct copy of a memorial praying Congress to enact into law the bill introduced into the Senate of the United States by United States Senator WOLCOTT, of Colorado, providing for the creation of another judicial circuit of the United States, to have jurisdiction in Colorado, Utah, Wyoming, Idaho, and Montana, approved February 16, 1899.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Utah, this the 20th day of February, A. D. 1899.  
[SEAL.] J. T. HAMMOND, Secretary of State.

#### REPORTS OF COMMITTEES.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 6359) to quiet land titles in the District of Columbia, reported it with amendments, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 11615) removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers, reported it without amendment.

Mr. KENNEY, from the Committee on Pensions, to whom was referred the bill (H. R. 10295) granting an increase of pension to Mazie V. Sullivan, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 5565) to provide for the erection of a public building at Freeport, Ill., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the amendment proposing to appropriate \$25,000 for additional expenses for a public building at Cheyenne, Wyo., submitted by himself on the 23d instant, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be printed and referred to the Committee on Appropriations; which was agreed to.

Mr. MARTIN, from the Committee on Naval Affairs, to whom was referred the bill (S. 5210) for the promotion and retirement of P. A. Surg. John F. Bransford, of the United States Navy, reported it without amendment.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the joint resolution (S. R. 256) to authorize the appointment of George C. Thorpe a second lieutenant in the Marine Corps, reported it with amendments.

He also, from the same committee, to whom was referred the joint resolution (S. R. 257) to authorize the appointment of Harry Lee a second lieutenant in the Marine Corps, reported it with amendments, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10355) granting an increase of pension to Catharine C. Goodrich;

A bill (H. R. 10933) granting a pension to Sarah A. Kizer;

A bill (H. R. 3806) granting an increase of pension to Elam Allen;

A bill (H. R. 10716) granting a pension to John S. Draper; and

A bill (H. R. 6876) to increase the pension of George Alexander.

Mr. HANNA, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3291) to increase the pension of James C. Carlton; and

A bill (S. 4730) to increase the pension of Levi Moser.

Mr. HANNA, from the Committee on Pensions, to whom were

referred the following bills, reported them severally with an amendment, and submitted reports thereon:

A bill (S. 4097) granting a pension to Elizabeth Whisler; and

A bill (S. 4098) granting an increase of pension to Isaac H. Lynn.

Mr. HANSBROUGH, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3672) granting a pension to Capt. Oscar Taylor; and

A bill (S. 4437) granting a pension to B. H. Randall.

Mr. ALLISON. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, to report it with amendments, and to submit a report thereon. I give notice that I will ask the Senate to take up the bill for consideration on Monday.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. CARTER, from the Committee on Military Affairs, to whom was referred the bill (S. 5487) to establish a Branch Home of the National Home for Disabled Volunteer Soldiers at Castle Pinckney, in Charleston Harbor, South Carolina, for the use of disabled officers and enlisted men of the Volunteer Army and Navy of the United States, reported it with an amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the amendment relative to mineral lands in California, submitted by Mr. WHITE on the 21st instant, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

#### COMMERCIAL RELATIONS OF THE UNITED STATES.

Mr. FRYE. A few days ago there was referred to the Committee on Commerce a message from the President of the United States, transmitting a communication from the Secretary of State accompanying the Commercial Relations of the United States for the year 1898. I move that the committee be discharged from the further consideration of the message and that it be referred to the Committee on Printing.

The motion was agreed to.

#### EXTENSION OF ANTI-CONTRACT LABOR LAWS TO HAWAII.

Mr. FAIRBANKS. I am directed by the Committee on Immigration to report certain amendments to the bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii. I ask that the bill may be reprinted with the amendments and laid before the Senate on Monday.

I wish to give notice that after the close of the morning business on Monday next I shall ask the Senate to consider and act upon the bill.

Mr. CHANDLER. I understand that the bill with all of the amendments proposed by the committee is to be reprinted?

Mr. FAIRBANKS. That is the request I made.

The PRESIDING OFFICER (Mr. CHILTON in the chair). That order will be made, in the absence of objection.

#### BILLS INTRODUCED.

Mr. MITCHELL introduced a bill (S. 5579) to provide for the construction of a public building at the city of Janesville, Wis.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BURROWS. Some time since I introduced a bill to provide for the employment of women nurses in military hospitals of the Army. I desire to introduce now a modification of that bill which has received the approval of the War Department. I ask that the bill be read twice and referred to the Committee on Military Affairs.

The bill (S. 5580) to provide for the employment of women nurses in military hospitals of the Army was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MORGAN introduced a bill (S. 5591) granting an increase of pension to Orpha W. Reynolds; which was read twice by its title, and referred to the Committee on Pensions.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. ALLEN submitted an amendment declaring that it shall be lawful for the coupon cards and envelopes as patented and now or hereafter owned by the United States Economic Postage Association to be carried in the mails of the United States under such rules and regulations as may be prescribed by the Postmaster-General, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

He also submitted an amendment declaring that it shall be lawful for the coupon cards and envelopes as patented and now or hereafter owned by the United States Economic Postage Association to be carried in the mails of the United States under such

rules and regulations as may be prescribed by the Postmaster-General, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. MALLORY submitted an amendment providing that the duties heretofore performed by criers shall hereafter be performed by the marshals, their deputies, or the bailiffs, except in the courts of the District of Columbia, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment authorizing the Secretary of the Navy to appoint a board to determine the desirability of constructing a dry dock in the harbor of Key West, Fla., intended to be proposed to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. STEWART submitted an amendment proposing to amend the act of June 10, 1896, so as to permit the Secretary of the Navy to contract for three submarine boats of the *Holland* type, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. CULLOM submitted an amendment proposing to pay Elias E. Barnes \$2,720 for 3,700 cubic yards of top soil placed on the northwest corner of the Congressional Library building grounds, and for 500 cubic yards of crushed screened stone used by the superintendent on the premises of the Library building, at \$1 per cubic yard, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WARREN submitted an amendment proposing to appropriate \$360,000 toward the construction of a military post at or near the town of Sheridan, Wyo., on lands now owned by the United States, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. WHITE submitted an amendment proposing to appropriate \$1,990 to pay Robert P. Troy for services rendered on the floor of the Senate, from August 18, 1893, to February 18, 1896, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

JOHN DALY.

On motion of Mr. GALLINGER, it was

*Ordered*, That the papers in the pension claim of John Daly (S. 5484) be withdrawn from the files of the Senate and transmitted to the claimant, no adverse report having been made in the case.

SARAH M. DOVE.

On motion of Mr. GALLINGER, it was

*Ordered*, That the papers accompanying the bill (S. 3067) for the relief of Sarah M. Dove be withdrawn from the files of the Senate and transmitted to the claimant, no adverse report having been made in the case.

#### LISTS OF JUDGMENTS AND CLAIMS ALLOWED.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Attorney-General be directed to transmit to the Senate a list of judgments rendered against the United States by the circuit and district courts of the United States under the provisions of the act to provide for bringing suits against the Government of the United States, approved March 3, 1887.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Attorney-General be directed to transmit to the Senate a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases requiring an appropriation by Congress.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate a schedule of all claims allowed by the accounting officers of the Treasury, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, since the allowance of those heretofore reported to Congress at the present session.

Also, a list of judgments rendered by the Court of Claims not heretofore reported to Congress.

#### RESERVOIRS FOR IRRIGATION.

Mr. WARREN submitted the following resolution; which was referred to the Committee on Printing:

*Resolved by the Senate of the United States*, That there be printed 5,000 copies of the letter of the Secretary of Agriculture to the President of the United States regarding the practical usefulness of reservoirs to agriculture in the irrigated region of the United States, 3,000 of which shall be for the use of the Department of Agriculture and 2,000 for the use of the Senate.

#### EIGHT-HOUR BILL.

Mr. KYLE submitted the following resolution; which was referred to the Committee on Printing:

*Resolved by the Senate*, That there be printed for the use of the Committee on Education and Labor 5,000 extra copies of Senate Document No. 127, Fifty-fifth Congress, third session, comprising the hearings before said committee on the "eight-hour bill," H. R. 7369.

#### INDUSTRIAL PROPERTY.

Mr. LODGE. I move that there be a reprint of Senate Document No. 331, Fifty-fifth Congress, second session, being a report by Mr. DAVIS, from the Committee on Foreign Relations, of the delegates from the United States to the Brussels Conference, under the convention for the protection of industrial property, concluded at Paris March 20, 1883. There should be a reprint of this document to the extent of the usual number, and the typographical errors should be corrected.

The motion was agreed to.

#### REPRINT OF SHIPPING BILL.

Mr. FRYE. I move that the bill (S. 5024) to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary may be reprinted as an original bill, with all of the amendments already agreed to and with the proposed amendments contained in the bill.

The motion was agreed to.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 24th instant approved and signed the act (S. 5027) to correct the relative rank of Richard R. Steedman, captain, Eleventh Infantry, United States Army.

#### BENJAMIN F. TRAPP.

Mr. ALLEN. I ask unanimous consent to call up the bill (S. 3370) granting a pension to Benjamin F. Trapp, of South Omaha, in the State of Nebraska. It will not lead to any discussion.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with amendments, in line 7, after the word "grant," to strike out "the said Benjamin F. Trapp" and insert "him;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll of the United States the name of Benjamin F. Trapp, late a member of Company K, Fourteenth Regiment Missouri Home Guards, and grant him a pension at the rate of \$20 per month in lieu of any pension he may now be receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Benjamin F. Trapp."

#### ORDER OF BUSINESS.

Mr. McMILLAN. In accordance with the agreement made yesterday, I should like to call up some District House bills.

Mr. PLATT of Connecticut. I think the Senator might well withhold for a few moments, until bills which seem necessary may be passed.

Mr. McMILLAN. Very well.

The VICE-PRESIDENT. Until what time will the Senator from Michigan withhold the enforcement of the unanimous-consent agreement?

Mr. McMILLAN. For fifteen or twenty minutes.

Mr. PLATT of Connecticut. What was the unanimous-consent agreement?

The VICE-PRESIDENT. The unanimous-consent agreement, as the Chair understands it, was that immediately after the routine business this morning bills relating to the District of Columbia which are unobjected to shall be taken up for the space of one hour.

Mr. PLATT of Connecticut. I hope the agreement can unanimously be extended.

The VICE-PRESIDENT. The Chair hears no objection.

#### PATRICK O'SHEA.

Mr. MONEY. I ask the Senator from Michigan to allow me to call up the bill (H. R. 5328) granting a pension to Patrick O'Shea, a bill which passed the House and was reported by the committee here favorably. It is to pension a very old man, a veteran of the war, who has never enjoyed a pension. If the Senator will yield to me, it will take but a moment.

Mr. McMILLAN. I yield to the Senator from Mississippi, and then to other Senators who wish to have bills passed which will elicit no debate.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill indicated by the Senator from Mississippi?

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Patrick O'Shea, late of Company K, Twenty-seventh Missouri Volunteer Mounted Infantry, and to pay him a pension at the rate of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FREE ENTRY OF CERTAIN ARTICLES.

Mr. BURROWS. I ask for the consideration of the bill (H. R. 7271) amending the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill; which had been reported from the Committee on Finance with an amendment, to insert the following proviso:

*Provided, however,* That the provision of this amendment shall apply only in such cases as those of foreign-born animals taken abroad, and inventories of which are filed prior to their leaving the country with the collector of customs at the port of their departure.

So as to make the bill read:

*Be it enacted, etc.,* That the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896, is hereby amended so as to include in the privilege of free entry conferred thereby wild and other animals of foreign origin taken abroad temporarily for exhibition in connection with any circus or menagerie, subject, however, to the conditions and limitations prescribed in said act: *Provided, however,* That the provision of this amendment shall apply, etc.

The amendment was agreed to.

Mr. HANSBROUGH. I move to amend the bill by inserting as section 2 the following:

SEC. 2. That on and after the passage of this act wheat imported by actual farmers, residents of the United States, for use by them, respectively, as seed on their own lands in the United States, and not for sale, shall be free of customs duty under special regulations to be prescribed by the Secretary of the Treasury: *Provided,* That not more than 500 bushels of seed wheat shall be imported under this act by any one person during any one year.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from North Dakota.

Mr. PLATT of Connecticut. The bill called up by the Senator from Michigan has received the consideration of the Finance Committee, and here is an important amendment proposed which has not been considered by the Finance Committee. I do not think the Senator from North Dakota ought to attempt to incorporate it upon a bill which it is perfectly apparent ought to be passed and which will undoubtedly prevent the passage of the bill.

Mr. HANSBROUGH. The amendment has been before the Senate as a separate bill for some six or seven weeks, and I think the Committee on Finance have had one or two meetings since the bill was introduced and referred to that committee. If the Committee on Finance failed to take cognizance of the measure and give it proper attention, it is not my fault.

I will state further that this measure has been called to the attention of the Secretary of the Treasury and the officers who usually attend to customs matters in that Department, and that it meets with the approval of those officers, who believe that some legislation of this kind should be had.

My object in pressing the matter is to give the farmers of the Northwestern States the opportunity of renewing their seed wheat. The fact is that one of the most terrible blights to agriculture in the Northwest is what is known as smut in wheat, and to overcome smut necessitates the renewal of the seed from year to year. The farmers in my part of the country who have had the opportunity to go into what is known as the Saskatchewan country, or into Manitoba, Canada, and purchase seed wheat and bring it to North Dakota and Minnesota have found great benefit to their crops, and I think they should be given the privilege of doing that without paying the customary duty of 25 cents a bushel.

Mr. ALLEN. Is not the Senator willing that the benefit should percolate a little below Minnesota?

Mr. HANSBROUGH. I think it will in the course of time, but I know that the farmers of the northern part of the States I have named are the ones who will be immediately benefited. I am very much interested in those farmers first, and then in the farmers of the Senator's State afterwards.

Mr. ALLEN. Why not extend the bill so as to enable seeds of all kinds necessary to agriculture to be brought in free of duty?

Mr. HANSBROUGH. I could not agree to that.

Mr. ALLEN. I should like to have the bill and proposed amendment read again.

The Secretary read the bill and the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from North Dakota.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill read a third time.

The bill was read the third time, and passed.

#### PUBLIC BUILDING AT HOT SPRINGS, ARK.

Mr. BERRY. I should like very much to have a local bill passed this morning, if the Senator from Michigan will kindly allow me. I made an effort to get the floor earlier, before he came in.

Mr. McMILLAN. I will yield to the Senator from Arkansas. Mr. BERRY. I ask the Senate to proceed to the consideration of the bill (S. 5548) to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to cause to be constructed on the permanent reservation owned by the United States at Hot Springs, in the State of Arkansas, and at such spot thereon as may be selected and set apart by the Secretary of the Interior and accepted by the Secretary of the Treasury for such purpose, a suitable building, with fireproof vaults, to be used for post-office and other Government offices, not to exceed in cost the sum of \$78,000, to be expended under the direction of the Secretary of the Treasury, who shall cause proper plans and estimates to be made, so that no expenditure shall be made or authorized for the full completion of said building beyond the amount herein specified.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### GAME AND SONG BIRDS.

Mr. HOAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3589) to extend the powers and duties of the Commission of Fish and Fisheries to include game birds and other wild birds useful to man, having met, after full and free conference report that they have been unable to agree.

GEORGE F. HOAR,

A. O. BACON,

H. M. TELLER,

Managers on the part of the Senate.

GEORGE D. PERKINS,

SERENO E. PAYNE,

W. JASPER TALBERT,

Managers on the part of the House.

Mr. HOAR. I ask unanimous consent to enter at this time a motion to reconsider the vote by which the bill was passed and to reconsider the vote adopting the amendment in the Senate, and I ask that a message be sent to the House requesting the return of the bill. It turns out that both Houses have agreed upon a provision which nobody, not even the mover of it, desires to have retained. I suppose it is not necessary to detain the Senate, but that is the substance of the matter.

The VICE-PRESIDENT. The Senator from Massachusetts enters a motion to reconsider the votes he has indicated. He also asks that the House of Representatives be requested to return the bill to the Senate. The Chair hears no objection, and the order is made.

#### PAYMENT TO CHEROKEES.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (S. 5462) to authorize certain persons who have intermarried with Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BERDAN FIREARMS MANUFACTURING COMPANY.

Mr. PLATT of Connecticut. I ask unanimous consent for the consideration of the bill (H. R. 321) for the relief of the Berdan Firearms Manufacturing Company.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Berdan Firearms Manufacturing Company to institute a suit in the Court of Claims against the United States and for the benefit of Mrs. Mary Kimball Berdan, the widow of Hiram Berdan, the inventor of certain devices described and claimed in a patent issued to that company, dated March 30, 1869.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### GEORGE L. PLUMMER.

Mr. NELSON. I ask unanimous consent for the immediate consideration of the bill (H. R. 3261) to remove the charge of desertion from the military record of George L. Plummer.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to remove the charge of desertion standing against the military record of George L. Plummer, late of Company M, First Maine Cavalry Volunteers, and to grant to him an honorable discharge. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JACOB COVERT.

Mr. FAIRBANKS. I ask for the consideration of the bill (H. R. 6930) for the relief of Jacob Covert.

There being no objection, the Senate, as in Committee of the

Whole, proceeded to consider the bill. It proposes to remove the charge of absent without leave against Jacob Covert, late first lieutenant of Company D, Twenty-fourth Regiment of Indiana Volunteer Infantry, and to grant him an honorable discharge, to date from the 1st day of August, 1862. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MONONGAHELA RIVER BRIDGE.

Mr. ELKINS. The Senator from Michigan yields to me to call up the bill (H. R. 11677) to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia. It is simply to give permission to the Secretary of War. The bill was reported unanimously by the Committee on Commerce, and there is no objection to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JOHN G. ROSE.

Mr. SMITH. I ask unanimous consent to call up the bill (S. 3151) for the relief of John G. Rose.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend the records of the Navy Department so as to place the name of John G. Rose on the roll as an acting master's mate from the time of his second enlistment, February 10, 1865, to the time of his discharge, January 30, 1868, and to cause an honorable discharge to be delivered to Rose as an acting master's mate, to take the place of the discharge as seaman which he now holds.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LOUIS MILLER.

Mr. WARREN. I desire to call up the bill (S. 2022) for the relief of Louis Miller.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 6, to strike out "said regiment" and insert "date August 4, 1863, from Company I of said regiment: *Provided*, That no pay, bounty, or allowances shall be allowed by reason of this act;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Louis Miller, late a member of the Sixty-second New York Infantry Volunteers, and to grant him an honorable discharge as of date August 4, 1863 from Company I of said regiment: *Provided*, That no pay, bounty, or allowances shall be allowed by reason of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ELLEN HARDIN WALWORTH.

Mr. LINDSAY. I ask the Senator from Michigan to give way that I may call up a pension bill.

Mr. McMILLAN. All right.

Mr. LINDSAY. I ask unanimous consent for the present consideration of the bill (S. 5474) granting a pension to Ellen Hardin Walworth. I call the attention of the Senator from New Hampshire [Mr. GALLINGER] to the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with amendments, after the word "Walworth," in line 6, to insert "late volunteer nurse, war with Spain," and in line 7, before the word "dollars," to strike out "thirty" and insert "twenty-five;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen Hardin Walworth, late volunteer nurse, war with Spain, and pay her a pension at the rate of \$25 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PROCEDURE IN CERTAIN PENSION CASES.

Mr. GALLINGER. The bill (H. R. 80) providing procedure in certain pension cases, which had passed both Houses of Congress, was, on my motion, recalled from the House. I now desire to enter a motion to reconsider the action of the Senate in passing the bill. I simply enter the motion.

The VICE-PRESIDENT. The motion will be entered.

#### EXTENSION OF PENNSYLVANIA AVENUE SE.

Mr. McMILLAN. I now ask that the order of the Senate regarding the consideration of District House bills be enforced. First, I call up House bill 11639.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11639) for the extension of Pennsylvania avenue SE. to the District line, which had been reported from the Committee on the District of Columbia with amendments.

Mr. McMILLAN. I ask that the committee amendments may be acted upon as the bill is read.

The VICE-PRESIDENT. The Chair hears no objection, and that course will be pursued.

The Secretary proceeded to read the bill. The first amendment was, in section 2, page 2, after line 17, to insert the following:

That of the amount found due and awarded as damages for and in respect of the land condemned under this section for the opening and extending of said street, one-half thereof shall be assessed by the jury in said proceedings against the pieces and parcels of land situate and lying upon each side of said Pennsylvania avenue extended, and also on any or all adjacent pieces or parcels of land which will be benefited by the said extension as herein provided.

The amendment was agreed to.

The next amendment was to insert the following as an additional section:

SEC. 3. That within ninety days after the approval of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to begin suit for the condemnation of the land required for the extension of Staughton street from its present terminus westward through block 1 of the Meridian Hill subdivision to Columbia avenue, with a uniform width of 65 feet.

That of the amount found due and awarded as damages for and in respect of the land condemned under this act for the extension of said street, one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground abutting on both sides of Staughton street and the extension thereof, as herein provided.

The amendment was agreed to.

The next amendment was to insert the following as an additional section:

SEC. 4. That within ninety days after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to begin suit for the condemnation of the land required for the extension of Eckington place, between Q street and Florida avenue, to a full width of 60 feet by acquiring the necessary land below Q street on the west side of said Eckington place.

That of the amount found due and awarded as damages for and in respect of the land condemned under this act for the widening of the said Eckington place, one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground abutting that portion of the street to be opened and extending to a depth of 200 feet from the westerly building line of said Eckington place.

The amendment was agreed to.

The next amendment was to insert the following as an additional section:

SEC. 5. That within ninety days after the approval of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to begin suit for the condemnation of the land required for the extension and widening of Sherman avenue from Florida avenue to Whitney avenue with the uniform width of 100 feet.

That of the amount found due and awarded for damages for and in respect of the land condemned under this act for the extension of said Sherman avenue not less than one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground abutting on both sides of Sherman avenue, and the extension thereof as herein provided, to a distance of 300 feet from the building lines on the east and west sides of Sherman avenue as widened and extended: *Provided*, That no assessment shall be made against those pieces or parcels of ground out of which land has already been dedicated to the District of Columbia for the purpose of widening Sherman avenue as herein provided for.

The amendment was agreed to.

The next amendment was to insert the following as an additional section:

SEC. 6. That within ninety days after the approval of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to begin suit for the condemnation of the land required for the extension of Twentieth street southerly from Wyoming avenue to Columbia road, including the triangular-shaped piece of land bounded by the east line of Twentieth street thus extended, the south line of Wyoming avenue, and the west line of Columbia road.

That of the amount found due and awarded for damages for and in respect of the land condemned under this act for the extension of said Twentieth street not less than one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of land situate and lying upon each side of said Twentieth street between Wyoming avenue and Columbia road, and also on any or all adjacent pieces or parcels of land which will be benefited by the said extension as herein provided.

The amendment was agreed to.

The next amendment was to insert the following as an additional section:

SEC. 7. That within thirty days after the dedication to the District of Columbia of sufficient land to open Elm street from Linden street to Fifth street the Commissioners of the District of Columbia be, and they are hereby, directed to begin suit for the condemnation of the land required for the extension of Fifth street, Le Droit Park, between Elm street and Wilson street, a distance of one square.

That of the amount found due and awarded as damages for and in respect of the land condemned under this act for the extension of Fifth street not less than one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground situate and lying on each side of said Fifth street between Pomeroy street and Spruce street, including the lots abutting on the said Fifth street, as extended.

The amendment was agreed to.

The next amendment was to insert the following as an additional section:

SEC. 8. That the Commissioners of the District of Columbia are hereby authorized and directed to commence suit for the condemnation of the land required for the extension of Howard avenue through lot No. 130, in Chapin Brown's subdivision of Mount Pleasant and Pleasant Plains, within thirty days from the passage of this act; and the proceedings for such condemnation shall be under and according to the provisions of sections 257 to 267 of the Revised Statutes of the United States Relating to the District of Columbia, which provide for the condemnation of lands in said District for public highways.

That of the amount found due and awarded as damages for and in respect of the land condemned under this act for the widening of said avenue, one-half thereof shall be assessed by said jury in said proceedings against blocks 2, 3, 4, 5, and 6 of Chapin Brown's subdivision of Ingleside, and against lots 122 to 144, inclusive, of Chapin Brown's subdivision of Mount Pleasant and Pleasant Plains.

The amendment was agreed to.

The next amendment was, in section (3) 9, page 7, line 2, after the word "under," to strike out "its" and insert "the;" and in line 3, after the word "provisions," to insert "of this act;" so as to read:

SEC. 9. That payment of the sum or sums of money adjudged to be due and payable for lands taken under the provisions of this act shall be made by the Treasurer of the United States, ex officio commissioner of the sinking fund of the District of Columbia, upon the warrant of the said Commissioners, out of the revenues of the District of Columbia; and a sufficient sum to pay such judgments and awards is hereby appropriated out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was to strike out the following:

SEC. 4. That of the amount found due and awarded as damages for and in respect of the land condemned under this act for the opening and extending of said street one-half thereof shall be assessed by the jury in said proceedings against the pieces and parcels of land situate and lying upon each side of said Pennsylvania avenue extended, and also on any or all adjacent pieces or parcels of land which will be benefited by the said extension as herein provided.

The amendment was agreed to.

The next amendment was to insert, at the end of section (6) 11, page 8, the following:

When the use of a part only of any piece or parcel of ground shall be condemned, the jury, in determining its value, shall not take into consideration any benefits that may accrue to the remainder thereof from the opening of said avenue, but such benefits shall be considered in determining what assessment shall be made on or against that part of such lot as is not taken, as is hereinbefore provided.

So as to make the section read:

SEC. 11. That when confirmed by the court the assessments shall severally be a lien upon the land assessed, and shall be collected as special improvement taxes in the District of Columbia, and shall be payable in five equal installments, with interest at the rate of 4 per cent per annum until paid. When the use of a part only of any piece or parcel of ground shall be condemned, etc.

The amendment was agreed to.

The next amendment was, in section (7) 12, page 8, line 17, after the word "of," to insert "sections 1 and 2 of;" so as to make the section read:

SEC. 12. That when the Commissioners of the District of Columbia shall have taken possession of the pieces or parcels of ground in respect to which such judgment condemning the right of way shall have been entered under the provisions of sections 1 and 2 of this act, it shall be their duty to cause a roadway of said Pennsylvania avenue SE., as extended under the provisions herein, of such width and character of construction as in their judgment may be suitable, to be graded and regulated as soon as practicable thereafter.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

On motion of Mr. McMILLAN, the title was amended so as to read: "A bill for the extension of Pennsylvania avenue SE. to the District line, and for other purposes."

Mr. McMILLAN. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. HANSBROUGH, and Mr. GORMAN were appointed.

#### GAME AND SONG BIRDS.

Mr. HOAR. In the matter of the bill (H. R. 3589) to extend the powers and duties of the Commission on Fish and Fisheries to include game birds and other wild birds useful to man, just reported from the committee of conference, as to which I entered a motion to reconsider the votes by which the bill was ordered to a third reading and passed, I now ask that the motion be acted upon.

The VICE-PRESIDENT. The Senator from Massachusetts moves that the votes by which the bill referred to by him was ordered to a third reading, read the third time, and passed be reconsidered.

The motion was agreed to.

Mr. HOAR. I now move to reconsider the motion amending the bill by adding certain sections.

The VICE-PRESIDENT. The question is on the motion of the

Senator from Massachusetts to reconsider the vote by which the amendment was adopted.

The motion was agreed to.

Mr. HOAR. I now move to amend the House bill by striking out all after the enacting clause and substituting what was added as new sections by the Senate to the bill. It is not necessary that the sections shall be again read, as they have been read.

Mr. COCKRELL. What is the pending measure?

Mr. HOAR. The bill in relation to birds.

Mr. COCKRELL. That is enough.

Mr. HOAR. That is the whole story. It is not necessary, I suppose, to make any explanation.

The VICE-PRESIDENT. Will the Senator indicate to the Secretary what are the amendments he desires to have adopted?

Mr. HOAR. We have just reconsidered the vote by which the Senate added certain sections to the bill. I now move that instead of adding those to the bill as it originally came from the House to strike out all after the enacting clause and insert those sections as a substitute for the House bill. It is not necessary that they should be read.

Mr. CHILTON. What is the bill as to which the Senator proposes to strike out all after the enacting clause?

Mr. HOAR. I was about to make a statement, but the Senator from Missouri [Mr. COCKRELL] did not think it necessary. It is the bill for the protection of birds. The House sent over a bill to give jurisdiction over that subject to the Fish Commission. The bill was amended in the Senate by adding other sections for the protection of song birds, and so on, which were passed unanimously. Then the matter went into conference. Now, everybody is satisfied that it was a mistake to give that jurisdiction to the Fish Commission. But as the bill now stands it is not in the power of the conferees to withdraw it, because both Houses have agreed to it. The bill has now come back to the Senate, and the Senate has reconsidered its previous action. I now propose to make what the Senate heretofore passed a substitute for the House bill.

Mr. CHILTON. That is the way the bill was before?

Mr. HOAR. Yes; that is the way it was before. All the conferees agree to it. After my motion has been agreed to, I shall then ask for a new conference and the whole matter will open.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Massachusetts to strike out all after the enacting clause of the bill and insert what he has indicated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. HOAR. I now move that the Senate ask for a committee of conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. HOAR, Mr. TELLER, and Mr. BACON were appointed.

#### CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. The Senator from Michigan [Mr. McMILLAN] kindly yields to me to make a request. I ask unanimous consent that at the hour of 5 o'clock this afternoon, provided that neither the military bill nor an appropriation bill be before the Senate, one hour be given to the consideration of pension bills on the Calendar.

The VICE-PRESIDENT. The Senate has heard the request of the Senator from New Hampshire that at 5 o'clock this afternoon, if an appropriation bill or the military bill is not pending, one hour be given to the Pension Calendar. Is there objection? The Chair hears none, and that order is made.

#### BRIG. GEN. JOHN R. BROOKE.

Mr. TELLER. I ask the Senator from Michigan to yield to me to call up a House bill which was under consideration yesterday, and which has been read.

Mr. McMILLAN. I yield for that purpose.

Mr. TELLER. I ask unanimous consent for the present consideration of the bill (H. R. 7860) to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE-PRESIDENT. This bill was read through yesterday.

Mr. TELLER. I want to say that the Senator from Nebraska [Mr. ALLEN] has notified me that he has no further objection to the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

## EXTENSION OF S STREET.

Mr. McMILLAN. I now ask for the consideration of House bill 11597.

The bill (H. R. 11597) to extend S street, in the District of Columbia, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, line 3, after the word "that," to insert "within thirty days from the passage of this act;" in line 5, after the words "directed to," to insert "commence suit for the condemnation of the land necessary to;" in line 9, after the words "Widow's Mite," to strike out "by condemnation;" and on page 2, line 1, after the word "streets," to strike out "and the Commissioners shall at once enter;" so as to read:

That within thirty days from the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to commence suit for the condemnation of the land necessary to open and extend S, Twenty-second, and Decatur streets through lots 41 and 42 of Phelps and Tuttle's subdivision of Connecticut Avenue Heights, part of Widow's Mite: *Provided*, That the owners of the "Kall" tract dedicate the land in said tract contained within the lines of said streets.

The amendment was agreed to.

The next amendment was, in section 1, on page 2, after the word "enter," to insert:

*And provided further*, That of the amount found due and awarded as damages for and in respect of the land condemned under this section for the opening of said streets, not less than one-half thereof shall be assessed by the jury in said proceedings against the pieces and parcels of ground situate and lying on each side of the extension of said streets, and also on all or any adjacent pieces or parcels of land which will be benefited by the opening of said streets as herein provided.

The amendment was agreed to.

The next amendment was, after section 1, to insert as a new section the following:

SEC. 2. That within thirty days after the dedication to the District of Columbia of the lands lying within the lines of Sixteenth street NW. as extended (according to the highway plans), between the Piney Branch and the Blagden Mill road, and also between the Military road and the District of Columbia boundary line, the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to commence suit for the condemnation of the remainder of the land required for the extension of Sixteenth street NW. from Morris street to the District of Columbia boundary line with the uniform width of 160 feet. That of the amount found due and awarded as damages for and in respect of the land condemned for the extension of Sixteenth street as in this section provided, not less than one-half thereof shall be assessed by said jury in said proceedings against those pieces and parcels of ground situated and lying on each side of said Sixteenth street NW. between Morris street and the Piney Branch, and between the Blagden Mill road and the Military road, to a depth of 250 feet, measured on each side from the building lines of the said Sixteenth street as extended.

The amendment was agreed to.

The next amendment was, after section 2, to insert the following:

SEC. 3. That within ninety days after the passage of this act the Commissioners of the District of Columbia are hereby authorized and directed to begin suit for the condemnation of the land required for the extension of Eleventh street NW. on a straight extension of the lines thereof, as now established in the city of Washington, with a width of 90 feet, from Florida avenue to Harvard street, and thence with the same width and in a straight line to Lydecker avenue, joining said avenue with its center line opposite the center line of Eslin avenue.

That of the amount found due and awarded as damages for and in respect of the land condemned under this act for the extension of the said Eleventh street at least one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground abutting that portion of the street to be opened, and extending to a depth of 200 feet from the building lines of said Eleventh street as extended.

The amendment was agreed to.

The next amendment was, after section 3, to insert the following:

SEC. 4. That within ninety days after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to begin suit for the condemnation of the land required for the extension of New Hampshire avenue from the intersection of Whitney and Sherman avenues to the west line of Brightwood avenue at its intersection with the Rock Creek Church road, the same to be on a straight extension and of the same width of said avenue as now established in the subdivision of Petworth.

That of the amount found due and awarded as damages for and in respect of the land condemned under this act for the extension of said New Hampshire avenue, at least one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground abutting that portion of New Hampshire avenue to be opened, and extending to a depth of 250 feet, measured on each side of the building lines of the said New Hampshire avenue as widened, and also on such other pieces or parcels of land as may, in the judgment of the said jury, be benefited by the extension and widening as herein proposed.

The amendment was agreed to.

The next amendment was, on page 4, after line 20, to insert "SEC. 5. That the:" in line 22, after the word "said," to strike out "land in said lots 40 and 42" and insert "lands as provided for in sections 1, 2, 3, and 4 of this act shall be;" in line 24, after the word "under," to insert "and according to;" on page 5, line 1, after the word "Columbia," to insert "which provide for the condemnation of lands in said District for public highways;" in line 4, before the word "hundred," to strike out "two" and insert "five;" in the same line, before the word "dollars," to strike out "and fifty;" and in line 5, after the word "Columbia," to strike out:

*Provided*, That if the benefits assessed by the jury shall be less than 50 per

cent of the value of the property taken, then the condemnation proceedings herein provided for shall be dismissed, and said streets shall not be opened.

So as to make the section read:

SEC. 5. That the proceedings for the condemnation of said lands as provided for in sections 1, 2, 3, and 4 of this act shall be under and according to the provisions of chapter 11 of the Revised Statutes of the United States relating to the District of Columbia, which provide for the condemnation of lands in said District for public highways; and to provide the necessary funds for the cost of such condemnation proceedings the sum of \$500 is hereby appropriated, out of the funds of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 5, after line 9, to insert:

SEC. 6. That payment of the sum or sums of money adjudged to be due and payable for lands taken under the provisions of this act shall be made by the Treasurer of the United States, ex officio commissioner of the sinking fund of the District of Columbia, upon the warrant of the said Commissioners, out of the revenues of the District of Columbia; and a sufficient sum to pay such judgments and awards is hereby appropriated out of the revenues of the District.

The amendment was agreed to.

The next amendment was, on page 5, after line 17, to insert:

SEC. 7. That the sums to be assessed against each lot and piece and parcel of ground shall be determined and designated by the jury, and in determining what amount shall be assessed against any particular piece or parcel of ground the jury shall take into consideration the situation of said lots and the benefits that they may severally receive from the opening of said streets. When the use of a part only of any piece or parcel of ground shall be condemned, the jury, in determining its value, shall not take into consideration any benefits that may accrue to the remainder thereof from the opening of said avenue, but such benefits shall be considered in determining what assessment shall be made on or against that part of such lot as is not taken, as is hereinbefore provided.

The amendment was agreed to.

The next amendment was, on page 6, after line 5, to insert:

SEC. 8. That when confirmed by the Commissioners of the District of Columbia the assessments shall severally be a lien upon the land assessed, and shall be collected as special improvement taxes in the District of Columbia, and shall be payable in five equal installments, with interest at the rate of 4 per cent per annum until paid.

The amendment was agreed to.

The next amendment was, on page 6, after line 11, to insert:

SEC. 9. That payment of the awards made in respect of the property condemned shall not be made until the assessments herein provided for shall have been made against the aforesaid property and duly confirmed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. McMILLAN. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. HANSBROUGH, and Mr. GORMAN were appointed.

## SALE OF INTOXICATING LIQUORS ON SUNDAY.

Mr. HANSBROUGH. Under the unanimous-consent agreement, with the permission of the chairman of the committee [Mr. McMILLAN], I desire to call up at this time the bill (H. R. 11733) to prevent the sale of intoxicating liquors on Sunday in the District of Columbia.

The VICE-PRESIDENT. That is one of the bills on the list.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HANSBROUGH. I now move that the Senate bill on the same subject, being the bill (S. 5328) to prohibit the sale of intoxicating liquors on Sunday in the District of Columbia, be indefinitely postponed.

The motion was agreed to.

GEORGE H. MATHER.

Mr. SEWELL. The Senator from Michigan consents that I may ask for the consideration of the joint resolution (S. R. 247) for the relief of ex-Naval Cadet George H. Mather. I ask that that joint resolution may be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It authorizes the President of the United States to appoint, by and with the advice and consent of the Senate, George H. Mather as an ensign in the Navy, to take rank as if his period of former service had expired at the present time, to wit, at the foot of the class of 1897, he having been graduated at the Naval Academy in 1892 and honorably discharged July 1, 1894, and having afterwards served as volunteer ensign in the late war; but he shall not receive pay for time when out of service, and he shall be required to pass an examination satisfactory to the Secretary of the Navy as to his physical, mental, and moral and professional qualifications for appointment.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PRESERVATION OF GAME, ETC.

Mr. McMILLAN. I now ask for the consideration of House bill No. 2524.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2524) for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia.

Mr. McMILLAN. The bill has been heretofore read.

The VICE-PRESIDENT. The Chair so understands, but the amendments reported by the committee have not been acted upon.

The first amendment reported by the Committee on the District of Columbia was, in section 1, page 2, line 6, after the word "November," to insert "except the English ring-neck pheasant, or other pheasants of foreign origin, hatched and raised in farm poultry inclosures;" and on page 3, line 2, after the word "for," to strike out "each bird so killed, exposed for sale, or in possession," and insert "a violation of any of the provisions of this section;" so as to make the section read:

That no person shall kill, expose for sale, or have in his or her possession, either dead or alive, any partridge, otherwise quail, between the 1st day of February and the 1st day of November; nor kill, expose for sale, or have in his or her possession, either dead or alive, any woodcock, between the 15th day of January and the 15th day of July; nor kill, expose for sale, or have in his or her possession, either dead or alive, any prairie chicken, otherwise pinated grouse, between the 1st day of February and the 1st day of September; nor kill, expose for sale, or have in his or her possession, either dead or alive, any ruffed grouse, otherwise known as pheasant, between the 30th day of December and the 1st day of November, except the English ring-neck pheasant, or other pheasants of foreign origin, hatched and raised in farm poultry inclosures; nor kill, expose for sale, nor have in his or her possession, either dead or alive, any wild turkey, between the 30th day of December and the 1st day of November; nor kill, expose for sale, nor have in his or her possession, either dead or alive, any rabbit, except the species known as the English rabbit or squirrel, between the 1st day of February and the 1st day of November; nor kill, expose for sale, or have in his or her possession, either dead or alive, any snipe or plover, between the 1st day of May and the 1st day of September; nor kill, expose for sale, or have in his or her possession, either dead or alive, any wild duck, wild goose or brant, between the 1st day of May and the 1st day of September; nor kill, expose for sale, or have in his or her possession, either dead or alive, any water rail or ortolan, reed bird or rice bird or marsh blackbird, between the 1st day of February and the 30th day of August; nor shoot at nor kill the same except on Tuesdays, Thursdays, and Saturdays, between the 21st day of August and the 1st day of February, under a penalty of \$5 for a violation of any of the provisions of this section, and in default thereof to be imprisoned in the workhouse for a period not exceeding thirty days.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 21, after the word "the," to strike out "executive curator of the National Museum" and insert "superintendent of police of the District of Columbia, in accordance with such restrictions as the Secretary of the Smithsonian Institution may prescribe;" so as to make the section read:

SEC. 3. That no person shall expose for sale or have in his or her possession dead, at any time, any turkey buzzard, wren, bluebird, humming bird, blue jay, robin or migratory thrush, wood or song robin, martin, mocking bird, swallow, oriole, red or cardinal bird, catbird, pewee, whip-poor-will, goldfinch, capsucker, hanging bird, woodpecker, crow blackbird, or other insectivorous bird, save for scientific purposes upon permit from the superintendent of police of the District of Columbia, in accordance with such restrictions as the Secretary of the Smithsonian Institution may prescribe, and excepting the English sparrow; nor rob the nest of any wild bird of eggs or young or destroy such nest, except in the clearing of lands of trees or brush; nor trap, net, or ensnare any wild bird, or water fowl mentioned in this chapter, or have in his possession any trap, snare, net, or illuminating device for the purpose of killing or capturing any wild duck, wild goose, wild brant or bird, under a penalty of \$3 for each wild duck, wild goose, wild brant, or bird killed or captured, or bird's nest and eggs destroyed, and, in default, to be imprisoned in the workhouse not exceeding thirty days.

The amendment was agreed to.

The next amendment was, in section 5, page 5, line 1, after the word "Columbia," to insert "with sworn information presented to such officer or warden;" so as to make the section read:

SEC. 5. That to carry out the provisions of this chapter any police officer, game warden having police authority, or health officer, in the District of Columbia, with sworn information presented to such officer or warden, is authorized and empowered to thoroughly inspect any house, boat, market box, stall, cold storage, or other place of whatever character or kind, where he may believe game, meats, or birds, as heretofore mentioned in this chapter, may be stored or kept; and any proprietor, agent, employee, or other person refusing to permit such inspection shall be deemed guilty of interference with the police, and, upon conviction therefor, be fined not more than \$100 nor less than \$25, and, in default of such payment, to be imprisoned in the United States jail not exceeding six months.

The amendment was agreed to.

The next amendment was, in section 9, page 6, line 18, after the word "violation," to insert "and prosecution shall be brought in the name of the District of Columbia;" so as to make the section read:

SEC. 9. That any officer or other person securing the conviction of any violator of any of the provisions of this act, in the police court or other court of the District of Columbia, shall receive one-half of any fine which may be imposed and paid for such violation, and prosecution shall be brought in the name of the District of Columbia.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

✓The bill was read the third time, and passed.

#### REORGANIZATION OF THE ARMY.

Mr. HAWLEY. I ask unanimous consent that at 1 o'clock the Senate take up for consideration the bill (S. 5378) for increasing the efficiency of the Army of the United States, and for other purposes.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Connecticut that at 1 o'clock the Army bill be taken up for consideration? The Chair hears none, and that order will be made.

#### REMOVAL OF UNSAFE BUILDINGS.

Mr. THURSTON. Will the Senator yield to me for a moment?

Mr. McMILLAN. Mr. President, the Senator from Connecticut [Mr. HAWLEY] has given notice that he wishes consideration for the Army bill at 1 o'clock. Therefore, I think I shall have to object to interruption for a while until I see how we get along with the consideration of the District bills.

The VICE-PRESIDENT. Objection is made.

Mr. McMILLAN. I ask for the present consideration of the bill (H. R. 11024) to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### GREATER AMERICA EXPOSITION AT OMAHA.

Mr. THURSTON. I ask unanimous consent for the present consideration of the joint resolution (S. R. 225) relative to the Greater America Exposition to be held in Omaha, Nebr., in the year 1899, and to encourage the same by providing, without expense to the Government, for exhibits from Cuba, Porto Rico, the Ladrone Islands, and the Philippine Archipelago, and for the use of the Government buildings erected for exposition purposes in 1898, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### WASHINGTON PUBLIC LIBRARY.

Mr. McMILLAN. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 5389) to provide a site for a building for the Washington Public Library.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. McMILLAN. I offer the amendment which I send to the desk.

The SECRETARY. It is proposed to insert as a new section the following:

SEC. 5. No proceedings shall be taken by the Commissioners of the District of Columbia under the provisions of this act until the said Andrew Carnegie shall have entered into such an agreement with the Commissioners of the District of Columbia as will effectually provide the money for the erection of a library building as aforesaid.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### COMMERCIAL EXPOSITION AT PHILADELPHIA.

Mr. PENROSE. With the consent of the Senator from Michigan, I ask unanimous consent to call up the joint resolution (S. R. 242) authorizing foreign exhibitors at the commercial exposition to be held in Philadelphia, Pa., in 1899, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Treasury.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Finance with an amendment, in line 17, after the word "than," to strike out "one year" and insert "three months;" so as to make the proviso read:

Provided, however, That no alien shall by virtue of this act enter the United States under contract to perform labor except by express permission, naming such alien, of the Secretary of the Treasury; and any such alien who may remain in the United States for more than three months after the close of the exposition shall thereafter be subject to all the processes and penalties applicable to aliens coming in violation of the alien contract-labor law aforesaid.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

#### ALBUQUERQUE, N. MEX., BOND ISSUE.

Mr. SHOUP. I ask unanimous consent for the present consideration of the bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Territories with amendments.

The first amendment was, on page 1, line 7, after the word "interest," to insert "not exceeding 5 per cent per annum;" so as to read:

That the city of Albuquerque, in the county of Bernalillo and Territory of New Mexico, is hereby authorized and empowered to issue bonds of the said city in a sum not to exceed \$65,000 in all, in such denominations and at such rate of interest, not exceeding 5 per cent per annum, as the municipal government of said city shall provide, etc.

The amendment was agreed to.

Mr. ALLEN. I should like to know the exact purpose of the bill.

Mr. CARTER. The terms of the bill confine the law as enacted strictly to the funding of certain outstanding warrants. It seems that the assessed valuation of property in that city materially decreased. The decrease was such that about \$62,000 of outstanding warrants were thereby rendered illegal, in view of the 4 per cent limitation placed by law upon municipalities, and the Territories as well, in the creation of indebtedness. These warrants are outstanding and are drawing, I believe, 7 per cent interest. They are to-day, by operation of conditions and incidents over which that municipality had no control, rendered an excess over and above the legal limit; and it is desired that they be funded at a lower rate of interest.

Mr. STEWART. What is the interest named in the bill?

Mr. CARTER. It was not an illegal issue at the time the warrants were made, but they have become so by virtue of the decreased value of property in the city of Albuquerque.

Mr. ALLEN. Were they not in excess of the limit of taxation at the time they were issued?

Mr. CARTER. I do not understand that they were in excess at the time.

Mr. ALLEN. A year or so ago we had before us a bill which undertook to legalize the issuance of a lot of warrants in New Mexico, and it was either defeated or found its way to the foot of the Calendar and was never considered. I am a little bit suspicious about these bills that legalize the issue of warrants that were illegal at the time of their issuance. There is nothing here to show what the warrants were issued for.

Mr. CARTER. They were issued, according to the statement of the Delegate from New Mexico and according to a memorial by the city council of Albuquerque, in the ordinary course of business for necessary city improvements and for the ordinary current expenses of administration. The city council has memorialized Congress to permit the funding of these warrants. As far as the Committee on Territories were advised, there was not at any point in the city of Albuquerque or from any person directly or indirectly connected with New Mexican affairs any opposition whatever to the enactment of this bill. It seemed to be fair and just and proper. The committee scrutinized it with great care and cross-examined the Delegate from New Mexico with reference to the conditions existing there and the advisability of this legislation. The committee reduced the rate of interest named in the bill from 6 to 5 per cent, and recommend that the bill do pass.

Mr. ALLEN. Is it a House or Senate bill?

Mr. SHOUP. A House bill.

Mr. CARTER. A House bill.

Mr. ALLEN. I do not know that I ought to object—

Mr. CARTER. I think the legislation is necessary and, on the whole, just and proper.

Mr. ALLEN. I do not know that I ought to object to it, but I feel that this bill ought not to pass without a more extended explanation of it. It is a custom, almost an invariable custom, in some of these mushroom towns in the Territories to create an indebtedness in excess of their power; the warrants go to a discount, are bought for a mere song, and then the holders come to Congress to legalize the transaction and make their warrants par or better. I am not prepared to say—

Mr. CARTER. In that behalf I will say to the Senator from Nebraska that the committee made inquiry from the Delegate from New Mexico as to the persons holding the warrants, and he stated to us that the warrants were very largely in the hands of the persons to whom they were originally issued; that they had not been salable and were regarded as illegal, not because of the disposition of the officers of that municipality to issue illegal warrants, but because the assessed valuation of property had sud-

denly decreased to such an extent as to leave this part of the indebtedness exposed to the charge of illegality.

Mr. ALLEN. That, in the nature of things, could not be true if they were not illegal when issued. If they were not in excess of the rate of taxation, or if they did not exceed 4 per cent of the assessed valuation of property at the time they were issued, they were legal. Now the fact that values may have shrunk after that would not invalidate the warrants. They would be just as valid to-day as then.

Mr. CARTER. I think no controversy can arise in reference to the legal proposition stated by the Senator from Nebraska. It seems to be a fact that the common council of that city proceeded upon the theory that they had a right to issue the warrants, going forward until checked by some one who called attention to the fact that this issue, in view of the last assessment of property, was in excess of the limitation fixed by law. They proceeded on a condition that had passed away, in so far as the valuation of property was concerned. I think the overissue was a pure inadvertence. The city council in the memorial presented to the committee sets forth the fact that at the present time the city of Albuquerque is paying cash for all expenditures necessary in the administration of the city and for the making of necessary improvements.

Personally I know nothing of this bill or of the conditions to which it refers, except as information has come to me from the Delegate from New Mexico. His earnestness and zeal and persistence in endeavoring to secure relief for the people of that city impressed every member of the Committee on Territories, and on his account and on account of the merits of the case as he presents it I should like to see the bill passed.

Mr. ALLEN. I shall not object, but it strikes me that it ought to be investigated more thoroughly.

The next amendment of the Committee on Territories was, on page 2, line 12, before the word "per cent," to strike out "six" and insert "five;" so as to read:

Such bonds shall not be disposed of for less than their par value, and shall not bear a greater rate of interest than 5 per cent per annum.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### LANDS IN THE CITY OF WASHINGTON.

Mr. DANIEL. I ask unanimous consent for the present consideration of the bill (H. R. 631) to confirm title to lots 13 and 14, in square 959, in Washington, D. C.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to release and quitclaim to Thomas Yates all the right, title, and interest, whether legal or equitable, of the United States of America in and to all those lots or parcels of ground situated in the city of Washington, D. C., and known on the ground plan of said city as lots Nos. 13 and 14, in square 959, upon the payment by the said Thomas Yates of such a sum as the said Secretary of the Interior shall deem just and equitable: *Provided*, That the said Thomas Yates pay to the proper officer of the District of Columbia all taxes heretofore assessed against said property, both general and special, now unpaid and standing against said property.

Sec. 2. That the Secretary of War be, and he is hereby, authorized and directed to correct the records of the War Department in respect of any of the lots mentioned in Senate Document No. 277, Fifty-fifth Congress, second session (being a letter from the Secretary of War transmitting, in compliance with the resolution of the Senate of January 27, 1898, a letter from the Chief of Engineers, together with list of lots in the city of Washington, D. C., the title to which the records of his office show to be in the United States, and list of lots in the city of Washington, D. C., which are shown by the records of his office to have been donated by the United States), upon the filing by an actual occupant of any of the lots mentioned in said document sufficient proof that the said occupant or the party under whom he claims has been in actual possession of the said lot or lots for an uninterrupted period of twenty years, so that said records shall show the title to said lots to be in the said occupant.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. DANIEL. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. KENNEY, Mr. PRITCHARD, and Mr. PROCTOR were appointed.

#### JONATHAN BROOKS.

Mr. LODGE. I ask unanimous consent for the present consideration of the joint resolution (S. R. 230) to authorize the President to appoint Jonathan Brooks an assistant paymaster in the Navy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUNISHMENT OF SEDUCTION.

Mr. McMILLAN. I call up the bill (H. R. 1136) for the punishment of seduction in the District of Columbia.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that if any person shall seduce and carnally know any female of previous chaste character between the ages of 16 and 21 years, out of wedlock, in the District of Columbia, such seduction and carnal knowledge shall be deemed a misdemeanor, and the offender, being convicted thereof, shall be punished by imprisonment for a term not exceeding one year or fined not exceeding \$200, or may be punished by both such fine and imprisonment.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA.

Mr. McMILLAN. I call up the bill (H. R. 11023) to regulate the height of buildings in the District of Columbia.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### REDEMPTION OF OUTSTANDING CERTIFICATES.

Mr. McMILLAN. I call up the bill (H. R. 9760) to redeem outstanding certificates issued by the board of public works of the District of Columbia held by W. D. Williams.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on the District of Columbia with an amendment, to insert the following as an additional section:

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized and directed to receive and audit certificates of indebtedness No. 4352 (sewer bond), of the sum of \$100; No. 4746 (sewer bond), of the sum of \$50; No. 2916 (sewer bond), of the sum of \$50; No. 2824, of the sum of \$100, issued by the auditor or treasurer of the late board of public works of the District of Columbia. Also, certificates of indebtedness No. 3548, in the sum of \$21.80; No. 6367, in the sum of \$44.87; No. 573, in the sum of \$23.61; No. 5570, in the sum of \$31.34; No. 13456, in the sum of \$4.90; No. 15576, in the sum of \$10.72; No. 15677, in the sum of \$6.87; No. 5279, in the sum of \$3; No. 5280, in the sum of \$28.90; No. 5744, in the sum of \$56; No. 5746, in the sum of \$27.42; No. 5747, in the sum of \$24.94, issued by the late board of audit of the District of Columbia, for the redemption of which there is no existing law, and to pay to the holders of these, and to the holders of those issued by the auditor or treasurer of the late board of public works of the District of Columbia, as described in the first part of this bill, the amount respectively found due on such certificates, including interest thereon at the rate of 3.65 per cent per annum from the date of their issue to December 31, 1880; and a sufficient amount to pay the principal and interest of the certificates aforesaid is hereby appropriated, one-half from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to redeem certain outstanding certificates issued by the board of audit and the board of public works of the District of Columbia."

#### CAPITAL TRACTION COMPANY.

Mr. McMILLAN. I wish to call up the bill (H. R. 8656) authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company in the District of Columbia.

Mr. GORMAN. I suggest to the Senator from Michigan that he had better let all the bills relating to District railroads go over until another morning, for a reason which he understands, I think.

Mr. McMILLAN. If objection is made to that bill, I will call up House bill 11570.

The VICE-PRESIDENT. The Chair understands the Senator from Maryland to object.

#### REMOVAL OF WEEDS IN THE DISTRICT OF COLUMBIA.

Mr. McMILLAN. I call up the bill (H. R. 11570) to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DISPOSITION OF ASSESSMENT CERTIFICATES.

Mr. McMILLAN. I call up the bill (H. R. 6248) to provide for the disposition of assessment certificates of the District of Columbia, and for other purposes.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### THOMAS HICKEY.

Mr. CULLOM. I ask the Senator from Michigan kindly to yield to me for the purpose of calling up a bill.

Mr. McMILLAN. I yield to the Senator from Illinois.

Mr. CULLOM. I ask the Senate to proceed to the consideration of the bill (H. R. 5326) for the relief of Thomas Hickey.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on Military Affairs with an amendment, in line 7, after the word "discharge," to insert "as of date November 19, 1861," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now standing against the military record of Thomas Hickey, late of Company I, Twelfth Illinois Volunteer Cavalry, and to issue an honorable discharge as of date November 19, 1861: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### IMPERSONATION OF WEIGHMASTERS.

Mr. McMILLAN. I call up the bill (H. R. 8626) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in line 6, section 1, after the word "fodder," to strike out "or corn;" so as to make the section read:

That it shall be unlawful for any person to falsely represent himself or herself as being a weighmaster of hay, straw, fodder, or corn, or to make, give, or issue any certificate of the quantity of hay, straw, fodder, weighed in the District of Columbia.

The amendment was agreed to.

The next amendment was to strike out section 2, in the following words:

SEC. 2. That hereafter in the District of Columbia 350 pounds of corn on the cob shall constitute a barrel and 290 pounds of shelled corn shall constitute a barrel.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### REORGANIZATION OF THE ARMY.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Under the unanimous-consent agreement of the Senate, the hour of 1 o'clock having arrived, the Chair lays before the Senate the following bill for consideration.

The SECRETARY. A bill (S. 5578) for increasing the efficiency of the Army of the United States, and for other purposes.

Mr. GEAR. The chairman of the Committee on Military Affairs yields to me. I ask leave to call up House bill 3567, to remove the charge of desertion against Gardner Dodge.

Mr. HAWLEY. I have been instructed by my associates to wait a few moments. So I yield to the Senator from Iowa and then to several other Senators, to call up bills which will provoke no debate.

#### GARDNER DODGE.

The PRESIDING OFFICER. The Senator from Iowa asks consent, without displacing the bill just read by title at the desk, that the Senate proceed to the consideration of the bill indicated by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3567) to remove the charge of desertion against Gardner Dodge, which had been reported from the Committee on Military Affairs with an amendment, in line 4, after the word "to," to strike out—

Remove from the records the charge of desertion against Gardner Dodge, of Company L, Ninth Iowa Cavalry Volunteers: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

And insert:

Revoke and set aside Special Orders, No. 421, paragraph 14, dated War Department, Adjutant-General's Office, August 5, 1865, and Special Orders, No. 113, dated Headquarters Department of Arkansas, May 11, 1865, and General Orders, No. 39, Headquarters Department of Arkansas, Little Rock, Ark., May 6, 1865, approving the proceedings and findings of the general court-martial convened pursuant to paragraph 2 of Special Orders, No. 66, dated Headquarters Department of Arkansas, March 16, 1865, and confirming the

sentence of such court in so far as such orders relate to and affect Gardner Dodge, of Company L, Ninth Regiment Iowa Cavalry Volunteers, and to disapprove the proceedings and findings of said court-martial relating to said soldier, and to remove the charge of desertion from his record, and to issue to him an honorable discharge as of date August 10, 1865: *Provided*, That no pay, bounty, or allowance shall be paid him by virtue of this act.

So as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War is hereby authorized and directed to revoke and set aside Special Orders, No. 421, paragraph 14, dated War Department, Adjutant-General's Office, August 5, 1865, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOSEPH T. VINCENT.

Mr. HANNA. I ask for the consideration of the bill (S. 3831) to correct the military record of Joseph T. Vincent.

Mr. HAWLEY. I am willing to wait a few minutes longer.

The PRESIDING OFFICER. Temporarily displacing the bill which was read by title at the desk, the Senator from Ohio asks for the present consideration of the bill indicated by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of War is hereby authorized and directed to revoke and set aside paragraph 5 of Special Orders, No. 39, War Department, Adjutant-General's Office, January 23, 1864, dismissing Joseph T. Vincent, regimental quartermaster of the First Tennessee Volunteers, African descent, dishonorably from the service, and to accept the resignation of said Joseph T. Vincent and to issue to him an honorable discharge as of date January 23, 1864, and to correct the records accordingly: *Provided*, That no pay, bounty, allowance, or other emoluments shall accrue to said Vincent by virtue of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. M'KINSEY.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of the bill (H. R. 1800) to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster.

The PRESIDING OFFICER. Is there objection, temporarily displacing the unfinished business?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to George W. McKinsey, postmaster at Kokomo, Ind., \$620.20, that amount being paid out by him as such postmaster for clerk hire, rents, gas, light, and fuel, all of which was necessary to carry on and conduct properly the business of the post-office.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT ELIZABETH CITY, N. C.

Mr. BUTLER. Mr. President, I wish to make a statement.

Yesterday morning I asked unanimous consent to pass a bill providing for the construction of a public building at Elizabeth City, N. C. In answer to some question I stated that a similar bill had already passed the House. I was mistaken. It had passed the Committee of the Whole in the House and had been recommended to the House, but it has not yet been finally acted upon. I wish to make that statement inasmuch as I thought yesterday morning that the bill had passed the House. The Senate bill is identical with the bill that has passed the Committee of the Whole in the House. I was mistaken in supposing that it had passed the House. I saw the statement in the newspapers, and I thought it had finally passed. It had passed the Committee of the Whole.

REORGANIZATION OF THE ARMY.

Mr. HAWLEY. I must explain that I am awaiting a conference of the members of the Military Committee and others in the Military Committee room. They asked me to wait before proceeding with the Army bill. But I can not consent to the introduction of anything that will involve any debate whatever.

Mr. FAULKNER. I ask the Senator from Connecticut to permit me to interrupt the unfinished business a moment to ask the passage of a short bill.

Mr. HAWLEY. I have no objection.

CHRISTIANA DENGLE.

Mr. FAULKNER. I ask unanimous consent for the present consideration of the bill (S. 5374) for the relief of Christiana Dengler.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from West Virginia asks unanimous consent for the

present consideration of the bill indicated by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that all real estate lying in the District of Columbia heretofore purchased by and conveyed to Christiana Dengler shall be relieved and exempted from the operations of an act entitled "An act to restrict ownership of real estate in the Territories to American citizens," approved March 3, 1887; and remits all forfeitures incurred by force of that act in respect to such real estate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BRIDGES ACROSS THE CONECUH RIVER, ALABAMA.

Mr. PASCO. I ask the Senate to proceed to the consideration of the bill (H. R. 9381) authorizing the construction of three bridges across the Conecuh River, a navigable stream, in Escambia County, Ala.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEIRS OF SAMUEL KRAMER.

Mr. WELLINGTON. I ask unanimous consent for the present consideration of the bill (S. 3187) for the relief of the widow and heirs of Samuel Kramer.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Treasury to pay to Matilda S. Kramer, widow, and heirs of the late Samuel Kramer, the pay of a chaplain of the Navy from July 3, 1880, to May 15, 1884, after deducting the amount already paid to him while acting at the navy-yard, Washington, D. C., by order of the Secretary of the Navy, there being no regular chaplain at the post, the payment not to exceed \$1,800, which shall be in full for all service rendered.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NEW YORK, NEW HAVEN AND HARTFORD RAILROAD.

Mr. PLATT of Connecticut. I ask unanimous consent for the consideration at this time of the bill (S. 4817) for the relief of the New York, New Haven and Hartford Railroad Company. It will take but a moment, I think.

Mr. HAWLEY. I shall not object to the request of my colleague, but, lest there be any misunderstanding, I now give notice that this is the last bill to which I can yield.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill named by the Senator from Connecticut [Mr. PLATT]?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to the New York, New Haven and Hartford Railroad Company \$4,440.20, in full satisfaction of all claims against the United States for the cost of necessary repairs on the company's pier 49, East River, New York City, and the company's car float No. 21, which was moored to the pier, damaged by the battle ship *Maine*, which came in collision with the pier and float, the same being in accord with the findings and report of a naval board duly appointed to investigate the collision and damages therefrom.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills, with amendments in which it requested the concurrence of the Senate:

A bill (S. 896) granting a pension to Mary J. Hill;

A bill (S. 1071) granting a pension to Abigail R. Ellet;

A bill (S. 1209) granting an increase of pension to Maj. John H. Gearkee;

A bill (S. 1345) granting an increase of pension to George W. Emery;

A bill (S. 1378) granting a pension to William F. Gowdy;

A bill (S. 1819) granting a pension to Michael Lannon;

A bill (S. 1976) granting an increase of pension to Annie E. Ruff;

A bill (S. 2217) to increase the pension of Aaron B. Page;

A bill (S. 2235) granting an increase of pension to Henry Hatch;

A bill (S. 2335) granting an increase of pension to Charles Edson;

A bill (S. 3136) granting an increase of pension to William O. Torrey;

A bill (S. 3335) granting a pension to Maria S. Whitney;

A bill (S. 4483) granting an increase of pension to John H. Crandall; and

A bill (S. 4681) granting an increase of pension to Joseph F. Mollere.

The message also announced that the House had passed the

following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 877) granting a pension to Charles F. Holmes;  
 A bill (H. R. 1206) granting an increase of pension to Sophia W. Buxton;  
 A bill (H. R. 1388) to remove the charge of desertion from the record of Michael Baker;  
 A bill (H. R. 1698) granting an increase of pension to Henry A. Thoburn;  
 A bill (H. R. 1724) granting an increase of pension to Sophia Gruber;  
 A bill (H. R. 1773) granting a pension to Robert Persley;  
 A bill (H. R. 2366) granting an increase of pension to Lester P. Cooper;  
 A bill (H. R. 2625) granting a pension to Mary Chamberlin;  
 A bill (H. R. 2830) granting an increase of pension to Ira Bacon;  
 A bill (H. R. 3476) granting an increase of pension to Andrew Morse, jr.;  
 A bill (H. R. 4135) for the relief of Peter, alias Louis, Heck;  
 A bill (H. R. 4498) granting an increase of pension to Jackson Neace;  
 A bill (H. R. 4501) granting an increase of pension to Stephen A. Knowlan;  
 A bill (H. R. 4661) granting a pension to Dortha E. Kennoch;  
 A bill (H. R. 4670) to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle;  
 A bill (H. R. 4677) to increase the pension of Rebecca McMullen;  
 A bill (H. R. 5497) to provide for terms of the circuit and district courts of the western judicial district of the State of Texas to be held at the city of Laredo, and for other purposes;  
 A bill (H. R. 6329) granting a pension to Mary F. Cobb;  
 A bill (H. R. 6433) granting an increase of pension to Jeremiah B. Moore;  
 A bill (H. R. 8207) granting a pension to Abigail Wilson;  
 A bill (H. R. 8406) granting an increase of pension to Martha Adams;  
 A bill (H. R. 8669) for the relief of Henry Mulvin;  
 A bill (H. R. 8804) granting an increase of pension to James S. Anderson;  
 A bill (H. R. 9619) granting a pension to Ruth Walker;  
 A bill (H. R. 10134) granting an increase of pension to John Keach;  
 A bill (H. R. 10328) granting a pension to Ann Collins;  
 A bill (H. R. 10896) granting an increase of pension to James W. Ingram;  
 A bill (H. R. 10997) granting a pension to Erasmus L. Wentz;  
 A bill (H. R. 10862) granting an increase of pension to Hollis O. Dudley;  
 A bill (H. R. 10892) granting an increase of pension to Andrew J. Taylor;  
 A bill (H. R. 10900) to increase the pension of James Cooper;  
 A bill (H. R. 11148) granting an increase of pension to Orin Long;  
 A bill (H. R. 11563) granting an increase of pension to William B. Paul;  
 A bill (H. R. 11767) granting a pension to Daniel G. Emert;  
 A bill (H. R. 11834) granting an increase of pension to Smith Jewell;  
 A bill (H. R. 11876) granting an increase of pension to Clarence L. Chapman;  
 A bill (H. R. 12013) to increase the pension of Delos M. Kenyon;  
 A bill (H. R. 12104) granting an increase of pension to Maria S. Urban; and  
 A bill (H. R. 12149) granting a pension to Eliza S. Redfield.  
 The message further returned to the Senate, in compliance with its request, the joint resolution (S. R. 48) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann.  
 The message also announced that the House had passed a concurrent resolution to print 5,000 copies of Commercial Relations, 1898, and (in separate form) 10,000 copies of the Review of the World's Commerce, etc.; in which it requested the concurrence of the Senate.  
 The message further announced that the House had passed a concurrent resolution to print 12,000 additional copies of the Statistical Abstract of the United States for 1898, etc.; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

A bill (S. 3909) for the relief of Mrs. Harriet A. Ferguson;  
 A bill (S. 4159) relative to the payment of claims for material and labor furnished for the District of Columbia buildings;  
 A bill (S. 5076) authorizing the Sioux City and Omaha Railway

Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes;

A bill (S. 5391) to provide for an appropriate national celebration of the establishment of the seat of Government in the District of Columbia;

A bill (S. 5333) to permit volunteer regiments to retain their colors;

A joint resolution (S. R. 34) authorizing the Commissioners of the District of Columbia to alter, amend, or repeal certain ordinances;

A joint resolution (S. R. 231) providing for the further distribution of the compiled statutes of the District of Columbia;

A bill (H. R. 1417) for the relief of Thomas Mullen;

A bill (H. R. 2358) granting a pension to Mary E. Taylor;

A bill (H. R. 2668) for the relief of William Henry Johnson;

A bill (H. R. 4418) to remove the charge of desertion from the naval record of Horace G. Reed;

A bill (H. R. 7346) to amend section 4896 of the Revised Statutes;

A bill (H. R. 8816) for the relief of the heirs of Minnie Frederick;

A bill (H. R. 11455) granting to the city of Boulder, in the State of Colorado, certain lands for park purposes and for the preservation of the native trees on said lands, and for other purposes;

A bill (H. R. 11737) granting the right of way to the Pensacola and Northwestern Railroad Company over and through the United States naval and military reservations near Pensacola, in the State of Florida; and  
 A bill (H. R. 11867) to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga.

#### REORGANIZATION OF THE ARMY.

Mr. HAWLEY. I now ask the Senate to proceed to the consideration of the Army bill, and ask that the bill may be read.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5578) for increasing the efficiency of the Army of the United States, and for other purposes.

The Secretary proceeded to read the bill, but before concluding was interrupted by—

Mr. HOAR. I desire to inquire if the bill is being read with the expectation that amendments may be offered as the reading proceeds?

Mr. HAWLEY. No; I desire to have the bill read through before making any amendments.

Mr. MASON. I have stated to the chairman of the committee that I desire to vote upon a proposed amendment which removes the age limit as affecting soldiers either of the civil war or the late Spanish war. I am obliged to be absent from the Chamber for an hour and a half or two hours, and I do not want to be precluded from voting upon that and taking five minutes to explain my vote. In other words, there are pending amendments, and one amendment which removes the age limit.

Mr. HAWLEY. Can not the Senator wait a few moments until the reading is completed?

Mr. MASON. Oh, yes; so long as I know I may have the opportunity I desire.

Mr. HAWLEY. I will do my best to give it to the Senator.

The PRESIDING OFFICER (Mr. GALLINGER). The Chair will state that the bill is before the Senate as in Committee of the Whole, and after it has been read through it will be open to amendment.

Mr. MASON. I do not think the Chair quite understood me. I am obliged to be absent owing to a matter that I can not avoid, and I want the opportunity I have stated.

Mr. HAWLEY. I ask that the bill be read, and then we will consider the question whether the Senator shall have unanimous consent to make a few remarks.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The reading of the bill was resumed and concluded.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole, and open to amendment.

Mr. GORMAN. Mr. President, I want to appeal to the Senator from Connecticut in charge of this bill—

Mr. HAWLEY. I want to say a word. There are some committee amendments, and I should like to perfect the bill before going on with the debate.

Mr. GORMAN. Of course whatever the Senator desires to say in explanation of the bill we shall be delighted to hear, and whatever amendments he desires to offer to the bill may be laid before us and considered; but what I want to say is, and I trust he will accept the suggestion, after he shall have made his explanation of the bill, which I trust will be this morning, he will then permit this measure to go over until Monday morning immediately after the morning business, so that we may then take it up and consider

it. It will be utterly impossible to proceed intelligently with the consideration of the measure to-day, as it has only come before us this morning. There will be no disposition, of course, to delay, and I suggest that we take it up immediately after the morning business on Monday. I think, if the Senator will permit the suggestion, that such a course will prove to be an economy of time.

Mr. HAWLEY. I should like to have a fuller Senate present, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Connecticut suggests the absence of a quorum. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Gallinger,	Mallory,	Roach,
Allison,	Genr.	Mantle,	Ross,
Bacon,	Gorman,	Martin,	Sewell,
Bale,	Hanna,	Mason,	Shoup,
Berry,	Hansbrough,	Milla,	Simon,
Burrows,	Harris,	Mitchell,	Spooner,
Butler,	Hawley,	Money,	Sullivan,
Carter,	Heitfeld,	Morgan,	Teller,
Chilton,	Hoar,	Nelson,	Thurston,
Clark,	Jones, Nev.	Pasco,	Turley,
Cockrell,	Kenney,	Perkins,	Turner,
Cullom,	Lindsay,	Pettigrew,	Vest,
Daniel,	Lodge,	Pettus,	Warren,
Deboe,	McBride,	Platt, Conn.	Wellington,
Fairbanks,	McEnery,	Pritchard,	White,
Faulkner,	McLaurin,	Proctor,	Wilson.
Frye,	McMillan,	Rawlins,	

The PRESIDING OFFICER. Sixty-seven Senators having answered to their names, a quorum of the Senate is present.

Mr. HAWLEY. Mr. President, the Senator from Maryland [Mr. GORMAN] asks us to postpone the consideration of the bill until Monday, and to begin the debate then.

Mr. GORMAN. I should prefer that, unless the Senator desires to speak now.

Mr. HAWLEY. The Senator wishes at least to postpone the voting until Monday?

Mr. GORMAN. To postpone the consideration of the bill, so that we may have an opportunity to examine it between now and Monday and be prepared to discuss it intelligently.

Mr. HAWLEY. The Senator wants to postpone the bill until Monday—it amounts to that—with or without debate.

Mr. ALLISON. Mr. President—

Mr. HAWLEY. I should like to say something about that myself for just a moment; but I will yield to the Senator from Iowa, if he wishes.

Mr. ALLISON. I only wish to say one thing in reference to this bill, and that is, if it is postponed until Monday for any purpose those who are familiar with the details, I think, could very profitably occupy the attention of the Senate for a portion of to-day.

Mr. CHILTON. Especially the Senator from Connecticut [Mr. HAWLEY]. I think he ought to do so.

Mr. ALLISON. I think we ought now to have an understanding, if we can have one, as to when the vote shall be taken on this bill. I think it must be apparent to all that this bill must be considered in rather a brief space of time. That is the only suggestion I desire to make. I hope, if the matter is to go over until Monday, that at some fixed hour during the day we shall have a vote on the bill and any amendments which may be proposed to it.

Mr. HAWLEY. I can not possibly consent, unless I am overruled. I can not give a free consent to putting this bill over until Monday. This general subject has been in the minds of everybody, not to say members of Congress particularly, for weeks. For weeks we have had before us, or could have had before us on our desks and in our offices at home, copies of the various bills which have been presented, one presented by—perhaps I ought not to mention the names—Mr. HULL, of Iowa, another one by Mr. McCLELLAN, of New York, and there was still another one in the House of Representatives. I had the honor of presenting here precisely the bill that was presented by Mr. HULL in the House. There was also presented a bill by the Senator from Vermont [Mr. PROCTOR] with some valuable considerations. All these things have kept the subject before the country, and the necessities of the case have reached the lowest understanding. They are unquestionable. No matter how we came where we are, we are here. We have a vanishing army.

Mr. SEWELL. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from New Jersey?

Mr. HAWLEY. Certainly.

Mr. SEWELL. On the basis of the proposition of the Senator from Iowa, it seems to me if we can fix a time to vote on this bill Monday we should do so.

Mr. HAWLEY. The Senator will please reserve his remarks until I am through. They are not applicable to the general question I am discussing. It is a little uncomfortable to have the floor taken away from one by interruption.

We are under very great stress. The Army we have on our

hands, enlisted for the war with Spain, is vanishing. It is liable to disappear instantly as an effective force the moment the treaty between the United States and Spain shall have been approved by both countries and ratifications shall have been exchanged. From that time on the President has only the shadow of a right—no right really—to command the volunteer forces any further than may lead to a speedy discharge and speedy return to their homes.

Now, we have here a bill which has had consideration for weeks; the best consideration that can be given to it by the War Department, by the President, and by the Committee on Military Affairs in a free and frank discussion of it. Three of us—I may refer to them—the Senator from Missouri, the Senator from Montana, and I, had the last work to do in finishing it up, or polishing it up, if you choose, and in amending it in minor respects. I am happy to say in regard to it that we have come harmoniously to a conclusion in its favor; that we did not think of any word like surrender. We did not surrender. Nobody surrendered. Nobody compromised anything of any consequence. Of course there was more or less yielding here and there occasionally when some trifling difference of opinion arose, but it is not a bill of compromise or defeat or surrender. It is a bill agreed upon by those who we think are sensible men and the men best qualified to prepare a bill. The necessity is tremendous.

To adjourn it to Monday will take two days out of the seven that remain, and the bill has to go to the House for consideration there. I hope, being so nearly a resemblance of the other bill, that it will be passed by that body; and yet we know what things are likely to happen. The Senate, in my judgment, is as well qualified to proceed to the consideration and to vote upon the bill now as it will be on Monday. The moment we presented it last night at 6 o'clock I sent a speedy messenger to the Printer to have it printed—the full supply. I had copies carried to many persons, the President, the War Department. I ordered a copy to be put in every Senator's morning mail and one put upon his desk at 11 o'clock. I have done everything that could possibly be done to look after its consideration, and for my part I can only say go ahead.

Mr. WHITE. Mr. President, while it is no doubt true, as stated by the Senator from Connecticut, that he mailed copies of this bill to Senators, it is nevertheless certain that those bills were not received by all the members of this body. Personally I have some interest in this matter, and was unable to get a copy of the bill until it came into the Senate to-day. I have been endeavoring to familiarize myself with it and can certainly do so by Monday. But I trust the Senator will not insist upon having a vote to-night. We might proceed to debate and discuss it, but surely we ought to have the right to look into an important measure of this kind. While the Senator from Connecticut no doubt is very familiar with it, it is certain that those of us who have had no opportunity to investigate are not prepared to express ourselves intelligently upon it, and I trust, while we may go on with the debate to-night, that no vote will be insisted on here.

There is no desire to delay the consideration of the measure or a final vote, but the disposition, I take it, is to examine the measure and find out what is in it, so that we may know whether we can support the bill or not. Gentlemen who have charge of the measure have agreed unquestionably as to many of its details, but we must all pass upon it according to our own judgment and do the best we can after we know the facts. I think there is no disposition to do anything else than to ascertain the circumstances as they really are.

Mr. LODGE. I wish to ask what is the business before the Senate?

The PRESIDING OFFICER. The Chair will state to the Senator from Massachusetts that the Army bill is before the Senate as in Committee of the Whole.

Mr. COCKRELL obtained the floor.

Mr. CARTER. Before the Senator from Missouri proceeds, I wish to interject a remark. Possibly we may arrange to continue this matter until Monday, with the understanding that a vote will be taken at some hour on Monday. It is conceded on all hands that some legislation must be passed at the present session of the Congress in order to meet the necessities which now exist and are known to exist. If the hour of 4 o'clock on Monday could be fixed, or later—

Mr. ALLISON. I hope an earlier hour will be fixed, if this matter is not to be voted on until Monday. I think it is important that on Monday at some reasonable hour we shall proceed to the consideration of the sundry civil bill. So I suggest an earlier hour than 4 o'clock.

Mr. CARTER. Then I suggest the hour of 3 o'clock on Monday as the time to be fixed for a final vote on the bill and amendments then pending.

Mr. ALLEN. I hope it will not be taken for granted that this bill will not be discussed.

Mr. HAWLEY. I am willing to vote at 3 o'clock to-morrow.

Mr. TELLER. Sunday?

Mr. HAWLEY. This is one of the occasions where there is no Sunday, or rather a very holy one, for such a purpose.

Mr. CARTER. We could devote to debate this whole day and the night as well, if Senators elect to remain, and such portion of Monday as the arrangement for adjournment will allow. The adjournment might obtain until 10 o'clock on Monday morning. It must be obvious to all Senators that it is necessary to get a vote at an early date on this measure, which is substantially the result of a general meeting of minds on a piece of legislation which is very important.

Mr. HAWLEY. The bill has five-sixths of the Senators in its favor.

The PRESIDING OFFICER. The Chair will inquire of the Senator from Montana whether or not he makes a request?

Mr. CARTER. I make a request for unanimous consent that this bill and all amendments then pending be voted upon at the hour of 3 o'clock on Monday.

Mr. ALLEN. To which I object.

The PRESIDING OFFICER. The Chair will submit the request. The Senator from Montana makes a request for unanimous consent that the bill and all amendments pending be voted upon at 3 o'clock on Monday next. Is there objection?

Mr. ALLEN. I object.

Mr. PETTIGREW. I think that after we have proceeded with the debate upon the bill for a few hours we may be able to arrive at a conclusion and set an hour for disposing of the matter, but it will be impossible to do it now. I should have objected if the Senator from Nebraska had not; but at a later time to-day I presume we can come to an understanding as to when we shall vote on this measure. There is no disposition to delay it, I think, but rather a desire to dispose of it. But it is unusual to undertake to fix an hour for a vote upon a bill before it has been discussed at all or considered, and especially a bill that has come into our hands only within the last two or three hours.

Mr. COCKRELL. The bill is pending, is it not?

The PRESIDING OFFICER. The bill is pending in the Senate as in Committee of the Whole.

Mr. COCKRELL. Mr. President, I desire to make a few remarks in regard to this bill, the manner of its preparation, and its effect, and my indorsement of it. As every Senator knows, efforts have been made in Congress for the last twenty years, twenty-four years, I will say, for a reorganization of the Army. In almost every Congress some project has been brought up. In the beginning of this Congress multitudinous measures were presented for the increase of the regular standing army to 100,000 men, and it was claimed that the proposition had the indorsement of the executive branch of the Government. That kind of a measure was introduced. It passed the House. It authorized the President to organize an army of 100,000 men, a regular permanent standing army, and then gave him permission to reduce the number of the men in the company, leaving the officer organization intact.

That matter was considered in the Committee on Military Affairs for a long time. A measure was reported by part of the committee, and certain propositions were made by the remaining half of the committee, the committee being equally divided. The matter was discussed here and statements were made upon the floor of the Senate in regard to the measure.

Now, this measure which comes here has been examined very carefully, and I want to say I indorse it. I indorse it because I believe it is right and just and proper and necessary; and in addition to that it will settle for years to come the question of the reorganization of the regular standing army. When 1901 comes the Army will revert to what it is provided for in the pending bill, without debate or contention, and it will remain at that figure; and I think that is amply sufficient.

Now, what does this bill do? We all know that the organization of the infantry of the United States has been 10 companies to a regiment, and the inefficiency of that organization induced Congress to make a provision that two of those companies might be skeletonized and that the officers could be put upon detached duty. So our regiments practically consist of 8 companies, 2 battalions. In the beginning of the war with Spain we authorized an increase of our infantry regiments to 12 companies, just as the cavalry has been for years, 3 battalions, with 3 majors, 1 colonel, 1 lieutenant-colonel, and a complement of officers. Everyone recognizes that that is the only efficient infantry organization known to-day and practiced to-day anywhere in the world by intelligent and progressive armies.

Then this bill simply authorizes the infantry arm of the service to be increased to 12 companies and hereafter to remain a 12-company organization, and that carries with it the men and the officers. In the cavalry there has been practically no increase by this bill over what it was prior to April, 1898.

Now, we come to the artillery. We have made an increase there of 14 batteries, 2 batteries to every one of the 7 regiments. You may say there is no necessity for it. Then there is no necessity for your fortifications. There is no necessity for your siege guns.

There is no necessity for your disappearing artillery. There is no necessity for the hundred million dollars which you have expended in fortifications and in the armament of those fortifications all around our coasts.

You have the fortifications, you have the improved machinery, you have the guns there. You must have intelligent men there who understand machinery and can use and protect it or it becomes a total loss. The artillery increase that we have given here, in my judgment, will not last until July 1, 1901. If the additional fortifications that are proposed all around our coasts, upon the Atlantic and the Pacific, are completed, and the guns are manufactured and put into them, you will have to have an additional increase of artillery. You can not get around it. If you have forts, if you have guns, if you have machinery, you must have men to take care of them. That is all there is about it. That is the increase we have made.

Then we have organized bands for each regiment. Heretofore a number of the members of the band have been detailed from the force. We have made the bands to consist of a given number, and they are to be enlisted for the bands and not to be taken out of the ranks, and they become soldiers in the band under military discipline. That necessarily increases the number of men nominally in the regiment.

With the infantry we give an increase of one major, because we create one new battalion practically. That gives three majors—the regular organization, the permanent organization. Then you have to give to the regiments of cavalry, infantry, and artillery a quartermaster, an adjutant, and a commissary. They get the pay of a captain. That is not really an increase in fact, but an increase in appearance. And then we make the lieutenants the adjutants of the battalions. There is an apparent increase, but practically it is not, because the same officers will serve. In the artillery we have given these increases; and necessarily with the 14 batteries must go 14 officers. This increase, I think, is perfectly justifiable, is absolutely essential.

When 1901 comes the Army drops back to what? To the organization prescribed in this bill. That is the organization. It is described in the first part of the bill down to section 12. All the prior sections relate to the permanent organization of the Army as it will exist on July 1, 1901, if no additional legislation is enacted, and that gives exactly the organization.

That makes an increase of a little over 2,200 in the artillery and something like between six and seven thousand in the infantry by the filling up of the companies, a total increase up to about 10,000 or a little over, including these regimental bands and the cooks. By the way, the cooks must not be charged to this, because there is a separate law authorizing the enlistment of cooks independent of any voluntary service or anything else. I have it here before me. It is a law to authorize the enlistment of a cook for every company. We provide for them. It is the first time they have been provided for, and we are charged up with the number of cooks to every company in the Army. The existing law makes them a part of the Army independently, but they are counted in as a part of this increase.

When it comes to the staff of the permanent army—

Mr. VEST. Will my colleague kindly state as succinctly as possible what will be the size of the Army when it drops back according to the sections preceding section 13?

Mr. COCKRELL. Between 37,000 and 38,000. That is for all branches of the service. It will be between 37,000 and 38,000. I have not the exact figures.

Mr. VEST. From 65,000 regulars and 35,000 volunteers back to 38,000?

Mr. COCKRELL. Yes.

Mr. PROCTOR. I believe it is 38,400.

Mr. COCKRELL. About 38,400. It will be about 10,000 increase beyond the present Regular Army, because there are others who have been put in the Army by special law who make the existing Army a little over 27,000. So you can say an increase practically of 10,000; probably a few hundred over that.

What have we done in regard to the staff? We find that there was a law passed during the last session increasing the ordnance staff by a certain number of officers, and there are other increases made. We made an increase in the Adjutant-General's Office and in the Inspector-General's Office at the last session, but it was provided as a temporary force. After an examination of this matter and the number of officers and the duties that will be devolved upon them, we thought that the increase which had been made in the Adjutant-General's Office and the Inspector-General's Office ought to be retained in the permanent organization; and therefore there is an increase. That is the only increase in the staff. We have left the quartermasters and the commissaries and the other officers when peace comes just as they were before. I can see no harm to come from this. When 1901 comes without any further legislation the law brings the Army back to exactly what is provided for here—about 38,000 men, artillery, infantry, cavalry, heavy artillery, batteries, and everything combined.

As to the additional 35,000 men who have been provided for here

the provision speaks for itself. We have authorized the permanent standing army to be maintained at 65,000 enlisted men until July 1, 1901. There will be 65,000 enlisted men in the Regular Army up to July 1, 1901. How are they to be organized? The organization is already provided for; the whole organization is provided for. Some of the troops now in the service, some fifty-odd thousand in number, will be discharged, because they volunteered for and during the war, and when peace is proclaimed they will be discharged. In fact, they are being discharged very rapidly now all over the country. There is a general order to muster out the volunteers who were in the Regular Army, volunteers there for and during the war, as rapidly as possible, and enlist men only for three years unless sooner discharged. This will enable the President to maintain the regular standing army, as it is called, at 65,000 up to July 1, 1901, if their services are so long needed. It authorizes him to organize a volunteer force of 35,000 and to officer it, and that force must go out of existence on July 1, 1901, or sooner if there is no necessity for their continuing in the service.

This necessarily demands an increase of the staff department during this period, because the 35,000 volunteers are not from the States, are not officered by the States with quartermasters, commissaries, and surgeons. They come in as United States volunteers, and the United States has to furnish them with quartermasters and commissaries and surgeons and all the staff officers. We have here made provision for an increase in the different staff departments or corps; and I wish to say to the Senate that I reduced these down just as low as I thought the service would permit. Almost every reduction was made to the number I specified myself, and I am responsible for that part of it absolutely. I cut down the staff in the rank of the officers, and I cut them down in the number just as low as I thought the service would permit.

You will observe that in the Adjutant-General's Office there are three assistant adjutants-general with the rank of lieutenant-colonel and six assistant adjutants-general with the rank of major. In the Inspector's Office they are lieutenant-colonels and majors. In all the other departments they are only majors—nobody above a major. I thought the most efficient officers in the Army would be the majors, and therefore we will have an excess of them—an honorable title, very good pay, and I think the most efficient ones will be among them.

When it came to the organization of the general officers, I apprehend every Senator knows the pressure that has been brought upon the Senate for the purpose of increasing the number of general officers in the Regular Army. We have three major-generals and six brigadier-generals. This man wants an increase in the major-generals, and the other one wants an increase of the brigadier-generals. They want it in order that this man and that man and the other man may secure appointments in the Regular Army. I am totally opposed to an increase of the general officers of the Regular Army, and this bill makes no increase whatever in the brigadier-generals or in the major-generals of the Army.

Now, what did we do for the volunteers? Were we to turn them over to the President without any officers—35,000 men without a brigade commander and without a division commander? We discussed the question, and we fixed upon 4,000 men as a unit for a brigadier-general. We fixed upon 12,000 as a unit for a major-general. Then we counted the brigadier-generals in the Regular Army, and we added the volunteers to the Regular Army—about 100,000—and we made provision for one brigadier-general of volunteers and regulars combined, united, to every 4,000 men. That would give about 25 brigadier-generals—6 in Regular and 19 in Volunteer Army. Then it comes to the major-generals. We assign one major-general to every 12,000 enlisted men. There are 3 major-generals in the Regular Army, and we increase the number so that there will be one to every 12,000 men, an increase of about 5. Now, I submit that this is not a bad arrangement. It is not extravagant; it is not prodigal of the people's money. It is just as small a force as can efficiently and effectively manage the enlisted force provided by the bill.

Mr. President, under all these circumstances, after this long discussion and this effort year after year and Congress after Congress to reorganize the Army, if we have a bill here which promises to settle the question for Congresses to come, promises no heavy burden upon the people, gives no extra force that can be used for any improper purpose or elsewhere, I think it ought to be accepted. I have been on several commissions to reorganize the Army; I have been connected with several efforts to reorganize the Army. We have never been able to get anything that could meet with approval, and I believe honestly and conscientiously that this is the best measure that has been presented to the Congress of the United States for settling the Regular Army of the United States since I entered this Chamber, on the 4th day of March, 1875. I do not believe that you will ever get a better one. On the contrary, if this bill fails, my judgment is that what will come hereafter will be very different from this measure, not as good for the interests of the country as this will prove to be.

Therefore I shall indorse the bill. I vote for it heartily and cheerfully. I believe it is right in the sight of God and man, and I am willing to take all responsibility for it.

The PRESIDING OFFICER. The bill is in Committee of the Whole and open to amendment.

Mr. FRYE. Mr. President, I am obliged to offer an amendment.

Mr. CARTER. Let the committee amendments be first offered.

Mr. FRYE. Oh, if there are committee amendments ready, I shall not offer one now.

Mr. HAWLEY. I propose as an amendment a proviso to be inserted on page 2, after line 6. It is not a matter of vital consequence, but it provides that the offices held now by Major McNally and Captain Loeffler, whom you all know, shall become extinct at the death or disappearance from the service of those two men.

The PRESIDING OFFICER. The amendment will be read by the Secretary.

The SECRETARY. At the end of line 6, page 2, insert the following proviso:

*Provided, That when a vacancy shall occur through death, retirement, or other separation from active service in the office of storekeeper in the Quartermaster's Department and Ordnance Department, respectively, now provided for by law, said offices shall cease to exist.*

Mr. COCKRELL. Let the amendment be read again. About where does it come in?

The SECRETARY. At the end of section 1.

Mr. HAWLEY. The first section, the Senator will remember, is merely a catalogue of the subdivisions of the Army. The two men occupying anomalous positions are Major McNally and Captain Loeffler.

Mr. COCKRELL. Let the amendment be read again. I myself think it is right, but I want to hear it again.

The Secretary again read the amendment.

Mr. COCKRELL. I think that is eminently proper and right.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Connecticut.

The amendment was agreed to.

Mr. HAWLEY. On page 9 there are two or three lines that are rather entangled in their syntax. I propose an amendment, beginning on line 16. It does not change the sense at all, but transposes the phrase.

The SECRETARY. On page 9 it is proposed to strike out lines 16 and 17, and line 18 down to and including the words "and said force," in the following words:

No person other than an officer of the Regular Army who has passed the age of 45 years shall be appointed as a field officer in said force.

And insert:

No person who has passed the age of 45 years shall be appointed as a field officer in said force, officers of the Regular Army excepted.

Mr. PETTIGREW. I should like to know the force of the amendment.

Mr. SPOONER. What is meant by the words "said force?" Does that mean the whole force?

Mr. HAWLEY. The force preceding—infantry, cavalry, and artillery.

Mr. SPOONER. Does that apply to the 35 additional men authorized to be enlisted?

Mr. HAWLEY. I suppose it will apply to the whole increase.

Mr. PETTIGREW. Then, as I understand this provision, it would prevent the appointment of any officer who had served in the war against Spain, if he was over the age of 45 years, no matter what his experience, no matter what talent he had shown, etc. It seems to me that is entirely wrong and that those who served in the war against Spain should at least be excepted as well as those who served in the Regular Army. Therefore, I move to amend the amendment by excepting those who served in the recent war against Spain as well as those in the Regular Army.

The PRESIDING OFFICER. The amendment to the amendment will be read.

Mr. ALLEN. Let the proposed amendment as amended be read.

The SECRETARY. It is proposed to strike out, beginning in line 16, down to and including the word "force," in line 18, and to insert in lieu the following language:

No person who has passed the age of 45 years shall be appointed as a field officer in said force, officers of the Regular Army excepted.

Mr. HAWLEY. The Senator from South Dakota wishes to add an exception.

The PRESIDING OFFICER. The Senator from South Dakota has moved an amendment to the amendment, which will be read.

The SECRETARY. "And also except officers who served in the war with Spain."

Mr. HAWLEY. "Officers of the Regular Army and officers who served in the recent war with Spain excepted."

Mr. ALLEN. Why should not also competent enlisted men who served in the recent war with Spain be included?

Mr. PETTIGREW. I think it would be entirely proper to include them.

Mr. ALLEN. And also enlisted men who are competent who served in the recent war and those who served in the civil war. I move to so amend the amendment.

Mr. PETTIGREW. I accept that as a part of my amendment. I think it is entirely proper.

The PRESIDING OFFICER. The Senator from South Dakota can modify his amendment to the amendment, but an amendment in the third degree would not be in order.

Mr. PETTIGREW. I modify my amendment to the amendment to that extent.

Mr. SPOONER. That will not cover the whole case.

Mr. PETTIGREW. Then let us have it covered.

Mr. SPOONER. As I understand this provision, it applies only to field officers:

No person other than an officer of the Regular Army who has passed the age of 45 years shall be appointed as a field officer in said force—

If the Senator will look at the clause following—

nor as a company or staff officer therein if he be past the age of 35 years.

So, under this provision, as I understand it, a man may have served as captain or lieutenant with distinguished gallantry during the war with Spain and be capable in every way to command troops; but if he is 36 years of age, he will not be eligible to appointment even in this temporary force as a captain or a lieutenant. It seems to me the amendment should be broader.

Mr. PETTIGREW. It should be broader to cover the whole question.

Mr. ALLEN. The trouble with the amendment is that it is altogether too narrow. The provision is altogether too narrow, even as it is proposed to be amended by the Senator from South Dakota. This part of the section reads:

No person other than an officer of the Regular Army who has passed the age of 45 years shall be appointed as a field officer in said force, nor as a company or staff officer therein if he be past the age of 35 years; neither shall any person not a Regular Army officer be so appointed until he shall have demonstrated his moral, physical, and professional fitness for the grade in which he is to be commissioned to the satisfaction of an examining board.

Under the language I have just read a man must have been an officer before he can become an officer in this force, and that entirely apart from the question of his education, his aptitude, and his experience as a soldier. If he did not occupy the position of a commissioned officer in the service during the late war, he is forever barred from an appointment under the provisions of this bill.

Then he must undergo an examination at the hands of some kind of a board. Who is to compose that board? What class of officers or individuals are to be members of this proposed board? Are they to be Regular Army officers? If that is the case, it would be worse than futile; it would be the height of foolishness for any civilian or any volunteer officer to undertake to enter the service of the United States by passing an examination before such a board.

Mr. HAWLEY. I think the Senator is slightly in error. The limit of age is given at 45, but under 45 any man in the country can be appointed to a field officer's commission.

Mr. ALLEN. I am speaking now of the fact that he must satisfactorily pass an examination before the board provided for here. The bill does not say of whom the board shall be composed, whether of Regular Army officers or civilians.

Mr. HAWLEY. The existing statute provides for those boards.

Mr. ALLEN. It is to be composed of Regular Army officers, is it not?

Mr. HAWLEY. I do not know how it is in the volunteer force. I can not answer that question at this moment. I think for the volunteer force the members of the board are simply appointed by the superior officers out of the force.

Mr. ALLEN. Mr. President, it is an absolute foreclosure of every man who wants to enter the service of the Government unless he comes in from the Regular Army.

Mr. HAWLEY. Oh, no.

Mr. ALLEN. Unless he comes from this absurdity called the Regular Army. Here we are making a distinction between the Regular Army and what other kind of an army? What else have we in this country? Have we an irregular army? To speak of an army as a regular army is a misnomer. There is no such thing as an irregular army in this country.

Mr. HAWLEY. It is a convenient term, however.

Mr. ALLEN. Every man who enlists in the service of the Government for any period is a regular soldier of the Government, whether his term of service be six months or six years. This is all rot about the Regular Army as contradistinguished from some other army.

Mr. CARTER. Will the Senator permit me to make a suggestion?

The PRESIDING OFFICER. Will the Senator from Nebraska yield to the Senator from Montana?

Mr. ALLEN. Certainly.

Mr. CARTER. If the Senator from Nebraska will scrutinize the language which he is undertaking to criticize—

Mr. ALLEN. And which I am criticising.

Mr. CARTER. He will discern that the only discrimination in that language runs against the rank and file in the Regular Army.

Mr. ALLEN. How is that?

Mr. CARTER. The only discrimination to be found in the section, if any discrimination exists, runs against the enlisted men in the Regular Army.

Mr. ALLEN. Does the Senator know of an irregular army in this country?

Mr. CARTER. Well, now, that is a mere play upon words. The Senator knows that for the purpose of designating a regular force as distinguished from a volunteer force the term is necessarily employed.

Mr. ALLEN. Not necessarily.

Mr. CARTER. It does not mean that there is an irregular or disreputable army, or anything of that sort. It is the language that has been used from the foundation of the Government, and it is indispensable in order to distinguish between the forces regularly employed in the service of the United States and those occasionally brought into the service to meet emergencies.

But, Mr. President, to return to the language—and I desire to draw the attention of the Senator to it—it says that no other person than an officer of the Regular Army who has passed the age of 45 years shall be appointed an officer. That permits the appointment of anyone who has served in the war with Spain. It is not necessary that the person shall have been an officer. It is necessary that the person shall be under the age of 45 years.

Mr. ALLEN. That language prohibits any man not an officer from appointment.

Mr. CARTER. Of the United States Regular Army.

Mr. ALLEN. Exactly. So that the age qualification and the having previously held an office are both essential to his admission, and then he must run the gantlet of a mysterious sort of a board.

Mr. CARTER. But if the individual who seeks the appointment is in the Regular Army, he must show that he is an officer of the Army to be eligible to appointment in this force.

Mr. ALLEN. Exactly; that is what I say.

Mr. CARTER. If he is a citizen not in the Regular Army, the only question inquired of is whether he is under the age of 45.

Mr. ALLEN. Then he is barred entirely.

Mr. CARTER. Not at all. If over the age of 45, he is barred. If under the age of 45, he may be a storekeeper, a hod carrier, a bank clerk, a farmer who had never met with any service in any army at all.

Mr. ALLEN. This language is:

No person other than an officer of the Regular Army who has passed the age of 45 years shall be appointed as a field officer in said force.

Mr. CARTER. A field officer may be appointed from the Regular Army if over 45 years of age. Anyone can be appointed an officer who is under 45 years of age.

Mr. ALLEN. He can not under that language.

Mr. CARTER. That is what the language plainly indicates.

Mr. PROCTOR. Will the Senator from Nebraska yield to me a moment?

Mr. ALLEN. Yes, sir.

Mr. PROCTOR. An amendment has already been adopted changing that language and making it so direct that it will be clear—

Mr. ALLEN. I think the amendment proposed is pending.

Mr. PROCTOR. The amendment makes it clear that it applies to any person in the Regular Army. The word "regular," by the way, is surplusage there. There is nothing known to the law but the Army. The military forces consist of the Army, which means in the law the Regular Army, volunteers, and militia. Any person in the Army over 45 years of age can be appointed under that provision.

Mr. ALLEN. This language is not capable of the construction put upon it by the honorable Senator from Vermont, with all due deference to his opinion.

Mr. President, the language "No person other than an officer of the Regular Army who has passed the age of 45 years shall be appointed as a field officer in said force" excludes every person upon the face of this earth not a Regular Army officer who is over the age of 45 years, and there is not a solitary exception to it. No amount of explanation, no amount of argument, can do away with the force of that language.

But I did not care so much about this provision. This is one of the many defects of the bill. I dislike very much to disagree with my friend at my right [Mr. COCKRELL], who has been my neighbor for so many years, with whom I have sustained such elegant personal relations, and with whose political beliefs, to some extent, I have sympathized. I was surprised, however, to hear the honorable Senator from Missouri say this is a good bill; that it is a just bill; that he approves of it, etc. If there ever was a hideous skeleton, if there ever was a legislative deformity and a nondescript,

if there ever was a monstrosity in the form of legislation that stuck up its hideous head in either branch of Congress, this is one. It is a deformity; it is warped; it is disjointed; it is dislocated; it lacks science; it lacks coherence; it lacks good sense.

Mr. HAWLEY. I can answer the question—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. ALLEN. I yield, of course, to the Senator.

Mr. HAWLEY. I can answer the question the Senator asked some time ago about the appointment of boards of examination in the volunteer service. He asked if the boards were regular officers. Public act No. 67, approved April 22, 1898, in section 14, provides:

That the general commanding a separate department or a detached army is authorized to appoint from time to time military boards of not less than three nor more than five volunteer officers of the Volunteer Army to examine into the capacity, qualifications, conduct, and efficiency of any commissioned officer of said army within his command.

That is one protection they have.

Mr. ALLEN. That is not all, by any means, Mr. President. Take up this bill at the very first section. Section 1 creates eight distinctive departments in the Army. First, an Adjutant-General's Department; second, an Inspector-General's Department; third, a Judge-Advocate-General's Department; fourth, a Quartermaster's Department, a Subsistence Department, a Medical Department, a Pay Department, a Corps of Engineers, an Ordnance Department, a Signal Corps, etc., without end.

Why, Mr. President, it would be almost impossible the way business is transacted in the War Office here to transact the Army business through departments like these. Everything must go according to red-tape in the War Office; it does not make any difference how insignificant it may be. If there is a requisition for a little quinine, or something of that kind, it must run the prescribed course, and probably half a dozen doctors and half a dozen or more subordinates must have something to do with it before the medicine reaches the sick soldier.

Now, there are the Quartermaster's Department, the Commissary Department, and the Medical Department. Why are they not all placed under the charge of one officer or in one department? They all belong to the same general line of service. They all mean to supply the soldiers' wants in health and in sickness. Why are they not all placed under the charge of one general officer or one department instead of being scattered to-day through two or three?

The nearer you can come to the one-man power in military life the nearer you come to efficiency. Here we have department after department, amounting to eight or nine or more, all pulling at cross-purposes, as the recent war shows and as the civil war demonstrated thirty-odd years ago.

It was due, Mr. President, to bureaucracy during the late civil war that the termination of the war was not reached in two years. It was constant interference from Washington with those in the field that blocked the progress of our Army. So it was during the recent war.

The second section provides for the organization of the cavalry branch of the service. There is a strange thing running through this entire bill. The most important part of every regiment, according to the bill, is a colonel.

A regiment shall consist of a colonel. He is the first fellow. Finally they get down to a few private soldiers. Colonels, lieutenant-colonels, majors, captains, first lieutenants, second lieutenants, sergeants, corporals are all mentioned and all named, even down to the cooks. Then a few private soldiers are thrown in. That constitutes a regiment.

Why does not this bill say that a regiment of cavalry shall be composed of so many men of the line, so many private soldiers, and then so many officers? Under this bill you could have a regiment if you simply had a colonel. You might need possibly a trumpeter.

Mr. SPOONER. Will the Senator allow me a question?

Mr. ALLEN. I yield to my honorable friend from Wisconsin.

Mr. SPOONER. The colonel generally rides at the head of the regiment, and why should he not be named at the head in the bill?

Mr. ALLEN. I did not hear the Senator.

Mr. SPOONER. I understood the Senator's criticism to be rather as to the order in which the particular officers are mentioned in the bill.

Mr. ALLEN. Yes.

Mr. SPOONER. The colonel generally rides at the head of his regiment, and why should he not be first mentioned?

Mr. ALLEN. Whether he rides at the head of the regiment or at the foot of the column depends largely on the colonel. I believe his position is several paces in the rear of the regiment under certain circumstances, and usually he is there in discharge of his duty.

I am not disposed to criticize, because I am not at all a military man, and the Senator in charge of this bill [Mr. HAWLEY] is a

distinguished military man, as is my friend the Senator from Missouri [Mr. COCKRELL].

Section 3 deals with the artillery. The artillery is organized in a general way upon about the same basis as the cavalry.

Then comes the infantry line.

That each regiment of infantry shall consist of one colonel, one lieutenant-colonel, etc.

It would be too bad, Mr. President, to place the colonel in his proper position, in the rear of the regiment. I speak of this in a facetious manner, it is true, but I speak of it also in a solemn manner. It represents that shoddy genteel, that codfish aristocracy, which is permeating every branch of the public service. A man, to be a man and to be a soldier and a citizen of the United States, must, according to these people, have some kind of a title, even if it is not greater than that of corporal.

Mr. President, this may be a small thing, and doubtless it is; but the small things of this world indicate the drift of public sentiment. Who is it who fights your battles, who holds aloft your flag in smoke and in carnage? Is it the colonel, the lieutenant-colonel, the major, or the captain? It is the man with the gun, the unknown man. Why not give him his proper place and rank in the bill?

The honorable Senator from Missouri sees in this bill a great improvement in the infantry branch of the service over the service as it existed a few years ago. I will not pretend to set up my judgment against that of so eminent a military chieftain as the Senator from Missouri, and one of much experience, but my own belief is that the smaller and more compact you can make your regimental organization, the more efficient it will be. I think any man who has seen a regiment in action will come to the conclusion that that is true.

Mr. President, I recollect an instance coming under my own observation during the late civil war, where a regiment of over 1,000 men was ordered into a charge and refused to go, refused to move. The battle had already opened; the line was to be carried. They were placed under arrest and sent to the rear. Then a regiment from Kansas, numbering 175 men, were ordered in their place and carried the line. They were soldiers, and the others were not, although they wore blue clothes. So I say it is the compactness of the organization, the efficiency, which tells.

What is a soldier for, Mr. President? His purpose, his mission on earth is to fight battles, to win victories. That is his mission, and if he can not fight battles and win victories, he ought not to be mustered into the service. He is not there for parade; he is not there to wear tinsel; he is not there to receive smiles and congratulations and roses; he is there for the service of his country. That kind of organization, that kind of discipline, whatever you may call it, which will fight battles and win victories is the organization we need and ought to have, and I believe that notwithstanding what any great man may say to the contrary.

So we have got one of these infantry regiments up to 12 companies—a great, big, bulky, unwieldy thing—three battalions of four companies each, with an adjutant to each battalion, and then a regimental adjutant. Why, Mr. President, it reminds me very much of the story which Mr. Lincoln used to tell about the rabbit, who said he was perfectly able to go to war and perfectly willing if he could only have his tail patched out a little longer; that it was necessary as ballast. Well, it was patched out, and finally he kept calling for more tail, more tail, so that he might be able to win a battle. Eventually they wrapped his tail around his body, and he broke down in consequence of the weight and was unable to get into the battle at all. Here it is proposed to break the regimental organization down with officer after officer as useless as the blowing of the idle wind; and then we are told all this is necessary because the great nations of the world have their armies organized on this principle. It is a wonder we do not transfer to Europe bodily.

But, Mr. President, this bill will go through. There is no doubt about it. It is decreed, I suppose, that way. We are going to have 14 captains, mark you, Mr. President. I suppose that is upon the principle on which baseball is played, where you must have two or three supernumeraries sitting around on a bench, so that if one man gets knocked out you can have another to take his place. In the olden days we had but one captain to a company, and when he got knocked out by battle or by disease the first lieutenant took his place, and so on down until very frequently a company would come under the command of a corporal, and in some instances under the command of a private soldier. I think I have known regiments to go into action under the command of an orderly sergeant, but under our reorganized Army we are to have 14 captains to a regiment.

What are you going to do with these two extra captains? What earthly use have you for them? They are to be detailed or they may be detailed for certain services, but the services they are to be detailed for have their officers, also appointed to discharge those duties. Why this extra number of captains and why this extra number of first lieutenants? Is there any other reason for it than

that it is to open the ranks of the Army that certain classes of people may be quartered upon this Government? This unwieldy organization of a regiment with three battalions of four companies each is to be the standard and the unit of our Army, as unwieldy as an overloaded tumblebug in a street.

Section 5 provides:

That all vacancies created or caused by the provisions of this act above the grade of second lieutenant in the line of the Army shall be filled by promotion according to seniority in the several arms, subject to the examinations now prescribed by law: *Provided*, That the additional second lieutenants now attached to each regiment of artillery shall be absorbed in the artillery or transferred to other arms where vacancies exist without loss of relative rank, leaving but one second lieutenant in each battery.

There is another close corporation. There is no right to a civilian or a volunteer to enter the service to fill up one of these vacancies. He must come up in regular gradation. However competent he may be, however apt he may be for the discharge of military duties, he is to be excluded.

Vacancies in the grade of second lieutenant shall be filled as now provided by law, except that no person shall be appointed from civil life before he shall have reached the age of 21 years nor after he shall have reached the age of 37 years, nor until he shall have passed a satisfactory examination as to his moral, physical, and educational qualifications.

In the ranks of second lieutenant, therefore, a vacancy may be filled by a civilian, provided he stands the examination which may be prescribed for him by a board whose mission and purpose it is to keep him out of the Army.

Mr. President, we are growing up a military aristocracy in this country. I was surprised less than two years ago to hear an officer in the Army say that he believed the time had come when the office should be transmitted by inheritance, that the office should pass from father to son.

Look, if you will, Mr. President, at the scandal that was going the rounds of this country less than two years ago about a Lieutenant Lang, I think it was, who happened to marry the daughter of an orderly sergeant or a sergeant. All militarism were scandalized by it. They held up their hands in holy horror that a man with epaulettes on his shoulders should be guilty of the indiscretion of marrying the daughter of a man who did not wear shoulder straps, and yet probably the parents of many of these persons who were scandalized might themselves have been potato diggers or tillers of the soil.

Here, Mr. President, in democratic and republican America, in less than a century and a third of our national existence, we have raised up an aristocracy in military circles that is scandalized because a second lieutenant married a virtuous, nice little girl who happened to be the daughter of a man who did not wear shoulder straps. There must have been weeping and wailing and gnashing of teeth around military firesides at that time; and according to the reports a system of persecution was inaugurated by these virtuous people so strong and so persistent that the lieutenant, for his own peace and the happiness of his wife, was compelled to resign his commission in the Army and seek a station in private life. God help—if He can not do any worse—an aristocracy of that kind! Mr. President, they are to be found everywhere; everywhere they sing the same song; they are all in favor of the Regular Army, with especial emphasis on the "Regular."

We see that crudity expressed in this bill repeatedly—the Regular Army. In God's name, have we an irregular army? If a man enters the First United States Infantry, takes the oath of allegiance, and signs the necessary papers to be mustered in as a soldier, is he any more regular than he would be if he should enter the First Nebraska Regiment and take the same oath and perform the same duty? It is a good deal like the quackery in medicine; every fellow says he belongs to the regular school, as though everything that did not square with his notions of propriety or his theories of medicine was irregular.

Section 6 treats of the Adjutant-General's and Inspector-General's Departments, and provides that those "shall consist of the number of officers now in those departments respectively." I do not pretend to know how many there are, but nowhere is there a reduction. I have looked through this bill with a view of ascertaining if in any place there was a reduction of the officers in the Army. I find none—not a solitary place.

The Adjutant-General's and Inspector-General's Departments shall consist of the officers now there, regardless of the needs of the service. So as respects the Judge-Advocate-General's Department, the Quartermaster's Department, Subsistence Department, Medical Department, Pay Department, Corps of Engineers, Ordnance Department, and Signal Corps. The bill provides that they "shall consist of the officers and enlisted men now provided by law."

There is no reduction there. Then it says:

*Provided*, That the battalion of engineers, and the officers serving therewith, shall constitute a part of the line of the Army: *Provided further*, That in time of war retired officers of the Army may, in the discretion of the President, be employed on active duty, other than in the command of troops, and when so employed they shall receive the full pay and allowances of their grades: *And provided also*, That no person in civil life shall hereafter be appointed a judge-advocate, paymaster, or chaplain until he shall have passed

satisfactorily such examination as to his moral, mental, and physical qualifications as may be prescribed by the President; and no such person shall be appointed who is more than 40 years of age.

No requirement of that kind is enforced against the person who comes from what this bill calls "the Regular Army;" but if the applicant happens to be a civilian, whatever his qualifications may be, immediately the barrier of an examination is to be raised against him, which means in ninety-nine cases out of every one hundred that he will be denied a position in the service.

Section 8 treats of the Chief of the Record and Pension Office of the War Department, and I do not desire to say anything about that.

Section 9 is an important part of this bill, and really one of the most important features of it. It provides:

That the cooks authorized by this act shall have the pay and allowances of sergeants of infantry.

That is, it requires a higher order of talent to cook than it does to fight. It does not make any difference what that may be, and I presume if all that has been said about canned beef and embalmed beef be true, the rank of an ordinary army cook ought to be raised to that of colonel, because it would require a high order of skill to successfully cook and serve such food.

I am not concerned individually in this delightful fight going on between the Secretary of War and the General of the Army. Out of it all will come good; will come the truth. If the Army of the United States has been fed on embalmed beef, if the Commissary Department has been imposed on, or has imposed on the soldiers, let the truth be known. There is no punishment too great, there is no disgrace too humiliating, to a man who would consciously compel the defenders of this nation to feed upon trash like that.

I never was an admirer of General Miles since he wrote an article for the July number, 1894, of the North American Review. I admire his courage as a soldier, but in that article he gave expression to ideas which are hostile to a republican form of government, which he would have to explain to me before I could ever be induced to vote to reestablish the grade of lieutenant-general for his benefit; but I honor him in this fight. I do not believe that there is an intelligent citizen in the United States who does not understand, or at least believe, that our Army was fed upon this trash, and that a great percentage of the sickness which came to them in camp and a large percentage of the mortality was due to the food which was given them.

Mr. President, if General Miles shall make that truth patent, he will have my respect, at least, humble as it may be. Where there is so much smoke, there must be some fire. Here is a contention going on between the Secretary of War and the General of the Army, to the infinite delight no doubt of military circles in Europe and to the constant humiliation of the people of the United States. It proves, sir, that we have been pursuing the wrong course.

When the late war between the United States and Spain broke out, why was not the Army turned over to General Miles as the commander in chief, and he held responsible for the campaign? He was the senior major-general commanding the armies of the United States. Why were not those armies placed under his command, and he given distinctly to understand that he would be held responsible for their management, for their equipment, their discipline, and their campaigns? There has been a little too much of the bureaus, a little too much jealousy, a little too much pulling apart. It was marvelous that the campaigns were conducted as successfully as they were under the circumstances.

So, Mr. President, the same thing has got into the Navy. What a glorious thing it was for Dewey that he was 10,000 miles from Washington when he sailed into Manila Harbor! What a glorious thing it was for him that he had presence of mind enough to cut the cable! [Laughter.] He was not the originator of cutting a cable. When Grant swung around Vicksburg and was subject to the capricious orders of Halleck, who changed his orders with every meal according to the condition of his stomach [laughter], Grant was wise enough to cut the wire, and it remained cut, and Halleck's orders never reached Grant until ten days after they had been sent, and until battle after battle had been fought and won. Dewey profited by that precedent, because Dewey was in the Mississippi River at that time with the fleet. So it was a fortunate thing for Dewey that he was away from Washington and that he cut the cable in time.

Here we have again a controversy about the seniority of the two admirals, as to whether or not the man who fought the battle shall outrank the man who did not fight it. That is about the only issue, whether the man who was present discharging his duty and through whose military prowess and military and naval skill Cervera's fleet was destroyed shall outrank the man who was 10 miles away. They are fighting the battle over in the Navy Department, and it is waxing fierce and fast, like the dance of the warlocks and the witches in Tam O'Shanter. It is hard to tell how it will come out.

Mr. President [Mr. FAULKNER in the chair], you and I have practiced law a good many years, and we know when we get the judge to arguing against the man on the other side, we have won the case. We do not usually say anything after that. But, unfortunately, if he goes to arguing the case with us, we know what that means. We are defeated. I am afraid Admiral Schley has got to arguing the case with the Secretary of the Navy.

No difference how many titles may be given Sampson—and I am saying nothing against Sampson. I believe him to be a good naval officer. I believe he would have discharged his duties faithfully and bravely if he had been there. But he was not present at the time—and whatever may be said in his behalf, there are 75,000,000 honest hearts and honest souls in the United States who will always believe that Schley was the hero of that battle and through him it was won. And yet the fight goes on, shuttlecock and battledoor. On it goes, Mr. President, in a very convenient place over in the Navy Department. There is not much water over there, there is not much danger of any bloodshed over there, but there is great danger of the shedding of a great deal of ink. If these different bureaus and departments were brought down under the charge of one man and consolidated, putting a discreet, brave, competent man at the head of each to direct, and to direct justly, all this scandal and contention would disappear and efficiency would result.

Mr. President, this bill does say something about volunteer soldiers:

SEC. 12. That to meet the present exigencies of the military service the President is hereby authorized to maintain the Regular Army—

There it comes again—Regular Army—

at a strength of not exceeding 65,000 enlisted men, to be distributed amongst the several branches of the service according to the needs of each, and raise a force of not more than 35,000 volunteer infantry to be recruited as he may determine from the country at large, or from the localities where their services are needed, without restriction as to citizenship or educational qualifications, and to organize the same into not more than 30 regiments organized as are infantry regiments of war strength in the Regular Army: *Provided*, That each regiment shall have one surgeon, with the rank of major; two assistant surgeons, one of whom shall have the rank of captain and one that of first lieutenant, and three hospital stewards.

I call particular attention to the fact that 35,000 of these troops are to be enlisted by the President of the United States. What becomes, under these circumstances, of the invariable precedent followed in this country of the governors appointing the officers of the volunteer forces including the colonels? There has been no exception to it in the history of this country until the recent war. What becomes of the whole policy of this Government of enlisting the militia of the several States when the services of more troops are needed? There is not a governor in the United States who can appoint an officer in one of these volunteer regiments. They are turned over to the President of the United States. All this vast residuary military power that belongs to the separate States is ruthlessly taken from them by the provisions of this bill, and yet this is one of the most harmonious and beautiful military bills ever presented in the history of the country, so it is said. How do you make those men responsible to the people?

They should come from every State. They should come from every State from Maine to California. They should be appointed from the rank and file of the best citizenship of each of the States. Yet all this is ignored and set aside by the provisions of this wonderful bill, that the President may have an opportunity to reward a few military favorites.

Mr. President, the bill does provide that an ordinary man can serve as a private soldier; and it is a wonder to me that it provides even that. There is one position open to the ordinary fellow. He can shoulder his rifle and put on his canteen and haversack and knapsack and cartridge box, and he may march to the tune of Yankee Doodle and Dixie, but he must do it under the orders of some fellow appointed to command him. That is the one position left to him. The man who enlists in the ranks may himself have an exceptional aptitude for military life. He may be a scholar, a philosopher; he may be one man out of ten thousand; and yet some tack-headed fellow with a spoon full of brains, who can run the gantlet of the President or an examining board, puts on a sword to command him in the field. Such will be the wonderful composition of the American Army under this bill.

Then we come to the brigadiers. I suppose they are necessary. We are to have a brigadier for every 4,000 and a major-general for every 12,000, so it is said. I am not inclined to object to that, although it strikes me as making the generals a little more numerous than is necessary. So it is as we pass through this bill. I have not called attention to as many of the vital defects in the bill as I desired. You find it full of snares and crudities and pitfalls.

Mr. President, it is really too bad that in dealing with a great question like this, which concerns the reorganization of the Army of the United States in all of its branches, we can not get along without favoritism. I should like to see the time come when those best fitted by nature and by education and by other qualifications will be permitted to lead in both civil and military life.

There never can be upon American soil a permanent institution known as the Regular Army. If there was anything that Jefferson, Washington, Hamilton, and all the fathers of the Republic warned us against, it was the danger of a standing army.

They told us that in time of war we should resort to the militia of the State, and there never has been a war in which we have participated when the tocsin was sounded by the Chief Magistrate of the nation that the sons of the North and the South, the East and the West did not fill up the ranks and pour out their blood in rivers in defense of the nation. Who can do more than that? Are we to have a standing army of a hundred thousand, whose occupation it shall be to be trained in the art of killing men, for that is what soldiering means, or shall we have enough well-educated military men and a standing army large enough as a nucleus for a great force of volunteers, to be mustered into service at the first signal of danger?

I challenge any gentleman on this floor to point out in the history of our country, in the wars through which we have passed, a great battle where the brunt of the fighting fell upon what is called the regular soldier. I do not say he is not a good soldier. I say he is, because he is an American citizen. I say he is the equal of any; but if you will turn your mind back to the history of this country, to its great wars, the great battles and the great losses have fallen to the volunteer soldiers. So it has been throughout the history of the wars of continental Europe. For what purpose do we want this tremendous army? For what are we to have it? For what do we need it? Sir, we do not need it. I shall not at this time enter into a discussion of the other branch of this subject, which looks to the solution of our contention with the Philippine Islands. At another time I hope to take up that matter in connection with this bill and discuss it.

Mr. PROCTOR. Mr. President, I believe the Senator commenced to discuss the pending amendment in regard to the age limit, but he formed his line of battle according to what is known in modern military parlance as "extended formation," and I shall not undertake to follow him any further. It is necessary to have some age limit. There are thousands of officers of the volunteer force who will be glad to have the appointments. The service is in foreign countries, in an unfavorable climate, in an unhealthy climate, and it is certainly for the benefit of the service that young officers should be selected. When there are so many hundreds and thousands more than can receive appointments, it seems to me the age limit is a wise one.

Mr. CULLOM. In view of the fact that I am called into committee, I should like to suggest an amendment to the same section. In line 19, page 9, after the words "thirty-five years," I move to insert "unless a Regular Army officer or a person who served in the war with Spain." It seems to me it is important and right that those who served in the war with Spain shall have an opportunity to get these positions, if they desire to do so.

Mr. CHILTON. Will not the language at the bottom of the page cover it?

Mr. HAWLEY. Has the Senator read that?

Mr. CULLOM. I will read it:

*Provided*, That the field officers of the force herein authorized may be appointed from officers of the Regular Army or from persons who served as officers of volunteers in the war with Spain.

Mr. SPOONER. I suggest to the Senator from Illinois that that is limited to the field officers.

Mr. CULLOM. So I see.

Mr. SPOONER. And it may not be certain that that excludes the age limit.

Mr. CULLOM. I do not propose to disturb the age limit in that line of the service. What I am seeking is to get the provision so amended as that persons who have served in the war with Spain shall be eligible to take such places regardless of the age limit. Whether the proviso at the end of the section or nearly to its end covers it, I am not sure.

Mr. PROCTOR. They are now within the age limit.

Mr. CULLOM. Are you sure of that?

Mr. PROCTOR. There is no restriction.

Mr. CULLOM. I am not seeking to disturb the age limit in line 19, as you will see. I am only seeking to insert the words "unless a Regular Army officer or a person who served in the war with Spain," so that they may be eligible notwithstanding the age limit.

Mr. CHILTON. Was the amendment adopted? I think it covered that, but I am not sure. Was there an amendment adopted on that subject a while ago?

Mr. PROCTOR. It is wide open.

Mr. CHILTON. It is pending.

Mr. CULLOM. The Senator from Vermont insists that the door is wide open to officers of the Army and those who served in the war with Spain, and if that is true I am satisfied.

Mr. PROCTOR. It is open to everybody.

Mr. CARTER. Within the age limit.

Mr. CULLOM. I am not seeking to disturb the age limit in

that particular portion of the bill, so far as concerns people generally. If it seems to be understood that the ones whom I seek to take care of are already protected, I will withdraw the amendment.

Mr. CARTER. Of course, it must be understood that they are taken care of with the exception of the age limit.

Mr. CULLOM. That is what I am trying to provide for.

Mr. CARTER. That is, a captain and other company officers must be under the age of 35.

Mr. CULLOM. I think it ought to be made 40 instead of 35.

Mr. CARTER. The Senator's amendment seeks to exempt from the age limit certain persons who served in the war with Spain.

Mr. CULLOM. Let the amendment which I have offered be read.

The VICE-PRESIDENT. The Senator from Connecticut has offered an amendment, and the Senator from South Dakota has offered an amendment to the amendment.

Mr. CULLOM. I should like to have the amendment which I have offered read.

The SECRETARY. It is proposed to insert, after the word "years," in line 19, page 9, the words "unless a Regular Army officer or a person who served in the war with Spain."

Mr. CULLOM. The amendment takes these persons out of the age limit.

Mr. CARTER. It takes out those two classes.

Mr. CULLOM. It removes the two classes—those in the Regular Army and those who served in the war with Spain. Has the Senator any objection to the amendment? If not, I should like to have it adopted.

The VICE-PRESIDENT. The Senator from Connecticut has offered an amendment. Does he withdraw his amendment?

Mr. HAWLEY. I hardly know whether it is worth while to make any change in that respect. We reported it and were satisfied with it. I reconstructed the sentence, so as to make it read:

No person who has passed the age of 45 years shall be appointed as a field officer in said force, officers of the Regular Army excepted.

I want to change that by saying "officers now or heretofore in the Regular Army." There are many officers who resigned and would be glad to go back into the Army if there was a war.

Mr. CULLOM. Many of these men will merely enlist for the next two years.

Mr. CARTER. I will say to the Senator from Connecticut, the chairman of the committee, that the amendment of the Senator from Illinois refers to that portion of the section which immediately follows after the word "force," and reads as follows:

Nor as a company or staff officer therein if he be past the age of 35 years.

Now, the Senator from Illinois desires to insert:

Unless an officer of the Regular Army or a person who served in the war with Spain.

The amendment of the Senator from Illinois would permit a person over 35 years who was an officer in the Regular Army or who had served in the war with Spain to be appointed as a company or staff officer notwithstanding the 35-year limit named in that section.

Mr. HAWLEY. I understand. If my colleague thinks that would be well, I will agree to it.

Mr. CARTER. I do not urge the amendment. I merely desire to reach an understanding as to what the amendment refers to.

Mr. CULLOM. It seems to me, as the service is for a brief period, that there are many soldiers now engaged in the war with Spain or who have just been mustered out who are above the age of 35 who could take these positions and be of greater service or of as great service as any who are in the Regular Army or outside. I do not see how it can possibly interfere with the service at all or be of any disadvantage whatever. I hope the Senator will allow the amendment to be adopted.

Mr. SPOONER. Why should a man be excluded from company service if he is over 35? I know one captain over 45 years of age. He served with as much gallantry at Santiago as any man in the world could serve, and he is capable, so far as concerns all a man can know or see, of rendering until 1901 as effective service as a line officer or as a field officer as any man, I think, in the Regular Army. Why should he be excluded? I can understand the wise purpose of the age limit as to men who are to become part of the permanent establishment and who are to be retired at the age of 62. There would seem to be good reasons for not appointing from civil life men 50 or 55 years of age who are to be retired at the age of 62 on pay. But when you consider only the cases of men who are to serve until 1901 and then go out of the service, what possible reason can there be for this age limit, in view of the fact that this section declares—and it is a very wise provision:

No person other than an officer of the Regular Army who has passed the age of 45 years shall be appointed as a field officer in said force, nor as a company or staff officer therein if he be past the age of 35 years; neither shall any person not a Regular Army officer be so appointed until he shall have demonstrated his moral, physical, and professional fitness for the grade in which he is to be commissioned to the satisfaction of an examining board.

I can not for the life of me see why a man who is able to demonstrate before a proper examining board his moral fitness, his mental fitness, his physical fitness, and his professional fitness should be barred from entering the Army to serve for two years and four months. I hope that that limit, so far as it applies to officers whose services are to be limited in duration, will be stricken from the bill.

Mr. CULLOM. It seems to be useless where the service is for so brief a time.

Mr. HAWLEY. Let the amendment be read again.

Mr. CARTER. It must be borne in mind that this section relates to the Regular Army as well as to volunteers.

Mr. PROCTOR. I do not doubt, as the Senator from Wisconsin says, that there are many cases where officers past the age of 35 or 45 have done excellent service, but they are exceptional cases. The law very wisely limits enlistments in the ranks to the ages between 18 and 35. Everybody knows very well that the percentage of men fit for duty among younger men is much greater than among the older men. I think the provision as a whole is a wise one. There are many thousands of officers to pick from, and a small portion of those who have been in the volunteer service can be appointed under this provision. Why not adopt a line and pick from those who are the best adapted on the whole? I admit the force of exceptional cases, but you must make a rule for the whole.

Mr. WARREN. Mr. President, I have no amendment to offer, but I suggest that there should be an age limit so far as the regular establishment is concerned.

Mr. SPOONER. I agree to that.

Mr. WARREN. That is entirely evident. On the other hand, I see no reason why there should be any age limit as to volunteers. You are considering a bill here that leaves it largely in the discretion of the President, so far as the provisional part of the Army is concerned. We ought to be able to give him the same discretion as to officers.

I should be willing that the age limit should be waived as to those who served in the Spanish war. But the moment you do that you inferentially declare an invidious distinction against the man who served his country during the civil war. I have in my eye two or three Senators, among which I am one, who served in the civil war, and I am not willing to say in so many words that I am too old even to serve again in the ranks.

So if we are going to make an exception in favor of those who served in the late war, I believe we should take off the limit entirely as to volunteers. It has been thought best, and that is the combined wisdom of both sides of this House, to have a provisional army; to give the President of the United States, as Commander in Chief of the Army, as you might say, carte blanche regarding the same. Then why put a limit of age upon these officers?

Mr. CHILTON. It seems to me there is no true ground for any distinction between the regulars and volunteers mentioned in this particular part of the bill, for both the regulars and the volunteers under the provision at the end of section 13 go out of the service not later than the 1st of July, 1901.

It appears to me that the suggestion of the Senator from Wisconsin is a very judicious one. For men who are to serve not longer than July, 1901, there is no occasion to make any discrimination whatever on account of age. The President will have the power to make all just selections from among those who have served in the war with Spain or in the Regular Army or in civil life, and in making the selections he will no doubt pay due attention to the physical condition, the record made in the late war, and other circumstances. Especially is that true when it is reinforced by that part of the section which provides that an examination shall be had:

Neither shall any person not a Regular Army officer be so appointed until he shall have demonstrated his moral, physical, and professional fitness for the grade in which he is to be commissioned to the satisfaction of an examining board.

When you take the discretion of the President, in the first place, to make these appointments, and then establish the prerequisite of an examination by a board, such as is mentioned in this section, it seems to me that it is not necessary to go further and undertake to superadd an age limit to the employment of officers whose terms will expire two years from now.

Mr. GORMAN. Mr. President, I have but little interest in the pending amendment, which has engaged the attention of the Senate. It is a mere matter of detail, fixing the age limit at which the officers may enter the service. But I do desire to say a few words upon the general frame of the bill.

Mr. President, for the first time in the history of the country has a serious and urgent attempt been made by the executive branch of the Government to largely and permanently increase the standing army at the close of a war, and after peace has been practically declared.

The conditions which confront us have been brought about in

part by the action of Congress, which committed the Government to regulate the affairs of the people of Cuba and to use the great power of this Government to free that people. But the serious trouble—the one that gives us the greatest concern—has been forced upon us by the executive branch of the Government and the treaty-making power.

The acquisition of the Philippine Islands has brought upon us obligations and conditions most extraordinary and alarming. I shall not discuss that question further than to say that with the Executive primarily must remain the responsibility for involving us in the serious complications with which we are now confronted. But for the questions involved in that acquisition, I do not believe there would be many advocates of a proposition to create a large standing army in this country.

While disclaiming any part of the responsibility for these conditions, I agree that we shall make ample provision to uphold the honor and dignity of the country.

Mr. President, I would not in any way hamper the Administration in the adjustment of the affairs that unfortunately confront us. I desire to act toward the Administration in the same manner that I did when the declaration of war against Spain was made. We then voted, with great unanimity, all the money and all the men the Executive desired or could use, the only condition being that when peace should be declared the officers and enlisted men of the Army and Navy should be reduced to a peace footing.

Now that the war has closed, recognizing there is an insurrection in the Philippine Islands and that a small military force is necessary in Cuba and Porto Rico, we say we are prepared to vote all the money and make provision for all the men that the President of the United States may require to pacify those islands. But in doing so there must be a limit as to the time for which the Army shall be so increased; that it shall be temporary and only for the purpose indicated.

The attempt to force through Congress, in the closing hours of a busy session, a measure for the partial reorganization of the standing army and a measure which provides for a large increase in that army, is unwise, for the reason that it can not be fairly or accurately framed, and there is no time to consider the details of such an important matter. Mr. President, the Executive branch of the Government ought not to ask Congress to grant him greater power than was given him when the declaration of war with Spain was made, and Congress ought not to grant, no matter how insistent the Executive may be, a large increase of the Regular Army in time of peace.

Mr. President, the pending bill providing for a large increase of the standing army and a temporary force amounting altogether to 100,000 men can not be defended. It is no answer to say that we have a revolution in the Philippine Islands; that there is some threatened disorder in Cuba, and unrest, if you please, in Porto Rico. That does not justify the demand for a standing Army when we say to you that we will give you all the men that the Commander in Chief of the Army may think necessary to suppress the rebellion in the Philippine Islands or to maintain peace in Cuba and Porto Rico, and that when those cases shall have been adjusted the Army must resume its normal condition.

That, Mr. President, is what we have always done in the case of war. We gave to the President of the United States, the Commander in Chief of the Army, in the war with Spain, for temporary use in that war, and to last until the end of that war and until peace was declared, all the men and money he required. There was no permanent increase of the standing army, except possibly two regiments of artillery, which increase was said to be necessary on account of the additions to our fortifications.

This, Mr. President, is all we did in the war of 1812-14 and in the war with Mexico. Immediately upon the conclusion of peace following those wars, the Regular Army was reduced to a peace footing. What possible reason can be given for departing from this well-settled policy of the Government at this time? There is none, absolutely none.

Now, Mr. President, I confess my amazement, my astonishment, at the terms of this bill, because I understood it was agreed that it should only be a measure which would give the President all the necessary officers, from major-generals down, and all the men he would require, or that are required in the judgment of the War Department, to meet the conditions which exist, and that there would be no attempt at this session of Congress to reorganize the Army.

Mr. WARREN. May I ask the Senator a question?

Mr. GORMAN. Certainly.

Mr. WARREN. I should like to ask the Senator from Maryland if this bill is not written along lines that were suggested by himself and some others from that side of the Chamber? I have been informed that it was. I ask the question for information.

Mr. GORMAN. Mr. President, if this bill can have one provision added to it, it would then be what some of us understood it was to be, and that is a single proviso that all the increase con-

tained and authorized in the bill shall continue until July, 1901, both officers and men, and at that date, unless the next Congress of the United States shall otherwise direct, all the increased force shall be mustered out of the service, and the Army shall be reduced to a peace footing of 27,000 men.

Mr. WARREN. May I ask the Senator a question right there? Does the Senator believe that with 27,000 men the coast fortifications already authorized by the Government can be properly manned? If so, how will he dispose of the testimony of General Miles on the one hand and of various Army officers and experts on the other, who all unite in the opinion that it will take over 20,000—and very nearly 21,000—men and officers for artillery service, some 15,000 or 16,000 in heavy artillery, and the others in light artillery, in order to give one relief only; or, in other words, in order to have one man each where there is a necessary place for a man on our coast defenses? If it takes twenty-odd thousand or 21,000 to man the coast defenses, does the Senator then think that the Army should be reduced to a total of 27,000—cavalry, infantry, engineers, artillery; the several corps—Hospital Corps, Signal Corps—and all?

Mr. GORMAN. Mr. President, the Senate of the United States has presented a spectacle within the last week which answers the question of my friend from Wyoming. After great deliberation by an intelligent committee, as intelligent as there is in this body, we found that committee equally divided as to how and when and in what manner and to what extent the Army should be reorganized.

The Senator from Connecticut [Mr. HAWLEY], the honored chairman of the committee, who served his country gallantly in the field and who has great knowledge of legislative affairs, the Senator from Wyoming [Mr. WARREN] himself, the Senator from Vermont [Mr. PROCTOR], who was Secretary of War; the Senator from Missouri upon my left [Mr. COCKRELL], who has had great experience in the Army and in the service of the committee, and the Senator from Wisconsin [Mr. MITCHELL], a gallant soldier in the late war, presented to this body widely divergent views, convincing all who heard them that it is utterly impossible to properly reorganize the Army at this time. No man can tell what will be the proper action for that organization, although the views of the distinguished Senator from Vermont as to the methods of reorganizing the staff commend themselves more strongly to me than any other proposition which has been presented.

Now, I answer the Senator from Wyoming frankly. I dislike to have a great standing army in this country in time of peace. I do not believe that there is any present or immediate future necessity for a great standing army. I do not believe that with our conditions at home and our relations abroad any such increase as is urged and has been forced upon Congress is necessary.

But whatever that increase may be, it would be amply provided for if we give you 100,000 men to suppress a third-class rebellion and permit them to remain in the service of the country four months after President McKinley's term shall have expired, and when you will have another Congress which can deliberate and determine whether General Miles's estimate is right, or whether the estimate of the Secretary of War is right, and how many batteries you judge to be necessary, and how many officers you intend to commission in addition to the present Regular Army. It, in other words, gives this Administration greater power than any Administration has had from General Washington's down to this day. It is a tender on our part on this side of the Chamber more liberal than has ever been made to a President of the United States by the majority or was ever submitted to by the minority.

Why, Mr. President, is advantage to be taken, if I may use that term, of the closing hours of a Congress, when every man admits that this subject can not be intelligently dealt with, simply because the doors of the Treasury have been thrown wide open to the President of the United States in the trouble that we have had with Spain, and because millions have been poured out since the close of the war without a criticism and with scarcely an examination? This, too, at a time when, by the confession of the leader of the Republican party in financial matters, we stand with a Treasury already threatened with depletion and with your Secretary of the Treasury already contemplating the issue of further obligations of the Government. We say that you shall have every dollar and every man and every officer that the Commander in Chief of the Army considers necessary.

We will give aid to you. We will give it to you precisely as you want it, with the number of major-generals and brigadiers that you may require. But what we do insist on, Mr. President—and I shall insist on it until my voice ceases to be heard in this Chamber—is that, having given you all that you have ever asked when war with another nation was imminent, you have no right to ask us, when we have not time to consider it, to enlarge the standing army permanently. All we ask is that Congress may

have an opportunity to deal with this question when Congress has the time. Make the increase temporary, and a future Congress can determine whether it shall be made permanent.

Can you not trust the next Congress to do it? It will be Republican in every branch. The Executive, who now wants a standing army of 100,000, stands ready to approve it unless one thing occurs, and, if I mistake not the sense of the American people, that thing will occur. A sound will come up from the bottom, rolling through this country, that will make even your majorities hesitate to impose this increase upon a people, taxed now, and to be taxed more than ever before in their history.

You will hesitate, then, in my judgment, to make the increase. I desire that the people shall have that opportunity to be heard, that they shall have that opportunity to instruct their public servants. Pass it now, it becomes a law, and it would require the action of the Senate and of the House and of the President to terminate it. Make it temporary, and let the people's representatives deal with it hereafter. It can not embarrass you; it gives you all you want; and it gives the people the opportunity to correct it and modify it.

#### WAR OF 1812-1814.

Mr. President, the echoes of the last gun of the war of 1812-1814 had hardly ceased and the ink was scarcely dry on the signatures to the treaty of peace with Great Britain when at the last session of the Thirteenth Congress, which began in December, 1814, and ended March 3, 1815, the House of Representatives, by a bill which passed that body, insisted upon the immediate reduction of the standing Army from 60,000, the war footing, to 6,000, which was deemed the proper military peace establishment. There appeared to be a general concession at that time that 6,000 men was a sufficient standing army in time of peace.

The Secretary of War and the President and the supporters of the Administration in Congress opposed so great a disarmament at that time solely on the ground that the clouds of war had not sufficiently passed away, and the hostile armies and fleets were still hovering about our borders. It was contended that the unsatisfactory treaty of peace might prove only a truce. Finally the House, in a committee of conference, reluctantly agreed to let the Army stand for the time at 10,000 men. But the further reduction of the standing Army was persistently pressed in succeeding Congresses, and was finally accomplished.

A small extract from the House debates of 1814-15, as contained in the Annals of Congress, will serve to show how jealously the representatives of the people then viewed a large military establishment and how generally the spirit of our Constitution in restraint of a large standing army was recognized by all public men of all parties at that day.

Mr. Stockton, of New Jersey, said he could not but be alarmed to find that the Secretary of War had recommended the keeping up of a Regular Army of 20,000, to hear that this plan met the approbation of the Administration, and to see that it found advocates in that House. Mr. Stockton said that if there was any one principle which might be called fundamental to our civil institutions, and which above all others had received the decided approbation of the friends of civil liberty in the United States, without distinction of party, it was this, that a standing army was not to be tolerated in time of peace.

Yet the plan seemed to have made many friends. All the commonplace reasons in favor of such a measure (and none other had been urged) had been resorted to—reasons which always had been and always would be pressed into such a service. Such as the unsettled state of the world; large armies kept up by rival powers; the unruly disposition of savage tribes; the necessity of always being prepared for war to preserve peace. This and the like species of drapery always had and ever would be held up to conceal the real motives of political action. The same arguments had been used for more than a century to support the same measure, and served only to prove a solemn truth—that an army was always in favor of those in power.

#### MEXICAN WAR.

At the commencement of the Mexican war Congress appears to have guarded carefully against the continued maintenance of the standing Army after the cessation of hostilities, for we find it definitely provided in the act of February 11, 1847, "to raise for a limited time an additional military force," that "the officers, musicians, and privates authorized by this act shall immediately be discharged from the service of the United States at the close of the war with Mexico."

#### POLK.

In the Mexican war the militia proved itself worthy of all the reliance which the framers of our Constitution had imposed upon them. On this subject President Polk, in his fourth annual message, thus spoke:

One of the most important results of the war into which we were recently forced with a neighboring nation is the demonstration it has afforded of the military strength of our country. Before the late war with Mexico, European and other foreign powers entertained imperfect and erroneous views of our physical strength as a nation and of our ability to prosecute war, and especially a war waged out of our own country. They saw that our standing Army on the peace establishment did not exceed 10,000 men. Accustomed themselves to maintain in peace large standing armies for the protection of thrones against their own subjects, as well as against foreign enemies, they had not conceived that it was possible for a nation without such an army, well disciplined and of long service, to wage war successfully.

President Polk, in his fourth annual message, refers to the

prompt reduction of our military establishment to a peace footing, in conformity with the provision of the act of Congress, in the following language:

On the return of peace our forces were withdrawn from Mexico, and the volunteers and that portion of the Regular Army engaged for the war were disbanded. Orders have been issued for stationing the forces of our permanent establishment at various positions in our extended country where troops may be required. Owing to the remoteness of some of these positions, the detachments have not yet reached their destination. Notwithstanding the extension of the limits of our country and the forces required in the new Territories, it is confidently believed that our present military establishment is sufficient for all exigencies so long as our peaceful relations remain undisturbed.

Thus it appears that the peace establishment of 10,000 men, which existed at the commencement of the Mexican war, was deemed amply sufficient immediately after the termination of hostilities, notwithstanding the acquisition of new territory.

When it came to the war between the States of the Union, that great captain, afterwards President of the United States, recommended that the Army should be reduced. Aye, sir, before the recommendation he reduced the Army himself, by allowing the expiration of enlistments, down to about 38,000 men.

But, Mr. President, owing to the conflicting plans as to the "reconstruction" of the seceded States, the return to the old military peace establishment was for a time delayed, until the strong public sentiment against the maintenance of a standing army became so manifest that such military men as Gen. John A. Logan took a firm stand in favor of reduction. By the act of July 28, 1866, the military peace establishment had been temporarily fixed at 5 regiments of artillery, 10 regiments of cavalry, and 45 regiments of infantry.

But, so great was the popular demand for a more thorough and permanent reduction, that a provision was incorporated in the Army appropriation bill of July 15, 1870, by which the President was "authorized and directed," on or before the 1st day of July, 1871, "to reduce the number of enlisted men to 30,000," and it was provided that "thereafter there shall be no greater number at any one time."

One of the prime movers and chief advocates of this permanent reduction of the Army was Gen. John A. Logan, at that time chairman of the House Committee on Military Affairs. The following extract from his speech on that occasion will illustrate his position on the question at issue:

We know, sir, whenever there is an attempt made to reduce the Army, however much it may be to the interest of the country, we are always met with serious opposition. \* \* \* We (the Committee on Military Affairs) believe in a government like ours that the military arm should never be stronger than absolute necessity requires.

Mr. President, a reduction of the standing Army at the close of hostilities has been the invariable rule. This is the first time in the history of the country that the President of the United States ever desired or urged an increase of the standing Army, and this, too, at the close of a war which lasted but a few days, with a weak power, that surrendered after a single battle on land, which would have been considered only a small skirmish as compared with the battles of the civil war.

With no hostile power upon the sea, with no threat from any other source on this earth, President McKinley is the first President of the United States, in this condition, with only this rebellion in Manila on his hands, who comes and asks us for a hundred thousand men.

A hundred thousand men, Mr. President! Why, already we have given him, at the cost of several millions of dollars, an increase of marines in the Navy, who at least can be used effectively as infantry on shore. And that organization did great and gallant service in Cuba. Probably the most prominent action that took place was that fight of the marines at Guantanamo. We have given the President more officers and men in the Marine Corps than were in that corps during the war with Spain, nearly double the number we had during the war with England in 1812-14, more than twice the number that we had during the Mexican war.

These men he has permanently. And now comes this bill, which my friend from Missouri has indorsed so heartily, not giving the temporary use of a hundred thousand men, but absolutely attempting, as it does, to reorganize the Army so far as the number of officers in the staff department is concerned, and places in the Regular Army hereafter 10,000 or 11,000 additional men, bringing the Army on a peace basis, as proposed by this bill, up to 38,000 men, and leaving open the question after July 1, 1901, how many of the remaining temporary force of 95,000 shall be retained in the service.

I object to the bill, because that provision for the increase of the permanent Army ought not to have a place here. I object to the bill, because the attempt to reorganize and increase the staff of the Army ought not to be considered at this time, beyond the provision to give the Administration all the officers they want until 1901.

Mr. President, if the Senator from Wyoming and the Senators

in charge of the bill will place in the very last section of the measure what I supposed was there until I read it this morning—

Mr. WARREN. May I interrupt the Senator?

Mr. GORMAN. Certainly.

Mr. WARREN. I desire to say that I am not in charge of the bill, but the question which I asked, and which remains unanswered, was whether the Senator did or did not think 27,000 was sufficient for a standing army. That embraces some of the points he has raised. I do not understand that we are making the staff any larger permanently than when the Army was but 25,000. Having the point before us that it takes over 20,000 men to man the coast defenses, and which coast defenses have been provided for largely through the efforts of the very able Senator from Maryland in his duties upon the Appropriation Committee, I, as a member of the Military Committee, wish to say it has never been questioned in our committee room that we needed more than 27,000 men for our regular standing Army. Though we may have differed, six one way and six the other, as the Senator says, yet I do not understand that there were six—or three—who ever thought that 25,000 or 27,000 would be a sufficient standing army hereafter.

The Senator from Maryland represents most ably a coast State, and I come from the interior. I want to know whether he considers 27,000 men enough after this war is over, because I want to know whether I shall follow him and continue voting money for coast fortifications which we do not expect to man, or whether we expect to man those fortifications with 20,000 men, thus taking all the troops we have for use on the coast, and leaving us without any in the interior or on the frontier. We have had no less in late years than 21,000 cavalry and infantry for interior and frontier use. Is it the idea to take all the troops from the interior and locate them on the coast? The purpose of my question is to know whether 27,000 troops will be enough in the estimation of the Senator for the standing Army of the nation. And I say parenthetically that so far as the staff are concerned, there will be no more regular officers under the proposed reorganization than with the Army of 25,000, as we used to have it.

Mr. TILLMAN. Will the Senator from Maryland allow me a moment?

Mr. GORMAN. Yes, sir.

Mr. TILLMAN. I should like to ask the Senator from Wyoming whether the examinations before the Military Committee have shown that it takes the number of nineteen or twenty thousand, whichever he spoke of, to take care of the fortifications, so as to simply keep them in a state of preservation and keep the guns from rusting?

Mr. WARREN. That is the testimony of all the officers, I think.

Mr. TILLMAN. That, then, will not be a sufficient complement of artillery to use those guns?

Mr. WARREN. It would be sufficient to man and use the guns and machinery for an hour or two, or perhaps for a day, but there would be no reserve relief for the men—that is, if you were in a battle for any length of time, you could not relieve each man for rest or sleep as nature would require in any protracted attack.

Mr. TILLMAN. I suppose if there were a battle they would be cared for, or if there were a war we would supply the additional forces before the enemy could reach our shores. But I simply want to know if it is the purpose now of those who are contending for an increase of the Regular Army, that we should have a sufficient number of men to fight these guns or only enough to take care of them—to keep them from rusting, to keep them in good order, and to care for the machinery?

Mr. GORMAN. I answer I do not know; and I suggest, with great deference to the Senator from Wyoming, that he does not know.

Mr. WARREN. I am trying to find out.

Mr. GORMAN. And I doubt whether any Senator on this floor knows precisely how many men ought to be stationed at each of the great points we are fortifying in this country; and that is the gist of all I am saying on that phase of the measure—that you do not know to-day, the officers of the Army do not know, and no man yet knows just what that increase ought to be up to the point of absolute safety.

Mr. President, I live upon the coast, as the Senator from Wyoming has said. We have within 40 miles of this city great batteries with 8, 10, and 12 inch guns located on the Potomac River and also at Hawkins Point below Baltimore; and yet this war has demonstrated what? That no ship which flies the flag of any foreign nation would ever dare to enter the Potomac River and come within 10 miles of one of those guns or within 50 miles of the batteries in front of the city of Baltimore, for the reason that the developments in electricity, the improvements in mines and torpedoes, are such that no vessel of war would ever dare to approach them.

That has been the demonstration of this war. Admiral Sampson

and Admiral Schley in front of Santiago did not enter that harbor, under the order of the Secretary of the Navy, because even the Spaniards, who are far inferior to us in mechanism and in the use of electricity and torpedoes, were so protected by mines that a ship of the American Navy dared not attempt to enter the harbor of Santiago. So it is upon our coast.

Who can state now, who has the right to speak for the American people or the American Congress and say, "We need 100 men or 500 men at Fort Washington?" I do not know; but we will give you all that the Chief Magistrate of the nation says he wants; all, and more than all, that the Commanding General of the Army says is necessary in this condition, and we are willing to provide that that force shall last four months beyond President McKinley's term.

So his successor, or the Congress which assembles in December next, may take up this question in detail, and if you can demonstrate the fact that the safety and the protection of the country from any foe require 40,000 additional men, the American people will gladly vote them. I would do so if I were here. But until I know by figures, by demonstration, and by argument, that such an increase of the Regular Army is absolutely necessary, I shall oppose it so long as I have a seat upon this floor.

Mr. President, the Senator in charge of this bill has asked the Senate, "Who is afraid of a regular army, a large standing army?" I answer him that every State in the Union—Connecticut, Maryland, and all the States—have inserted provisions in their constitutions against a large standing army. There has never been a statesman who has occupied a page in American history who has not opposed it. I am opposed to it, because I have been taught to believe that a large standing army is contrary to the genius of our institutions. It has been the chief pride of the American nation that nearly 75,000,000 people can conduct their Government without subjecting themselves to bayonet rule or taxing their substance to keep a large and useless standing army in time of peace.

Mr. President, I fear a standing army. I have seen the great captain of a million men, in 1876, after he had passed away from the military branch of the Government and become President of the United States, and having himself voluntarily reduced the Army, order, through his then Lieutenant-General, batteries and companies to Washington at a time when there was great political excitement and when the Presidency itself was in the balance. Those few companies, not over 600 men all told, were ordered suddenly to Washington. When the history of those times shall be truthfully written, it will be satisfactorily shown that the presence of even that small military force was enough to awe men who had to deal with the grave question then demanding solution. Happily that question was settled, as I think and believe all great questions can be settled, by the Congress of the United States. I remember that scene and remember the quiet intimidation of it.

I can not agree to give the opportunity, I can not agree to place in the hands of any man, no matter how conservative he may be, no matter how democratic—and I mean that in the broad sense—he may be in his views, no matter how much he may be attached to the institutions of his country—I can not agree to give him great military power. The temptation to use it improperly is too great, and human nature is too weak to be thus tempted.

Mr. President, I am asked to have confidence in President McKinley. I have great respect for him as an individual, and I have no special criticism to make upon his conduct of this war, except that out of his good nature or otherwise, he has permitted weakness in his Departments. Inefficiency has permeated more than one place. If it be not shown to be something worse, as an American citizen I will rejoice.

Time alone will tell whether it is something worse or not, but I have seen nothing, absolutely nothing, in his recommendations or in the statements of his friends who are supposed to speak for him, to justify us in placing such enormous power in his hands. Remembering the action of the great President, General Grant, or that of President Polk, or that of any of his predecessors, I think we should trust the control of the Government of the United States to the American people, relying upon a small army and a well organized and disciplined militia, which have always been sufficient to protect and defend our country. President McKinley seemingly does not take that view. He is now entering upon a scheme which, in my judgment, when properly understood, will appall the country.

Why, Mr. President, with a Navy, which it now costs \$60,000,000 to maintain in its present condition, with the fifty ships, large and small, on the stocks or under contract to be added to that Navy, and with another new addition coming, which will add ten or twelve ships more, costing three or four million dollars each, where will we stand in the money point of view? That in the present condition has not received much consideration, but it must be considered. We boast of being a free people without an Army, and yet we shall have an expenditure until 1900, in all probability,

of \$145,000,000 to maintain the Army; \$80,000,000 for the Navy, and \$150,000,000 on account of pensions and for the Soldiers' Homes, which can not be reduced, and for incidentals.

These items alone make an expenditure on account of the military branch of our Government under President McKinley and for the increase urged here of \$369,000,000 per annum, a greater sum, Mr. President, than is expended by any Government on the face of the earth for such purposes; greater than was ever contemplated by the American people for the Army and Navy. There will be the expenditure of more money in each year until this Army is reduced than this Government expended for all purposes of every sort and description from 1856 to 1880. It is more than was expended for all governmental affairs—civil, Army and Navy, and pensions—between the year 1871, under Republican control, and 1876. It is greater than the expenditure has been at any time from 1876 down to and including 1891.

Mr. President, with such an expenditure, and with the other expenditures of this Government mounting up this year, including the interest on the public debt and the sinking fund, to \$750,000,000—nearly \$800,000,000 during the fiscal year—I ask you if it is not time to pause? I ask you if you intend to go on, when, as has been shown by a distinguished Representative from Illinois in another branch, Mr. CANNON, and moderately shown, that your deficiency will be \$159,000,000 on the 1st of July next. Mr. President, it will be \$179,000,000 to \$180,000,000, for he was overmodest in the statement of the case against his own friends.

You have then got to face what? Increased taxation. You can get no more from the tariff. Your "open-door" and your acquisition policy have reduced the revenue from that source; and rates put up will not produce more revenue. That means a direct tax upon the individuals in this country or the issuance of more bonds or certificates of indebtedness.

All we ask is that you shall make this great burden, which you are about to place upon the American people, temporary; that you will not at this time, in the closing hours of the session, when we can not examine into the details, do more than provide the necessary legislation until 1901.

Mr. HAWLEY. I wish the Senator would allow me just there to read three lines of the bill.

Mr. GORMAN. With pleasure.

Mr. HAWLEY. The bill, on page 9, line 13, reads:

*Provided further,* That such increased regular and volunteer force shall continue in service only during the necessity therefor, and not later than July 1, 1901.

Mr. GORMAN. I should like to have some information on that point. Do I understand the Senator in charge of the bill, the chairman of the Committee on Military Affairs, to say now that that is the intention of the bill? Does he want to limit the expenditures under this bill to the year 1901?

Mr. HAWLEY. Why, most assuredly—the increased expenditure.

Mr. GORMAN. Very good. If that be true, Mr. President, I will read my amendment, and I hope the Senate will agree to it at once, because we are directly on that line. If the Senator will agree to this amendment, so far as I am concerned, I will stop talking and let the bill pass through in an hour. There can not be any mistake about this provision. It is as follows:

*Provided,* That each and every provision of this act shall continue in force until July 1, 1901, and on and after that date the officers and men, including general officers and staff officers, shall be restored to the rank and numbers as provided for by law prior to April 1, 1893, except the cadets appointed under this act prior to July 1, 1901, and except as provided for in the act to authorize two additional regiments of artillery, approved March 8, 1898.

That makes it perfectly plain that this is a temporary measure, and if the Senator will agree to have this provision placed in the last section of the bill I shall not have one word more to say, but will think that the Senator has rendered the country a service, and the bill will have been placed in the position in which I had a right to suppose it would be. Will the Senator accept that amendment?

Mr. HAWLEY. No.

Mr. GORMAN. No, Mr. President. The Senator will not accept it. I know not why.

Mr. HAWLEY. I know you do not; but I do.

Mr. GORMAN. I shall be glad to have the Senator tell me.

Mr. HAWLEY. The Senator does not know why I would not accept it. He knows why he wants to offer it.

Mr. GORMAN. I only know what the effect of the rejection of the amendment will be. I for one can not see any reason on the face of the earth why that proposition should be rejected.

Mr. WARREN. Will the Senator allow me a word there?

Mr. GORMAN. With pleasure.

Mr. WARREN. The Senator, as I understand by his amendment, proposes to turn the clock or the tide of events backward and do away with any improvements already made since the date he cites in his amendment. For instance, we struggled here for years for a three-battalion system in the infantry, as I explained

in my speech the other day. It had gotten to a point where we were the only country in the world, except China, that had such an antiquated system of organization, and the reform of this is one of the things we have legislated upon since the date the Senator mentioned.

I do not believe the distinguished Senator from Maryland, notwithstanding there are accusations sometimes made that the party to which he belongs goes backward, is a nonprogressionist. I do not believe he knows what the effect of his amendment would be or he would not offer it. I only instance one item in the bill, but there are others which would be affected by adopting his amendment.

Mr. GORMAN. Well, Mr. President, the Senator will find out, I presume, that the country will not be misled by such statements as he has been making. There is but one question here: Do we intend at this session of Congress, without the opportunity of consideration, without the possibility of knowing what is right, to change the organization of the Army and to increase the standing Army so that it will require the action of all branches of the Government to undo it, or will the Senate agree to the proposition I make and give the President of the United States, just as we did in April last, when we declared war against Spain, all the money and all the men and every needed facility to put down the rebellion in the Philippines and control the islands below us?

Mr. TILLMAN. Will the Senator from Maryland allow me to ask a question?

Mr. GORMAN. With pleasure.

Mr. TILLMAN. Why is it necessary that we should have regulars to put down a rebellion in the Philippines, when the rebellion in this country—some people call it a rebellion, but I never acknowledged it to be such—was put down by volunteers?

Mr. GORMAN. Mr. President, in the late war and in all wars—

Mr. TILLMAN. Perhaps I did not make myself clear to the Senator. This is a rebellion now in the Philippines, and we need regulars to put it down. The civil war, or the great rebellion, was put down by volunteers. The Spanish war for liberty was put down by volunteers. Now, is it not a commentary upon the existing situation that we do not dare try to put down the rebellion in the Philippines with volunteers?

Mr. GORMAN. Mr. President, I myself think the suggestion of the Senator is quite right, but that is not the real case. It is not a question of destroying the Filipinos. We shoot them down, and dispatches have come to us stating that we mow them down like grass. Dewey will shell them out of every jungle.

Mr. TILLMAN. But the guns do not reach any farther than about 12 miles inland.

Mr. GORMAN. No, but they will be supplemented by guns on shore. I have no doubt of the ability of the American people to go on and destroy most of the people on those islands. It may be expensive; it will cost a good many men and an immense amount of money; but that does not concern the real interests which are behind this bill. A provision is made in it for life officers. Ten thousand more soldiers are to be put in the Army so that officers may command them. They want commands so more people can wear shoulder straps.

If you look back in the records of this Congress since the little, small, insignificant war with Spain began—as I said a moment ago, with only a small skirmish at Santiago and two battles upon the ocean, which were far-reaching and great in their effect—you will find that you have passed more bills to promote Army officers, to put them on the rolls and give them increased pay, than were passed in the first year of the war of the rebellion, when all the people south of the Potomac were in arms against the Government. This has been an era of epaulets, and major-generals and brigadier-generals never were so plentiful in Washington. This army of officers alone would be sufficient to put down the Spanish army in Cuba, but very many of them did not get there. [Laughter.]

Mr. TILLMAN. The Senator means that the applicants were sufficient in number to put down the war with Spain.

Mr. GORMAN. I mean the men who were around Washington and who were appointed and promoted to positions here.

We passed one day a little measure for the gentlemen who are in the Army and who wanted to remain in Washington and keep as far away from the yellow fever in Cuba as possible. It is a simple little act, which came here from the committee, authorizing the appointment and promotion and advancement in the Quartermaster and Commissary Departments of officers of inferior rank to any grade in that department.

Seventeen of them were promoted. Some of them from lieutenants to colonels, some from majors to lieutenant-colonels; nothing higher than a colonel, it seems. There were 17 of them in one department; there were 29 of them in the Quartermaster's Department. The increase in compensation was about one-third greater than their previous pay. Many of them were here in Washington and never went away. This was so flagrant that the pending bill, as I understand, contains a provision to repeal that act authorizing these appointments. They were not only to last during the

war—the officers who were in the field and were fighting went out at the termination of the war—but under that provision of law they were to remain one year after the declaration of peace to close up affairs and to be here to urge upon Congress an increase in the standing Army.

Mr. President, I am not going back to criticize the Administration or the hasty legislation of Congress. It has been hasty. It has been in volume greater than at any other period when we were at war, and in a great war. What I ask is that when you fix this permanent establishment, you fix it yourselves, fix it after deliberation, fix it when you have time to do it. My friend the Senator from Vermont [Mr. PROCTOR] was a distinguished Secretary of War. Differing with him as I do, and as widely as men can differ, in politics, I say give him the opportunity to put in form the suggestion he made in his speech the other day about organizing the War Department, with its various chiefs of divisions, so that we may have efficiency and intelligence.

It is not in this bill. My friend the Senator from Missouri [Mr. COCKRELL] said "Pass the bill, and it will remain for twenty years." If that be true, it is another and a sounder reason why we should defeat it. I would not like to see the organization of the War Department remain another year. I trust the Senator from Vermont, with his experience in and his knowledge of that Department, will insist that opportunity shall be given every four years to select heads of bureaus as is done in the Navy, so that new life and vigor may be injected.

That Department never has been and it never can be organized under its present head so as to be efficient and vigorous—I will not say honest, because I believe these men to be honest. So far as I know, they are honest, but they are so inefficient, they are so advanced in age, that their want of capacity was most disastrous to the Army when it was in the field. I do not, Mr. President, include in this the Engineer Department, of which no adverse criticism has been made.

Mr. TILLMAN. I understand the Senator from Maryland, then, to say that we are not protected by this bill from any further scandals in regard to embalmed beef?

Mr. GORMAN. I do not know much, if anything, about embalmed beef.

Mr. TILLMAN. None of us know yet. We have been reading it in the papers, and we have got an idea that we can almost smell it.

Mr. GORMAN. I am perfectly familiar with the statements of the day. For this Department, organized as it is, Secretary Alger, whatever may be said of him, is not responsible.

Mr. TILLMAN. I did not intend, if the Senator will excuse me, by my utterance to cast any reflection upon the Secretary.

Mr. GORMAN. None at all. I did not mean that.

Mr. TILLMAN. I am simply trying to express in a feeble way my belief that the Senator from Vermont knows where the cancer is, and we ought to cut it out now.

Mr. GORMAN. I did not intend to apply my remarks to the Senator from South Carolina. I want to say in passing, because Secretary Alger is a very much abused man (I do not know enough about the facts to express an opinion), that the Secretary of War is not responsible for that Department with its present heads of bureaus. The law fixes them. They are promoted and appointed for life.

This is not the first time in the history of the country that the same conditions have been found. In the war of the rebellion the same conditions and the want of power to change every four years, as it is in the Navy Department, destroyed absolutely a Secretary of War. It forced him from the Cabinet. They were compelled to bring up a captain and make him Quartermaster-General, and to change other heads of the Department in order to make it efficient.

The same thing precisely occurred then that has occurred now. There is no way to relieve it except by adopting the suggestion made by the Senator from Vermont—to give the head of the Department the right to select from the corps the most efficient man, so far as concerns brains and activity and executive ability, he can find, and change him every four years. When this reorganization bill passes that provision ought to be a foundation stone of the reorganization.

Both the Senator from Vermont and I know that in these closing hours of the session it is impossible to accomplish that with all the influence Army officers have—and it is great in Washington—with their social life, being brought in contact with Senators and Members of Congress. The Senator from Vermont has a great struggle in front of him to overcome the influence which will be brought to bear to prevent action of that sort; but it ought to be done. If it can not be done, the reorganization ought not to be attempted or any increase in number made until we can go thoroughly into the matter.

Mr. President, if there were nothing else in the whole scheme

except that, I should oppose any attempt to change the staff department of the Army until we shall have had time to examine the matter thoroughly. I regret that we can not agree upon a temporary measure. I regret that what I supposed was a success has turned out to be a failure. I regret that this power that wants life appointments and a permanent army overshadows every other consideration.

I regret that, in these closing hours of the session, we could not devote the remainder of our time, after an agreement upon this matter for temporary service only, to the other questions which confront us. The appropriations for the support of the Government go through, as I have said, as never before in any other Administration in the last sixty years, without criticism, without much examination as to amounts or the class of expenditures. They will be rushed through, leaving a fearful responsibility upon the President and the heads of Departments for the economy they shall exercise and the carefulness with which they expend these millions and millions and millions of dollars.

I should like to have seen some other measures considered looking to the relief of our people, the expansion of our commerce, and the development of our country. Nine or ten hundred million dollars for war and destruction can be brought back in part and rapidly by increased commerce, by increased facilities for commerce. Yet questions of the character we are discussing block the way of progress in Congress and make it impossible to give our people additional opportunity for trade.

It does seem to me the height of unwisdom. Mr. President, if there were a proposition or suggestion on this side to embarrass the Administration, to prevent it from suppressing the rebellion which that branch of the Government has made possible, I ought to say for which it is responsible, then I could understand the position of our friends on the other side of the Chamber and their placing in jeopardy everything else, because the honor of the nation would be involved.

But no such condition exists. Name the number of men, if a hundred thousand are not sufficient; fix the sum of money that you intend to expend, limited only as to the time, and run that beyond the present Administration. On the other hand, if with no time to consider the interests of our country, with no time to consider the details of the measure, this matter is pressed and pressed to the exclusion of all other interests, let the responsibility be taken by the gentlemen who advocate it.

Mr. CARTER. Mr. President, the Senator from Maryland [Mr. GORMAN] is always plausible and forceful in his remarks. During his eloquent speech to which we have just listened everyone must have been deeply touched with the pathetic solicitude manifested by him for the fate of the present Administration of the National Government. In voice touched even with tears the Senator from Maryland predicted what might befall this Administration if in a moment of recklessness it should fail to follow his advice.

Anyone stepping in from the outside and unadvised as to the conditions preceding this hour and surrounding us now would from his remarks be impressed with the idea that all the colleagues of the Senator from Maryland, save and except a few, had become bent upon the destruction of the liberties of their countrymen by a needless, reckless, and extravagant increase in the standing army, which was destined to be a menace to the public good.

Again, this bystander would be led to believe in the pathetic words of the Senator from Maryland that we had undertaken in the closing hours of Congress, when matters from all directions were pressing for attention, to foist upon an unwilling people an unnecessary armed force, spirited through under boot and spur and without any existing necessity whatever. Again, this bystander, stepping in from the outside, would be led to expect that there existed in this Chamber, and upon the part of the Administration for the time being intrusted with the Federal Government, a desire to recklessly and needlessly increase the burden of taxation upon the people.

This bystander would likewise, accepting his version of what has happened within the last year, be led to believe that this country had been hopelessly humiliated in the war with Spain; that through the incompetence of people at the head of the Army and in the Department, perchance through the cowardice of men in the field, this great Republic for the first time in its history had suffered humiliation in conflict before the eyes of the civilized world.

Mr. President, these conclusions would be misleading to the bystander. The facts are that the conditions which imperatively demand the maintenance of a considerable force in our Army evolved from circumstances and events not of our seeking. One month before this country, responding to humanity's call, declared war against the Kingdom of Spain, profound peace prevailed throughout this broad and highly favored land of ours. The only evidence of unrest anywhere to be found was in the vigorous, healthy competition of men in the walks of peace.

In the commercial, financial, and industrial life of this country there was a month before that war began a spirit of emulation, a spirit of rivalry breeding a certain sort of healthful unrest. The country had just emerged from a period of marked depression, somewhat enlightened by experience, but undaunted in courage. From one end of the country to the other and in every walk of life activity of a most pronounced character prevailed. In the busy hours of the passing day no one stopped to inquire where the Army was, or of what it consisted, or who was managing it. The Army had been left to its officers and the Department, and was only brought to the notice of Congress as the annual appropriations for its maintenance were passed in a perfunctory way.

Mr. President, this was the condition to which the armed forces of the United States had become minimized in the opening days of 1898, and yet thousands, yea millions, of our countrymen had been soldiers in the ranks. Within the period of thirty-five years unhappily one section of this country had been desolated by war. Yet so naturally and so quickly did our countrymen abandon the ways of war for the ways of peace that within the period of thirty-five years the military spirit was confined to the army posts and the Military Academy at West Point. In the light of this experience of forty years of our history, who can now be heard to say that the liberties of these people must stand menaced by militarism?

Mr. President, the American people have demonstrated in the last forty years, as in the years preceding, that their greatest ambition for achievement rests in the line of science, industry, and art. Recall, if you please, the magnificent exhibition made at Chicago a few years ago. Witness, if you please, the exposition held in the city of Omaha last year. Witness, if you please, the effort which is being made to get up a great industrial exposition at the city of Buffalo. Witness the effort now being made for a great industrial exposition in the city of St. Louis. The man who witnesses these things aright will determine that operations come to us as a necessity and not in obedience to a desire.

The present situation evolves from the war with Spain. War with Spain evolved from the quickened conscience of an outraged country, responding to the demands of an oppressed people for a right to live and breathe God's pure air as their birthright entitled them to breathe it.

The war with Spain did not spring, I imagine, from any desire to engage in a magnificent crusade of arms. The President of the United States sought in a manner that provoked most caustic criticism from some quarters at the time to prevent involving his Administration in the turmoil and horrors of war. His Administration evolved from a great economic contest that was fought over in every village, school district, and town in the United States.

It was not an Administration brought into being for the purpose of inaugurating a crusade nor of establishing a great military power. If we may judge men aright by their words and their actions, the President of the United States looked with the most serious concern upon the disturbance of the peace or the interjection of war into the term through which he was to pass.

Senators who are now seeking peace at any price, even in the form of a disgraceful retreat from the Philippines, within a twelvemonth were applying the lash of criticism to the President of the United States because he was seeking to avoid war by exhausting diplomatic processes for that purpose.

Now, Mr. President, the war has closed, and our arms, contrary to the suspicion that would arise from the remarks of the Senator from Maryland [Mr. GORMAN], were generally victorious; and notwithstanding the remarks of the Senator from Nebraska, this great victory, which humiliated the power of Spain, was achieved with the least loss of life in camp, hospital, and field that ever occurred in the history of man in a war between two nations for a like period of time.

Let us take the written record, contested by no one and incontestable by anyone, and see what it says. I will read from the report of the Adjutant-General of the Army for the year 1898. I will refer Senators to page 21 of that document for the facts. It shows the grand total of casualties in killed and wounded during the war with Spain. I will read only the totals, asking that the details be inserted as a part of my remarks.

The total number of officers killed during that war was 23, all told; of enlisted men, 257; officers wounded, 113; enlisted men wounded, 1,464.

The number of deaths from all causes between May 1 and September 30, inclusive, as reported to the Adjutant-General's Office up to October 3, were: Killed, officers 23, enlisted men 257; died of wounds, officers 4, enlisted men 61; died of disease, 80 officers, 2,485 enlisted men, a total of 107 officers and 2,803 men, being an aggregate of 2,910 out of a total force of 274,717 officers and men, or a percentage of 1.059, a less percentage than the death rate in the Tropics, in which the men were serving, if the people were there under normal conditions.

The table referred to is as follows:

*Grand total of casualties in killed and wounded during the war with Spain.*

Locality.	Killed.		Wounded.	
	Officers.	Enlisted men.	Officers.	Enlisted men.
Cuba.....	23	257	99	1,332
Porto Rico.....	3	3	4	36
Manila.....	17	17	10	96
Total.....	23	257	113	1,464

The number of deaths from all causes between May 1 and September 30, inclusive, as reported to the Adjutant-General's Office up to October 3, were—

	Officers.	Enlisted men.
Killed.....	23	257
Died of wounds.....	4	61
Died of disease.....	80	2,485
Total.....	107	2,803

being an aggregate of 2,910 out of a total force of 274,717 officers and men, or a percentage of 1.059.

Mr. CARTER. Mr. President, these mute figures, the witnesses to be consulted by the historian, tell their tale, and the vaporings that seemingly controvert them with success for this moment will pass away as the mist in the presence of the uncontradicted truth.

Mr. President, so much for the war with Spain. The victory was great, but, like all great successes in life, whether in the history of individuals or nations, great responsibilities came with it. We captured within one summer 2,000 islands, distributed in the Atlantic and the Pacific oceans. In those islands were destroyed the last vestige of Spanish power. The Spanish Government was the only recognized governing force in the islands when we approached them in the prosecution of the war. Then came the negotiations for peace.

If there was one proposition more firmly established in the minds of the people of this country than another, it was that, whatsoever might be the fate of those liberated people, they should not be returned to the dominion of Spain. What, then, was the United States to do with them? Would we have been justified in turning the Filipinos, the Cubans, and the Porto Ricans, or any of them, loose as anarchy-ridden political derelicts, drifting about the Pacific and Atlantic oceans?

Mr. President, such cowardly and base action as that would have constituted the national crime of all the centuries. It would have been a base refusal to perform a clear and well-defined national obligation, an obligation not only to the inhabitants of those islands, but to the family of nations in which we live and of whom we expect, if need be, intend to extort, the respect due a great Christian power.

Having accepted for the time being jurisdiction and sovereignty, we are confronted as a first and as an absolutely unavoidable duty by the demand for the establishment and maintenance of law and order within the islands.

To do less than that would be to do less than our duty. To do less than that would be to fail to respond to the clear aspirations of the American people. No one can tell what rests beyond, but every American, be he in or out of official life, must to-day recognize the fact that the duty rests with the people of the United States to establish law and order in Cuba, Porto Rico, and the Philippines.

We found varying conditions of civilization in those islands, the highest order existing in Cuba and Porto Rico. In those islands the people recognized the fact that they were not in a condition to suddenly establish a government capable of discharging the obligations, internal and external, of an orderly state. In the Philippine Islands we found conditions of civilization ranging from the college professor in his chair at Manila to the wild pigmy near the mountain tops.

Some of the people who had followed our Navy down there had reached out and organized a rebellious force. It was believed by many that their purpose was to follow up the war by looting the city of Manila and the other civilized centers within the islands. Whatsoever may have been their purpose, they were not a government. We constitute the only authority there. We are responsible to the Almighty, to ourselves, and to the nations of the earth to preserve peace and order and respect for person and property while we remain there.

What may be done, Mr. President, after order shall have been restored no man can at this moment, with any degree of certainty, predict. He who would call this movement to establish

law and order and respect for our flag in the Philippines an aggressive movement to expand our territory deals in misnomers calculated but to deceive the public mind.

We will take one step at a time in this matter, Mr. President. We will first perform the duty of the hour, and there breathes not a man in this Chamber to-night who would have us retreat in disgrace and disorder or surrender the flag of the United States to Aguinaldo and the insurgents who wantonly fired upon it.

Guided by the intelligence and the conscience of this country, we will take another step when the light becomes clearer and the duty is made plain. I am not prepared to say what position I will take under conditions of which I know naught. The ignorance prevailing throughout this country concerning those distant islands is great indeed. What must be the ignorance prevailing throughout the islands with reference to the people of the United States? There is not more than a temporary misunderstanding, a misconception of our purposes and aims, on the part of the Filipinos. In due course of time the light of better information will dissipate this misunderstanding, and law and order will reign supreme throughout the Philippine Islands.

Yea, Mr. President, in due course of time, and the day is not far distant, on each one of these liberated islands the people will meet on the regular holiday prescribed and celebrate the landing of the American troops on the islands as the birthday of freedom for them.

As I stated a moment ago, a serious duty, an unavoidable obligation, springs out of these conditions. The commanding general in the Philippines says that he requires 30,000 troops at least. Who is to be heard to say that his estimate is too great? Who will be heard to deny that a strong force is liable to produce by its very presence a condition of peace where a weak force would invite disorder and assault? If 30,000 troops are needed by General Otis in the Philippines, do not send him 29,000; rather send him 31,000.

It is conceded, Mr. President, that the great armaments along the seacoast, which we have been erecting at enormous cost, delicately constructed guns having splendid mechanism connected with them, require constant attention in order to avoid needless and wasteful decay. The officers of the Army claim that 21,000 men are necessary in order to take care of these seacoast defenses. I realize that the General of the Army thinks that 15,000 men might do this work. The General of the Army has made the lowest estimate furnished by anyone claiming to be conversant with the subject-matter. Then let us take 30,000 in the Philippines and the estimate of General Miles as to the coast defenses, and you have 45,000 men.

Take the island of Cuba with its six provinces, and it is claimed that we need 2,000 men to each one of those states or provinces, making 12,000 men. That would be 57,000 men on the Philippines and Cuba, with no provision made for Hawaii or Porto Rico.

So, Mr. President, when just arrangements are made for needed relief, you have the whole 65,000 men taken up that are provided for in this bill for the Regular Army as increased.

But, Mr. President, beyond that we have established throughout this country a series of military posts, places which the wisdom of Congress has directed should be established for the Regular Army. I can speak more intelligently of my own State than of other States. There is not a military post in Montana which is not a necessity. If any question exists upon this point, I call attention to a memorial of the legislature of the State of Montana, which I hold in my hand, passed by that body and certified to by the secretary of state on the 11th day of February, 1899, which I ask permission to insert in the RECORD as a part of my remarks. I will state its substance merely.

This memorial proceeds to say that, observing there were no troops at any of the military posts in that State, the 12,000 Indians living in Montana have begun to roam about the country, becoming impertinent, invading the homes of people and insolently demanding support, refusing to comply with the request of their agents to remain upon, or when absent to return to, their reservations. These conditions existing in that Northwestern country have been duplicated in the Southwest.

The memorial referred to is as follows:

Joint memorial No. 1.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Whereas, owing to the fact that the Indians resident upon reservations within the State of Montana are allowed to and do habitually make a practice of leaving their reservations in large numbers and roaming over the country, and in and through settled and cultivated portions of the State, to the terror and annoyance of the people of Montana and to the wholesale and useless destruction of the game of the State, such Indians are a continual menace to the peace of the people of Montana and the preservation of the game of the State, and commit numerous depredations and violations of law and disturbances of families and communities, and uselessly slaughter and destroy every year great quantities of game; and

Whereas it is impracticable and often impossible for the civil authorities of Montana to prevent or punish such acts by such Indians and an attempt so to do would be attended by great and unjustifiable cost and expense: Therefore be it

Resolved, That we, your memorialists, the legislative assembly of the State of Montana, respectfully represent that we ask the Congress of the United

States to enact proper and effective legislation to prevent all of such acts by Indians in the State of Montana and to make it unlawful for Indians resident upon reservations in the State of Montana to ever at any time or for any purpose leave or be found off of their reservations, and to enact such measures as will stringently enforce such legislation. It is by us

Further resolved, That the secretary of state of Montana be, and he is hereby, ordered to furnish a copy of this memorial to each of our Senators and Representatives in Congress.

A. E. SPRIGGS, President of the Senate.  
HENRY C. STIFF, Speaker of the House.

Approved February 11, 1899, at 10.45 o'clock a. m.

ROBT. B. SMITH, Governor.

Mr. CARTER. Mr. President, at the breaking out of this war a regiment of troops was removed from near the Kiowa and Comanche reservations, and before they had gone 100 miles the War Department was compelled to send them back, because Geronimo and his band of Apache Indians had determined to take advantage of their absence and to do business on their own account. To leave the Army posts untenanted by withdrawing the Regular Army from the Indian country is to invite disaster where peace will remain and abide if we leave the ordinary force there to command the peace.

Now, Mr. President, no one will pretend to figure out that the garrisons in the West can be taken care of with less than 25,000 men. I have a statement here showing the military posts that are to be taken care of. Why, sir, since 1885 we have invested in improving those posts \$10,938,201.64. We have as an approximate estimate of the total value invested in those posts to-day \$23,371,548.47. Fort Myer, across the river, overlooking the capital of the country, with more than \$2,000,000 worth of property subject to destruction by fire, is to-night in charge of 3 men and 32 sick men.

A post in my own State that cost the Government \$400,000 in good money paid out within four years, is to-night in charge of two men and a few sick men who are left there. This statement might be repeated with reference to this kind of governmental property all over the United States. Is it possible that we are so apprehensive that the liberties of the people will be subverted by an army that we dare not stay the hand of destruction from our own property?

Again, Mr. President, it is necessary to garrison those posts and to maintain the garrisons, because it is a fact well known, and nowhere questioned by men who have investigated, that troops can only serve in the Tropics for a limited period of time. If we send 30,000 troops to Manila to-day, inside of nine months we shall have to transport every man of them back here to a temperate climate to recuperate, and we shall have to send 30,000 more down in their places. This will not all occur at once, but there will be a gradual exchanging from the temperate zone to the Tropics.

This shows that the men who are in the garrisons on the American continent to-day will twelve months hence, if need be, be in service down in the Philippine Islands, in Cuba, or in Porto Rico, as the case may be.

This number of 25,000, for home garrison, added to those indispensably necessary for the Philippines, Cuba, Porto Rico, and Hawaii, will bring this army up to about 92,000 men. I believe that is the exact number.

Now, Mr. President, another fact. It is well known that at least one-fifth of an army is at all times and under the most favorable conditions unable to respond for active duty. Sickness, leaves of absence, unavoidable absence from one cause and another, will reduce the ranks one-fifth, so that a company of 100 men is in splendid condition if 80 men regularly respond to the roll call for duty every morning. So we would not have, under the provisions of this bill, excluding the sick, the absent, and those unable to perform military duty of an active character, a sufficient number of men to fill out the quota prescribed by the War Department and by the most enlightened men of the Army as absolutely necessary to perform imperative service.

The Senator from Maryland suggests that this will involve great expense and that it is placing in the hands of the President of the United States an enormous power. Granted. Will you disgrace this nation and put a brand upon it for all the centuries by telegraphing General Otis and Admiral Dewey to-night to humiliate the nation by withdrawing from the Philippines? There can not be found upon this continent a man so base or incapable of comprehending his country's duty as to answer "yes" to that question.

Then, sir, it behooves us, regardless of party, regardless of section, regardless of the future of political factions, to unite as American citizens to discharge the duty of this hour in such manner that the benedictions of posterity will justly fall upon our heads.

The suggestion of the Senator from Maryland that the President might abuse the power conferred upon him falls flat and discredited to the ground in the presence of the fact that this same President, within the last four months, has reduced the Army of the United States in the volunteer and regular service from nearly 300,000 men down to about 120,000, all told. In view of the fact cited and the knowledge that to-day numerous regiments of the Volunteer Army are being mustered out of the service of the United States, it is only rational to assume that no man in this

Chamber will be more gratified with the approach of the day that the Army can be reduced than will the President, if we may judge the future by the past.

Mr. President, this situation called forth the splendid burst of patriotic eloquence which came from the lips of the senior Senator from Missouri [Mr. COCKRELL] this afternoon. I can add nothing to his lucid analysis of the details of the pending bill. In his own words, "In the sight of God and his fellow-countrymen," he sees his duty and is willing to accept all the responsibility for it. He made that statement knowing the Regular Army was not authorized to be increased one single man more than necessity required. Who can be found who would refuse to increase it that much? He knew that this bill did not provide for the enlistment of a single volunteer unless necessity required it. Conceding the necessity, who would deny the right and still, standing under the Stars and Stripes, claim to be a worthy citizen of the country?

Mr. President, something was said about the expense of maintaining this army. My theory is that if an adequate army is pushed to the front and handled vigorously this situation will be under control within a few months, and many of these troops can be discharged. God knows we all hope that that result may follow; but, as we are now about to adjourn and repair to our respective homes, is it not best that we should leave the coordinate branch of the Government in condition to maintain the rights of the United States, respect for its flag, and all that our present situation imposes upon us?

The next Congress may increase this Regular Army, suggests the Senator from Maryland. So it may be said with equal force that the next Congress may obliterate the Army altogether. What we insist now is that there shall be left in the hands of the President of the United States, during the vacation about to begin, an army adequate for all the necessities of the service in this country and elsewhere in so far as we can foresee the contingencies. If next autumn we find that the President has disbanded the volunteers and reduced the Regular Army, we shall be gratified. If, on the other hand, we should leave him without an adequate force and disaster should come to our arms in the Philippines or elsewhere, we should certainly have reason to feel, whether we so felt or not, a twinge of conscience from duty unperformed, a dereliction for which we could not readily excuse ourselves.

I have here a list of the Army posts of the United States and the cost of each post. I likewise have a statement of the various coast batteries, and I ask unanimous consent to insert them as a part of my remarks. They contain useful information that may be of service to us.

Mr. COCKRELL. I ask that they may be also printed as a separate document.

The PRESIDING OFFICER (Mr. CHILTON in the chair). Is there objection to the request of the Senator from Montana? The Chair hears none, and that order is made.

The statements referred to are as follows:

Statement showing approximately expenditures on interior posts constructed since 1885 to February 20, 1899.

Post.	Amount.
Fort Bliss, Tex.	\$658,280.04
Fort Brady, Mich.	273,473.92
Columbus Barracks, Ohio (reconstruction)	330,820.45
Fort Crook, Nebr.	722,805.01
Fort Ethan Allen, Vt.	590,714.64
Fort Harrison, Mont.	306,271.92
Jefferson Barracks, Mo. (reconstruction)	503,653.94
Fort Leavenworth, Kans. (reconstruction)	841,007.18
Fort Logan, Colo.	621,942.38
Fort Logan H. Roots, Ark.	224,134.77
Madison Barracks, N. Y.	896,736.16
Fort McPherson, Ga.	719,299.43
Fort Myer, Va.	554,800.43
Plattsburg Barracks, N. Y.	661,225.16
Fort Riley, Kans. (reconstruction)	1,106,735.52
Fort Sheridan, Ill.	1,317,071.20
New post near Spokane, Wash.	165,497.71
Fort Thomas, Ky.	702,119.08
Fort Yellowstone, Wyo.	127,441.41
Fort Sam Houston, Tex. (including department headquarters and quartermaster depot); total	705,132.00
Total	10,908,201.04

Statement showing approximate value of all improvements at each of the military posts not abandoned.

Fort Adams, R. I.	\$175,000.00
Fort Barrancas, Fla.	75,000.00
Fort Columbus, N. Y.	150,000.00
Columbus Barracks, Ohio	500,000.00
Fort Ethan Allen, Vt.	590,714.00
Governors Island, N. Y.	90,000.00
Fort Hamilton, N. Y.	175,000.00
Jackson Barracks, La.	75,000.00
Koy West Barracks, Fla.	75,000.00
Madison Barracks, N. Y.	500,000.00
Fort McHenry, Md.	200,000.00
Fort McPherson, Ga.	719,299.43

Statement showing approximate value of all improvements at each of the military posts not abandoned—Continued.

Fort Myer, Va.	600,000.00
Fort Niagara, N. Y.	150,000.00
Plattsburg Barracks, N. Y.	700,000.00
Fort Porter, N. Y.	250,000.00
Fort Preble, Me.	50,000.00
St. Francis Barracks, Fla.	75,000.00
Fort Schuyler, N. Y.	75,000.00
Fort Slocum, N. Y.	500,000.00
Fort Thomas, Ky.	702,119.08
Fort Trumbull, Conn.	40,000.00
Fort Wadsworth, N. Y.	120,000.00
Fort Warren, Mass.	80,000.00
Washington Barracks, D. C.	225,000.00
West Point, N. Y.	1,000,000.00
Willetts Point, N. Y.	280,000.00
Fort Brady, Mich.	273,473.92
Jefferson Barracks, Mo.	700,000.00
Fort Leavenworth, Kans.	1,000,000.00
Fort Reno, Ind. T.	150,000.00
Fort Riley, Kans.	1,200,000.00
Fort Sheridan, Ill.	1,317,071.21
Fort Sill, Okla.	175,000.00
Fort Wayne, Mich.	275,000.00
Fort Logan H. Roots, Ark.	224,134.77
Fort Assiniboine, Mont.	400,000.00
Fort Harrison, Mont.	306,271.92
Fort Keogh, Mont.	200,000.00
Fort Snelling, Minn.	600,000.00
Fort Yates, N. Dak.	50,000.00
Fort Yellowstone, Wyo.	140,000.00
Fort D. A. Russell, Wyo.	350,000.00
Fort Crook, Nebr.	722,805.01
Fort Robinson, Nebr.	500,000.00
Fort Washakie, Wyo.	275,000.00
Fort Niobrara, Nebr.	250,000.00
Fort Meade, S. Dak.	150,000.00
Fort Apache, Ariz.	175,000.00
Fort Bayard, N. Mex.	60,000.00
Fort Du Chesne, Utah.	300,000.00
Fort Douglas, Utah.	150,000.00
Fort Grant, Ariz.	140,000.00
Fort Huachuca, Ariz.	621,942.38
Fort Logan, Colo.	50,000.00
Fort Wingate, N. Mex.	358,280.04
Fort Bliss, Tex.	150,000.00
Fort Brown, Tex.	300,000.00
Fort Clark, Tex.	25,000.00
Camp Eagle Pass, Tex.	50,000.00
Fort McIntosh, Tex.	90,000.00
Fort Ringgold, Tex.	600,000.00
Fort Sam Houston, Tex., and Headquarters Department of Texas	60,000.00
Alcatraz Island, Cal.	150,000.00
Angel Island, Cal.	60,000.00
Benicia Barracks, Cal.	40,000.00
Fort Mason, Cal.	800,000.00
Presidio of San Francisco, Cal.	10,000.00
San Diego Barracks, Cal.	40,000.00
Boise Barracks, Idaho	80,000.00
Fort Sherman, Idaho	100,000.00
Fort Spokane, Wash.	250,000.00
Vancouver Barracks, Wash.	100,000.00
Fort Walla Walla, Wash.	195,437.71
Spokane, Wash., new post near	75,000.00
Seattle, new post near	22,371,548.47
Total	

#### EXHIBIT A.

Table showing the artillery force needed to furnish one relief for the guns of the coast armament actually installed June 30, 1899, strength of the battery being 100 men.

Harbors and posts.	Armament actually installed June 30, 1899.	Batteries of artillery to man those guns.
<b>Atlantic coast.</b>		
Kennebec River, Maine.	1 8-inch gun, on old mount	1
Portland:		
Fort Preble.	16 mortars (12-inch).	2
Portland Head.	5 guns (10-inch) and 1 rapid-fire (6-inch).	2
Great Diamond Island.	6 mortars, 2 guns (12-inch), 8 guns (8-inch), and 4 R. F. guns.	5
Cushing Island.	2 guns (12-inch), 2 guns (10-inch), and 3 R. F. guns.	3
Portsmouth:		
Fort Constitution.	2 guns (8-inch).	1
Jerry's Point.	2 guns (8-inch).	1
Gerrish Island.	3 guns (10-inch).	2
Boston:		
Grover's Cliff.	16 mortars and 3 guns (12-inch).	4
Long Island Head.	5 guns (10-inch) and 4 R. F. guns.	3
Paddocks Island.	8 mortars (12-inch).	1
Nantucket Head.	2 guns (12-inch) and 2 R. F. guns.	2
Fort Warren.	2 guns (12-inch), 5 guns (10-inch), and 5 R. F. guns.	5
Clarke Point.	2 guns (8-inch) and 2 R. F. guns.	2
Fort Adams.	16 mortars, 2 guns (10-inch), 1 gun (8-inch), and 1 R. F. gun.	4
Fort Greble.	8 mortars, 3 guns (10-inch), and 3 R. F. guns.	3
The Dumpings.	2 guns (12-inch) and 2 R. F. guns.	1
Napatree Point.	2 guns (8-inch) and 2 R. F. guns.	2
Fishers Island.	2 guns (12-inch) and 2 guns (10-inch).	2
Great Gull Island.	2 guns (12-inch) and 2 guns (10-inch).	2
Plum Island.	8 mortars, 2 guns (10-inch), and 1 R. F. gun.	2
Gardiners Point.	2 guns (8-inch) and 2 R. F. guns.	1
Fort Slocum.	16 mortars and 1 gun (8-inch).	2

Table showing the artillery force needed, etc.—Continued.

Harbors and posts.	Armament actually installed June 30, 1899.	Batteries of artillery to man these guns.
<i>Atlantic coast—Cont'd.</i>		
Fort Schuyler .....	2 guns (12-inch), 2 guns (10-inch), and 2 R. F. guns.	3
Willels Point .....	8 mortars, 2 guns (12-inch), 2 guns (10-inch), 2 guns (8-inch), and 4 R. F.	4
Fort Wadsworth .....	4 guns (12-inch), 4 guns (10-inch), 7 guns (8-inch), and 6 R. F. guns.	8
Fort Hamilton .....	8 mortars, 4 guns (12-inch), 7 guns (10-inch), and 4 R. F. guns.	8
Fort Hancock .....	16 mortars, 6 guns (12-inch), 5 guns (10-inch), and 2 R. F. guns.	8
Fort Mott .....	3 guns (12-inch), 3 guns (10-inch), and 2 R. F. guns.	3
Fort Delaware .....	5 guns (12-inch) and 4 R. F. guns.	5
Battery Point .....	16 mortars, 2 guns (8-inch), and 2 guns (12-inch).	4
North Point .....	8 mortars, 2 guns (12-inch), and 4 R. F. guns.	3
Hawkins Point .....	1 gun (12-inch), 3 guns (8-inch), 4 R. F. guns.	2
Fort Carroll .....	2 guns (12-inch) and 4 R. F. guns.	2
Fort Washington .....	8 mortars, 7 guns (10-inch), and 4 R. F. guns.	4
Sheridan's Point .....	3 guns (8-inch) and 2 R. F. guns.	2
Fort Monroe .....	16 mortars, 3 guns (12-inch), 3 guns (10-inch), 5 guns (8-inch), and 3 R. F.	12
Fort Caswell .....	8 mortars, 2 guns (12-inch), 4 guns (8-inch), and 3 R. F. guns.	4
Sullivan's Island .....	16 mortars, 4 guns (10-inch), and 6 R. F. guns.	6
Fort Sumter .....	2 guns (12-inch) .....	1
Hilton Head .....	2 guns (8-inch) .....	1
St. Helena Island .....	3 guns (10-inch) and 2 R. F. guns.	2
Tybee Island .....	8 mortars, 2 guns (12-inch), 4 guns (8-inch), and 5 R. F. guns.	4
Fort Pulaski .....	1 gun (8-inch) and 2 R. F. guns.	1
Fort Clinch .....	1 gun (8-inch) .....	1
Jacksonville .....	2 guns (8-inch) .....	1
Key West .....	8 mortars, 2 guns (12-inch), 4 guns (10-inch), 2 guns (8-inch), 6 R. F.	7
<i>Gulf coast.</i>		
Mullet Key (Tampa) .....	8 mortars .....	1
Egmont Key .....	4 guns (8-inch) and 2 R. F. guns.	2
Fort Pickens .....	8 mortars, 2 guns (12-inch), 4 guns (10-inch), and 4 R. F. guns.	4
Fort McRae .....	2 guns (8-inch) and 2 R. F. guns.	1
Fort Morgan .....	8 mortars, 2 guns (12-inch), 4 guns (8-inch), and 4 R. F. guns.	4
Fort Gaines .....	2 guns (8-inch) .....	1
Fort St. Philip .....	2 guns (10-inch), 4 guns (8-inch), and 4 R. F. guns.	3
Fort Jackson .....	2 guns (8-inch) and 2 R. F. ....	1
Sabine Pass .....	1 gun (8-inch) .....	1
City Beach .....	8 mortars, 2 guns (10-inch), and 2 R. F. guns.	12
Bolivar Point .....	2 guns (8-inch) and 3 R. F. ....	1
Fort Point .....	8 mortars, 2 guns (10-inch), and 4 R. F. ....	8
<i>Pacific coast.</i>		
San Diego .....	4 guns (10-inch) and 4 R. F. ....	3
Fort Baker .....	5 guns (12-inch), 3 guns (8-inch), and 3 R. F.	5
Fort Winfield Scott .....	32 mortars, 8 guns (12-inch), 5 guns (10-inch), 3 guns (8-inch), 7 R. F.	14
Fort Mason .....	1 gun (8-inch) .....	1
Angel Island .....	2 guns (8-inch) .....	1
Fort Stevens .....	8 mortars, 6 guns (10-inch), and 2 R. F. ....	4
Chinook Point .....	3 guns (8-inch) and 2 R. F. ....	1
Admiralty Head .....	10 mortars, 4 guns (10-inch), and 2 R. F. ....	4
Narrowstone Point .....	2 guns (12-inch), 4 guns (10-inch), and 2 R. F.	3
Point Wilson .....	2 guns (12-inch), 5 guns (10-inch), and 2 R. F.	3
Orchard Point .....	2 R. F. guns .....	1
Bean Point .....	2 R. F. guns .....	1

Total number of batteries of artillery needed to man the guns actually installed June 30, 1899, 196.

## EXHIBIT B.

Table showing artillery force required to man the proposed armament of the United States.

Harbors and posts.	Seacoast guns.			12-inch mortars.	R. F. guns, large.	R. F. guns, small.	Batteries required.
	12-inch.	10-inch.	8-inch.				
<i>Atlantic coast.</i>							
Penobscot River.....	.....	.....	.....	.....	3	4	.....
Kennebec River.....	.....	.....	.....	.....	3	4	.....
Portland, Me.:.....	.....	.....	.....	.....	.....	.....	.....
Portland Head.....	4	5	.....	.....	3	3	.....
Cushing Island.....	4	4	.....	16	3	6	.....
Fort Preble.....	.....	.....	.....	.....	.....	.....	.....
Fort Scammon.....	.....	.....	.....	16	.....	.....	.....
Great Diamond Island, south.....	.....	.....	5	16	4	12	.....
Great Diamond Island, north.....	.....	.....	3	16	.....	.....	.....
Cow Island.....	5	.....	.....	.....	.....	.....	.....

Table showing artillery force required to man the proposed armament of the United States—Continued.

Harbors and posts.	Seacoast guns.			Mortars, 12-inch.	R. F. guns, large.	R. F. guns, small.	Batteries required.
	12-inch.	10-inch.	8-inch.				
Atlantic coast—Continued.							
Portsmouth, N. H.:							
Jerry's Point.....	3				2	2	1
Gerrish Island.....		3		16			3
Fort Constitution.....			32			32	
Boston, Mass.:							
Fort Warren.....	5	5			4	11	5
Nantasket Head.....	6	5			6	4	6
Long Island Head.....		5			32	4	2
Deer Island.....	3		5	32	4	6	8
Grover's Cliff.....	3			32	3		6
Nahant.....				32			4
Little Hog Island.....				16			12
Paddock Island.....				16			2
New Bedford, Mass.:							
Clarks Point.....			2	8	4	6	4
Narragansett Bay:							
Fort Adams.....		2		16	2	3	3
Fort Dumplings.....	2				6	6	2
Conanicut, Eastern.....	2	3		16			4
Conanicut, Fox Hill.....	3				12	2	2
Dutch Island.....		3		16	3	6	4
Boston Neck.....	2				2		1
Paradise Rocks.....				16			12
Long Island Sound, eastern entrance:							
Napatree Point.....			2		4		1
Fishers Island.....	2	2		16	3		5
Bartlets Reef.....	3				4		2
Great Gull Island.....	2	2	1		4		3
Plum Island.....		2		16			3
Gardiners Point.....			2		32		1
New York:							
Eastern entrance—							
Willels Point.....	4	4	2	16	2	8	6
Fort Schuyler.....	7	2			2	8	4
Gardiners Point.....	3					12	1
Hewletts Point.....				16			2
Sands Point.....				16			2
Fort Slocum.....				16	3	4	3
Southern entrance—							
Fort Wadsworth.....	10	4	5	16	6	8	15
Fort Hamilton.....	13	7		16	4	8	11
Plum Island.....				32			4
Sandy Hook.....	12	5		32	7	12	14
Point Comfort.....				16		2	2
Wards Point.....					4	6	1
Philadelphia:							
Fort Delaware.....	8				3	8	4
Finns Point.....		6			3	12	2
Near Delaware City.....			2	16	2	4	3
Baltimore:							
Fort Carroll.....	3				4	12	2
Hawkins Point.....	1		3		2	12	1
North Point.....	4				8	12	3
Rock Point.....				8	2	12	2
Potomac River:							
Fort Washington.....	22	4		8	4	7	5
Sheridan's Point.....	12		3		12	6	2
Hampton Roads:							
Fort Monroe.....	4	3	1	16	6	12	7
Fort Wool.....	6						3
Willoughby Spit.....				16			2
Wilmington, N. C.:							
Fort Caswell.....			3	8	2	7	3
Smiths Island.....		2			2	7	1
Charleston, S. C.:							
Fort Sumter.....	2				2		1
Sullivan's Island.....	3			16			3
Fort Moultrie.....		4			5	5	3
Port Royal Sound:							
St. Helena.....		3			4	6	2
Parry Island.....		2		8	4	5	3
Hilton Head.....					2	6	1
Savannah:							
Tybee Island.....	2		4	16	2	5	4
Fort Pulaski.....					2	4	1
Cumberland Sound:							
Fort Clinch.....		2		8	2	4	3
St. Johns River:							
St. Johns Bluff.....				8	4	5	2
St. Augustine, Fla.....					2	4	1
Gulf coast.							
Key West.....	2	4	12	32	11	21	10
Tampa, Fla.....		4		8	7	19	4
Pensacola:							
Fort Barrancas.....				16	2	4	4
Fort Pickens.....	2	4			3	4	1
Fort McRae.....			2				1
Mobile:							
Fort Morgan.....	3		4	8	4	6	3
Fort Gaines.....				16	3	3	2
New Orleans:							
Fort St. Philip.....		2	12	8	6	6	4
Fort Jackson.....				12	6	6	2
Fort Pike.....				3	2	3	1
Fort Macomb.....					2	3	1
Sabine Pass.....					2	4	1
Galveston:							
Bolivar Point.....			12		4	6	1

Table showing artillery force required to man the proposed armament of the United States—Continued.

Harbors and ports.	Seacoast guns.			12-inch mortars.	R. F. guns, large.	R. F. guns, small.	Batteries required.
	12-inch.	10-inch.	8-inch.				
<i>Gulf coast—Continued.</i>							
Galveston—continued:							
Port Point.....		12 12 12		16	4	4	3
City Beach.....				16		4	3
Pelican Slip.....					12	4	1
<i>Pacific coast.</i>							
San Diego:							
Point Loma.....		2		16	4		3
The Island.....					12 12 12	4	12 12
Ballast Point.....		4					
Coronado Beach.....				16	12 12 12	4	
San Francisco:*							
Point Bonita.....	3	4		16			5
Gravelly Beach.....	4						5
Alcatraz Island.....	5						5
Point Lobos.....	6			32			7
Lime Point.....	5						12 12
Point Cavallo.....		5					12 12
Yellow Bluff.....			5				12 12
Angel Island.....		4	4				3
San Jose.....			2				1
Presidio.....			8				3
Fort Point.....	10	10	5	64			14
Laguna.....				32			4
Columbia River:							
Cape Disappointment.....		3		16			3
Scarboro Hill.....			3	16			3
Point Adams.....		8		16	3	3	4
Desdemona Sands.....	2						1
Puget Sound:							
Point Wilson.....	2	5		16			5
Marrowstone Point.....	3	3		16			4
Admiralty Head.....		7		16			4
Agate Passage.....			3		3	6	1
Bean Point.....			3	16	6	12	4
Orchard Point.....		3	3		3	6	1
Middle Point.....					2	2	
Magnolia Bluff.....				16			2
Point Defiance.....					8		1
Dash Point.....				8			1
<i>Lake ports.</i>							
Lake ports:							
Fort Montgomery.....					3	6	1
Fort Wayne.....		3	3	18	7	9	3
St. Lawrence River.....	2	6		18			4
Total.....	190	180	94	1,008	233	410	362

\* The data in my possession gives 35 R. F. guns for this harbor without stating number of large and small or distribution. I have added 3 companies to those necessary for the B. L. guns.

† Ten-inch mortars.

‡ The 35 R. F. guns at San Francisco are not included.

Mr. SMITH. Mr. President, under ordinary circumstances and under ordinary conditions, on the broad question of an increase of our standing army, I should oppose it; but at a time like this, when this Government by a treaty, which was ratified only a few days ago, has made a departure so wide that the general conditions which have heretofore always existed have been changed, it seems to me but wise and prudent that we should consider the great question which is now presented to us in the light of the existing situation, and not from that which existed in the past.

I recognize, Mr. President, that in giving to the Chief Executive of this country a great standing army we must take the chances of what disposition he may make of that army, either in suppressing the voice of the people or of the press, in preventing the free assemblage of the people, or in aiding and encouraging the great corporations and trusts of the country.

I also recognize the fact that but a few weeks ago, by the necessary two-thirds vote, the Senate ratified the treaty with Spain, by which we agreed to pay \$20,000,000 for the Philippine Islands, with the possibility of an expenditure of at least four hundred or five hundred millions more, to say nothing of the lives of our American boys and men who may be sacrificed without number. I did not concur in that action, but that was the act of a majority of the representatives of the States.

I wish to God that our President had taken the advice of my honored colleague [Mr. SEWELL] when he said to the President, as he informed us in his speech yesterday, that he wished the President would order Admiral Dewey to sail from Manila. If that advice had been followed, we should not now here be confronted with the question of an increased army, with the question of the expenditure of millions of money to be paid by our people, and with the sacrifice of the lives of American soldiers. I have no apology to make for my vote on that treaty, but what I have stated is a matter of history.

We are now confronted with the fact that we have commenced

a war, and yet some of our friends ask, and even the Administration asks, that this Army bill be limited to the year 1901. I have a high regard for the honored Senator from Maryland [Mr. GORMAN], who is desirous of curtailing the time when this Army shall be continued in existence; but, in my humble judgment, the weakness of this bill lies in the fact that it has any limitation at all placed upon it, because I believe, sir, that we have embarked in a war and made a new departure in the history of this country which has brought about a state of affairs the result of which no man now living can tell.

Mr. President, we talk about the volunteers and speak of the brave work they did and the victories they obtained from Bunker Hill to Yorktown, at New Orleans, at Mexico, in the great war of the rebellion, and down to the recent war with Spain; and we say we can rely upon them. I have the greatest faith in the patriotism of the American people. But what caused those volunteers to leave their homes in order to go to fight for their country and their people and to sacrifice their lives was patriotism. That was a cause which appealed to the heart of every American citizen. But it is different when you come to ask volunteers to go 8,000 miles to the Philippine Islands, where, as my friend who has just taken his seat has said, every six months a new army will have to be sent; and that is the reason why they want so many men—because they will die of disease if not by the sword or by being shot.

When you call for volunteers and ask the American man and the American boy to leave his home to go there—to protect whom and what?—will the same incentive be there for him that there was when he went to Yorktown, or to New Orleans, or to Mexico, or into the war of the rebellion, or into the war with Spain? If I mistake not the American people, when it is known what that treaty means, what holding the Philippine Islands means, I would not be surprised that instead of having volunteers you will have to resort to a draft to secure soldiers.

I believe this is a great crime, a great wrong on the American people. At the same time we on this side of the Chamber particularly, or a large majority of us, are not responsible for the taking of the Philippines. We did not believe that the men who fought there should with us for their freedom should be taken into camp and shot down by us in order to acquire territory. I say here, without any chance of its being contradicted, that no Senator on this floor, if, when the resolutions were passed declaring war with Spain, it had been declared that the Philippines were to be taken and made a part of this Government, would ever have voted for declaring war.

But, Mr. President, it is here. We must meet it. I am a Democrat, and I always expect to be, but I am an American citizen first, and as such I will vote to give the Administration as many soldiers as they may want, and I will leave it to the American people, when they read of the death by disease and by shot of their sons and husbands and ponder over the taxes they have to pay, to determine whether they are satisfied with their action. I believe they are safe arbiters, and, so far as I am concerned, I propose that they shall have that privilege. In voting for this bill I do not do it believing in the principle, but believing that the Administration which brought on this condition ought to be allowed to finish it in their own way. Then let the American people settle with them hereafter.

Mr. WHITE obtained the floor.

Mr. TILLMAN. Will the Senator from California yield to me for a moment?

Mr. WHITE. Certainly.

SIXTH LIGHT-HOUSE DISTRICT.

Mr. TILLMAN. There is a little bill here involving an important matter. It passed the House and came over and has been amended. It will take but a few moments to get it through, and I wish to get it into conference. I ask unanimous consent for the present consideration of the bill (H. R. 3293) authorizing the Secretary of the Treasury to purchase a site for a new depot for the Sixth light-house district and erect the necessary buildings.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in line 6, after the word "depot," to strike out the remainder of the bill and insert:

And the sum of \$20,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of a site and the beginning of such improvements.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. TILLMAN. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. MCBRIDE, and Mr. PASCO were appointed.

#### MONUMENT TO SAMUEL HAHNEMANN.

Mr. GALLINGER. Mr. President, yesterday a request was made of the House of Representatives to return to the Senate the joint resolution which I hold in my hand, being the joint resolution (S. R. 48) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann. I move to reconsider the vote whereby the joint resolution was ordered to be engrossed, read the third time, and passed.

The motion to reconsider was agreed to.

Mr. GALLINGER. The joint resolution of course has been read heretofore. I move to amend it by striking out, in lines 8 and 9, the words "officer in charge of the new Library building" and inserting "Chief of Engineers, United States Army."

Mr. COCKRELL. How is that?

Mr. GALLINGER. I will say to the Senator from Missouri that I meant to consult him about this matter, but I am sure the change will meet with his concurrence. It is proposed to strike out the words "officer in charge of the new Library building" and insert "Chief of Engineers, United States Army."

Mr. HOAR. What is the joint resolution?

Mr. GALLINGER. It is the joint resolution that has passed the Senate two or three times, in reference to the erection of a monument to Samuel Hahnemann.

Mr. HANSBROUGH. Where is it proposed to erect it?

Mr. GALLINGER. If it is desired that I should make an explanation, I will do so. The original proposition was to place the monument in the Capitol grounds; but the Senator from Missouri objected, and that was specifically excluded in the joint resolution.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

The amendment was agreed to.

Mr. GALLINGER. After the word "the," in line 9, I move to insert "chairman of;" so as to read "chairman of the Joint Committee on the Library."

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

#### REORGANIZATION OF THE ARMY.

Mr. WHITE. As I have the floor, I desire to suggest to the Senator from Connecticut that, it being very late and several Senators desiring to be heard upon the Army bill, it seems to me advisable to postpone its further consideration until Monday. I took the floor intending to speak upon it. The Senator from Tennessee [Mr. BATE], who is a member of the committee, informs me that he desires to speak, and I prefer to yield to him when we meet next Monday. Will the Senator from Connecticut agree to an adjournment now?

JOHN L. SMITHMEYER AND PAUL J. PELZ.

Mr. STEWART. I ask unanimous consent to call up the bill (S. 3901) for the relief of John L. Smithmeyer and Paul J. Pelz.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. PETTIGREW. I object.

The VICE-PRESIDENT. There is objection.

#### CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. Mr. President, I desire to make a request. This morning the Senate kindly granted unanimous consent that the Pension Calendar should be considered from 5 to 6 o'clock. I request that the order be changed so that it shall operate from 6 to 7 o'clock this evening.

Mr. STEWART. There is no objection to that.

Mr. GORMAN. No other business to be transacted.

Mr. STEWART. No other business to intervene.

Mr. GALLINGER. No other business to come in.

The VICE-PRESIDENT. The Senate has heard the request of the Senator from New Hampshire that the unanimous-consent order made this morning be modified so as to take effect this evening.

Mr. GORMAN. With no other business to be transacted.

Mr. GALLINGER. No other business to be done.

The VICE-PRESIDENT. No other business to be done than the Pension Calendar. Is there objection? The Chair hears none.

#### COMMITTEE ON THE JUDICIARY.

Mr. HOAR. I ask permission for the Committee on the Judiciary to sit during the sessions of the Senate.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### HOOR OF MEETING.

Mr. HOAR. I desire to move a brief executive session. I suppose it need not take more than three or four minutes.

Mr. HAWLEY. I wish to be heard for a moment. I am in charge of the Army bill, and I have a word to say.

The VICE-PRESIDENT. Does the Senator from Massachusetts withdraw his motion for that purpose?

Mr. HOAR. Yes.

Mr. HAWLEY. I move that when the Senate adjourn this evening it be to meet at 11 o'clock on Monday morning. I wanted to have the Senate meet at 10 o'clock, but I do not think Senators wish to meet so early.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Connecticut.

The motion was agreed to.

Mr. WHITE. If I understand the situation, after the consideration of pension matters we will adjourn until 11 o'clock Monday morning.

Mr. HAWLEY. That when we adjourn it shall be until 11 o'clock. I should be glad to make it 10.

#### COURTS IN TEXAS.

Mr. CHILTON. I ask the Chair to lay before the Senate the bill concerning the holding of terms of the circuit and district courts of the western judicial district of Texas, so that it may be referred to the Committee on the Judiciary. That committee will meet on Monday morning.

The bill (H. R. 5497) to provide for terms of the circuit and district courts of the western judicial district of the State of Texas to be held at the city of Laredo, and for other purposes, was read twice by its title, and referred to the Committee on the Judiciary.

#### EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

#### ADDITIONAL PETITIONS.

Mr. GEAR presented a petition of Belknap Post, Grand Army of the Republic, Department of Iowa, of Keokuk, Iowa, praying for the enactment of legislation granting a service pension to all old soldiers; which was referred to the Committee on Pensions.

Mr. PENROSE presented a petition of the Young People's Society of Christian Endeavor of the McDowell Memorial Presbyterian Church, of Philadelphia, Pa., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Trade of Erie, Pa., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of 57 citizens of Philadelphia, Pa., and a petition of Pride of Newcastle Lodge, No. 2, Amalgamated Association of Iron, Steel, and Tin Workers, of Newcastle, Pa., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

Mr. HANNA presented the petitions of R. C. Hill, of West Alexandria, Ohio; of W. E. Wight, of Delaware, Ohio, and of Leonard Pearson, dean of the University of Pennsylvania, Philadelphia, Pa., praying that the rank of second lieutenant be granted to veterinary surgeons in the Army; which were referred to the Committee on Military Affairs.

He also presented a petition of the United States Playing Card Company, of Cincinnati, Ohio, praying for the enactment of legislation providing more efficient quarantine regulations; which was ordered to lie on the table.

He also presented petitions of the congregations of the First Baptist Church of Elyria, the Methodist Episcopal Church of Willoughby, and of the Methodist Episcopal Church of Steubenville; of the Ohio Woman's Christian Temperance Union; of the Ohio Anti-Saloon League, of Cleveland; of John MacCurdy, of Thompson; of the Woman's Christian Temperance Union of Cleveland; of Rev. T. B. Warner, of Glenville, and of W. A. Ellis & Co., of Racine, all in the State of Ohio, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented petitions of Iron Molders' Union, No. 4, of Cincinnati, Ohio; of the Iron Molders' Journal, of Cincinnati, Ohio; of Iron Molders' Union, No. 108, of Troy, Ohio; of N. W. Holbrook, of Oneida, N. Y.; of George Fuehrer, of Hamilton, Ohio; of John Brannon, of Hamilton, Ohio; of Henry Weiss, of Hamilton, Ohio; of Harry E. Myers, of Hamilton, Ohio; of J. C. Strategier, of Hamilton, Ohio; of John Howard, of Hamilton, Ohio; of

F. H. Diemar, of Hamilton, Ohio; of Kodge No. 148, International Association of Machinists, of Springfield, Ohio; of Cigar Makers' Union, No. 85, of Dayton, Ohio; of Cigar Makers' Union, No. 9, of Troy, N. Y.; of A. G. Kaufmann, of Akron, Ohio; of William Meehan, of Detroit, Mich.; of Granite Cutters' National Union, of Baltimore, Md.; of the International Union of Bicycle Workers and Allied Mechanics, of Toledo, Ohio; of the Brotherhood of Boiler Makers and Iron Shipbuilders of Kansas City, Kans.; of the Northern Mineral Mine Workers' Progressive Union, of Negaunee, Mich.; of the Trades and Labor Council of Nashville, Tenn.; of William J. Shearer, J. B. Wonetler, Charles Madle, John T. Early, Frank E. Geegan, George W. Sallade, John Riehl, Charles S. Rihl, Daniel M. Naughton, Charles Larson, John M. Gilbert, John Fletcher, Alexander Shearer, George F. Walton, and Samuel Carson, all of Philadelphia, Pa.; of the Industrial Council of Kansas City, Mo.; of the United Labor League of Philadelphia, Pa.; of Iron Molders' Union, No. 151, of Bellaire, Ohio; of Edward F. Reilly, Clarence H. Broadbelt, H. L. Shildrake, Jarry Evans, E. Craig, John Sinclair, all of Philadelphia, Pa.; of the Amalgamated Society of Carpenters and Joiners of Cleveland, Ohio; of the National Brotherhood of Operative Potters, of Cincinnati, Ohio; of the Central Labor Union of Omaha, Nebr.; of the United Brotherhood of Carpenters and Joiners of Columbus, Ohio; of C. E. Sparks, of Omaha, Nebr.; of Charles H. Sebaugh, of Zanesville, Ohio; of the Central Labor Union of Indianapolis, Ind.; of the Bakers and Confectioners' International Union, of Brooklyn, N. Y.; of the Central Labor Council of Oil City, Pa.; of the Council of Building Trades of Detroit, Mich.; of Henry J. Ellers, of Hamilton, Ohio; of the United Brotherhood of Carpenters and Joiners of Hamilton, Ohio; of J. F. Murphy, of Zanesville, Ohio; of F. Y. Seabright, of Detroit, Mich.; of the United Brotherhood of Carpenters and Joiners of Zanesville, Ohio; of the Central Labor Union of Toledo; of the Central Labor Union of Cleveland; of Typographical Union, No. 52, of Troy; of Eugene V. Staley, of Hamilton, Ohio; of the Amalgamated Association of Street Railway Employees, Division No. 53, of East Liverpool, Ohio; of Iron Molders' Union, No. 132, of Zanesville, Ohio; of the Amalgamated Society of Engineers of Philadelphia, Pa.; of Cigar Makers' Union, No. 17, of Cleveland, Ohio; of Dayton Typographical Union, No. 57, of Dayton, Ohio; of the Oneida Trades and Labor Assembly, of Oneida, N. Y.; of Iron Molders' Union, No. 94, of Piqua, Ohio; of the Central Trades and Labor Council of Zanesville, Ohio; of William H. Smith, George Herold, Fred A. Fillmore, H. William Ellers, John F. Mayer, and Edward G. Weiss, all of Hamilton, Ohio; of the Trades and Labor Council of Fort Wayne, Ind.; of Edward Ansel, of Zanesville, Ohio; of the National Brotherhood of Operative Potters, of Zanesville, Ohio; of the Amalgamated Wood Workers' Union, No. 59, of Zanesville, Ohio; of the Screw Makers' Union, No. 2, of Toledo, Ohio; of Iron Molders' Union of America, of Cincinnati, Ohio; of the Trades and Labor Council of Lowell, Mass.; of William Francis, of Asheville, N. C.; of Lewis Sauer, Richard Lenehan, Oscar Schlichter, Fred Huseman, Henry Buelters, H. S. Hammerle, and Charles V. Albert, all of Hamilton, Ohio; of Peter Rohman, of Overpeck, Ohio; of the United Brotherhood of Leather Workers of St. Joseph, Mo.; of the city council of Toledo, Ohio; of the Central Labor Council of Cincinnati, Ohio; of R. H. Metcalf, of Cincinnati, Ohio; of Frank J. B. Liesner, of Hamilton, Ohio; of Joseph Schawe, of Hamilton, Ohio; of F. M. Miller, mayor of Asheville, N. C.; of John Kitz, of Oshkosh, Wis.; of Jacob Hemler, of Hamilton, Ohio; of the International Association of Machinists and the Central Federation of Labor, of Troy, N. Y.; of Iron Molders' Union, No. 68, of Hamilton, Ohio; of Charles Brunson and Machlon S. Harris, of Hamilton, Ohio; and of the Brotherhood of Carpenters and Joiners of Lima, Ohio, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

#### HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

- A bill (H. R. 4745) to increase the pension of George W. Detwiler;
- A bill (H. R. 4905) granting an increase of pension to Stephen P. Choate;
- A bill (H. R. 9502) granting a pension to Eliza Sickler;
- A bill (H. R. 11673) to increase the pension of Patrick O'Neal;
- A bill (H. R. 877) granting a pension to Charles F. Holmes;
- A bill (H. R. 1206) granting an increase of pension to Sophia W. Buxton;
- A bill (H. R. 1698) granting an increase of pension to Henry A. Thoburn;
- A bill (H. R. 1724) granting an increase of pension to Sophia Gruber;
- A bill (H. R. 1773) granting a pension to Robert Persley;
- A bill (H. R. 2386) granting an increase of pension to Lester P. Cooper;

- A bill (H. R. 2625) granting a pension to Mary Chamberlin;
  - A bill (H. R. 2830) granting an increase of pension to Ira Bacon;
  - A bill (H. R. 3476) granting an increase of pension to Andrew Morse, jr.;
  - A bill (H. R. 4498) granting an increase of pension to Jackson Neace;
  - A bill (H. R. 4501) granting an increase of pension to Stephen A. Knowlan;
  - A bill (H. R. 4661) granting a pension to Dortha E. Kennoch;
  - A bill (H. R. 4677) to increase the pension of Rebecca McMullen;
  - A bill (H. R. 6328) granting a pension to Mary F. Cobb;
  - A bill (H. R. 6433) granting an increase of pension to Jeremiah B. Moore;
  - A bill (H. R. 8207) granting a pension to Abigail Wilson;
  - A bill (H. R. 8406) granting an increase of pension to Martha Adams;
  - A bill (H. R. 8668) for the relief of Henry Mulvin;
  - A bill (H. R. 8804) granting an increase of pension to James S. Anderson;
  - A bill (H. R. 9619) granting a pension to Ruth Walker;
  - A bill (H. R. 10134) granting an increase of pension to John Keach;
  - A bill (H. R. 10328) granting a pension to Ann Collins;
  - A bill (H. R. 10696) granting an increase of pension to James W. Ingram;
  - A bill (H. R. 10697) granting a pension to Erasmus L. Wentz;
  - A bill (H. R. 10863) granting an increase of pension to Hollis O. Dudley;
  - A bill (H. R. 10892) granting an increase of pension to Andrew J. Taylor;
  - A bill (H. R. 10900) to increase the pension of James Cooper;
  - A bill (H. R. 11148) granting an increase of pension to Orin Long;
  - A bill (H. R. 11568) granting an increase of pension to William B. Paul;
  - A bill (H. R. 11767) granting a pension to Daniel G. Emert;
  - A bill (H. R. 11824) granting an increase of pension to Smith Jewell;
  - A bill (H. R. 11876) granting an increase of pension to Clarence L. Chapman;
  - A bill (H. R. 12013) to increase the pension of Delos M. Kenyon;
  - A bill (H. R. 12104) granting an increase of pension to Maria S. Urban; and
  - A bill (H. R. 12148) granting a pension to Eliza S. Redfield.
- The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:
- A bill (H. R. 1388) to remove the charge of desertion from the record of Michael Baker;
  - A bill (H. R. 4135) for the relief of Peter, alias Louis, Heck; and
  - A bill (H. R. 4670) to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle.

#### STATISTICAL ABSTRACT OF THE UNITED STATES.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring).* That there be printed 12,000 additional copies of the Statistical Abstract of the United States for the year 1898, prepared by the Bureau of Statistics, Treasury Department, 3,000 copies for the Senate, 6,000 for the House of Representatives, and 3,000 for the Bureau of Statistics, Treasury Department.

#### COMMERCIAL RELATIONS.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring).* That the Public Printer be, and is hereby, authorized and directed to print for distribution by the Department of State 5,000 copies of Commercial Relations, 1898, and (in separate form) 10,000 copies of the Review of the World's Commerce, etc., being part of said Commercial Relations.

#### REPORT ON PRODUCTION OF GOLD AND SILVER.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring).* That there be printed and bound in cloth, for the use of the Director of the Mint, 3,000 extra copies of the Report on the Production of Gold and Silver for the Calendar Year 1897.

#### JOSEPH F. MOLLERE.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 4631) granting an increase of pension to Joseph F. Mollere, which was, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four."

On motion of Mr. GALLINGER, the amendment was concurred in.

JOHN H. CRANDALL.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4483) granting an increase of pension to John H. Crandall.

The amendments were, in line 9, to strike out "thirty" and insert "twenty-four;" and in line 10, after the word "receives," to insert "same to be paid to the committee of his person and estate."

On motion of Mr. GALLINGER, the amendments were concurred in.

MARIA S. WHITNEY.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3325) granting a pension to Maria S. Whitney, which was, in line 6, after the name "Whitney," to insert "the dependent."

On motion of Mr. GALLINGER, the amendment was concurred in.

WILLIAM O. TORREY.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3136) granting an increase of pension to William O. Torrey.

The amendments were, in line 6, to strike out "Torrey" and insert "Torrey;" in line 8, to strike out "thirty" and insert "twenty."

Amend the title so as to read: "An act granting an increase of pension to William O. Torrey."

On motion of Mr. GALLINGER, the amendments were concurred in.

CHARLES EDSON.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2335) granting an increase of pension to Charles Edson.

The amendments were, in line 4, to strike out the words "at the rate of" and insert "subject to the provisions and limitations of the pension laws;" in line 5, to strike out "\$50 per month;" in line 7, after the word "Infantry," to insert "and pay him a pension at the rate of \$24 per month."

On motion of Mr. GALLINGER, the amendments were concurred in.

HENRY HATCH.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2235) granting an increase of pension to Henry Hatch, which was, in line 6, to strike out "Light" and insert "Heavy."

On motion of Mr. GALLINGER, the amendment was concurred in.

AARON B. PAGE.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2217) to increase the pension of Aaron B. Page, which was, in line 7, after the word "Volunteers," to insert "and pay him a pension."

On motion of Mr. GALLINGER, the amendment was concurred in.

ANNIE E. RUFF.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1976) granting an increase of pension to Annie E. Ruff.

The amendments were, in lines 7 and 8, to strike out the words "subject to the provisions and limitations of the pension laws;" in line 9, after the word "pension" where it first occurs, insert "at the rate."

On motion of Mr. GALLINGER, the amendments were concurred in.

MICHAEL LANNAN.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1619) granting a pension to Michael Lannon.

The amendments were, in line 6, to strike out "Lannon" and insert "Lannan;" and amend the title so as to read: "An act granting a pension to Michael Lannan."

On motion of Mr. GALLINGER, the amendments were concurred in.

WILLIAM F. GOWDY.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1378) granting a pension to William F. Gowdy.

The amendments were, in line 7, after the word "Infantry," to insert "and pay him a pension;" and in line 8, to strike out the words "from the passage of this act."

On motion of Mr. GALLINGER, the amendments were concurred in.

GEORGE W. EMERY.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1245) granting an increase of pension to George W. Emery, which was, in line 8, to strike out "thirty" and insert "twenty-four."

On motion of Mr. GALLINGER, the amendment was concurred in.

JOHN H. GEARKEE.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1209) granting an increase of pension to Maj. John H. Gearkee.

The amendments were, in line 4, after the word "roll," to insert "subject to the provisions and limitations of the pension laws;" in line 5, to strike out "Major;" in line 5, after the word "late," to insert "major;" in line 6, after the word "Infantry," to insert "and pay him a pension;" in line 7, to strike out the words "said pension to be;" in line 7, to strike out the words "the one" and insert "that."

Amend the title so as to read: "An act granting an increase of pension to John H. Gearkee."

On motion of Mr. GALLINGER, the amendments were concurred in.

ABIGAIL R. ELLET.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1071) granting a pension to Abigail R. Ellet.

The amendments were, in line 7, to strike out "grant" and insert "pay;" in line 7, to strike out "fifty" and insert "thirty."

On motion of Mr. GALLINGER, the amendments were concurred in.

MARY J. HILL.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 896) granting a pension to Mary J. Hill, which was, in line 7, to strike out "Missouri" and insert "Wisconsin."

On motion of Mr. GALLINGER, the amendment was concurred in.

ELIZABETH V. LITZENBERG.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read: To the Senate:

In compliance with a resolution of the Senate of the 23d instant (the House of Representatives concurring), I return herewith the bill H. R. 4838, entitled "An act granting an increase of pension to Elizabeth V. Litzenberg."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, February 25, 1899.

Mr. GALLINGER. I move to reconsider the votes whereby that bill was ordered to a third reading, read the third time, and passed, with a view of amending it.

The motion was agreed to.

The VICE-PRESIDENT. The bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg is now before the Senate and open to amendment.

Mr. GALLINGER. I move to amend, in line 6, by striking out the name "Henry" and inserting "Hervey;" so as to read, "Hervey M. Litzenberg;" and in line 7, before the word "Regiment," by striking out "Eighty-eighth" and inserting "Eighty-second;" so as to read, "Company I, Eighty-second Regiment Ohio Volunteer Infantry."

The amendments were agreed to.

Mr. GALLINGER. I now ask that the bill may be passed in its amended form.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

REBECCA S. FOSTER.

Mr. GALLINGER. The first bill on the Pension Calendar which I desire to have considered is the bill to increase the pension of Mrs. Rebecca S. Foster, which was objected to by the Senator from Missouri [Mr. COCKRELL] the last time the Pension Calendar was before the Senate. The Senator from Missouri has withdrawn his objection.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 3271) to increase the pension of Mrs. Rebecca S. Foster, which had been reported from the Committee on Pensions with amendments, in line 4, after the word "place," to insert "on the pension roll;" in line 7, after the word "Infantry," to strike out "upon the pension roll;" and in line 8, before the word "month," to strike out "a" and insert "per;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Rebecca S. Foster, widow of the late Lieut. Col. John A. Foster, of the One hundred and seventy-fifth Regiment of New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of the pension she now receives.

Mr. GALLINGER. I ask the Senate to nonconcur in the amendments proposed by the committee.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The Committee on Pensions reported to amend the title of the bill so as to read: "A bill granting an increase of pension to Rebecca S. Foster."

The amendment to the title was rejected.

KITTY ANN PATTERSON.

The bill (H. R. 8155) granting a pension to Kitty Ann Patterson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Kitty Ann Patterson, widow of Isaiah Loggins or Patterson, late private of Company D, Twenty-eighth Regiment United States Colored Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK S. DEVOL.

The bill (H. R. 8123) granting an increase of pension to Frank S. Devol was considered as in Committee of the Whole. It proposes to place the name of Frank S. Devol, late a private in Company B, Thirty-eighth Regiment of Indiana Volunteer Infantry, on the pension roll and to pay him a pension of \$24 per month in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JONATHAN SCOTT.

The bill (H. R. 4880) granting a pension to Jonathan Scott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jonathan Scott, late of Company M, Fifth Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$50 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE BROWN.

The bill (H. R. 10385) granting a pension to George Brown was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of George Brown, late of Company G, Tenth United States Cavalry, and Company M, Ninth United States Cavalry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARBA CAPRON.

The bill (H. R. 7046) granting an increase of pension to Arba Capron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Arba Capron, late of Company I, Fiftieth New York Volunteer Engineers, and to pay him a pension of \$24 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OLIVER J. LYON.

The bill (S. 2991) granting an increase of pension to Oliver J. Lyon, of Sabetha, Kans., was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Oliver J. Lyon, late of Company K, Twenty-fifth Iowa Volunteer Infantry, also of Company G, Forty-fifth Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Oliver J. Lyon."

JAMES WEBB.

The bill (H. R. 10056) increasing the pension of James Webb was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Webb, late a private of Company F, Ninth Regiment of Tennessee Cavalry, and to pay him a pension of \$40 a month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LYDIA F. WILEY.

The bill (S. 2634) granting a pension to Lydia F. Wiley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "eight;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions of the pension laws, the name of Lydia F. Wiley, widow of John Wiley, late surgeon of the Sixth Regiment of New Jersey Infantry Volunteers, at the rate of \$8 per month.

Mr. GALLINGER. I ask the Senate to disagree to the amendment of the committee.

The amendment was rejected.

Mr. GALLINGER. In line 5, after the word "provisions," I move to insert "and limitations;" so as to read "the provisions and limitations of the pension laws."

The amendment was agreed to.

Mr. GALLINGER. In line 7, after the word "Volunteers," I move to insert "and pay her a pension."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FREDERICK AUER.

The bill (S. 5415) granting a pension to Frederick Auer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "a private;" in line 7, after the word "Regiment," to strike out "of;" in the same line, after the word "Infantry," to insert "and pay him a pension;" and in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Auer, late of Company F, Eighty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month, in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Frederick Auer."

JAMES PORTER.

The bill (H. R. 10303) granting an increase of pension to James Porter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Porter, late of Company K, Thirty-second Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMERICA EASTON.

The bill (H. R. 9843) granting a pension to America Easton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of America Easton, widow of Jacob Easton, who was a private in Company H, One hundred and fourteenth Regiment of United States Colored Infantry, and to pay her a pension of \$8 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY B. CHRISTOPHER.

The bill (S. 4916) granting a pension to Mary B. Christopher was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the words "rate of," to strike out "twenty-five" and insert "eighteen;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary B. Christopher, formerly widow of James Bringham, surgeon of the Twenty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$18 per month.

The amendment was agreed to.

Mr. GALLINGER. I move that the word "formerly," in line 6, before the word "widow," be stricken out.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY H. LEWIS.

The bill (S. 4919) granting a pension to Henry H. Lewis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the words "pension of," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry H. Lewis, late a member of the Fifth Illinois Light Artillery, or Elgin Battery, and pay to him a pension of \$20 a month in lieu of the pension he is now receiving.

Mr. GALLINGER. I move to insert, in line 7, after the word "pension," the words "at the rate."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW J. SNOWDEN.

The bill (H. R. 2298) granting an increase of pension to Andrew J. Snowden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew J. Snowden, late of Company B, Fifteenth United States Infantry, and to pay him a pension of \$24 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BEERI SERVIS.

The bill (H. R. 10738) granting an increase of pension to Beeri Serviss was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Beeri Serviss, late a private in Company K, Ninety-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$45 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. KENNEDY.

The bill (H. R. 12033) granting a pension to Mary A. Kennedy was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Mary A. Kennedy, dependent mother of Peter Kennedy, late of Company F, Fifty-second New York Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NELLY V. CROSBY.

The bill (H. R. 10480) granting a pension to Nelly V. Crosby was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nelly V. Crosby, permanently dependent and helpless child of Henry Crosby, late of Company G, Nineteenth Maine Infantry, and to pay her, through her legally constituted guardian, a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD ATKINSON.

The bill (H. R. 9455) granting an increase of pension to Richard Atkinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard Atkinson, late a private, Company F, Ninety-eighth Regiment New York Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. BOLAN.

The bill (H. R. 123) granting a pension to William F. Bolan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William F. Bolan, permanently helpless and dependent son of John V. Bolan, late a private in Company A, Third Regiment Rhode Island Heavy Artillery, and to pay him a pension of \$12 per month through his legally qualified and appointed guardian.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES J. MARCHER.

The bill (H. R. 8740) granting a pension to James J. Marcher was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of James J. Marcher, late of Company E, First California Cavalry Volunteers, and to pay him a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOWARD L. JAMES.

The bill (H. R. 635) increasing the pension of Howard L. James was considered as in Committee of the Whole. It proposes to place the name of Howard L. James, late sergeant of Company G of the Ninth Indiana Volunteers, on the pension roll and to pay him a pension of \$18 per month in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLOTTE B. COZZENS.

The bill (H. R. 6013) granting an increase of pension to Charlotte B. Cozzens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charlotte B. Cozzens, widow of Henry H. Cozzens, first lieutenant, Twenty-

first Battery New York Volunteer Artillery, and to pay her a pension of \$25 per month in lieu of that she now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. SEARL.

The bill (H. R. 7657) granting an increase of pension to James E. Searl was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of James E. Searl, late of Company F, One hundred and eighty-sixth New York Volunteers, and to pay him a pension of \$24 per month in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES N. SMILEY.

The bill (H. R. 12077) granting an increase of pension to Charles N. Smiley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles N. Smiley, late captain Company B, Eighty-first Regiment United States Colored Infantry, and to pay him a pension of \$30 dollars per month in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MIANDA A. SANFORD.

The bill (H. R. 10860) granting a pension to Mianda A. Sanford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mianda A. Sanford, widow of Ryland M. Harvey, late of Company K, One hundred and sixty-first Regiment New York Volunteers, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. SUSAN STEDMAN.

The bill (H. R. 8568) granting an increase of pension to Mrs. Susan Stedman was considered as in Committee of the Whole. It proposes to increase the pension of Mrs. Susan Stedman, widow of Kinsley Stedman, late a private in Company H, Eighty-third Regiment Pennsylvania Volunteers, from \$8, the amount now received by said widow, to \$15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS CRINIGAN.

The bill (H. R. 12026) to increase the pension of Thomas Crinigan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Crinigan, late a private in Company C, Fourteenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that which he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES R. ZEARING.

The bill (H. R. 855) granting an increase of pension to James R. Zearing was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James R. Zearing, late surgeon of the Fifty-seventh Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA M. ROWE.

The bill (H. R. 11296) granting a pension to Anna M. Rowe, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna M. Rowe, permanently helpless and dependent daughter of Jerome Rowe, late captain Company A, Thirty-second New York Volunteers, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. REISINGER.

The bill (H. R. 8578) granting an increase of pension to George W. Reisinger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Reisinger, late lieutenant-colonel of the One hundred and sixty-sixth Regiment Pennsylvania Infantry and adjutant of the Two hundred and first Regiment Pennsylvania Infantry, and to pay him a pension of \$30 per month, in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN BEGLEY.

The bill (H. R. 9344) granting an increase of pension to John Begley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Begley, late

a private of Captain Newman's company, First Tennessee Cavalry, Mexican war, and to pay him a pension of \$20 per month, the same to be in lieu of that he is now receiving.

The bill was reported without amendment, ordered to a third reading, read the third time, and passed.

TIMOTHY A. ALLEN.

The bill (H. R. 9569) granting an increase of pension to Timothy A. Allen, was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Timothy A. Allen, late quartermaster of the One hundred and forty-fifth Regiment of New York Volunteers, and to pay him a pension of \$24 per month in lieu of the pension now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL B. KOONTZ.

The bill (H. R. 4249) granting a pension to Samuel B. Koontz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel B. Koontz, and to pay him a pension of \$15 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN DOEBLER.

The bill (H. R. 247) granting an increase of pension to John Doebler was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of John Doebler, late captain of Company A, One hundred and twenty-sixth Pennsylvania Volunteer Infantry, and to pay him a pension of \$25 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY BULLEN.

The bill (H. R. 9415) granting an increase of pension to Henry Bullen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Bullen, of Latrobe, Pa., late of United States Marine Corps, and to pay him a pension of \$24 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINNIE B. TITUS.

The bill (H. R. 8610) granting a pension to Minnie B. Titus was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Minnie B. Titus, permanently helpless and dependent daughter of Edward H. Titus, late a private in Company A, Thirteenth New Jersey Infantry Volunteers, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES H. NICHOLS.

The bill (H. R. 10417) granting a pension to James H. Nichols was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James H. Nichols, dependent father of John S. Nichols, late of Company C, First Regiment Michigan Light Artillery Volunteers, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID CARROLL.

The bill (S. 3216) granting a pension to David Carroll was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Navy," to strike out "on the U. S. S. *Flocks*" and insert "at the rate of \$8 per month;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Carroll, dependent father of Eugene Carroll, late a steward in the United States Navy, at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the time, and passed.

JOSEPH B. PRESDEE.

The bill (S. 4006) for the relief of Joseph B. Presdee was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to strike out "forty" and insert "twelve;" and in the same line, after the word "month," to strike out "from the 1st day of April, A. D. 1890;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Joseph B. Presdee, late captain and lieutenant-colonel of Company H, Second Indiana Cavalry, and pay him a pension of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Joseph B. Presdee."

ANNIE CUSACK.

The bill (H. R. 10605) to increase the pension of Annie Cusack was considered as in Committee of the Whole. It proposes to place the name of Annie Cusack, widow of Patrick Cusack, late captain, Ninth Cavalry, United States Army, on the pension roll, and to pay her a pension of \$20 per month in lieu of that which she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. There were a few bills reported from the Committee on Pensions this morning, and I ask consent that they also be now considered.

The VICE-PRESIDENT. In the absence of objection, it will be so ordered.

MAZIE V. SULLIVAN.

The bill (H. R. 10285) granting an increase of pension to Mazie V. Sullivan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mazie V. Sullivan, widow of George R. Sullivan, late of Company G, Eleventh Maryland Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that which she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHARINE C. GOODRICH.

The bill (H. R. 10355) granting an increase of pension to Catharine C. Goodrich was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catharine C. Goodrich, widow of Charles H. Goodrich, late first lieutenant Company M, First Regiment Ohio Volunteer Cavalry, and to pay her a pension of \$17 per month in lieu of that she now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH A. KIZER.

The bill (H. R. 10933) granting a pension to Sarah A. Kizer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah A. Kizer, blind and dependent daughter of David L. Kizer, deceased, late sergeant, Company K, Thirty-first Regiment Ohio Veteran Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELAM ALLEN.

The bill (H. R. 3906) granting an increase of pension to Elam Allen was considered as in Committee of the Whole. It proposes to place the name of Elam Allen, late of Company E, Thirty-third Iowa Infantry Volunteers, on the pension roll and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. DRAPER.

The bill (H. R. 10716) granting a pension to John S. Draper was considered as in Committee of the Whole. It proposes to place the name of John S. Draper, late a private in the war with Mexico, and subsequently a sergeant in Company E, Third United States Infantry, upon the pension roll, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE ALEXANDER.

The bill (H. R. 6876) to increase the pension of George Alexander was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Alexander, late of Company G, First Regiment Michigan Volunteer Cavalry, and to pay to him a pension of \$24 per month in lieu of the pension now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH WHISLER.

The bill (S. 4007) granting a pension to Elizabeth Whisler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an

amendment, in line 8, to fill the blank before the word "dollars" by inserting "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Whisler, widow of Solomon Whisler, late of Company H, Forty-ninth Ohio Volunteers, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES C. CARLTON.

The bill (S. 3291) to increase the pension of James C. Carlton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Regiment," to strike out "of;" and in line 7, after the word "pension," to strike out "of \$50 per month in lieu of the pension of \$12 per month he is now receiving" and insert "at the rate of \$30 per month in lieu of that he is now receiving;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of James C. Carlton, late a corporal in Company F, Fifth Regiment Indiana Volunteers in the Mexican war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James C. Carlton."

LEVI MOSER.

The bill (S. 4730) to increase the pension of Levi Moser was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 5, before the word "fourth," to strike out "a;" in the same line, after the words "Company I," to strike out "of the;" in line 6, before the word "Pennsylvania," to strike out "of;" and in line 7, after the word "Volunteers," to strike out "at the rate of \$50 per month in lieu of the pension now received by him under the law" and insert "and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Levi Moser, late fourth sergeant of Company I, One hundred and fifty-third Regiment Pennsylvania Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISAAC H. LINN.

The bill (S. 4098) granting an increase of pension to Isaac H. Linn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, to fill the blank by inserting "fifty;" so as to read: "\$50 per month in lieu of the pension he is now receiving."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

B. H. RANDALL.

The bill (S. 4437) granting a pension to B. H. Randall was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of B. H. Randall, late a sutler at Fort Ridgely, Minn., during the Sioux Indian outbreak, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAPT. OSCAR TAYLOR.

The bill (S. 3672) granting a pension to Capt. Oscar Taylor was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Cavalry," to insert "Volunteer;" and in the same line, after "Cavalry," to strike out "volunteers at \$30 per month," and insert "and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PRITCHARD. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 38 minutes p. m.) the Senate adjourned until Monday, February 27, 1899, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate February 25, 1899.*

### REGISTER OF THE LAND OFFICE.

A. C. McGillivray, of Dickinson, N. Dak., to be register of the land office at Bismarck, N. Dak., vice Edwin A. Lamb, term expired.

### COMMISSIONER TO EXAMINE AND CLASSIFY LANDS.

Edwin A. Jones, of Ottumwa, Iowa, to be a commissioner to examine and classify lands within the land-grant and indemnity land-grant limits of the Northern Pacific Railroad Company in the Helena land district in Montana, vice William R. Manning, resigned. In the nomination of said Jones sent to the Senate January 17, 1899, his name was erroneously given as Edward, and that nomination was confirmed January 24.

### APPOINTMENTS IN THE ARMY.

#### Signal Corps.

First Lieut. George O. Squier, Third Artillery, to be first lieutenant, February 23, 1899, vice Allen, promoted.

### APPOINTMENTS IN THE VOLUNTEER ARMY.

#### Fifth Regiment Volunteer Infantry.

Capt. James K. Vardaman, to be major, vice Money, promoted. First Lieut. Thomas B. Franks, to be captain, vice Vardaman, promoted.

Second Lieut. John Burke, to be first lieutenant, vice Franks, promoted.

Sergt. Jack D. Turner, Company B, to be second lieutenant, vice Burke, promoted.

### POSTMASTER.

W. W. Montgomery, to be postmaster at Bellefonte, in the county of Center and State of Pennsylvania, in the place of D. F. Fortney, whose commission expired April 11, 1898.

### CIRCUIT JUDGE.

William R. Day, of Ohio, to be United States circuit judge for the Sixth judicial circuit, as provided for by the act of Congress approved January 25, 1899.

### SURVEYOR OF CUSTOMS.

Jeremiah J. McCarthy, of Massachusetts, to be surveyor of customs in the district of Boston and Charlestown, in the State of Massachusetts, to succeed Daniel F. Buckley, whose term of office has expired by limitation.

### APPRAISERS.

S. Stillman Blanchard, of Massachusetts, to be appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts, to succeed Albert B. Stearns, removed.

### POSTMASTERS.

David Cammack, to be postmaster at Muncie, in the county of Delaware and State of Indiana, in the place of Edward Tuhey, removed.

Roger H. Murphey, to be postmaster at Urbana, in the county of Champaign and State of Ohio, in the place of Maryneal H. Smith, deceased.

### PROMOTIONS IN THE ARMY.

#### Corps of Engineers.

Second Lieut. Louis C. Wolf, to be first lieutenant, October 26, 1898, vice Harts, promoted.

Second Lieut. Sherwood A. Cheney, to be first lieutenant, January 26, 1899, vice Echols, appointed associate professor at the Military Academy, who resigns his commission in the corps.

#### Cavalry arm.

Maj. Almond B. Wells, Eighth Cavalry, to be lieutenant-colonel, February 14, 1899, vice Norvell, Ninth Cavalry, retired from active service.

Capt. Earl D. Thomas, Fifth Cavalry, to be major, February 14, 1899, vice Wells, Eighth Cavalry, promoted.

First Lieut. Samuel D. Freeman, Tenth Cavalry, to be captain, February 14, 1899, vice Thomas, Fifth Cavalry, promoted.

Second Lieut. Julian R. Lindsey, Ninth Cavalry, to be first lieutenant, February 14, 1899, vice Freeman, Tenth Cavalry, promoted.

#### Artillery arm.

Lieut. Col. Henry C. Hasbrouck, Fourth Artillery, to be colonel, February 13, 1899, vice Sinclair, Seventh Artillery, appointed brigadier-general.

Maj. George B. Rodney, Fourth Artillery, to be lieutenant-colonel, February 13, 1899, vice Hasbrouck, Fourth Artillery, promoted.

Maj. Carle A. Woodruff, Second Artillery, to be lieutenant-colonel, February 13, 1899, vice Ramsay, Seventh Artillery, deceased.

Capt. Frederick Fuger, Fourth Artillery, to be major, February 13, 1899, vice Rodney, Fourth Artillery, promoted.

Capt. John C. Scantling, Second Artillery, to be major, February 13, 1899, vice Woodruff, Second Artillery, promoted.

First Lieut. Charles G. Woodward, Third Artillery, to be captain, February 13, 1899, vice Fuger, Fourth Artillery, promoted.

First Lieut. Edward E. Gayle, Second Artillery, to be captain, February 13, 1899, vice Scantling, Second Artillery, promoted.

Second Lieut. Frank E. Harris, First Artillery, to be first lieutenant, February 13, 1899, vice Woodward, Third Artillery, promoted.

Second Lieut. George Blakely, Second Artillery, to be first lieutenant, February 13, 1899, vice Gayle, Second Artillery, promoted.

#### Infantry arm.

First Lieut. Tredwell W. Moore, Twenty-second Infantry, to be captain, January 16, 1899, vice Ebstein, Twenty-first Infantry, promoted.

First Lieut. Raymond R. Stevens, Twenty-third Infantry, to be captain, February 6, 1899, vice Richards, Sixteenth Infantry, promoted.

Second Lieut. James W. Clinton, Seventh Infantry, to be first lieutenant, January 16, 1899, vice Moore, Twenty-second Infantry, promoted.

Second Lieut. Alexander T. Ovenshire, Seventeenth Infantry, to be first lieutenant, February 6, 1899, vice Stevens, Twenty-third Infantry, promoted.

Second Lieut. Henry E. Eames, Nineteenth Infantry, to be first lieutenant, February 6, 1899, vice Mitchell, Fourteenth Infantry, deceased.

Second Lieut. Robert Field, Fourteenth Infantry, to be first lieutenant, February 11, 1899, vice Russ, Eleventh Infantry, deceased.

#### WITHDRAWAL.

*Executive nomination withdrawn February 25, 1899.*

#### POSTMASTER.

Roger H. Murphy, to be postmaster at Urbana, in the State of Ohio.

#### CONFIRMATION.

*Executive nomination confirmed by the Senate February 25, 1899.*

#### POSTMASTER.

W. W. Montgomery, to be postmaster at Bellefonte, in the county of Center and State of Pennsylvania.

### HOUSE OF REPRESENTATIVES.

SATURDAY, February 25, 1899.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

#### CLEARWATER SHORT LINE RAILWAY COMPANY.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5427) granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho.

The bill was read, as follows:

*Be it enacted, etc.,* That the right of way is hereby granted to the Clearwater Short Line Railway Company, a corporation organized and existing under the laws of the State of Montana, and its successors and assigns, for the construction and operation of its railroad and telegraph lines through the Nez Perces Indian Reservation in the State of Idaho, and also through lands formerly embraced within said reservation which have been allotted to the individual members of the Nez Perces tribe of Indians, beginning at a point on the western boundary of the said Nez Perces Indian Reservation, to the east boundary line of said Nez Perces Indian Reservation, together with a branch therefrom beginning at or near Spalding town site, in section 22, of township 36 north, of range 4 west, Boise meridian, and extending to the south line of said Indian reservation.

SEC. 2. That the right of way hereby granted shall be 50 feet in width on each side of the central line of said railroad as aforesaid, and said company shall also have the right to take from said lands adjacent to the line of said road material, stone, earth, and timber necessary for the construction of said railroad; also ground adjacent to such right of way for station buildings, depots, and machine shops, side tracks, turn-outs, and water stations, not to exceed in amount 300 feet in width and 3,000 feet in length for each station, to the extent of one station for each 10 miles of road.

SEC. 3. That before said railroad shall be constructed through any land, claim, or improvement held by individual occupants or owners according to any treaties or laws of the United States, compensation shall be made such occupant or owner or claimant for all property to be taken or made done by reason of the construction of such railroad. In case of failure to make satisfactory settlement with any such claimant the district court of the State of Idaho for the county within which such land may be situated shall have jurisdiction, upon petition of either party, to determine such just compensation in accordance with the laws of the State of Idaho provided for determining the damage when property is taken for railroad purposes, and such compensation shall be determined as provided for by the laws of the State of Idaho; and the amount of damages resulting to the tribe of Indians pertaining to such reservation in their tribal capacity by reason of the construction of said railroad through such lands of the reservation as are not occupied in severalty, and the time and manner of making payment therefor, shall be ascertained and determined in such manner as the Secretary of the Interior may direct, and be subject to his final approval.

SEC. 4. That said company shall cause maps showing the route of its line through said reservation and allotted lands, including the grounds for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, to be filed in the office of the Secretary of the Interior before constructing any portion of said railroad.

SEC. 5. That the rights herein granted shall be forfeited by said company unless the road shall be constructed through the said reservation and allotted lands within three years after the passage of this act.

SEC. 6. That nothing herein contained shall restrict or impair the rights which said company may now have or hereafter acquire to the benefits and provisions of the act of Congress approved March 3, 1875, entitled "An act granting to railroads the right of way through the public lands of the United States."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be read a third time; and accordingly it was read the third time, and passed.

On motion of Mr. SHERMAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. PERKINS. Mr. Speaker, I have several resolutions from the Committee on Printing for which I ask present consideration.

The SPEAKER. The Clerk will read the first resolution.

#### COMMERCIAL RELATIONS.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring),* That the Public Printer be, and is hereby, authorized and directed to print, for distribution by the Department of State, 5,000 copies of Commercial Relations, 1898, and (in separate form) 10,000 copies of the Review of the World's Commerce, etc., being part of said Commercial Relations.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The concurrent resolution was agreed to.

#### STATISTICAL ABSTRACT OF THE UNITED STATES.

The next business was a concurrent Senate resolution; which was read by the Clerk, as follows:

*Resolved by the House of Representatives (the Senate concurring),* That there be printed 12,000 additional copies of the Statistical Abstract of the United States for the year 1898, prepared by the Bureau of Statistics, Treasury Department; 3,000 copies for the Senate, 6,000 for the House of Representatives, and 3,000 for the Bureau of Statistics, Treasury Department.

The SPEAKER. Is there objection to the present consideration of the concurrent resolution?

There was no objection.

The concurrent resolution was agreed to.

#### MAPS OF ALASKA.

The next business was the Senate joint resolution (S. R. 239) authorizing the Director of the Geological Survey to prepare maps of Alaska, showing all known topographic and geologic features, etc.

The Clerk read the joint resolution, as follows:

*Resolved by the Senate and House of Representatives, etc.,* That the Director of the Geological Survey is hereby authorized and directed to prepare maps of Alaska, showing all known topographic and geologic features, including what is known of the gold-bearing rocks, and a text of the same, the text to contain also an explanation of the best known routes and methods of reaching the gold fields; 20,000 copies of the maps and text to be printed, 5,000 for the use of the Senate, 10,000 for the use of the House of Representatives, and 5,000 for distribution by the Geological Survey; and the Director is authorized to have said maps and text prepared and printed in the engraving and printing division of the Geological Survey; and \$4,200 is hereby appropriated for the purpose, and that this appropriation be made immediately available.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The joint resolution was ordered to be read a third time; accordingly it was read the third time, and passed.

#### REPORT ON THE FINANCIAL AND INDUSTRIAL CONDITIONS OF THE PHILIPPINE ISLANDS.

The next resolution was the Senate joint resolution (S. R. 202) providing for the printing of the Report on the Financial and

Industrial Conditions of the Philippine Islands, by Edward W. Harden, special commissioner of the United States.

The Clerk read the joint resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be printed 9,000 copies of the Report on the Financial and Industrial Conditions of the Philippine Islands, by Edward W. Harden, special commissioner of the United States; 3,000 copies for the use of the Senate, 5,000 copies for the use of the House of Representatives, and 1,000 copies for the use of the Treasury Department.

The SPEAKER. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none. The joint resolution was ordered to be read a third time; and accordingly it was read the third time.

Mr. COX. I would like to make this inquiry: Is that subject to amendment?

The SPEAKER. It is not subject to amendment; it has passed the amendment stage.

Mr. COX. I am always past the stage. [Laughter.]

The SPEAKER. The question now is on the passage.

The joint resolution was passed.

#### THE COLONIAL SYSTEMS OF THE WORLD.

The next resolution was the concurrent resolution No. 59.

The Clerk read as follows:

*Resolved by the Senate of the United States (the House of Representatives concurring),* That there be printed 10,500 copies of the report entitled "The Colonial Systems of the World," prepared by the Bureau of Statistics, Treasury Department, 5,000 copies for the use of members of the House of Representatives, 3,000 copies for the use of members of the Senate, and 2,500 copies for the use of the Bureau of Statistics, Treasury Department.

Mr. COX. Now, Mr. Speaker, I think I am in time, and I offer the following amendment.

The SPEAKER. The Clerk will report the proposed amendment.

The Clerk read as follows:

Add as a new paragraph:  
"That the Secretary of War be, and he is hereby, directed to print and publish 12,000 copies of maps of the island of Cuba similar and alike to those lately published by the War Department, 8,000 for the use of the House, 2,000 for the use of the Senate, and 2,000 for the War Department, the same to be paid for out of the appropriations for the War Department."

Mr. PERKINS. Mr. Speaker, I think I shall have to make a point of order on that that it is not germane.

The SPEAKER. The Chair sustains the point of order.

Mr. COX. Mr. Speaker, the Chair has not heard me.

The SPEAKER. The Chair will retract his decision and hear the gentleman.

Mr. COX. No, Mr. Speaker, I agree with the Chair; but if the House is going to publish maps of Alaska and everything else, why should it not publish the maps of Cuba when there is a demand from the Adjutant-General of the United States that they be published? I do not see why the gentleman from Iowa will not let us have the Cuban maps. It is close to my country, and I hope the gentleman will yield. If he is going to make points of order against me, I shall have some trouble with him directly. [Laughter.]

Mr. PERKINS. I will say to the gentleman from Tennessee that the resolution he has in mind is not before our committee, but is before the Committee on Military Affairs.

Mr. COX. It has been unanimously reported by that committee.

Mr. PERKINS. It is not before our committee.

Mr. COX. Well, I think our committee is just as good as yours. [Laughter.]

Mr. PERKINS. There is no doubt; but you want to do this printing of the map in a different way from what we propose.

Mr. COX. Very well. I will withdraw the proposition for the present, hoping to have an opportunity to get recognition to call it up hereafter.

The SPEAKER. The amendment is withdrawn.

The concurrent resolution was adopted.

#### REPORT ON PRODUCTION OF GOLD AND SILVER.

Mr. PERKINS. I want to ask to call up the concurrent resolution H. R. 62.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring),* That there be printed and bound in cloth, for the use of the Director of the Mint, 3,000 extra copies of the Report on the Production of Gold and Silver for the calendar year 1897.

Mr. BAILEY. I desire to ask the gentleman if this is a privileged resolution?

Mr. PERKINS. It is not.

The SPEAKER. The gentleman has asked unanimous consent.

Mr. BAILEY. I have no objection, provided the resolution is confined to the mere question of the production of the precious metals in the United States. But I never intend, if I can prevent it, that that Department shall again make another argument in connection with the subject in its reports.

Mr. PERKINS. This simply states the facts and figures.

Mr. BAILEY. Then I have no personal objection to its consideration.

The concurrent resolution was considered, and agreed to.

#### RECONSIDERATION.

On motion of Mr. PERKINS, a motion to reconsider the various votes by which the resolutions from the Committee on Printing were agreed to was laid on the table.

#### PUBLIC LOT, ST. AUGUSTINE, FLA.

Mr. DAVIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2675) authorizing the exchange of lot 6, of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PAYNE. Mr. Speaker, this seems to be a complicated real-estate transaction, and I think in the brief time we have to-day that we can hardly get sufficient information about it to act intelligently upon it. I think I shall have to object to its consideration. Let it go over.

Mr. BAILEY. I suggest to the gentleman from Florida that he allow the matter to lie over, in view of the objections which have been made, with the privilege of being recognized to call it up again hereafter.

Mr. PAYNE. The gentleman can, no doubt, secure recognition at some other time; and being, as I have said, a complicated matter, we had better have a little more time to consider it.

Mr. DAVIS. I think I can explain to the gentleman in half a minute. This is a Senate bill passed by that body—

Mr. PAYNE. That does not explain it.

Mr. DAVIS (continuing). And the piece of property in the city of St. Augustine to which reference is made in the bill, and which is owned by the Government, is abandoned property of very little value except to the gentleman whose property it adjoins. And the gentleman with whom the exchange is proposed to be made owns a larger piece of property adjoining the barracks belonging to the Government, which, if acquired by the Government by this exchange, will enable it to extend the buildings whose extension is very much needed.

Mr. PAYNE. Mr. Speaker, I am not willing to let this pass without looking into it further.

The SPEAKER. Objection is made.

Mr. DAVIS. I ask that it lie over for the present.

Mr. PAYNE. I object to the consideration. The gentleman can call it up again if he secures recognition for that purpose.

The SPEAKER. Objection is made.

#### EDWIN L. FIELD.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3808) for the relief of Edwin L. Field, of Gray, Cumberland County, Me.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to Edwin L. Field, of Gray, Me., \$3,700, out of any money in the Treasury not otherwise appropriated, being the amount of a judgment against him recovered by James B. Atkins for personal injuries sustained by the piling of a guy to a derrick owned by the United States while being used by the War Department in the construction of the two-gun battery at Portland Head, in the town of Cape Elizabeth, Me., provided said Field produces evidence satisfactory to said Secretary that he has paid said judgment.

Mr. COX. From what committee does that come?

Mr. MANN. From the Committee on Claims.

Mr. COX. What State is the party a resident of?

Mr. DOCKERY. I reserve the right to object.

Mr. MANN. The person resides in Maine. He was foreman under the United States Government in the matter of construction—

Mr. BAILEY. I suggest, Mr. Speaker, that it would take just as much time to get information as to the merits of this bill as that to which objection was made a few moments ago. I think those that would require time, in view of the objection made by the gentleman from New York, should go over, and take up those that will require no explanation and dispose of them.

Mr. MANN. If the gentleman will not object, it will not take a moment to explain the matter.

Mr. BAILEY. It involves the responsibility of the Government for damages sustained by the use of an appliance that belonged to a contractor, or at least to a third party—

Mr. MANN. No, Mr. Speaker; and if the gentleman will pardon me, the appliances belonged to the Government and were being operated by the Government. A man was in charge as foreman.

Mr. BAILEY. Then, if the gentleman will pardon me, how did they get a judgment against somebody else?

Mr. MANN. Well, that is one of the mysteries—

Mr. COX. Mr. Speaker, I object.

Mr. MANN. If the gentleman will pardon me, just for a moment—

The SPEAKER. Objection is made by the gentleman from Tennessee.

#### COMPENSATION FOR PROPERTY IN YELLOWSTONE NATIONAL PARK.

Mr. HARTMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1040) to provide compensation for a bridge and for buildings and other improvements constructed by certain persons upon public lands afterwards set apart and reserved as the Yellowstone National Park.

The bill was read, as follows:

*Be it enacted, etc.* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the several persons in this act named the several sums mentioned herein, to be received and accepted in each case as full and final compensation for a certain bridge, buildings, and other improvements constructed and made by said persons upon public lands afterwards reserved and set apart as the Yellowstone National Park by the act of March 1, 1872, namely:

To C. J. Baronett, of Gardiner, Mont., for the bridge known as "Baronett's Bridge," over the Yellowstone River, and the approaches thereto, \$5,000.

To James C. McCartney, of Gardiner, Mont., for certain buildings at or near Mammoth Hot Springs taken and used by the United States, \$3,000.

To Matthew McGuirk, of Los Angeles, Cal., for certain buildings at or near Mammoth Hot Springs taken and used by the United States, \$1,000.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BAILEY. Mr. Speaker, I simply desire to ask the gentleman from Montana if this property was taken by the Government or by some contractor?

Mr. HARTMAN. It was taken by the Government.

Mr. BAILEY. Under the authority of the Government?

Mr. HARTMAN. Under the authority of the Government.

Mr. BAILEY. And no payments have ever been made?

Mr. HARTMAN. No payments have ever been made of any kind.

Mr. BAILEY. It seems to me there has been a good deal of delay about the matter.

Mr. LACEY. The statement made by the gentleman from Montana does not strictly cover all the details of the matter, but I can explain it in a moment.

Mr. DOCKERY. Reserving the right to object—

The SPEAKER. The Chair will see on all these matters that there is no swiftswiftness to prevent any gentleman objecting who desires, because this legislation requires the careful scrutiny of each member.

Mr. LACEY. Whilst my friend from Montana is accurate in a general way, it perhaps conveys a wrong impression to the gentleman from Texas. This property was not taken by the United States, but the United States created a national park, including this property within its limits, and excluded everybody from coming in. Subsequently the Government used the property, with the consent of the owners, and for the last six or eight years the Secretary of the Interior in his annual report has every year asked Congress to fairly compensate these three parties, so that all vestige of private title in the park might be eliminated. These three or perhaps four parties—

Mr. HARTMAN. Three only.

Mr. LACEY. Are the only private individuals who have any such interest in the national park. The buildings have been destroyed, but the bridge is still in condition to be used.

Mr. HARTMAN. And is still being used.

Mr. DALZELL. Why did these persons put these improvements on Government property?

Mr. HARTMAN. They did not. It was unsurveyed land.

Mr. LACEY. When the improvements were put there it was unsurveyed and unreserved land. The bridge was built on a toll road, and the buildings were erected by settlers under the public-land laws. An act of Congress was passed to create a national park including the curiosities of the Yellowstone; but these buildings and improvements had been constructed before that.

Mr. BURKE. Did these people own the land on which these improvements were constructed?

Mr. LACEY. They had taken claims.

Mr. BURKE. Then, if the Government bought the land, why did it not pay for it?

Mr. LACEY. The Government did not buy the land. These persons had taken claims on unreserved public land.

Mr. BURKE. They were trespassers.

Mr. LACEY. No; not at all. The law authorized that, and this land had not at that time been set apart as a national park. When it was so reserved, the Government refused to perfect the title of these parties and took possession of the buildings and used them.

Mr. HARTMAN. And took possession of the bridge.

Mr. LACEY. And of the bridge also.

Mr. HARTMAN. And it is being used to-day in the transportation of passengers through the park.

Mr. LACEY. It is a matter very much desired by the Government, and has been for a number of years.

Mr. DOCKERY. Has it been reported upon by your committee?

Mr. LACEY. Yes; three or four times, and has passed the Senate.

Mr. SHAFROTH. It is unanimously reported.

Mr. DOCKERY. I do not object to the bill. On the statement of the gentleman from Iowa it seems to be very proper, but it appears that this bill is reported by the Committee on Public Lands. It is nothing but a claim.

Mr. LACEY. No; it is entirely different from a claim. It is more than a claim. It involves the extinguishment of private claim to title.

Mr. DOCKERY. This has occurred over and over again where a gentleman who is a member of a committee has introduced a bill and had it go to his own committee through the box.

Mr. HARTMAN. But I am not a member of the Committee on Public Lands.

Mr. SHAFROTH. The gentleman from Montana is not a member of that committee.

Mr. LACEY. We at one time tried to get rid of this bill by sending it to the Committee on Private Land Claims or the Committee on Claims—

Mr. DOCKERY. I do not complain of the judgment of this committee, a proper conclusion, but I think the rule as to claims should be enforced.

Mr. LACEY. The reason it goes to the Committee on Public Lands is because it proposed an acquisition and was not a mere claim for damages. It provides for the acquisition of the title to the bridge and this property, and as the Public Lands Committee has had charge of the Yellowstone matters, it came to that committee.

Mr. HARTMAN. I ask for a vote, Mr. Speaker.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. HARTMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### TOLEDO CENTENNIAL.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent to print in the RECORD the proclamation of the governor of Ohio in relation to the Toledo Centennial.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the proclamation of the governor of Ohio may be printed in the RECORD.

Mr. GROSVENOR. It relates to the Toledo Centennial. It is made in pursuance of a statute of the State.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The proclamation is as follows:

In the name and by the authority of the State of Ohio. Executive department.

#### PROCLAMATION.

On November 29, 1802, by adoption of a constitution, which was recognized by the Congress of the United States by the act of February 19, 1803, the people of Ohio inaugurated the State and secured its admission to the Union. This was the first encroachment upon the vast and rich Northwest Territory, which was instituted by the ordinance of 1787, and which, after the war for independence, became the scene of many of the most stirring events of an important historical era. The sturdy and adventurous pioneers from the South and East, aided by the colonists from far New England, who at Marietta found a second Plymouth Rock in the wilderness, had laid a firm foundation upon which the structure of the civilization of Ohio was reared. To the broad and fertile fields and the thriving villages which offered the hope of adequate rewards for the industry of the husbandman and an opportunity for the artisan, there came speedily a population which established the character of the generations succeeding and thus provided for the youthful State strong, resolute, and resourceful men and courageous, helpful, and able women. All did their part, and the advance of public and private interests was steady and healthy. A marvelous development ensued. Agriculture and commerce, manufacturing and mining found wonderful expression in Ohio, the result being that in the present day there is literally an increase of an hundredfold.

The proud record thus established and the near approach of the centennial period of the State inspired the people of Ohio with the desire to commemorate fittingly the epoch which would mark the end of a century's glorious history. In recognition of this sentiment the general assembly of Ohio, by a joint resolution adopted April 21, 1898, indorsed the purpose and chose the city of Toledo as the place for an exposition which would be illustrative of not only the progress of our citizenship, but also of the achievements of our sister States of the Northwest Territory, and of all the States of the Union. It was declared that this celebration, which primarily would honor the hundredth anniversary of the beginning of our State, should be so broad in scope, ambitious in design, and perfect in detail as to typify the results attained by the American nation and by the countries of the world in the opening years of the new century. The preliminary work in connection with the proposed centennial celebration has been well performed and there is promise of complete success in the undertaking.

Therefore, pursuant to the mandate of the general assembly of Ohio, and by request of the Ohio centennial commission, a body appointed under law to assist in the preparation for the exposition, this proclamation is issued to announce to the General Government of the United States, to the American

States, and to the various countries of the world, that the centennial anniversary of the State of Ohio will be celebrated in the year of 1902-3. And further, it is the purpose hereby to extend a cordial invitation to all governments and peoples to participate in the exposition by making exhibits of their products of every class and by accrediting representatives. Under the favorable auspices which it is believed will mark the history of this project, the Ohio centennial exposition will be a worthy memorial to the triumphs of the past and an augury for even greater honor and success in the future.

In testimony whereof I have hereunto subscribed my name and caused the great seal of the State of Ohio to be affixed at Columbus, the 21st day of February, in the year of our Lord 1899, and in the one hundred and twenty-third year of the independence of the United States of America.

[SEAL.]  
By the governor:  
CHARLES KINNEY,  
Secretary of State.

ASA S. BUSHNELL,  
Governor of Ohio.

Mr. HULL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of further considering the Army bill.

Mr. BAILEY. Mr. Speaker—

#### DAILY HOUR OF MEETING.

Mr. HENDERSON. Mr. Speaker, pending that motion, I would like to call the attention of the House to the fact that only one week of this Congress remains, with three general appropriation bills to pass, and only three have gone to the President. I therefore ask unanimous consent that the sessions of this House during the balance of the session commence at 11 a. m. instead of 12.

Mr. BAILEY. I think that is desirable, Mr. Speaker.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the daily sessions shall commence at 11 o'clock instead of 12. Is there objection? [After a pause.] The Chair hears none.

Mr. HULL. I will withdraw my motion until the matters on the Speaker's table can be disposed of.

The SPEAKER. The Chair would like that to be done, because there are but few remaining.

#### WILLIAM HENRY WOODWARD.

The SPEAKER laid before the House the bill (H. R. 3297) to remove the charge of desertion from the military record of William Henry Woodward, with the following Senate amendment:

In line 8, after "discharge," insert "as of date December 4, 1865."

Mr. HULL. Mr. Speaker, I move that the amendment be concurred in.

The motion was agreed to.

#### RESURVEY OF CERTAIN LANDS IN CHEYENNE COUNTY, NEBR.

The SPEAKER laid before the House the bill (H. R. 8739) to authorize a resurvey of certain lands in Cheyenne County, in the State of Nebraska, and for other purposes, with the following Senate amendment:

Strike out the preamble.

The Senate amendment was concurred in.

#### WILLIAM BRITTON.

The SPEAKER laid before the House the bill (H. R. 5740) to remove the charge of desertion against William Britton, with the following Senate amendments:

In line 7 strike out "fifth" and insert "fourth."

In lines 7 and 8 strike out "sixty-three" and insert "sixty-four."

In line 8, after "pay," insert "allowance."

In line 9 strike out "fifth" and insert "fourth."

In line 10 strike out "sixty-three" and insert "sixty-four."

Mr. HULL. Mr. Speaker, I move to concur. It simply changes the date.

The amendments were concurred in.

#### ADDITIONAL INDEBTEDNESS OF THE TERRITORY OF NEW MEXICO.

The SPEAKER laid before the House the bill (S. 5169) authorizing the legislative assembly of the Territory of New Mexico to create an additional indebtedness for the completion and furnishing of the Territorial capitol.

The bill was read, as follows:

*Be it enacted, etc.* That the legislative assembly of the Territory of New Mexico is hereby authorized to cause to be issued bonds of the Territory for the sum of \$80,000 for the purpose of raising the necessary additional funds for the completion and furnishing of the Territorial capitol now in course of erection at Santa Fe: *Provided*, That the interest on such bonds shall be made payable in lawful money of the United States, the rate of interest not to exceed 5 per cent per annum: *Provided further*, That such bonds shall not be sold for less than par nor shall any part or portion of the proceeds thereof be used for any other purpose than that herein specified: *And provided further*, That nothing in this act shall be so construed as to make the Government of the United States liable or responsible for the payment of any of said debt by this act authorized to be contracted.

Mr. DOCKERY. Mr. Speaker, is this a Senate bill?

The SPEAKER. It is a Senate bill. There is a House bill of a similar character is the reason why it is on the Speaker's table.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I renew my motion.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the Army appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. HOPKINS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, and by direction of the House general debate is closed, and the Clerk will now read the bill by paragraphs.

The Clerk read as follows:

#### ADJUTANT-GENERAL'S DEPARTMENT.

For contingent expenses at the headquarters of the several military departments and in inspection districts, including the staff corps serving thereat, except the department judge-advocates, being for the purchase of the necessary articles of office, toilet, and desk furniture, binding, maps, books of reference, professional newspapers and periodicals, and police utensils, \$3,000, to be allotted by the Secretary of War, and to be expended in the discretion of the several military department commanders.

Mr. HULL. Mr. Chairman, that concludes the reading of one paragraph. I move to strike out, in line 13, on page 1, the words "and in inspection districts." I will state that is done in response to a letter of the War Department, in which they give the following reason:

These words should be omitted, as the inspection districts established by General Orders of March 30, 1895, on lines independent of departmental limits, were virtually abolished by the provisions of General Orders No. 11, of March 23, 1896, which placed inspectors-general or acting inspectors-general assigned to a military department under the immediate direction of its commanding general.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

The Clerk read as follows:

For contingent expenses of the military information division, Adjutant-General's Office, including the purchase of law books, books of reference, periodicals and newspapers, and of the military attachés at the United States embassies and legations abroad, to be expended under the direction of the Secretary of War, \$3,640.

Mr. HULL. Mr. Chairman, I move to strike out "three" and insert "six," and submit the following explanation from the War Department:

The creation of a number of military departments beyond the limits of the United States made necessary an increase of the contingent fund for the several departments, and on December 2, 1898, a supplemental estimate (\$3,000) was submitted for the service of the fiscal year ending June 30, 1900. It is noticed, however, that the bill appropriates only \$3,000, and while it may be possible that the supplemental estimate may be provided for in some other bill, it is suggested whether the entire amount (\$6,000) deemed necessary should not be appropriated in this bill. This can readily be effected by substituting the word "six" for the word "three."

Mr. DOCKERY. This is an increase of this amount?

Mr. HULL. It increases the amount \$3,000.

The amendment was agreed to.

The Clerk read as follows:

Contingencies of the Army: For all contingent expenses of the Army not provided for by other estimates, and embracing all branches of the military service, to be expended under the immediate orders of the Secretary of War, \$200,000.

Mr. HAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had on a previous occasion, in the course, I think, of the debate on the sundry civil appropriation bill, stated that in my opinion the appropriation in this bill would not be sufficient for the Army, and in that statement I was backed up by the distinguished gentleman from Illinois, chairman of the Committee on Appropriations of this House. This bill appropriates \$79,500,000 for the support of an army of 100,000 enlisted men, besides about 4,000 officers.

Mr. HULL. Oh, no.

Mr. HAY. I hold in my hand the Senate bill, reported on yesterday, which provides for 100,000 enlisted men, and the officers will be increased by not less than 4,000. It was stated in the hearings before the Committee on Military Affairs that \$1,000 was necessary to maintain a man in the Army of the United States for one year in the United States proper, and that \$1,500 was necessary to maintain a soldier abroad.

Therefore if we compute that one-half of these soldiers will serve abroad and the other half in this country, then the cost of the Army will not be less than \$125,000,000 a year. It is impossible for us to believe that there can be such a great saving so suddenly effected in the maintenance of our standing Army. It is said repeatedly that if anything should happen by which this appropriation should not be sufficient, it could be covered in the deficiency bill next December.

The whole purpose, I believe, is not to let the country into the fact that this army is going to cost a great amount of money. It is well known that an army of 100,000 men can not be maintained

for less than \$100,000,000 per year; the failure to make the necessary appropriation will not deceive anybody.

As a matter of fact, you are spending more for these 100,000 men than is expended by Austria for her army on a peace basis. You will expend, by the time the various expenditures for these purposes are footed up, for the end of the fiscal year beginning the 1st of July, 1899, as much on your standing Army as is spent by Germany and Austria for their two great standing armies.

The minority members of the committee did not vote for the bill, because at that time it was not known how many men would have to be provided for; because, in fact, we were working in the dark, and to-day we are still ignorant.

Mr. HULL. Replying to that at this time, Mr. Chairman, I hold in my hand the bill that has been reported favorably in the Senate, and if it shall become a law, there is no doubt but what there will be a deficiency of large proportions. It appropriates for 55 new regiments of infantry where the House provided for 30. It provides for a large staff of officers, which will make an increase over that provided in the House bill. So that I concede that if that becomes a law there will be a deficiency.

Under the House bill there was only 97,000 enlisted men in all the different branches of the Army, the artillery, the cavalry, infantry, Engineer Corps, and the Hospital Corps, while under this bill there may be 100,000 enlisted men alone, and in addition to that, there will be the officers of 20 additional regiments of infantry. So there will be a deficiency if that becomes a law. But the gentleman from Virginia [Mr. HAY] must know that such a proposition as that embraces, so far as the large number of regiments are concerned, substantially his bill.

Mr. HAY. No; I never offered to provide—

Mr. HULL. You did not offer to provide so many regulars.

Mr. HAY. My bill only provided for 80,000 men—regulars and volunteer forces.

Mr. HULL. I am talking about the temporary force.

Mr. HAY. So am I.

Mr. HULL. The committee in considering this bill had certain propositions before them, but we could not look into the future and tell what the gentlemen sitting at the other end of the Capitol were determined to force upon the House, and we have been compelled to figure on the best obtainable information we could get. I say to the House and to the country now that if the bill that passed the House could be enacted into law, this bill, in place of a deficiency, would carry more money than would be required for the support of the Army for the ensuing year. But on the prospective Senate bill there will be a deficiency.

Mr. SMITH of Kentucky. Will the chairman of the committee allow me a question?

Mr. HULL. Certainly.

Mr. SMITH of Kentucky. Assuming that the bill reported in the Senate yesterday afternoon becomes a law, about what will be the deficiency in the appropriation?

Mr. HULL. It will be in the line of the Army. There will be a difference of enlisted men and, I should think, 1,000 officers to pay for, and what that deficiency will be requires close figuring of the whole list in order to arrive at it. I should think it would cost at least from two to five million dollars extra, on that line.

The Clerk, proceeding with the reading of the bill, read as follows:

United States service schools: To provide means for the theoretical and practical instruction at the artillery school at Fort Monroe, Va.; the infantry and cavalry school at Fort Leavenworth, Kans.; and the cavalry and light-artillery school at Fort Riley, Kans., by the purchase of text-books, books of reference, scientific and professional papers, and for all other absolutely necessary expenses, to be allotted in such proportions as may, in the opinion of the Secretary of War, be for the best interest of the military service, \$8,500.

The Clerk, proceeding with the reading of the bill, read as follows:

#### PAY OF OFFICERS OF THE LINE.

For pay of officers of the line, \$4,000,000.

For pay of officers for length of service, to be paid with their current monthly pay, \$235,000.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word. I want to improve this opportunity to say one word further with reference to the question that was raised here on yesterday. The Chair will remember that in the confusion of debate the gentleman from Indiana [Mr. JOHNSON] asked unanimous consent to print with his speech the speech of the President of the United States recently made in Boston. I raised the question as to whether that could be done under the authority granted by the House. By reference to the RECORD it will be seen that the consent of the House was given upon the request of the gentleman from New York [Mr. SULZER], in these words:

Mr. SULZER. I ask unanimous consent that all gentlemen who may speak on this bill may have leave to extend their remarks in the RECORD.

My understanding is that under that leave any gentleman speaking on this bill would have authority to extend his remarks in the RECORD, but would not have authority to insert in the RECORD the remarks of any other gentleman. He would not have author-

ity to incorporate in the RECORD a reprint of any speech delivered elsewhere or any book or any public document.

Mr. VINCENT. Suppose he should quote from the Declaration of Independence, would that be out of order?

Mr. PERKINS. I think anything which he would naturally put into a speech by the way of quotation, by way of amplification, by way of citation, in connection with his remarks, of course, would be permissible.

But, Mr. Chairman, upon a moment's reflection it can be seen to what abuses any such interpretation of the consent of the House might extend. Some of the members present will doubtless recollect that a few years ago an entire book was printed in the CONGRESSIONAL RECORD and afterwards was circulated as a public document.

Now, it is certainly not the purpose or the intention of the House to engage in this sort of business. The leave to print does not extend that far.

And again, sir, when on this subject let me state that I suppose my attention, as chairman of the Committee on Printing, has been more directly called to this abuse of the privilege accorded to members than possibly that of any other gentleman on the floor of the House. It is natural that it should be so.

The CONGRESSIONAL RECORD is of course a matter entirely within the keeping of the House, so far as its proceedings are concerned. But my attention was called, and has been repeatedly called, to the constant and steady increase of the printing bills of the United States. In the sundry civil appropriation bill passed the other day—one single bill—we appropriated money aggregating \$4,750,000 for printing, not including the printing of the Bureau of Engraving and Printing. We are constantly and enormously increasing the printing bills of the Government. Gentlemen here who haggle over an appropriation of a few hundred dollars unfortunately will readily consent to the printing of a matter which involves thousands upon thousands of dollars for the mere privilege of gaining a few copies of a given document for themselves or their constituents.

Now, my judgment is that it would be well if we abolished the folding room altogether. In the matter of whatever reform may be effected touching the public printing, of course the responsibility is largely upon the members of the House.

Mr. SHAFROTH. Will the gentleman allow me to interrupt him for a question for information?

Mr. PERKINS. Yes.

Mr. SHAFROTH. I want to ask the gentleman—

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHAFROTH and Mr. LOW asked unanimous consent that the time of Mr. PERKINS be extended for five minutes.

Mr. SHAFROTH. My purpose in asking the extension, Mr. Chairman, is to be permitted to ask a question which I think the House would like to be informed upon, as to whether there has been an increase in recent years—

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Colorado asks unanimous consent that the gentleman may be permitted to proceed for five minutes. Is there objection?

There was no objection.

Mr. SHAFROTH. Now, will the gentleman inform us whether there has been an increase in recent years in the cost of printing for the Government which involves the RECORD only?

Mr. PERKINS. I will say in response to the interrogatory of the gentleman from Colorado [Mr. SHAFROTH] that there is not a single line in which the cost of the printing has not been greatly increased in recent years.

Mr. SHAFROTH. Can you give us about the rate of increase?

Mr. PERKINS. Oh, no. When you come to segregate the amounts which aggregate the total cost, involving the cost of the RECORD, of course I can not say. For one thing, the number of copies of the RECORD which are given to each member for distribution has been increased. Of course, this increases the cost of the RECORD. The estimate of the Public Printer on the cost of the CONGRESSIONAL RECORD is \$8 a copy for the long session and \$4 for the short session. So that in the increase merely in the number of copies accorded to members for distribution, without reference to the cost of the printing, there is a considerable increase in the cost.

Again, the habit has grown up here on the floor, for the purpose of shortening the time of general debate on particular bills, and, on various occasions, for the purpose of advancing a measure, to grant leave to members generally to print remarks in the RECORD. That is just the same privilege that we have given now to every member who may have spoken or who may speak on the pending bill—to extend, to any limit he pleases, his remarks in the RECORD.

There is no censorship over the RECORD in that regard. Each member on the floor is placed on his personal honor as to what he may insert. Any member can take anything he pleases and send it to the desk, and it will be inserted in the RECORD under what is assumed to be his privilege. After it is printed the question

may come up as to whether it has been properly inserted or not; but of course the expense has been already involved and whatever abuse there may be in it perpetrated.

Mr. ROBINSON of Indiana. Do I understand the gentleman to claim that he is promoting a reform in this particular regard?

Mr. PERKINS. Oh, Mr. Chairman, when I became the chairman of the Committee on Printing I had an idea that there might be some reform in the matter of the public printing. I introduced a bill, had it referred to the committee, and it was considered and passed by the House, which had for its purpose a saving in expenditure on the part of the Government. Not only would it have effected the saving of a large amount of money to the Treasury, but it would have expedited greatly the distribution of public documents. But I met so much opposition here and elsewhere that the bill failed to become a law.

The Joint Committee on Printing now have under consideration some measure that may be introduced in the next Congress. I hope such a measure may be framed. I hope the members of that Congress may see it as a part of their public duty to second such a reform; but whether it will ever come about I do not know.

Now, Mr. Chairman, I do not know that I have anything further to say. I did not know that I would have another opportunity to speak upon this subject, and so I desired to improve this opportunity to say this much.

Mr. DOCKERY. Mr. Chairman, in the absence of the gentleman from Indiana [Mr. JOHNSON], I desire to say simply a word. I do so because the criticism which seems to be made against the gentleman from Indiana would apply with as much force to myself and every other member on the floor as to that gentleman. If I understand the position of the gentleman from Iowa, it is this, that under a leave to print or to extend remarks a member is limited to his own remarks. In other words, he is forbidden to make any quotation from the President's message or any other document.

Mr. PERKINS. I did not say that, Mr. Chairman.

Mr. DOCKERY. Then I misunderstood the gentleman.

Mr. PERKINS. In response to a question that was propounded to me here I said that anything in the orderly line of a gentleman's remarks, or a quotation or citation, would be perfectly proper.

Mr. DOCKERY. Then I misunderstood the gentleman. I do not desire to occupy the floor more than a moment. If the gentleman did not desire to be understood as saying that a member under leave to print could not quote from an official report, or from a President's utterance in a public speech, or from a message sent to Congress, of course the criticism I was about to make would not lie.

Mr. PERKINS. I simply had in mind to say that the leave was not so broad that a member without really making any remarks himself could reprint a book or a speech of some other gentleman.

Mr. DOCKERY. Well, I can conceive how there might have been an abuse in printing a book.

Mr. HULL. I should like to rise to a point of order on this. I think the House understands it, and this is not—

Mr. DOCKERY. I am coming right to the point.

Mr. HULL. This is not a debate on the bill at all, and this is the five-minute debate, when the discussion should be confined to the pending measure.

Mr. DOCKERY. I was going to make that very point against the remarks of the gentleman from Iowa.

Mr. HULL. I will allow the gentleman to answer that.

Mr. DOCKERY. As I understood him, I wished to correct what seemed to me to be an error. In referring to the leave to print he had been forced into the attitude of violating the rules himself, because he was not addressing himself to the paragraph under consideration. But the gentleman says he did not desire to be understood as saying that a gentleman could not quote from speeches, documents, etc., and if that is true, of course—

Mr. SIMPSON. Will the gentleman from Missouri allow me a suggestion?

Mr. DOCKERY. Certainly.

Mr. SIMPSON. The gentleman from Iowa cited as one of the abuses—in fact, I think he tried to convey the idea that the beginning of this abuse was the so-called conspiracy entered into to print in the CONGRESSIONAL RECORD Henry George's Protection and Free Trade. Now, I was one of the arch conspirators who got that book into the RECORD, and it is one of the bright things and one of the best things that has ever appeared in the CONGRESSIONAL RECORD.

Mr. PERKINS. The New Testament would be a good document, too.

Mr. SIMPSON. Well, it is even as good as the New Testament, and I do not know but better. There is a society in Washington here to-day as the result of that effort, and they are getting requests from colleges and men of education, not alone in the United States, but all over the world, for that publication that was given

such a great advertisement because it appeared in the CONGRESSIONAL RECORD.

Mr. STEELE. And because it did not cost anything.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHAFROTH. I move to strike out the last two words. I wish to say just a word. I will not occupy the time of the committee. The gentleman from Iowa has made certain statements concerning the cost of printing, to which I wish to reply.

Mr. HULL. I wish to suggest that this is absolutely out of order.

Mr. SHAFROTH. I will not take two minutes. It will be better to let me finish what I have to say.

Mr. HULL. After this I shall raise the point of order against gentlemen discussing things that are not relevant.

Mr. SHAFROTH. The gentleman's friend complains that there is a great cost involved in allowing members to extend their remarks in the RECORD. Now, under the rules of this House it becomes almost impossible for a member to say what he wants to say upon any measure that comes before this House, and his only recourse is to put into the RECORD that which he would like to have said upon the floor of the House.

Mr. DOCKERY. He must, under the rules, make his remarks in the RECORD.

Mr. SHAFROTH. I take it, Mr. Chairman, that the cost of printing the RECORD itself has not materially increased in the last ten or fifteen years. I remember the volumes and the size of the volumes of the CONGRESSIONAL RECORD of the Fifty-first Congress, and I warrant that they are fully as large as the RECORD of the Fifty-fifth Congress, and the abuse which the gentleman has referred to has not grown in that direction. It has grown more in the direction of Congress ordering publications for distribution among the constituents of members.

While there may be some question as to the propriety on occasions on the part of some Congressmen, I have no doubt in the information the people receive there is compensation at least equal to the outlay on the part of the Government. Everybody wants economy in this matter, and there ought not to be an abuse, but to curtail the right of extending remarks in the RECORD would be something very detrimental to the interest of gentlemen of the House.

Mr. HULL. I call attention to the cutting out of \$776,000 in this matter. If this bill that the gentleman from Virginia refers to should become law, there will be quite a deficit. Now, in reference to what the gentleman said in respect to the Austrian army. He said that our Army would cost more than the Austrian army at the rate we pay our Army. I want to call the attention of the House to the fact that the Austrian Government gives breakfast and dinner to the soldier and pays him the magnificent sum of 90 cents a month for his services. I do not believe it is a fair comparison to compare the cost of this Government to that of any government making that kind of a provision for men in its service in the army.

Mr. DOCKERY. Just a word. I desire to ask the gentleman a question. I notice an increase in this amount from \$2,865,000 to \$4,000,000. Is the appropriation of \$4,000,000 carried in the bill based on the Hull bill or the Senate bill—the compromise bill?

Mr. HULL. There is a bill which is designated as a compromise bill in the Senate. I do not know of any compromise that the House has made, but I understand there has been one made in the Senate.

Mr. DOCKERY. If that bill should become a law, there will be a deficit.

Mr. HULL. Of course; it is only a guess—in the neighborhood of \$3,000,000 to \$5,000,000 in pay of officers and enlisted men.

The Clerk read as follows:

For pay of officers for length of service, to be paid with their current monthly pay, \$825,000.

Mr. DOCKERY. Just one other question. I notice that this amount is brought up to \$13,000,000. Now, if the compromise bill becomes law, will there be a deficiency here?

Mr. HULL. There will be, because the terms of the compromise bill provide for more enlisted men.

Mr. DOCKERY. The gentleman is not able to state the amount?

Mr. HULL. I am not able to state it, because it is a matter of computation.

The Clerk read as follows:

For additional pay for length of service, \$725,000.

Mr. FITZGERALD. Mr. Chairman, I desire to offer an amendment.

The Clerk read as follows:

Amend in line 12 by adding:

"That all officers and enlisted men in the Regular Army who enlisted subsequent to the declaration of war, and for the war, and hereafter mustered out of the service who have served honestly and faithfully beyond the limits of the United States shall be paid two months' extra pay on muster out and discharge from the service, and all officers and enlisted men in the Regular

Army who enlisted subsequent to the declaration of war, and for the war, and hereafter mustered out of the service who have served honestly and faithfully within the limits of the United States, shall be paid one month's extra pay on muster out and discharge from the service, from any money in the Treasury not otherwise appropriated, said moneys to be immediately available."

Mr. HULL. I raise the point of order upon that. It is utterly worthless so far as the volunteers are concerned, and out of order as new legislation.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FITZGERALD. I move to strike out the last word. I brought this to the attention of the House, knowing that perhaps it was subject to a point of order, in order to do justice to these men.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FITZGERALD. I move to strike out the last word. I knew this amendment was not in order at this time, but as this was the only way in which I could bring the matter to the attention of the House, I proposed the amendment. There is no reason why the men who enlisted in the Regular Army for the war should not be accorded the same treatment as is accorded the men who enlisted in the different State regiments.

A few weeks ago a law was passed allowing those men who enlisted in the volunteer militia from the different States for the war an additional two months' pay if they served outside of the territory of the United States, and one month's pay if they served within the territory of the United States. A separate bill was also passed a short time ago allowing to the enlisted men in the Navy who served outside the waters of the United States an additional two months' pay, and allowed to the men who served within the waters of the United States an additional one month's pay.

In my own district, and in the district, I believe, of every member on the floor of this House, hundreds of men enlisted in the Regular Army for the war. They have braved all its dangers and perils and withstood its hardships, and it seems to me that they should be entitled to the additional consideration that has already been granted to the volunteers in the Army and the men who enlisted for the war in the Navy. I think that every member of this House who has read the history of the struggle with the Spaniards, both in Cuba, Porto Rico, and the Philippine Islands, will agree with me that no braver body of men ever fought for any country or any flag than those who enlisted for the war as members of the Regular Army.

Their heroic deeds and actions have added new luster to American glory and have woven new laurels for the American soldier and added greater honors to the American flag. I think that it is an oversight that the men in the Regular Army were overlooked in this matter, as I know too well the high honor in which these men are held by the members of this House. I therefore consider that it is only necessary to bring the attention of the members of the House to this omission in order to give these men the justice which is theirs.

We have only six more legislative days remaining of the session, and it will be impossible to secure this legislation with a special bill. If no objection is offered by the members of the House, this amendment can be incorporated in the present bill and the law enacted almost immediately.

Mr. HULL. Will the gentleman yield to me for one moment? The law was passed giving the volunteers exactly what this provides. You have not only included the Regular Army, but officers.

Mr. FITZGERALD. I beg the gentleman's pardon.

Mr. HULL. I understood from the reading of the amendment that you have provided for officers and enlisted men in the Regular Army. They were not appointed for the war, but were appointed from the Regular Army and detailed, and would be returned to their regiments. They should not have been included. I will say to the gentleman that if he will modify his amendment so that it will provide for the men enlisted in the Regular Army, giving them the same pay the volunteers will have, that will be all right.

Mr. FITZGERALD. I intended when I introduced this amendment to make it for the enlisted men, but I did not know what the law was in regard to the officers, so, to be sure, I included them.

Mr. HULL. If the gentleman will offer an amendment to give those who enlisted in the Army thirty days for those who were not out of the country and sixty days for those who were, perhaps the objection will be removed.

Mr. DOCKERY. I insist, Mr. Chairman, that an amendment of that kind ought to be considered. Over and over again we have seen the effect of accepting amendments without careful preparation.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. FITZGERALD. But I wish to discuss the point of order, Mr. Chairman.

The CHAIRMAN. There is no point of order. The Chair has sustained the point of order made by the gentleman from Iowa.

Mr. FITZGERALD. But the gentleman from Iowa [Mr. HULL] said that if I withdrew the obnoxious paragraph he would accept the amendment.

The CHAIRMAN. But the gentleman from Missouri [Mr. DOCKERY] objects to that.

Mr. DOCKERY. No, Mr. Chairman, I do not object. I said that an amendment of that kind ought to be carefully prepared and considered.

Mr. FITZGERALD. Well, I will redraw my amendment.

The CHAIRMAN. If the gentleman desires to present an amendment, he will frame it and send it to the desk in accordance with the rules.

Mr. FITZGERALD. My amendment is before the House.

The CHAIRMAN. It has been ruled out of order.

Mr. BRUCKER rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BRUCKER. I rise to a parliamentary inquiry. I have not a copy of the bill before me, but I would like to ask, if this paragraph is now passed without this amendment suggested by the gentleman from Massachusetts [Mr. FITZGERALD] being offered, whether or not it can at a subsequent stage of the reading of the bill be offered and be in order?

The CHAIRMAN. Not to this paragraph, if it is passed.

Mr. BRUCKER. Would it be to any subsequent paragraph?

The CHAIRMAN. The Chair has not read the subsequent paragraphs.

Mr. BRUCKER. I am laboring under the same misfortune as is the Chair. I have not a copy of the bill before me.

Mr. FITZGERALD. Mr. Chairman, I now desire to present my amendment modified. I ask that it be inserted as a new paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add after line 10, page 4, the following:

"All enlisted men in the Regular Army who enlisted subsequent to the declaration of war and hereafter mustered out of the service who have served honestly and faithfully beyond the limits of the United States shall be paid two months' extra pay on muster out and discharge from the service; and enlisted men in the Regular Army who enlisted for the war and served in the United States shall be paid one month's extra pay."

Mr. HULL. I raise the point of order, that is entirely different from what I suggested.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BRUCKER. Mr. Chairman, I desire to offer an amendment.

Mr. PAYNE. I would like to suggest to gentlemen that it is impossible to frame a proper amendment on the floor.

Mr. FITZGERALD. I think the chairman of the Committee on Military Affairs misunderstands my purpose.

Mr. BRUCKER. I will say that I have not the amendment prepared at this time, Mr. Chairman, but I will offer it unless there is objection. It is that all men who enlisted subsequent to the declaration of war and served until the peace treaty with Spain was ratified—

The CHAIRMAN. Under the rule, the Chair will say to the gentleman from Michigan, an amendment must be in writing and sent to the Clerk's desk.

Mr. BRUCKER. I will say, Mr. Chairman, that that rule has not been universally invoked. I will prepare the amendment.

Mr. HULL. Mr. Chairman, I ask that this paragraph be passed over, to be returned to, so that we can perfect an amendment.

The CHAIRMAN. Is there objection that the paragraph be passed over without prejudice?

Mr. PAYNE. I do not want to object to passing over the paragraph; but I want to suggest to the chairman of the committee that if it is not prepared by the Committee on Military Affairs, I shall be likely to raise the point of order.

The CHAIRMAN. Does the gentleman from New York object to passing the paragraph?

Mr. PAYNE. I do not.

The Clerk, proceeding with the reading of the bill, read as follows:

ENGINEER REGIMENT.

Three hundred and seventy-five thousand three hundred and twenty-four dollars.

Mr. DOCKERY. Mr. Chairman, reserving the point of order, I desire to ask whether the Engineer Department is provided for in the compromise bill?

Mr. HULL. No, sir; the compromise bill makes a battalion of engineers.

Mr. DOCKERY. What does the gentleman propose to do about it?

Mr. HULL. I am perfectly willing not to appropriate a dollar for that, if the gentleman does not want to.

Mr. DOCKERY. I do not propose to raise a point of order against anything that the Committee on Military Affairs desire to incorporate in the bill and necessary to maintain the Army. I propose to stand by the Army and Navy fully and completely and for all proper appropriations, regardless of any question of policy

about which we may differ. I find, however, there is no law authorizing the engineer regiment. I suppose under the Hull bill there would have been such authorization. I call attention to the fact that this appropriation is without authority of law.

Mr. HULL. No; there is no regiment of engineers provided by law. The amount of the appropriation here is for the engineer force as provided in the House bill. There is only a battalion of engineers now provided by law.

There is in the compromise bill pending before the Senate—if I can refer to that without being called down—a proposition to continue simply the battalion of engineers; and if that passes, the Senate can amend this bill to conform to that action, whatever it may be. If there should be a regiment of engineers, then this appropriation is correct.

Mr. DOCKERY. The gentleman from Iowa thinks the Senate will amend the bill when this bill is passed, and that these appropriations will be made to harmonize with what will probably be the action on that bill?

Mr. HULL. We have been compelled to proceed on that theory. Of course, before final action is taken by the Senate on this bill the question of the reorganization of the Army on some lines like the Hull bill will be taken. The House can not in the present appropriation proceed on any other theory than that which I have already suggested.

Mr. DOCKERY. I am glad to have the statement of the gentleman from Iowa, because I find in the very next paragraph following the Ordnance Department appropriation a provision for the noncommissioned staff unattached to regiments. No provision, as I understand it, is now made by law for this force.

Mr. HULL. No; the noncommissioned staff is provided for on the lines of the Senate compromise or Hull bill.

Mr. DOCKERY. The compromise bill?

Mr. HULL. Yes; or so-called Hull bill, either. Both are about the same.

Mr. STEELE. Should not this provision—if there is no arrangement for the engineer regiment which is provided for, should it not go out of the bill altogether?

Mr. HULL. That would be, of course, for Congress to determine after the question of reorganization is settled. I am informed that it is the intention not to allow the Army bill to go into conference at all. So far as I am concerned, I know nothing of that. But there is an engineer battalion authorized by law which should be appropriated for—

Mr. COX. Will the gentleman allow an interruption?

Mr. HULL. Certainly.

Mr. COX. Will the gentleman please state, for the benefit of the House, on what ground he makes the statement that the Army bill can not get into conference?

Mr. HULL. It has been suggested that the House bill will not be considered, or amended, because it might get into conference, and the two Houses come together on the lines of that bill. So that the Senate must, to avoid that danger, send us an independent bill.

Mr. COX. Well, that is a new statement, and a wonderful statement to me.

A MEMBER. Well, it is a correct statement.

Mr. HULL. There are wonderful things, as the gentleman will find, on all sides, if he keeps his eyes open.

Mr. DOCKERY. Let me ask the gentleman from Iowa, if the compromise bill becomes a law, will the amount involved in this bill be the same?

Mr. HULL. Oh, no; not at all. There would be a difference of two-thirds at least.

Mr. DOCKERY. I mean with reference to the noncommissioned staff to which I have just referred.

Mr. HULL. Well, that would be the same in either bill. There is not much difference one way or the other, no matter which bill becomes a law.

Mr. ROBINSON of Indiana. Do I understand, if the compromise bill is adopted, that this amount, now carried by the pending bill, will not be needed with reference to the \$375,324 provided for the engineer regiment?

Mr. HULL. No, it will not; only a portion of it.

Mr. ROBINSON of Indiana. Well, this bill, then, is based on the general lines of the Hull bill in that regard?

Mr. HULL. Yes.

Mr. ROBINSON of Indiana. If it becomes a law, this will be the necessary amount?

Mr. HULL. This will be the amount required to pay the regiment of engineers. Of course, if the battalion only is maintained, as I have said before, it will not require such a large sum.

Mr. UNDERWOOD. If the compromise bill becomes a law, then this amount will be necessary?

Mr. HULL. If the Senate bill becomes a law—the so-called compromise bill—then only one-third of the amount will be necessary.

Mr. UNDERWOOD. Is there any possible way that this money

could be used over and above what is necessary in case the appropriation is made?

Mr. HULL. Not at all. The only way it can possibly be used is for the payment of the men enlisted under the law in the engineer battalions or regiments.

Mr. UNDERWOOD. And their salary is fixed by the law—the officers and the men?

Mr. HULL. Yes; this payment, however, is not for the officers, but for the enlisted men alone.

The Clerk read as follows:

Pay to clerks and messengers at headquarters of the Army.

Mr. HULL. After the word "messengers," in line 4, the words "at department headquarters and" should be inserted; so that it will read:

Pay to clerks and messengers at department headquarters and at headquarters of the Army.

That was an error in the print.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Iowa will be considered as adopted. Is there objection?

There was no objection.

Mr. SIMPSON. A parliamentary inquiry, Mr. Chairman. What was the last paragraph read?

The CHAIRMAN. Line 5, page 5. There was an amendment offered by the gentleman from Iowa [Mr. HULL], which was just adopted; but the Chair put it in such form that if the gentleman from Kansas objects the Chair will put it again.

Mr. SIMPSON. No, I do not object. I want to be heard on the next paragraph.

The Clerk read as follows:

Fifteen clerks, at \$1,800 each per annum, \$27,000.

Mr. SIMPSON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I see here a very large increase in the number of clerks. I hope I will have the attention of the chairman of the Committee on Military Affairs. Here is first a provision for 15 clerks at \$1,800 per annum. That is an addition to the force now employed. In line 8 there is a provision for 15 clerks at \$1,600 each. Those are new. Then in line 10 there is a provision for 20 clerks at \$1,400 each. Now, these are all high-class clerks.

Mr. DOCKERY. And never existed before.

Mr. SIMPSON. Never existed before, and there is no provision of existing law for them. I should like to know why we get in this bill so many of these high-class clerks? Then it provides further on here for 11 clerks at \$900 each per annum. Those are new. Then there is a provision for 18 messengers at \$840 each. Those are new.

Of course you will make the plea that the increase in the Army, because of the increased business to be transacted at the War Department, demands an additional force of clerks; but what we want to know is, why these are nearly all high-class clerks?

Mr. COX. I want to call the gentleman's attention to one point there.

Mr. SIMPSON. In a minute. There is another point I want to make. Here is a provision for 246 clerks and 69 messengers; a messenger for every 8 clerks. Now, I am informed—I do not vouch for the truthfulness of it—that it is the practice in the War Department, and, in fact, in other Departments, for the heads of Departments, and even subordinate officers—chiefs of division—to employ these messengers at their residences as butlers and coachmen, and for various occupations. I think this would be a question that ought to be investigated and looked into, to see if those are facts. If the people of this country are paying for men who are supposed to be employed in the Departments, when in fact they are performing duties at the private residences of the heads of Departments, the people should know that fact.

Mr. COX. Will my friend yield to me for one moment?

Mr. GROSVENOR. Will the gentleman allow me to call his attention—

Mr. SIMPSON. I yield first to the gentleman from Ohio.

Mr. GROSVENOR. I sympathize with the suggestions made by the gentleman from Kansas, but I will suggest to him another line of investigation. Investigate the civil pension list of the United States, that to-day amounts in a single post-office of the United States, as I am informed by the statement of the head of one of the Departments, to \$70,000 a year for clerks retained under this bureaucracy who do not earn one dollar a month. And if you will extend your investigations through the Departments of this city you will find that by degrees we are carrying a civil-service pension list under this system, which we call the merit system in the United States, and I am prepared to demonstrate every word which I have said on this subject.

Mr. SIMPSON. I am satisfied that the gentleman from Ohio is entirely right in regard to that.

Mr. GROSVENOR. Furthermore, a distinguished officer of one of the great Departments of this Government stated to the Civil

Service Commission a short time ago that he would undertake to carry on that enormous branch of the Government at 60 per cent of what it is costing now if he could be allowed to get rid of this dead timber. And another gentleman, whose name and occupation I can not mention, said he would like to be a partner in that at 40 cents on the dollar.

Mr. SIMPSON. I am satisfied the gentleman is right, and that is one of the reasons why I took occasion, in connection with this bill, to see if the chairman of the Committee on Military Affairs can give us a good reason why so many of these high-priced clerks are employed.

Mr. COX. Now, will the gentleman allow me?

Mr. SIMPSON. I know the civil service does not apply to these—

Mr. COX. Mr. Chairman—

Mr. SIMPSON. I hope that the gentleman from Ohio [Mr. GROSVENOR] will give us the name and the place where these abuses have crept in. I think it is the duty of Congress to put a check on them.

Mr. STEELE. It applies to every Department.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

Mr. UNDERWOOD. I was waiting until the gentleman from Kansas had relinquished the floor, so that I could be recognized on that paragraph, so as to make the point of order against the paragraph.

The CHAIRMAN. The gentleman makes the point of order on what paragraph?

Mr. UNDERWOOD. On the paragraph "15 clerks, at \$1,800 each per annum, \$27,000." I make the point of order that it is new legislation.

The CHAIRMAN. The Chair desires to state to the gentleman from Alabama that after a discussion—

Mr. UNDERWOOD. I can not hear what the Chair says.

The CHAIRMAN. The committee will be in order.

Mr. UNDERWOOD. I will say to the Chair that when the gentleman had obtained the floor I started to rise, and as soon as he had relinquished the floor, I then rose and addressed the Chair, and stated for what purpose I rose, and would, if it were necessary—

The CHAIRMAN. The Chair desires to say to the gentleman from Alabama that if it was his purpose to make the point he should have done it, regardless of the question of the gentleman from Kansas getting the floor. Under the rules, after debate has been had upon a question, it is too late to make that point.

Mr. UNDERWOOD. Well, then, I will say to the Chair now, conceding his ruling, I desire to make the point of order on the other paragraphs of this page, and ask recognition for that at the time.

Mr. HULL. Mr. Chairman, referring to the remarks of the gentleman from Kansas, I want to say to the House that I do not believe there has ever been any evidence bearing out his assertion of the use of these clerks as butlers. If there have been any butlers used, it has been from the laborers. If there has, I do not know anything about it. These clerks are under the civil service the same as the clerks in the War Department. I call attention to the fact that every Army appropriation bill carries an appropriation for these clerks, to the number of 125, fixing their pay on a different scale to what it is fixed, but appropriated for 125 of them, and this is an increase of 81 clerks, because of the different department headquarters and the headquarters of the Army, and that increase is largely reduced from the estimate of the War Department.

We cut off one-sixth of the number they asked for, and the reason the committee fixed the wages of the different classes of clerks here was for the purpose of putting those clerks, who do as much work, on the same basis as those who work in the Departments. They are at more expense. They are at the different headquarters, and while they have to go out to the different headquarters, they are away from their families; and when the headquarters is changed, they are changed. Those clerks who work in the War Department are permanently in the city. We thought it no more than just to pay them on the same scale and the same rate as the different clerks in the War Department are paid.

Mr. DOCKERY. Will my friend allow me to call his attention to the fact that the highest salary paid under existing law is \$1,000?

Mr. HULL. It is \$1,200.

Mr. DOCKERY. And you make three new classes, 15 at \$1,600, and 20 at \$1,400.

Mr. HULL. Yes.

Mr. DOCKERY. Now, if my friend will allow me. Following out the line of the suggestion made by the gentleman from Ohio, it is known that the Government of the United States pays more for its clerical service—that is, for all salaries for services rendered, from \$800 to \$1,800—than is paid by private enterprise. Above that we pay but little for "brains."

Mr. PAYNE. May I ask the gentleman from Missouri whether a conference report that was passed through the two Houses a

day or two ago did not increase the thirty days' leave to thirty-five days on an appropriation bill?

Mr. DOCKERY. The gentleman can not "shake his gory locks" at me on that question.

Mr. PAYNE. I understand the gentleman is a member of the committee.

Mr. DOCKERY. The gentleman is very well advised that in these differences between the House and the Senate you have to give and take as to sundry provisions.

Mr. PAYNE. But that was one of those provisions changing existing law, and the rule generally is when a change of existing law is ingrafted on an appropriation bill, and either House insists that that change shall go off, that the House proposing the change yields.

Mr. DOCKERY. I was only one of the three conferees, and opposed that provision. The gentleman from Iowa has made these increases of salaries. It may be necessary to have the clerical services required by the bill. I think that may be proper, but I do not see the necessity of making three grades of high-class clerks. The gentleman is certainly mistaken in saying that it is more expensive to live at headquarters than here.

Mr. HULL. That is because they are separated from their families.

Mr. DOCKERY. It is true they are separated from their families, but there is no opportunity to spend anything at army posts. They are out on the frontier.

Mr. HULL. I know better; there is. If the gentleman will investigate the living out at these places, he will find that the additional expense is made up by the fact that their families are supported somewhere else.

The CHAIRMAN. The Clerk will read.

Mr. UNDERWOOD. Mr. Chairman, the Clerk had not completed the reading of the preceding paragraph when I rose to make the point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. UNDERWOOD. My point of order is against lines 8 and 9, that it is new legislation. There is no law on the statute books providing for these clerks at that compensation. It is unnecessary to argue the point.

Mr. HULL. Mr. Chairman, I will read all the law there is on the subject. In every appropriation bill the number of clerks is mentioned that they desire to appropriate for, and they have heretofore fixed the price at the same time. They fix it for 90 clerks at \$1,000, 25 clerks at \$1,100, 10 clerks at \$1,200 each, and that has been fixed by the Army appropriation bill of each year, and it is the only law on the subject. I do not believe that anything but the most technical construction of the rule would sustain this point of order on the ground that the salary is not the same as heretofore fixed in an appropriation bill.

The CHAIRMAN. The Chair desires to say that, in the opinion of the Chair, it would depend somewhat on the law that created the War Department. Of course, the War Department must have its clerical force to maintain it.

Mr. HULL. The Departments are not created by law; they are a matter of regulation, and the number of clerks provided for is to meet the demands of the Government.

Mr. COX. Will the chairman of the committee allow me a question?

Mr. HULL. I will say that there appears to be some confusion about this. This is not the War Department; it is the department headquarters. It is outside of the War Department and independent of it, so far as clerical force is concerned. It is the headquarters of the Army. We have headquarters in Manila, headquarters of the Gulf, headquarters of the Atlantic, headquarters in Havana, and these are the departments referred to.

Mr. UNDERWOOD. Mr. Chairman—

Mr. COX. Will the gentleman from Alabama pardon me? I want to ask a question. The two clerks that you are providing for is not only new legislation, but everyone of them, messengers and all, are under the civil service, and it is so construed by the War Department.

Mr. UNDERWOOD. Mr. Chairman, I wish simply to say at this time—

The CHAIRMAN. The Chair desires to say to the gentleman from Alabama that the Chair must have some authority presented to him. The Chair will assume in making his rulings that the Committee on Military Affairs has complied with the law, unless gentlemen can show that this is a violation of it.

Mr. UNDERWOOD. I simply say that I am surprised the Chair should take such a position. I think that when a proposition comes in here in an appropriation bill, and it is charged on the floor that it is an increase in the number of employees not authorized by law, that the burden lies on the committee to show that it has authority of law, and I never heard any Chairman that did not call on the committee reporting the bill to show the law that authorized the appropriation. I must say that the Chair takes me by surprise when he says that the gentleman making the point of

order must be prepared to show a negative proposition. Can I bring in all the laws of the United States and lay before the Chair to show him that this proposition is not found in it and not authorized?

The CHAIRMAN. Does the gentleman know whether this is new legislation or not?

Mr. UNDERWOOD. I can say that it is new legislation; that the Appropriations Committee has no right to bring before Congress a provision to pay clerks that have not been authorized by law. I say there is no law in this country authorizing the employment of these fifteen clerks, and I challenge the gentleman, the chairman of the committee, to show any law on the statute book authorizing their employment.

Mr. ROBINSON of Indiana. Mr. Chairman, if I mistake not, the chairman of the committee yesterday said, although I do not find it in the RECORD, it was in his oral remarks, that this was obnoxious to a point of order.

Mr. HULL. I said I wanted to call attention to all that, by any possibility of construction, might be subject to a point of order, but I did not believe this would be. I did not revise my remarks, and if the gentleman will look in the RECORD he will find just what I said. I do not want to discuss the point of order at any length. The regulations of the War Department creating the different department headquarters have the authority of law unless in contravention of the statutes of the United States. There has been an increased number of department headquarters in the field, not here in Washington, but an increased number of headquarters in the field by the orders of the War Department. The law has always provided for all the department headquarters, and I beg the committee not to confuse us with the Department here, the headquarters of the Army. The law has always provided for all the clerks in the appropriation bill, and at the same time fixed their pay in that appropriation bill and in that only.

And the gentleman can see that it would be impossible to show any law on the statute books of the United States, in my judgment, which uses the word "hereafter" to provide that the compensation shall be paid under the circumstances here.

But I am willing to leave the matter to the discrimination of the Chair and the judgment of the House.

The CHAIRMAN. The Chair has expressed a desire that one side or the other shall furnish the law upon the subject.

Mr. HULL. I have given the Chair and the House the law on the subject, as far as there is any law governing it. It is in the appropriation bills for some years past.

Mr. UNDERWOOD. The gentleman from Iowa admits, Mr. Chairman, that there is no statute covering this provision.

Mr. HULL. No, there is no statute covering it in express terms; but the appropriation bills which have heretofore been enacted have provided the number of clerks at the various headquarters of the Army and have made provision for precisely this character of expenditure.

Mr. UNDERWOOD. In other words, the contention of the gentleman from Iowa is that if the War Department wants an appropriation put into a bill it is only necessary for it to make a regulation.

Mr. HULL. Oh, no.

Mr. UNDERWOOD. Then what is the gentleman's contention?

Mr. HULL. Why, the law, before the consolidation of the headquarters of the Army, fixed the clerical force required, and the appropriation bills subsequently made provision for their payment. Under the regulations which were provided a few years ago, more clerks were necessary, and more clerks were provided for in the appropriation bills. For the last few years the amounts so appropriated have been the same, or there has been very little variation.

Mr. UNDERWOOD. Why, Mr. Chairman, it has been repeatedly held here on the floor of the House—I remember a case particularly in point when the committee brought in a provision to pay one of the secretaries \$5,000 instead of \$3,500, which had been his salary previous to this, as allowed by law. The point of order was made and the Chairman of the committee ruled that the proposition was out of order in the bill, and was sustained by the House.

Mr. HULL. But that is an entirely different question. The gentleman will perceive that that is fixed by statute law. This is not. This is a matter of mere regulation and is covered by the appropriations.

Mr. UNDERWOOD. But you have no right to create a position on an appropriation bill. Under Rule XX you have no right to make a change in existing law. And if the gentleman makes this provision, I ask if it does not create new law, a new provision? Do you not, if you undertake to insert it in a provision of this kind in an appropriation bill, make a new law just as much as if Congress, in the regular channels, had enacted a new law?

Mr. HULL. I think we can appropriate for the clerks at department headquarters wherever they are needed, without in any way conflicting with the rule to which the gentleman refers.

This is a necessary part of the service, and may vary at times. The only question is as to whether the increase of pay is subject to the point of order.

Mr. UNDERWOOD. The gentleman intimates that we can create new clerks on an appropriation bill? Certainly he would not hold that we can create new officers of the Army on that same principle?

Mr. HULL. Certainly not.

Mr. UNDERWOOD. Then, what is the distinction? I would like the gentleman to explain. Could we raise the number of enlisted men from 61,000 to 100,000 on an appropriation bill? Where then is the distinction?

Mr. HULL. Let me say to the gentleman, so that he will have the matter before him in the further discussion of the point of order, that if the Secretary of War, in his discretion, may create twenty new regiments of troops, he would certainly have the right to enlist men to fill these regiments. Otherwise the law would be inoperative and of no avail.

Now, if you vest in the Secretary of War the power to create new department headquarters of the Army, that power must be construed to carry with it the privilege of incurring the necessary expenses which must be incurred.

Mr. UNDERWOOD. Not at all. If you create in this way any new department, the law must state positively what the department shall be; what their duties shall be; and if they are created under the general law, that general law must specify what the departments are created for, what authority they have, and to what extent we may involve the Government in expenditures.

Mr. HULL. Then, as I understand the gentleman, he contends that we could not under any circumstances, even in the varying conditions of the Army, provide for a single additional clerk?

Mr. UNDERWOOD. We can not under the law. The gentleman, of course, is chairman of the Committee on Military Affairs, and he can introduce a bill to provide for these additional clerks and have it acted upon if he thinks necessary.

Mr. HULL. Under that contention we could not provide for the appropriations for the next year.

Mr. UNDERWOOD. Oh, yes, if they are provided for by law; and we can make the appropriations to meet the expenditures.

Mr. HULL. But the word "hereafter," unless it is inserted in the provision, as I understand the contention of the gentleman, would leave the matter in the air, and it could not be acted upon by Congress under our rules.

Mr. UNDERWOOD. But this is a question of creating a new provision on the appropriation bill. It is a proposition that should not be allowed under the rules of the House, anyhow. In view of the fact that we have a deficit of \$159,000,000, I think it is the duty of the guardians of the interests of the people, who are sent here for that purpose, to look carefully into and scrutinize closely all these matters which involve such a large increase of expenditures upon their part.

Mr. STEELE. Does this discussion fit the point of order?

Mr. DOCKERY. Let him have time.

Mr. STEELE. I do not think the gentleman is discussing the point of order. He is discussing finance.

The CHAIRMAN. If the gentleman will confine himself to the point of order—

Mr. UNDERWOOD. Certainly. All I wish to say—

Mr. DOCKERY. The deficiency is a very delicate subject across the aisle.

Mr. UNDERWOOD. That the time has come when we should not put additional clerks into these departments.

Mr. CANNON. I want to say a word on the point of order. I do not know as to the propriety of specifically appropriating for these clerks, but I do know that in all the Departments, as well as at the headquarters of the Army, there is a clerical force under general provision of law that is larger or smaller from year to year as the necessities of the service seem to indicate, and that it is always in order upon a general appropriation bill to increase or decrease the item for clerk hire. For instance, I will call the attention of the Chair to Title IV of the Revised Statutes:

The clerks of the Departments shall be arranged in four classes, distinguished as first, second, third, and fourth.

And so on.

No clerk shall be appointed in any Department in either of the four classes above designated until he has been examined.

And so forth.

Then it provides for the appointment of women. Now, the next section, 167, provided what the salaries of the clerks shall be—first class, \$1,800; second class, \$1,600; third class, \$1,400; fourth class, \$1,200. Then it provides that the women shall receive at the rate of \$900, and so forth, and then for messengers at \$840, and assistant messengers and watchmen—

Except when a different compensation is expressly prescribed by law.

And so forth.

Every head of a Department is authorized to employ such number of clerks of the several classes recognized by law and such messengers—

And so forth—  
at such rates of compensation as may be appropriated for by Congress from year to year.

Mr. UNDERWOOD. Is not that the law authorizing it, right there?

Mr. CANNON. The gentleman says you can not employ an additional clerk without a new law.

Mr. UNDERWOOD. No; I said where it was not authorized by law, and there is the provision of law in those cases that you read authorizing it.

Mr. CANNON. Now, what I undertake to say—

Mr. COX. Mr. Chairman—

Mr. CANNON. Just let me complete this sentence. What I undertake to say is that the clerical service of the Army and Navy may be 500 or it may be 100, just according to the necessities of the service, and without the necessity of formally passing a separate law. It is a matter that abounds in appropriations, as under the law and as an incident of the service necessarily—

Mr. COX. The only point I make—

Mr. CANNON. So that it is perfectly clear to me, without discussing the wisdom of the provision, that it is in order to make appropriation for one or one hundred clerks.

Mr. COX. Now, let me ask you, under that statute which you have read—and we have all gone through it in the committee—those employees pass under the civil service?

Mr. CANNON. Oh, I suppose they are under the civil service by virtue of the subsequent statute.

Mr. COX. No; that law means to put them all under the civil service.

Mr. CANNON. Oh, no; not at all. This law is older than the gentleman or myself.

Mr. COX. It is a pretty old law, then.

Mr. CANNON. Yes; it is a very old law.

Mr. COX. But that means to put these messengers under the civil service.

Mr. CANNON. Oh, no; it has no effect on the civil service.

Mr. HULL. They are already under the civil service.

Mr. COX. The chairman concedes that they already come under the civil service.

Mr. CANNON. By virtue of a subsequent law.

Mr. HULL. Not this act nor the appropriation bill. They are there under the general law affecting clerks and messengers.

Mr. CANNON. There is no doubt about the provision in the appropriation bill being in order.

The CHAIRMAN. The Chair desires to call the attention of the gentleman from Illinois to section 169, of Title IV, of the Revised Statutes, which reads as follows:

Each head of a Department is authorized to employ in his Department such number of clerks of the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

Does the gentleman hold that that statute applies to the section under consideration?

Mr. CANNON. It seems to me that it applies to the section under consideration, because this is for the military establishment. But even without reference to the statute, anywhere in the public service, in my judgment, where the necessities of the service require clerical assistance, it is a matter that abounds merely in appropriations from time to time.

Mr. COX. Mr. Chairman, I want to call attention to another point that the gentleman does not seem to have taken into his mind at all. Supposing the section you refer to covers the question, when you put them in the civil service is that new legislation?

Mr. CANNON. The question of civil service cuts no figure in the point of order at all.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard?

Mr. UNDERWOOD. I only want to say that while the law authorizes the employment of a particular man, such as the gentleman read, I can not say that it is not in contravention of this rule; but Rule XXI expressly says that no new legislation shall be put on an appropriation bill. The gentleman, in reporting this bill, in his speech, said this was new legislation. These men are not employed. He admitted in his argument but a few moments ago that the salary is to be increased greater than now paid for similar clerks. If we can not increase the salary of a man whose position is provided for by law, it is just as much in contravention of the rule to increase these men's salaries as it is to increase them, it seems to me.

The CHAIRMAN. The Chair will rule. Title IV, section 158, reads as follows:

The provisions of this title shall apply to the following Executive Departments: First, the Department of State; second, the Department of War.

Section 169 reads as follows:

Each head of a Department is authorized to employ in his Department such number of clerks of these several classes recognized by law, and such mes-

sengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rate of compensation, respectively, as may be appropriated for by Congress from year to year.

Under this statute it seems clear to the Chair that this is simply following what is authorized by law, and in this Department of War, and is not in violation of section 2 of Rule XXI, as contended for by the gentleman from Alabama. The Chair therefore overrules the point of order.

Mr. UNDERWOOD. Then I move to strike out the provision. The question was taken; and the Chairman announced that the yeas seemed to have it.

Mr. UNDERWOOD. Division.

The committee divided; and there were—ayes 31, yeas 64.

So the amendment was rejected.

[Mr. COCHRAN of Missouri addressed the committee. See Appendix.]

The CHAIRMAN. How much time does the gentleman ask?

Mr. COCHRAN of Missouri. Ten minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that he be permitted to speak for ten minutes.

Mr. HULL. I object to any further extension of the time for general debate.

Mr. SIMPSON. I hope the gentleman will not make that objection. The gentleman from Missouri does not frequently address the House.

Mr. HULL. If you are going to extend the time for general debate, you are simply going to get into a sea of discussion without any limit.

Mr. COCHRAN of Missouri. Since objection is made, it should not prevent us from saying that this is not the first time, nor will it be the last during the course of discussion by our friends upon that side, that they are permitted in the closing hours of a debate to make statements challenging this side of the House, with the distinct understanding that nobody on this side would be accorded the opportunity to reply. It is not the first time the point of order and the rules of the House have been invoked to protect the rear of the retreating column.

Mr. LEWIS of Washington. Do I understand the gentleman from Iowa to say that no debate shall proceed over his objection beyond five minutes?

Mr. HULL. Oh, no; there has been a long time devoted to the consideration of this bill. The general debate on the bill ran five hours, and if we commence general debate again, as we have only one week, it will be simply impossible to conclude the bill.

Mr. LEWIS of Washington. I would like to confine myself to the bill. I should like a few minutes.

The Clerk, proceeding with the reading of the bill, read as follows:

#### FOR PAY OF THE GENERAL STAFF.

Adjutant-General's Department: For pay of officers in the Adjutant-General's Department, \$71,500.

Mr. DOCKERY. Mr. Chairman, I move to strike out the last word of the paragraph which has just been read, in order to ask a question of the chairman of the committee. The usual provision is in this language: "For pay of officers in the Adjutant-General's Department as now authorized and prescribed by law."

Mr. HULL. I will say to the gentleman from Missouri that that was left out for the reason that the law is all in the air. If the bill is passed as agreed to by the Senate Committee on Military Affairs, this amount will be too much, and that applies to the staff department right through.

Mr. DOCKERY. And that same explanation applies to the bill all the way through, and the gentleman expects that it will be corrected in the Senate after it is determined what the provisions of the compromise bill may be?

Mr. HULL. Yes; that will be corrected after the bill has been determined upon.

The Clerk, proceeding with the reading of the bill, read as follows:

For additional pay to such officers for length of service, to be paid with their current monthly pay, \$15,300.

Mr. COCHRAN of Missouri. Mr. Chairman, it would be delightful if the chairman of the Committee on Military Affairs should find a little time to determine the details of this bill, which—

Mr. HULL. Mr. Chairman, if the gentleman from Missouri wants ten minutes, I will consent to it, and then I will let the gentleman from Washington in for ten minutes, and then I give notice that I shall invoke the rule for the remainder of the time.

Mr. LEWIS of Washington. I do not want a monopoly of the matter. [Laughter.]

Mr. HULL. Mr. Chairman, I ask unanimous consent that the gentleman from Missouri [Mr. COCHRAN] may have ten minutes, and then that the gentleman from Washington [Mr. LEWIS] may have ten minutes, and that they be not confined to the amendments pending in the bill.

There was no objection.

[Mr. COCHRAN of Missouri addressed the committee. See Appendix.]

[Mr. LEWIS of Washington addressed the committee. See Appendix.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to reports of committees of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to bills of the Senate of the following titles:

S. 1154. An act for the relief of George Hughes, of Portland, Oreg.; and

S. 1776. An act to increase the pension of Mrs. Letitia Semple. The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, disagreed to by the House of Representatives, had agreed to the conference asked by the House, and had appointed Mr. QUAY, Mr. ALLISON, and Mr. PETTIGREW as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 1186. An act for the punishment of seduction in the District of Columbia;

H. R. 11024. An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes;

H. R. 11771. An act to amend section 1 of an act to provide for the entry of lands in Greer County, Okla., to give preference right to settlers, and for other purposes;

H. R. 11733. An act to prevent the sale of intoxicating liquors on Sunday in the District of Columbia;

H. R. 11677. An act to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia;

H. R. 11023. An act to regulate the height of buildings in the District of Columbia;

H. R. 7860. An act to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894;

H. R. 6930. An act for the relief of and to correct record of Jacob Covert;

H. R. 5329. An act granting a pension to Patrick O'Shea;

H. R. 3261. An act to remove the charge of desertion from the military record of George L. Plummer;

H. R. 321. An act for the relief of the Berdan Firearms Manufacturing Company;

H. R. 1800. An act to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster;

H. R. 6248. An act to provide for the disposition of assessment certificates of the District of Columbia, and for other purposes;

H. R. 9281. An act authorizing the construction of three bridges across the Conecuh River, a navigable stream, in Escambia County, Ala.; and

H. R. 11570. An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, in which the concurrence of the House was requested.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the joint resolution (S. R. 189) to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McMILLAN, Mr. PROCTOR, and Mr. FAULKNER as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment the following resolution:

*Resolved by the House of Representatives (the Senate concurring). That during the last six days engrossing and enrolling of bills and joint resolutions by printing, as provided by act of Congress, approved March 2, 1895, may be suspended, and said bills and joint resolutions may be written by hand.*

The message also announced that the Senate had reconsidered the vote by which the bill (H. R. 3589) to extend the powers and duties of the Commission on Fish and Fisheries to include game birds and other wild birds useful to man was passed with amendments, and had again passed the same with an amendment, asked a conference with the House on the bill and amendment, and had appointed Mr. HOAR, Mr. TELLER, and Mr. BACON as the conferees on the part of the Senate.

#### ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 8816. An act for the relief of the heirs of Minnie Friedrich;

H. R. 2668. An act for the relief of William Henry Johnson;

H. R. 1417. An act for the relief of Thomas Mullen;

H. R. 4418. An act to remove the charge of desertion from the naval record of Horace G. Reed;

H. R. 2358. An act granting a pension to Mary E. Taylor;

H. R. 11455. An act granting to the city of Boulder, in the State of Colorado, certain lands for park purposes and for the preservation of the native trees on said lands, and for other purposes;

H. R. 11737. An act granting the right of way to the Pensacola and Northwestern Railroad Company over and through the United States naval and military reservations near Pensacola, in the State of Florida;

H. R. 7346. An act to amend section 4896 of the Revised Statutes; and

H. R. 11867. An act to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. R. 231. Joint resolution providing for the further distribution of the compiled statutes of the District of Columbia;

S. R. 34. Joint resolution authorizing the Commissioners of the District of Columbia to alter, amend, or repeal certain health ordinances;

S. 5076. An act authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes;

S. 3909. An act for the relief of Mrs. Harriet A. Ferguson;

S. 5533. An act to permit volunteer regiments to retain their colors;

S. 5391. An act to provide for an appropriate national celebration of the establishment of the seat of Government in the District of Columbia; and

S. 4159. An act relative to the payment of claims for material and labor furnished for the District of Columbia buildings.

#### ARMY APPROPRIATION BILL.

The committee resumed its session.

Mr. LACEY. Mr. Chairman, I have been listening for weeks hoping to hear some protests from the other side of this House, hoping for some recognition of our soldiers who have been standing in the tropic heat, in the trenches, in the thorns, in the cactus around Manila. On yesterday the gentleman from Kansas [Mr. SIMPSON], one of the leaders on that side of this Chamber, made these remarks:

We fought in Cuba and liberated them. So we did in Manila, side by side with the inhabitants of the Philippine Islands. We fought to drive the Spanish power from those islands, in the interest of humanity, but after all the expenditure of money and the glorious achievements of our Army and Navy, we have turned it into what? We have taken and are taking to-day the place of Spain. We have become the oppressors in the place of Spain.

The gentleman from Ohio [Mr. LENTZ] yesterday referred to Aguinaldo as a "Patrick Henry;" another gentleman called him a "Lafayette;" still another makes him out as a "Bolivar," and many others as a "George Washington." I have been hearing these constant praises from the other side of the Chamber until I begin to think that nothing but a constitutional inhibition would prevent Aguinaldo from having at least the second place on the next ticket, in 1900, upon the opposition side. Possibly if the determination to annex the Philippines should make him an American citizen, this new "Washington" could take the second place, and then the brilliant eulogies we have heard would be very useful. The speeches would need but little change. Gentlemen forget that when Dewey sunk the fleet at Manila, Aguinaldo was a fugitive at Singapore, with \$25,000 reward offered by the Spanish for his head.

Mr. BARTLETT. Will the gentleman allow me to ask him one question?

Mr. LACEY. I have no time, but will yield to my friend.

Mr. BARTLETT. The gentleman will not forget that the United States consul at Singapore sent him back to Manila on the McCulloch.

Mr. LACEY. Certainly. He could not have got back except on one of our ships, and he was landed on the coast of Luzon by an American vessel. As soon as he got there, he did not wait to have the fatted calf killed, but he attempted to take possession of the United States Army. He claimed everything that the Americans had won, and attempted to dictate what the terms of our occupation should be. After the gentleman from Kansas [Mr. SIMPSON] on yesterday made this statement it certainly was not

a pleasing thing to look at the newspapers this morning and see that while he was talking here yesterday one Kansas man was killed by this "Washington" and nine men of the Twentieth Kansas were wounded in battle in front of Manila. A synopsis of the gentleman's speech appeared in the papers this morning in one column and the list of killed and wounded at Manila in another. The gentleman's constituents will not read the speech with much satisfaction in connection with the following names of killed and wounded Kansas soldiers:

Twentieth Kansas—killed: Company F, Private George H. Monroe. Wounded: Company L, First Lieut. William A. Callahan, thigh, slight; Company I, Private John M. Webber, hand, slight; Company C, James E. Riley, scalp, slight; Company F, Corp. Herbert Sands, leg, severe; Company K, Oscar Mallicoat, head, serious; Company L, Private William Wolf, thigh, severe; Musician Tolandoo Blansch, thigh, severe.

The gallant Twentieth Kansas will hardly relish this language from their Representative in Congress. No party necessity will justify him in thus assailing the soldiers from his own State who are now defending themselves from the murderous attacks of the insurgents at Manila.

And yet the gentlemen in this House are firing in the rear of Otis, sounding the praises of Aguinaldo and of Agoncillo. Agoncillo, you remember, hung around this Capitol for weeks. He sent his card to every Representative and Senator, inviting them to call upon him, and was here waiting in vain for recognition as a representative of an independent republic. Finally, one night he disappeared. It was reported by his secretary that he had gone to Baltimore. The papers said he had gone there, and would be back the next day. He turned up in Montreal, and on his arrival in Canada the battle began around Manila. He lighted the fuse by cable and fled. The attack was made on our troops, and they were shot down in cold blood by men under command of this modern "George Washington."

Gentlemen, cease this comparison, and do not further libel the Father of his Country. You have had too much party pride to refer to him as "a Thomas Jefferson." I commend you for that. I have heard no intimation of that kind, for Jefferson's name has been too sacred; but the Father of his Country has been constantly held up as the exemplar to whom this Malay cutthroat has been compared. If Washington had made a night attack on the camp of D'Estaing and Lafayette, if he had shot down Lafayette's troops in their tents around Yorktown, then it would have been proper to compare Washington to Aguinaldo, but not until then. [Applause on the Republican side.] If Washington had sold himself to Lord Howe, there might have been some excuse for the comparison. If Washington's troops had marched into Philadelphia from Valley Forge and had attempted to burn the city, he then might have been compared to Aguinaldo. I compliment my friend from the State of Washington [Mr. LEWIS] on his protest against the iniquity of this comparison and the false position in which his party confers have been placing themselves on the other side of the Chamber.

Mr. LEWIS of Washington. I can not accept the approval of my friend. [Laughter.]

Mr. LACEY. Is it not true that gentlemen on the other side have been espousing the cause of Aguinaldo? Is it not true that they have held up our soldiers as oppressors? Is it not true that they have taken the side of the enemy of the United States in this controversy? If it is not, there has been a great deal of talk misunderstood from that side. The gentleman who has just taken his seat, the gentleman from Missouri [Mr. COCHRAN], has taken substantially the same position. You can not escape by saying you borrowed your position from the gentleman from Indiana [Mr. JOHNSON]. The applause of his remarks in attacking the President of the United States came from that side of the Chamber, and my friend from Washington, who is usually saluted with abundance of manifestations of approval, had to protest a moment ago against the applause, which was limited to the Republican side of this Hall, when he criticised his party friends for the position they had taken.

It is time for us to stand together. It is time, gentlemen, that you should understand that you can obtain no cheap party advantage by an assault on our troops 10,000 miles across the water nor upon their Commander in Chief at the White House.

Mr. COCHRAN of Missouri. I would like to inquire if the gentleman means, when he says we should stand together, that we should be in favor of the forcible acquisition of the Philippine Islands?

Mr. LACEY. The gentleman knows our position very well. We captured Manila. Aguinaldo wanted to sack the city the next day. He wanted to go in and loot the stores, take possession of the German, English, and American goods there, and the line was drawn up to keep him out, and he was kept out by our troops. What time has there been since then when we could withdraw our forces without the certainty of a universal massacre?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. LACEY. I ask unanimous consent for five minutes more.

Mr. GREENE of Nebraska. If the time will be extended on our side five minutes, I do not object; otherwise I will.

Mr. LACEY. You have had twenty minutes on that side now, and we have only had five.

Mr. GREENE of Nebraska. Well, I will not object.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. LACEY. Now I want to call attention of the gentlemen on the other side before they set apart Aguinaldo's birthday as a national holiday [laughter] to a dispatch from General Otis which was published on Washington's birthday.

Mr. COCHRAN of Missouri rose.

Mr. LACEY. Wait a moment; I will yield to the gentleman later. It was published in the papers all over the country, in which it was proposed by Aguinaldo that there should be an attack on the Americans and a universal massacre in the city of Manila. It seems to me in the presence of that dispatch the gentleman from Missouri should have sat in his seat in silence.

The gentleman from Ohio [Mr. LENTZ] might have withheld his statement of Aguinaldo being a second Patrick Henry, and the gentlemen, also, who designated him as a Bolivar or a Washington might have honored themselves by discreet silence.

Mr. BARTLETT. Who on this side called him a "George Washington?"

Mr. COCHRAN of Missouri. I want to ask the gentleman a question now. He said he would yield. Do you wish us to join with you in favor of the forcible annexation of the Philippine Islands? [Applause on the Democratic side.]

Mr. LACEY. No such question is presented; no such question is involved in this controversy.

Mr. COCHRAN of Missouri. Answer the question.

Mr. LACEY. The proposition with which we were confronted was the destruction of the city of Manila which came into our possession during the war with Spain; and the insurgents there have since managed to pass around our lines and set fire to the city, burning about a third of it, while it was protected by our troops. The question was and is the protection of human life and property in that locality while it is under our control.

Mr. COCHRAN of Missouri. Answer the question. Do you decline to answer it?

Mr. LACEY. It is not the question involved here at all. No such issue is presented. We were not in a position involving such an issue. I shall discuss the actual situation and not the imaginary one so much talked about by gentlemen on the other side. We were in control of the islands as a result of the war. We had driven from them the last vestige of the sovereign authority of Spain and agreed to send the Spanish soldiers to the Old World, where they should remain. The capital city, its property, the lives and liberties of the people of that region came under our military control, and our responsibility for the safety and peace of the people alone was involved. We had overturned the old government. Under the laws of nations we incurred liabilities and responsibilities which we could not shun.

There has not been a day when if the American troops had been withdrawn from Manila that there would not have been a massacre of the inhabitants and destruction by fire and sword of the whole city. And I trust that because gentlemen apotheosize Aguinaldo they will not go to the extent of trying to put us in a position that we do not assume, and never have assumed, in connection with the islands. This is a matter that will be taken care of promptly and properly by the party which has control of the Senate and House in the next Congress.

There are some facts that we can not ignore. We must act in the light of known facts. The attack on our troops, following immediately on the flight of Agoncillo to Montreal, gave positive strength, if not complete proof, of the statement that the Filipinos at the time the attack was made on our troops were operating under directions from their agent here in Washington, and encouraged by the statements in Congress that the gentleman from the State of Washington has so wisely and ably deplored this morning.

Possibly some of these declarations have been misconstrued and may be attributed to exuberant rhetoric rather than lack of patriotism. But whether that be true or not, the question is, Are we to stand by our troops or begin a fire in their rear?

I do not discuss the advisability of the permanent annexation of the Philippines or of a continued protectorate over them. The fortune of war drove the Spaniards to the wall and left us responsible for the situation of those islands, at least for a time. The war was not of the President's making. He was constantly assailed before it began because of his pacific intentions by the same men who now criticise him because he does not abandon the responsibilities that were left on our hands when that war was concluded.

All lawful authority had been overthrown by our Army and Navy, and the Spanish army were prisoners of war. The insurgent forces under Aguinaldo demanded the right to pillage the

capital and demonstrated such a ferocious desire to destroy that it imposed upon us the duty, for a time at least, to protect life and property in these islands. The President undertook without hesitation the difficult and dangerous duty thus thrust upon us. This is the sum total of his offending.

Whether the occupation of these islands should be permanent or not was left an open question, to be determined by Congress in the full light of subsequent events, investigation, and developments. Whether we should permanently occupy them or not, we ought to stand by our soldiers and sailors in the discharge of their great and dangerous duties there.

Several hundred of our men have been killed and wounded. I have listened in vain in this debate for a word of commendation to our American soldiers from the other side of the House.

My neighbor boys of the Fifty-first Iowa are now exposed to the hostile fire of these misguided Filipinos.

It has become unbearable to listen to the praises of the men who have been attempting to kill the very soldiers who have driven the Spanish oppressors from the islands.

General Otis is on the ground, and I prefer to take his account of the conduct of these so-called patriots rather than the florid rhetoric of Agoncillo at Montreal, whose version is accepted without question by so many gentlemen in this House.

I will read a dispatch from General Otis, and in the light of this information I ask those gentlemen who so greatly admire the Philippine leader to say what there is in his conduct to call for their adulation?

[Washington Post, February 22, 1899.]

PLOT FOR A MASSACRE—FILIPINO PLAN TO EXTERMINATE AMERICANS AT MANILA—UPRISING INTENDED IN THE CITY—BLOODTHIRSTY CIRCULAR ISSUED FROM THE INSURGENT HEADQUARTERS AT MALOLOS CALLING UPON THE NATIVES IN MANILA TO REVOLT ON FEBRUARY 15 AND ARRANGING THE DETAILS.

The following dispatch was received yesterday afternoon from General Otis:

MANILA, February 21, 1899.

ADJUTANT-GENERAL, Washington, D. C.:

Following issued by an important \_\_\_\_\_ officer of insurgent government at Malolos, February 15, 1899, for execution during that evening and night in this city.

OTIS.

"First. You will so dispose that at 8 o'clock at night the individuals of the territorial militia at your order will be found united in all of the streets of San Pedro, armed with their bolos and revolvers, or guns and ammunition, if convenient.

"Second. Philippine families only will be respected; they should not be molested; but all other individuals, of whatever race they may be, will be exterminated without compassion after the extermination of the army of occupation.

"Third. The defenders of the Philippines in your command will attack the guard at Bilbid and liberate the prisoners and 'presidarios,' and having accomplished this they will be armed, saying to them: 'Brothers, we must avenge ourselves on the Americans and exterminate them that we may take our revenge for the infamy and treachery which they have committed upon us; have no compassion upon them; attack with vigor. All Filipinos en masse will second you. Long live Filipinos' independence.'

"Fourth. The order which will be followed in the attack will be as follows: The sharpshooters of Tondo and Santa Ana will begin the attack from without, and these shots will be the signal for the militia of Tondo, Binondo, Quiapo, and Sampaloc to go out into the street and do their duty; those of Pako, Ermita, and Malate, Santa Cruz, and San Miguel will not start out until 12 o'clock, unless they see that their companions need assistance.

"5. The militia of Tondo will start out at 3 o'clock in the morning. If all do their duty our revenge will be complete. Brothers, Europe contemplates us; we know how to die as men, shedding our blood in defense of the liberty of our country; death to the tyrants.

"War without quarter to the false Americans, who have deceived us.

"Either independence or death."

The portion of General Otis's dispatch indicated by dashes, the officials were unable to decipher.

Almost every member from every part of the country voted to instruct the President to embark upon the war. He went into it reluctantly. It was his desire to avoid it if possible. The war began, Manila came into our hands, and the insurgents desired an opportunity of sacking the city and destroying the inhabitants. Our troops resisted them and refused them admission, assigned them limits to which they could come or may come, and it would be the height of dishonor for us to withdraw now, leaving these people at the mercy of the insurgents. It would cover us with dishonor in the face of the civilized world. [Applause.]

Mr. GROSVENOR. Mr. Chairman, a great many years ago our country was engaged in war with the Government of Mexico. It was a war about which, or about the propriety of which, there was a great deal of dispute in our own country.

There lived in the State of Ohio at that time the most popular man who had ever lived in that State, the idol of his own party, and wonderfully popular even with his opponents. On one occasion, in the Senate of the United States, he used this language:

Were I a Mexican, as I am an American, I would welcome your soldiers with bloody hands to hospitable graves.

For that utterance he died a broken-hearted man, absolutely repudiated by the men of his own party, and went down to his grave with regret upon his lips that he had ever made that utterance.

The American soldiers were dying along the Rio Grande—

Mr. COCHRAN of Missouri. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. No; I must decline to yield. The gentleman absolutely refused, although he had ten minutes, to allow me a single question. Now he interposes in the brief space of five minutes allotted to me. Treat me with ordinary fairness is all that I ask. The flag of the country had been raised upon the soil of Mexico and our soldiers were contending in an inhospitable climate against the enemy on the battlefield.

To-day the men of Tennessee, the men from Union City, are dying on the battlefields of the Philippine Islands. Who shall stop now to discuss questions of law and to hesitate whether these men shall be protected and defended or not? I have not risen to answer the argument of the gentleman from Kentucky [Mr. SETTLE] made yesterday, nor yet the eloquent gentleman from Missouri [Mr. COCHRAN] to-day; but at the proper time I will put into this RECORD and I will read the authorities. First, there was the declaration of the President of the United States, hurled over the ocean to Manila within a short time after the full news of the capture of Manila had come, absolutely forbidding any and all alliance of every character with anybody on those islands. [Applause on the Republican side.]

And now comes a great lawyer who says that down in Hong-kong or Singapore, or in some other British possession, some consul-general entered into some conspiracy, a treaty of alliance, defensive and offensive, with a scalawag who had fled from his own country to get rid of turning over \$400,000 that he had gotten as a bribe, and the gentleman solemnly says that that consul had the power to commit this Government to an alliance with what, with whom? Aguinaldo? Who was Aguinaldo then? He had not an office in the world. He represented nobody but himself. He had no way to get back to the Philippine Islands. He was simply a vagabond running away; that was all. And Mr. Williams or Mr. Wildman or Mr. Somebody entered into some sort of an arrangement with him by which he was to go back on a neutral vessel.

Mr. FLEMING. And Dewey indorsed him.

Mr. GROSVENOR. Dewey never indorsed him in such connection.

Mr. FLEMING. Yes, he did.

Mr. GROSVENOR. And when the proper time comes, I will show you that General Merritt utterly refused to have him come into his presence when he got there.

Mr. FLEMING. General Greene's testimony read yesterday—

Mr. GROSVENOR. I care nothing about General Greene's testimony. Greene was not there. Greene came later. The order absolutely forbidding every alliance had reached Dewey long before that time.

Mr. FITZGERALD. Was not that after the capture of Manila?

Mr. GROSVENOR. Certainly; there could not have been much alliance until after the capture of Manila. I stated that that was the first order that went from here following the capture of Manila.

[Here the hammer fell.]

Mr. GROSVENOR. Under the authority given to me to extend my remarks I more fully refer to the case of Mr. Corwin. When he made the unfortunate speech to which I have referred he was a Senator from Ohio, having been elected for a term of six years.

He had been elected a Senator to the Twenty-ninth Congress. He had been beaten by Shannon for governor of Ohio and then had beaten Shannon and then again Shannon beat him, but the Whigs had a majority in 1845 and elected him a Senator. Before the close of his term it became entirely manifest that he could not be reelected, and he took a position in the Cabinet of Mr. Fillmore, who was the reactionary successor of Taylor, of the Mexican war.

His speech to which I have referred made impossible his reelection, notwithstanding all his magnificent popularity. Eight years afterwards the affection for him which had been so strong in Ohio had narrowed down to a single Congressional district, and he was twice elected to the House of Representatives after retiring with the most brilliant prospect that any Ohio man ever had for a long term in the Senate. His subsequent public service was a brief period in a diplomatic relation with Mexico.

Mr. CANNON. Mr. Chairman, I think in two minutes I can say all that I desire to say touching this matter.

First, I want to say that if the speech of the gentleman from Kansas [Mr. SIMPSON], and of some other gentlemen on the other side made yesterday, had been made yesterday by them in Manila, they would have been arrested, tried by a drumhead court-martial, and shot. [Applause on the Republican side.] Second, I want to answer a question in a sentence for myself for once and all.

The United States has and exercises sovereignty over the Philippines, and will continue to do so [applause and cries of "Good!" on the Republican side], and if they are obstructed in exercising

that sovereignty, the power of the whole people, represented by the Army and the Navy, will see to it that it is exercised, and rocks and the mountains will fall on the individual and the party that obstructs. [Prolonged applause on the Republican side.]

Mr. SIMPSON, Mr. COCHRAN of Missouri, Mr. CARMACK, and Mr. GREENE of Nebraska rose.

The CHAIRMAN. The gentleman from Nebraska. Mr. GREENE of Nebraska. Mr. Chairman, I trust the storm has blown over. I think the danger, at least, has all passed, as the thundering has subsided. Now, what is all this talk about?

Mr. MORRIS. Political buncombe.

Mr. GREENE of Nebraska. Yes; it is all political buncombe of the simplest and purest kind.

Mr. SIMPSON. It may be simple, but it is not pure.

Mr. GREENE of Nebraska. There is not a gentleman on this floor who has the slightest idea that there is any other gentleman on either side of this Chamber who with his heart and soul is not in sympathy with every brave son of America on either Cuban or Philippine soil. There is not a man in this Chamber who believes that there is a gentleman on this side of the Chamber who would refuse to do anything and all things for the uplifting and glorification of our American soldiers wherever they are.

I warn you Republicans you are not fooling the great mass of our people by this childish twaddle. You may deceive yourselves and the unthinking part of our people, but do not presume too much on the ignorance of the American farmer. He sees through your shams and pretenses. He knows that you are at your old tricks, trying to hide your nakedness and political shame behind the blue coats of our soldiers and within the folds of the American flag. Sir, in all the ages past the greatest political crimes of history have been committed in the name of patriotism. You Republicans, conscious of the weakness of your position and of the great wrongs being committed by your party, are now seeking to distract public attention from your evil deeds by pulling around you the flag, and shouting "Patriotism!" and wrongfully attempting to deceive our people into a belief that whatever or whoever calls attention to your wicked policy is disloyal and an enemy to our soldiers.

Now, whenever gentlemen get up on that side of the House and say that gentlemen on this side are against the American soldier, or opposing him, or in any way, either by word or act, detracting from his honor or valor, I say you ought to be ashamed of yourselves, for not one of you believe it.

Mr. STRODE of Nebraska. May I ask my colleague a question?

Mr. GREENE of Nebraska. I decline to be interrupted. There is not one of you, I repeat, who believes it, or even dreams it. You just simply send that out as a little cheap political thunder to catch the small suckers throughout your respective districts. [Loud applause on the Democratic side.]

Mr. STRODE of Nebraska. Will my colleague allow me to ask him a question?

Several MEMBERS. Talk to the Democrats, not to us.

Mr. GREENE of Nebraska. I talk to you, because I do not come to call the righteous but sinners to repentance—

Mr. HULL and several other members on the Republican side. Turn to the other side!

Mr. GREENE of Nebraska. No; I am talking to the crowd who need it most. Why ought we not, as members of Congress, to be honest—honest to ourselves and honest to the country; deal honestly with our constituents? Why try to deceive them and lead them away from the truth?

Mr. SIMPSON. You are asking impossibilities of the Republican party.

Mr. GREENE of Nebraska. Everybody knows that the American soldier must do what his officer commands him to do. Everybody knows that the officers in the Army are subject to the orders of the President of the United States, as Commander in Chief of the Army, and nobody has found fault with the soldiers. It is the policy that has made possible the great trouble in which we are engaged now that we are criticising. It is not the soldiers. God bless the soldiers! They are doing their duty as brave, noble men, in obedience to the commands of their superiors. [Loud applause.] And I say that nobody on this side of the Chamber, or in this country, has anything to say against the men who are wearing the uniform of our country. It is the policy, I repeat, which has made necessary their suffering and death in the Philippines that we criticise.

Mr. PERKINS. What policy would you have pursued?

Mr. GREENE of Nebraska. I will tell you what policy I would have pursued. If I had the duty imposed on me as Mr. McKinley did, I would have had a policy and announced that policy to the world before the great bloodshed in which we are now engaged had begun.

Mr. GIBSON. What would that have been?

Mr. GREENE of Nebraska. I would not have waited until others who are interested told me what that policy ought to be. I would not have waited for instructions from Wall street before formulating a policy.

Several MEMBERS. What policy would you have pursued?

Mr. GREENE of Nebraska. I would have held up the American flag as the ensign of liberty and human freedom; I would have announced long ago to the people of those islands that it was not the intention of this country to hold them perpetually; I would have told them, as we have told Cuba, that we come to make you free, not to enslave; that the mission of our flag is freedom, not oppression. And, sir, had this policy been announced to the people there not one drop of blood would have been shed in the islands, our dear dead boys would to-day be among the living, our wounded and dying would be in health, and ere long all would be in the embraces of loved ones at home. Sir, it is that accursed policy of colonization—the offspring of monarchy, the enemy of liberty—that has filled our land with sadness. Let us then abandon it [loud applause] and again teach, as our fathers did, that all men shall be free under the stars and stripes. [Great applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL. Mr. Chairman—

Mr. SIMPSON. I rise to a question of personal privilege.

Mr. HULL. I move that the committee do now rise.

The CHAIRMAN. The Chair desires to state that the gentleman from Kansas has stated to the Chair that he rose to a question of personal privilege. Is it a matter that has occurred in committee?

Mr. SIMPSON. It has occurred in debate.

The CHAIRMAN. The gentleman will state his question.

Mr. SIMPSON. The gentleman from Illinois [Mr. CANNON] a few moments ago, in his address to the committee, said if I had been in Manila and uttered the words there that I uttered on this floor on yesterday, that I would have been court-martialed and shot. [Laughter.] Mr. Chairman, that may be true and it may not be true. I do not know, in choosing between two difficulties of this kind, whether I would rather be court-martialed and shot in Manila or be shot with an old muzzle-loading brass Cannon like that I was shot with a few moments ago. [Great laughter.]

Mr. HULL. I rise to a question of order.

Mr. SIMPSON. Mr. Chairman, I said on yesterday in part:

We fought in Cuba and liberated them. So we did in Manila, side by side with the inhabitants of the Philippine Islands. We fought to drive the Spanish power from those islands, in the interest of humanity, but after all the expenditure of money and the glorious achievements of our Army and Navy, we have turned it into what? We have taken and are taking to-day the place of Spain. We have become the oppressors in the place of Spain. We are taking up the same policy that we compelled her to let go, and we are to-day witnessing the spectacle of the volunteers who enlisted to fight in the interest of humanity being used to fight against those people who fought side by side with us to attain that glorious privilege of which we have boasted for more than a hundred years—the right to govern ourselves.

Mr. Chairman, I am glad that we have a free country yet and a Congress in which a man can express his views upon the policy of a State without being shot and without being court-martialed. I say to-day that the soldiers who have fallen recently and those who have fallen from the State of Kansas, in defense of the policy of the Administration, for the subjugation of these people—that the blood of those brave soldiers deserves to rest, and will rest, upon the President of the United States, the Commander in Chief of the Army. [Loud applause on the Democratic side.]

The CHAIRMAN. The gentleman will take his seat. The Chair desires to state the gentleman is not now discussing a question of personal privilege. He is discussing the Administration, and not a speech for which the gentleman was recognized.

Mr. HULL. I move that the committee rise.

Mr. SIMPSON. I will not longer take up the time of the committee. I know that the chairman of the committee is anxious to get on with the bill. I simply want to protect myself against the charge of the gentleman from Illinois [Mr. CANNON] and the gentleman from Iowa [Mr. LACEY], who put me in a bad light before the people, that I was opposed to the soldiers, and so guilty of treason. I am not. I glory in the manhood, patriotism, and the soldierly bearing of our soldiers. They who are in the Army have but to obey the orders of their superiors and do their duty like men. [Applause.]

Theirs not to reason why,  
Theirs to do and die—

at the command of their superiors.

Mr. HULL. Mr. Chairman, I move that the committee do now rise.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. CARMACK. A point of order, Mr. Chairman.

Mr. HAY. Division, Mr. Chairman.

Mr. HULL. I will say, Mr. Chairman, I made the motion at the request of the gentleman from Mississippi [Mr. ALLEN], who has charge of the eulogies that are to take place this afternoon.

Mr. HAY. I do not care at whose request the gentleman made it.

The CHAIRMAN. What is the point of order of the gentleman from Tennessee?

Mr. CARMACK. I have been recognized by the Chair—  
The CHAIRMAN. The Chair will state to the gentleman from Tennessee that a motion that the committee rise is always in order.

Mr. CARMACK. Is it in order when I have the floor, having been recognized by the Chair?

The CHAIRMAN. The Chair thinks the gentleman from Tennessee did not have the floor in the sense which he states it to the Chair. That was not the understanding of the Chair; and in addition to that, there is a special order this afternoon, and this motion is made in obedience to that order. The Chair thinks that that will have precedence.

The question is on a division.

Mr. CARMACK. Mr. Chairman, I will withdraw the demand for a division.

The motion of Mr. HULL was then agreed to; and the committee determined to rise. Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House bill 12106, making appropriations for the Army for the next fiscal year, and had come to no resolution thereon.

#### REPORT OF JOINT COMMITTEE ON DISPOSITION OF WASTE PAPER.

Mr. BREWER. Mr. Speaker, I want to present a report from the joint select committee of the Senate and House of Representatives appointed on the 21st of April, 1898, on the disposition of waste paper in the Departments.

The report was read at length.

The SPEAKER. Does the gentleman from Alabama present anything for action on the part of the House?

Mr. BREWER. I ask to have the report of the committee adopted.

The SPEAKER. The Chair will suggest that there is no resolution connected with it for the action of the House.

Mr. BREWER. Then, Mr. Speaker, I will withdraw it until the resolution is prepared.

#### BICYCLE MESSENGERS FOR ENROLLING ROOM.

The SPEAKER laid before the House the following resolution; which the Clerk read:

*Resolved*, That the Clerk of the House of Representatives be authorized and empowered to employ for the remainder of the session two bicycle messengers for day and night service between the enrolling room of the Clerk's office and the Government Printing Office, to be paid each out of the contingent fund of the House of Representatives, at \$5 per day.

Mr. BARTLETT. Mr. Speaker, does that come from the Committee on Accounts?

The SPEAKER. From the chairman of the Committee on Enrolled Bills.

The resolution was agreed to.

#### EULOGIES ON THE LATE SENATOR WALTHALL AND THE LATE REPRESENTATIVE LOVE.

Mr. ALLEN. Mr. Speaker, I present the following resolution under the special order of the House.

The SPEAKER. The Clerk will report the resolution to the House.

The Clerk read as follows:

Whereas the House of Representatives has heard with profound sorrow of the death of the Hon. E. C. WALTHALL, late a Senator of the United States from the State of Mississippi, and also of the death of Hon. W. F. LOVE, late a member of this House from the State of Mississippi: Therefore, be it

*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of the late Senator E. C. WALTHALL and of the late Representative W. F. LOVE, and as a particular mark of respect to the memory of the late Senator WALTHALL and the late Representative LOVE, and in recognition of their eminent abilities and distinguished public services, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

That a copy of these resolutions be transmitted to the family of the late Senator WALTHALL and the family of the late Representative LOVE; and

That the Clerk be ordered to communicate these resolutions to the Senate.

The resolutions were unanimously agreed to.

Mr. ALLEN. Mr. Speaker, I desire to submit some remarks now on the life and character and distinguished public services of the late Senator WALTHALL. It may appear that this mark of respect to his memory is somewhat belated. It has been postponed to this time in order to accommodate some of our colleagues who were anxious to be present and participate in these ceremonies and have been unable to be present at an earlier day. No man who has participated in the legislative councils of this nation and has passed away has, in my judgment, a better claim to any respect that could be shown him by his legislative colleagues than the late Senator WALTHALL.

It has been said, Mr. Speaker, that misfortunes never come singly. Bereavements come very much like misfortunes. I served as a member of this House for six terms without ever having been called upon to perform the sad duty of burying or paying tribute to the memory of one of my colleagues from Mississippi. In this my seventh term we have been called upon to bury two great

United States Senators and one member of this House from our State.

EDWARD CAREY WALTHALL was born in Richmond, Va., on the 4th day of April, 1831. At about the age of 10 years he removed with his father's family to the beautiful little city of Holly Springs, Marshall County, Miss., and there grew up to manhood. He received an academic education at St. Thomas Hall, an Episcopal institution of learning located in Holly Springs. Connected with this school was the polemic society known as the St. Thomas Hall Debaters, of which he was a conspicuous member, and it was there he laid the foundation of his beautiful and well-rounded life.

Among his schoolmates and associates there were many young men who afterwards became distinguished leaders in the law, legislative, judicial, and military service of the Commonwealth. Among them Gen. C. H. Mott, who fell leading his command at the battle of Williamsburg, Va., one of the very best, bravest, and most promising officers of the Confederate army; Gen. James R. Chalmers, a brigadier-general in the Confederate army, and for many years a distinguished member of this House; Judge H. H. Chalmers, an eminent jurist who was for a long time and at the time of his death chief justice, of the supreme court of the State of Mississippi; Col. James L. Autry, Maj. W. M. Strickland, Col. Nat. Taylor, and many others who rendered distinguished services in the Confederate army and stood high as professional men and citizens after the close of the war.

With such friends and companions he grew up to manhood, and to the day of his death had a warm place in his heart for and often spoke of these friends of his boyhood. He was a very popular young man, not only among his immediate associates, but was much loved and respected by the entire community in which he lived. After completing his literary studies at St. Thomas Hall he studied law in the office of his brother-in-law, Mr. George R. Freeman, at Pontotoc, Miss. At the age of 21 he was licensed and commenced the practice of his profession at Coffeeville, Miss.

He was elected district attorney of the Tenth judicial district of Mississippi in 1856 and reelected in 1859. At the beginning of hostilities in the war between the States he resigned the office of district attorney, enlisted in the Confederate army, was elected lieutenant of his company, which became a part of the Fifteenth Mississippi Regiment, which was one of the best regiments contributed by Mississippi to the Confederate army, was soon afterwards elected lieutenant-colonel of the regiment, in the spring of 1862 was elected colonel of the Twenty-ninth Mississippi Regiment, and in the same year promoted to brigadier-general, and in June, 1864, was again promoted to major-general.

After the close of the war he returned to Coffeeville and resumed the practice of his chosen profession. In 1871 he moved to Grenada, Miss., which place was his home to the time of his death, and where he continued to practice law until 1885, when he was appointed to the United States Senate by Gov. Robert Lowry, to fill the vacancy caused by the resignation of his life-long and closest friend, Hon. L. Q. C. Lamar, who had resigned to accept the position of Secretary of the Interior under President Cleveland.

In January, 1886, he was elected by the legislature to fill out the remainder of the unexpired term; was reelected in January, 1888, to a full term expiring on the 4th of March, 1895. In January, 1892, was reelected to a term that would have expired on the 4th of March, 1901. On account of ill health, in January, 1894, he resigned the unexpired portion of the term ending March 4, 1895.

He expected at that time to resign the full succeeding term when he could do so, but his health improved, and at the earnest solicitation of his friends and constituents reconsidered his determination to resign, and came back to the Senate and served until the 21st day of April, 1898, on which day he died at his hotel in this city. He was a delegate at large from Mississippi to every national Democratic convention held after the close of the war, and was at each convention either the chairman of the delegation from his State or a vice-president of the convention.

This, Mr. Speaker, is an epitomized statement of the youth and public services of Senator WALTHALL, and yet one might read this sketch and know very little of the real distinguishing, admirable traits and superior qualities of this great man as they were known to those of us who had the good fortune to know him well and enjoy his friendship.

I think I can truly say that from the time he was first elected district attorney every position, honor, and distinction he received from the people of his beloved State came to him without his seeking or asking it. I saw him frequently during the war, but was never under his command. I remember well now the impression he made upon me then.

He was one of the handsomest and most graceful soldiers in the army, noted for his soldierly bearing, his cool and intrepid courage, his skill as a commander, his respectful and courteous demeanor to those who served under him, as well as those who commanded him, and devoted to the welfare of his men, and idolized

by them. While he was a splendid disciplinarian, no man who served under him feared he would not get justice at his hands.

He performed promptly and well all the duties devolving on him, and his soldiers knew he expected the same of them, and their love and admiration for him made it seldom necessary to resort to any harshness to secure their obedience to orders. In my judgment, that war that produced so many great soldiers and commanders produced no more magnificent specimen of the ideal volunteer soldier than was found in Gen. E. C. WALTHALL.

He was brave, discreet, judgmatical, and tactful, enjoying the unbounded confidence of those who commanded him and those under his command. I have heard that when Hood's army was beaten by Thomas at Nashville, when General Hood asked General WALTHALL to take command of the infantry of the rear guard of his army and assist General Forrest in protecting his retreat back across the Tennessee River, after pointing out to him the dangerous mission with which he was intrusting him, asked if he was willing to pick his command and perform this service, he is said to have replied:

As a soldier I have never sought a post of danger nor shirked one of duty.

I am not sure that I give the exact words, but they convey the idea, and I know they illustrate the true character of the great soldier to whom they are attributed. He was not courting for himself or his men death or danger, but there was no place demanded by duty where he would not have sacrificed the lives of both.

I was a private soldier in that retreating army, a witness of and sharer in its hardships and privations, but was not under the command of General WALTHALL, but there are others here who will pay tribute to him to-day, among them my colleague, Captain SPIGHT, who served under him through the war, and my friend General SPALDING, who fought on the other side and was in his front all the way from Nashville back to the Tennessee River.

I will leave it for them to tell how well he performed the desperate duty to which General Hood assigned him. Suffice it to say, Hood's retreat was covered, and what was left of that splendid army after the battles of Franklin and Nashville recrossed the Tennessee River, and WALTHALL's command was the last to cross. The fact that he fought his way from the position of lieutenant to that of major-general and never received promotion that he did not merit is a splendid tribute to his soldierly qualities.

Mr. Speaker, I listened to the tributes paid Senator WALTHALL by his colleagues in the Senate. They were all beautiful and impressive, and, I am sure, sincere and heartfelt. I have never seen more evidence of real sorrow exhibited on such an occasion. I was impressed with some things that were said there about this Confederate major-general as a United States Senator. I heard a distinguished Senator, who was a gallant Federal general during the war, and a member of the Military Committee of the Senate, say this of Senator WALTHALL:

He said he had served on the Military Committee with him for twelve years; that on that committee there were many questions affecting the rights of people growing out of service in the Union Army during the war, and that he could say on that committee, after those twelve years of service, that—

In his treatment of all such matters, no stranger, coming as a casual observer, could have discovered on which side of the great war he had ranged himself.

That is a good deal to say of a man by one who was on the other side from him both in politics and in the war, that in his official capacity here, in the treatment of the questions growing out of that struggle, in twelve years' service nobody could ever have detected on which side of that question he fought, so far as his action as a member of that committee was concerned.

I heard another distinguished Republican Senator say of him:

He was the first man to teach me that a Confederate soldier who had won, by his chivalrous daring, his way from the rank of lieutenant to that of major-general, and who had led in a hundred battles under a flag which I hated and against one which I loved, could be as loyal and faithful to a reunited Republic and to its flag as if there had never been a division among us.

That Senator did not know what sort of stuff Confederate soldiers were made of. While Senator WALTHALL was the first to teach it to him, it was a fact well known to all who had observed the course of the Confederates after they laid down their arms. If there are any doubting Thomases still, I point to the record of those Confederates who have participated in the late war. Gen. Joe Wheeler showed them how a man who fought against the flag as a Confederate could not only fight for it, but fight for it as bravely and effectively as any soldier ever fought.

I do not know, Mr. Speaker, that I could better exemplify Senator WALTHALL's estimation of the Confederate soldier, of whom he was of the highest type, than by reading a description he himself gave of his comrades, as he knew them, in a speech made by him at the opening of Chickamauga Park, where he was called

upon to preside over a meeting and introduced by General Fullerton, a Federal general, who, in introducing him, said:

The gentleman who will preside at this meeting to-night needs no introduction. You all know him, you all love him. He is known alike to the soldiers of both armies. I have merely to mention his name—Gen. E. C. WALTHALL, of Mississippi.

I now read you a portion of the address delivered by General WALTHALL on that occasion:

**LADIES AND FELLOW-SOLDIERS:** To be chosen to preside over an assembly like this is a proud distinction, for which I am profoundly grateful to those by whom it was bestowed. My selection for such a duty involves the flattering implication that I am deemed worthy to represent the soldier of the South and all he stands for in history, and it is for this I prize the honor most. If, indeed, I be his fit and proper type, then, for the moment, the privilege is mine to symbolize courage, constancy, and devotion in war, self-respecting dignity in defeat, and in peace the same fidelity to this Government the Southern soldier bore to that for whose permanent establishment he fought four years in vain.

The story of the fiery struggle tells what he did and how he suffered for his duty, as he saw it, while the strife was raging; and the sequel shows that when the conflict ceased the name and fame he won in battle were never tarnished by any breach of a paroled soldier's pledge of peace.

For the teachings of the sages of his section, which had the sanction of his own approval, he faced his Northern brother on a hundred fields of blood. He raised his hand against him because he had been taught it was his duty to battle for the rights and institutions of his State. A sentiment he had inherited, ingrained in his nature, sustained him through the fierce, long struggle in which he was destined to be beaten.

After the lapse of thirty years since his banners went down, for him and in his name, it is my pride and pleasure to greet his former foe, whom he joins in doing honor to our reunited country's flag. At this the first formal meeting between you and him, had under the auspices of your Government and his, he salutes you as the victors, and best bears witness to your prowess by pointing to the record of his own. There could be no occasion so appropriate for him without humility or assumption, hypocrisy, or pretension, but in a spirit of fraternity and equality, in token of his sincerity, to reach out his open hand to you.

In him there is no trace remaining of the bitterness and failure of defeat; and if there were, the proofs, in which this national park abounds, that his name and deeds have been fairly dealt with would be enough to dispel it all forever. He will vie with you in supporting and defending the Government which, in perpetuating the achievements of American arms, has done justice with an even hand to the armies of the North and South alike.

After the dawn of peace he wrestled with a harder fate than yours. Desolation, destruction, and waste of war, the rule of the bayonet, radical changes in the laws of citizenship, chiefly affecting the Southern States, and the great problem of the races, on whose solution so much for him depended, were some of the stern realities which confronted him at home to try his pride and manhood and to test his spirit of independence and his powers of self-restraint. To such burdens as were his to bear you happily were strangers, and in congratulating you on this exemption he would have you know he bore them as became a foe who had stood four years before your guns.

Upon the bounty of the Government he had forfeited his claims, and against the consequences of his own action he uttered no complaint. There were no pensions for his disabled comrades or the dependent families of those who freely gave their lives for the cause they had espoused. The Government could provide no soldiers' home for such as he—no beautiful national cemetery, tastefully arranged and scrupulously cared for, where a grateful nation guards the graves of those who fell in its defense. He begrudges you no benefit which the Government has bestowed on you and yours. You, as its defenders, earned its gratitude and favor, while he who fought against you incurred the penalties of failure, which he becomingly accepted.

Promptly he betook himself, without repining, to the earnest work of rehabilitation and restoration. He has built up the waste places in his section, has been the friend of order, and has upheld the law. In matters religious, social, political, and material he has been a busy factor and a power for good. He has been the champion of progress and improvement, and has won worthily all the highest honors his people had the power to confer. He feels that his record as a citizen in peace is a fit complement to that he made as a soldier in war, and he is content.

True as yourselves to the Union now, he yet dearly loves the sunny land he lives in, tenderly cherishes the memories and traditions of the South, and is proud of her history and the achievements of her noble men and women. His tattered banner and his sword have been laid away forever, but his army record will always be his pride and Lee his ideal of a soldier and a man. Such he is, and such he must ever be, and as such he would meet you and cordially would greet you as his friends and fellow-countrymen, with whom he has a common interest in the greatness and glory of our common country.

Mr. Speaker, this statement, couched in such beautiful language, more truly describes the heroism, patriotism, conduct, and aspirations of the great body of Confederate soldiers after the war than anything I have seen, and I want it to go in the RECORD along with the tributes paid his memory this day. I think of all the positions of honor and trust he ever held, he took most pride in his record as a Confederate soldier.

I first met General WALTHALL personally at the home of the late Justice Lamar, at Oxford, Miss., when I was a law student in the University of Mississippi under the tutelage of Mr. Lamar. I met him there frequently during my school days, and after I began the practice we often met there during the term of the Federal court.

He was a man of great personal magnetism and soon made me one of his warm friends and great admirers. At that time he was at the zenith of his successful career as a lawyer; he was one of the leading lawyers at the bar in our State, where, in my judgment, there then resided some as good lawyers as this country ever produced. I am sure I have never seen anywhere the superiors of some of the lawyers we had in Mississippi at that time.

He was the general attorney of the Mississippi Central Railroad, now a part of the great Illinois Central system, and had as many cases of his own selection as he would take outside of his railroad practice. He was a wonderfully successful practitioner; he was

not only a thoroughly posted and well-equipped lawyer, but in the law, as in everything else, he exhibited that excellent judgment and good common sense, coupled with a thorough knowledge of human nature and the motives that actuate men.

He did what very few lawyers in our State have done. While in the vigor of his manhood he accumulated a very good fortune, as fortunes go in Mississippi. It was a competency for himself and those dependent on him, and for his own purposes, I think, it was all he desired.

He was one of the best poised men in the conduct of his business, as well as about other things, I have ever known. His only business was the law until he came to the Senate. He made his money as a lawyer, and he invested it where there was the least possibility of his losing it or its giving trouble to him or those who were to come after him.

He was a very liberal man, but I never saw him squander a dollar in my life, and I never saw him fail to expend one where it was the proper thing to do. In his purchases he always bought the best, not because he was extravagant, but he wanted the best and thought it was economy to have it.

He gave bountifully of his income. His charities were altogether unostentatious, and no one will ever know the extent of them. I never knew a call made on him for any proper object that did not meet with a generous response. He always seemed to consider that worthy but unfortunate Confederate soldiers had special claims on him, and they never appealed to him for help, financial or otherwise, without meeting a hearty response.

He was not given to talking of his deeds of charity or friendship, but a very intimate acquaintance and association with him for the last twelve years gave me an opportunity to know much on this subject. After the retreat of Hood's army from Nashville he was never a strong man physically, and for many years had been a very delicate man, so much so he had to exercise great care and self-denial to protect his health.

I have never known a man of more perfect control over himself and all his habits. He ate and drank and did what he knew would best agree with him except when the doing of something became a matter of duty, then he was not as careful as he should have been. It is generally believed by those in the best position to know that his death was hastened by his leaving his sick bed to go to the Senate to perform a duty he felt he owed to the memory of his late colleague, Senator George.

He and I came to Washington and began our Congressional lives together. During the twelve years he was here our associations were always intimate and cordial. I enjoyed not only his friendship, but, I believe, as much of his confidence as he ever gave anyone. I know he had mine in an unbounded degree.

The better you knew him, the more you liked to confide in him. I never knew a man who seemed to have more unerring judgment or was a better adviser about all of the concerns of life; his advice was always honest; he had the keenest perception of right and the most delicate sense of honor.

It is easy to understand how much I have missed him since his death. As to how well he fulfilled his mission as a Senator, I refer to the testimony given by his associates in that body and to his high and influential positions on committees of the Senate, the universal respect entertained for him by every member of the Senate, and the admiration and love felt for him by most of that body, and to the further fact that his constituents believed in him to the extent of asking and insisting on having his services rather than his having to ask for their suffrages.

He had none of the tricks of the demagogue or the scheming, pettifogging politician; he hated shams and false pretenses of every kind and especially those by which some men seek to obtain public office.

I do not know that I can better illustrate from the standpoint at which I look at things to-day his wise and conservative statesmanship than by reference to one of the last conversations I ever had with him before the delirium of the disease with which he died dethroned his reason.

We were just about declaring war against Spain; he was violently opposed to the war, and insisted that this Government should look out for the interest of its own citizens and settle such disputes as it might have with Spain by diplomatic negotiations, if possible. I shall never forget how earnest he was in his opposition to the war, and with what forebodings he looked on its inauguration.

Mr. Speaker, my judgment is that if more of our statesmen could have looked with his accurate foresight into the future, we might have been spared not only many valuable lives and much of treasure, but many conditions that threaten us with untold complications and difficulties in the future.

I wish to say a word about his beautiful and happy home life. All who ever visited his home were bound to be impressed not only with his gracious and generous hospitality, but with the happiness of all his surroundings. I have never known a couple more de-

voted and better satisfied with each other than he and his noble wife.

Mrs. Walthall was Miss Mary Leckey Jones, from Mecklenburg County, Va. She was one of the great belles of Virginia before her marriage, and was as attractive and lovable in all the traits that go to make a charming and admirable woman and good wife as she was beautiful in her face and character.

She idolized her husband; would endure any sort of inconvenience and hardship to be near him, and was so much wrapt up in him that when his life went out the light of her life departed and she only survived him a few months. She was as much my friend as her husband, and I will never cease to miss her kind and motherly sympathy. He was a loving and indulgent father, and, though his only daughter was one of adoption, he always resented any insinuation that one must love his or her own offspring better than one who came into their household and lives by adoption.

Mr. Speaker, I think he was the highest type of a gentleman I ever knew; and I doubt if anyone else ever knew a man who better filled the full measure of all that is implied in the term "gentleman." The knightly, chivalrous, high-toned, honorable EDWARD C. WALTHALL is gone from among us. We took his remains to Holly Springs, there to rest in the soil over which his childish footsteps strayed. We buried him in the springtime, when the flowers seemed to be all in bloom; and I do not remember ever to have seen so many and such beautiful floral offerings coming as tokens of love and appreciation from those who loved and honored him.

The people were gathered there from all parts of the State, and all the people from Holly Springs without regard to race or condition turned out to do honor to his memory, but the most pathetic scene of all to me was the column of old gray-haired Confederate veterans, some with empty sleeves, some on crutches, who marched in that procession to the cemetery and stood around his grave with uncovered heads, giving unmistakable evidences of their grief for their old commander and their much loved and honored comrade.

Mr. Speaker, this is my poor tribute to my dead friend. I know I have spoken without the preparation the occasion deserved, but I have spoken from my heart.

Mr. SPALDING. Mr. Speaker, my first knowledge of Senator WALTHALL was in the midst of booming cannon, shrieking shell, and the wicked whiz and whirr of rifle balls. The acquaintance thus begun did not ripen into a real and intimate friendship at that time, but served to win my respect for the ability, skill, and courage of that undaunted general commanding the advance guard of Hood's army, which was forcing a crossing over the Tennessee River at a point not far from Florence, Ala.

That officer in command was General WALTHALL. The troops on the Federal side were the fourth division of cavalry of the Army of the Cumberland, commanded by myself.

General Sherman had swung his army free from his base of supply at Atlanta, Ga., and had started on his memorable march to the sea.

The authorities of Richmond had replaced General Johnston by the appointment of General Hood for the purpose of invading Tennessee, Kentucky, and Ohio, hoping thereby to compel Sherman to change his plans and follow Hood. Sherman, with his army, continued moving southward. Hood took the opposite direction and from Florence, Ala., penetrated as far north as Nashville, Tenn.

Both armies in that Nashville campaign were composed of veterans skillfully officered, and the rank and file of either army were as brave as the "Old Guard" of Napoleon that went down to their death at Waterloo.

The battles and marches between Florence, Ala., and Nashville were many and very severe, in all of which General WALTHALL was a power. He had risen from the rank of lieutenant of a company to that of a major-general, beloved by his men, whom he cared for with the devotion and affection of a father.

The battle of Nashville, fought on the 15th and 16th days of December, 1864, compelled General Hood and his brave and decimated army to retreat over the route which it had advanced upon a few months before.

Illy fed, badly clothed, broken, and disheartened, but with rare courage, the remnant of that army crossed the Tennessee about the same place over which it had passed some few weeks before. Prior to this campaign General WALTHALL was a perfect specimen of physical manhood, tall, graceful, and in perfect health; but the exposure of that campaign on frozen ground covered with snow was enough to wreck the strongest constitution. He never recovered from the effects of that most disastrous winter campaign.

It is said of him that after peace was declared he, with others in Mississippi, devoted their time and ability to binding up the wounds of his suffering people. As an advocate of peace, whose

mission was to soothe and ameliorate the condition of his people, General WALTHALL was ever foremost; much has been accomplished by him to bring about a better understanding between the North and South and reunite in everlasting peace our beloved country.

General WALTHALL's long and faithful service in the Senate of the United States, his rare qualities of mind and heart, made him one of the leading statesmen on the Democratic side. I know of no more fitting tribute to his character than a few lines that were written of General Jackson by a cadet at the Military Institute in 1855:

There was something in his very mode of life so accurate, steady, void of care or strife, that fills my heart with love for him who bears his honors meekly and who wears the laurels of a hero.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I wish to insert in the forefront of my remarks a letter from a Confederate soldier who served under General WALTHALL. It will express better than anything from my lips can the love and devotion of the soldiers who followed him:

L. M. Garrett, Carthage, Miss.

The death of a near and dear relative would not have pained me more than I was pained by the announcement of the death of General WALTHALL. George at once wired me the sad news, and I am free to confess that I was compelled to "play the woman with my eyes." I should like to pay a tribute to the memory of the lamented hero. I should like to wield the pen of a Phillips and portray his character, and tell, as it ought to be told, the story of the shining virtues which clustered around WALTHALL, whose spotless character afforded an appropriate setting for such flawless jewels.

I would, in my clumsy way, sketch him as I saw him at Chickamauga on a Saturday morning, astride his little gray steed, and surveying the captured Yankee cannon from whose black mounds the smoke of battle still issued in unbroken wreaths. I would picture him as he appeared on the retreat from Nashville, when at the head of his ragged and hungry followers he threw himself like a wounded lion between the victorious and exultant Federals and their contemplated prey; when his cannon sternly told the advancing foe that further pursuit of the fleeing army would be hazardous, while the same stern sound conveyed to the shattered Southern legions the glad assurance that WALTHALL covered the retreat, and like Ney at the termination of the Moscow campaign, he would be the last to cross the bridge which led the way to comparative safety. I should be glad to write of him as the peerless Southern gentleman, the true Mississippian, the profound statesman that he was. But alas, my powers are too limited for such a task, and I seek the aid of a mightier pen. And this is the purpose of this letter, for I want you, Maury Garrett, to tell of the life, character, and services of our WALTHALL.

GEO. R. EDWARDS.

Mr. Speaker, I know of but one instance in all history where a numerous and free people have emerged from a gigantic struggle, revolutionary in the enormity of the defeat of its cause and the destruction of the political, social, and industrial institutions which depended upon that cause, and have yet made for themselves no scapegoat, have rendered no leader in person or in reputation, have proudly borne their own blame, if blame there were, conscious that no man or set of men could have led them anywhere if they had not wanted to go.

This instance was furnished by the Southern people of the United States upon and since their emergence from the battle wreck and social wreck of the war ending at Appomattox. Since that day they have, on every fitting occasion and in every proper way, heaped honors upon the heads of those who led them, not to success and prosperity, as they hoped, but to such defeat, disaster, and gloom as would have meant despair to any other people.

Few even of the Southern States can furnish instances of loyalty on the part of the people to their public men equal to that exhibited by the State of Mississippi throughout her history wherever she has found men worthy of trust.

General EDWARD CARY WALTHALL was no exception to the rule. It has not been long since he not only declined to be a candidate for a place in the United States Senate, but literally begged his people to permit him to throw off the burdens of public duty and retire to private life. He was in wretched health, unable to undergo the fatigue and hardships of a campaign, and in his own opinion physically unequal to an adequate attention to the duties of his office.

The people of Mississippi excused him from the campaign, but conscripted him into the Senate.

The people did not know it at the time, but all know now, that his life would have been longer if he had had his will. He knew it then. He died a martyr, as he lived a willing slave, to his sense of duty. The people, who had witnessed his heroism and constancy in war, his love for them in peace, his devotion, not concealed, but veiled by the dignity and courtesy of his character, would not tolerate the spectacle of a hand less skilled at the helm so long as his hand could but touch it.

Every people, Mr. Speaker, in every age has had its ideal of true manliness. The ideal is the expression in popular thought of that which all in their better moments would like to be. One-tenth of mankind may mold themselves in original casts—nine-tenths mold themselves by conscious or unconscious imitation of that which they love and revere as personified in others, either living or dead; this is the excusable sense in which men are and always will be hero-worshippers. He who is not in some highest sense a

hero-worshipper is either a genius, of whom there are few, or a self-worshipper, of whom there are too many.

The ideal of a people is, of course, reached by very few; it is reasonably approximated by many; it is striven for by nearly all, who are made better and nobler by the striving; it is rendered ridiculous in its overassertion or its unseasonable emphasis by some others; sometimes rendered hateful by those false at heart to what they outwardly assume.

The ideal of the Italian is perfect art—the very word which formerly meant manliness in Italy now means art in Italian—the ideal of the French, military glory; of the English, unaffected honesty of deed and speech—its misunderstood consummation sometimes mere bluntness and boorishness. The ideal of the Southerner, before the war absolutely and now predominantly, is that character which we express by the word "gentleman." The injunction of the father to the son was: "Be a gentleman." The prayer of the mother was that her boy might, "first of all, be a gentleman." If she held up in former times George Washington, in the latter times Robert E. Lee, as the first of Americans and a fit pattern for the molding of all Americans, and therefore of her own children, it was primarily because each in his day was "the first gentleman of his day."

The word must be understood, not in the English sense as a man of gentle blood, but in the Southern sense as a man of lionlike manliness in deed, of womanlike gentleness in manner; of charitable consideration for all, and of liberality in all things.

The gentleman combined perfect and unfailing courtesy toward all women and all worthy men with perfect and unfailing courage, whether in private quarrel or in public strife.

He might be rich or he might be poor—Southerners neither cared nor asked. Happier for himself if the former were his condition, but "a gentleman still," as the phrase went, whatever his financial condition, and therefore entitled to the unquestioning respect, confidence, and consideration of all men and to the love and devotion of any good woman. He might be well born, or born of obscure parents. That question, unlike the other, might be asked, but the answer made no difference if only the father were honest and not a coward and the mother were pure.

The ideal gentleman was always honest; spoke the truth; faced his enemy; fought him if necessary, never quarreled with him nor talked about him; rode well; shot well; used chaste and correct English; insulted no man—wore no insult from any; was studiously kind to his inferiors, especially to his slaves; cordially hospitable to his equals; courteous to his superiors, if he acknowledged any; he scorned a demagogue, but loved his people, and held it mean to prefer any class or individual interest, most of all his own, to that of the masses of his countrymen.

He must be ready at any time, when needful, to lay his life down, not only for his own honor's sake, but, more promptly yet, for his country's, his State's, or his community's sake, and that, too, regardless of the dictates of his own private judgment as to the wisdom or unwisdom of the quarrel. It was his duty to try to guide his people in what he considered the right path; but if he failed, it was mean and selfish not to follow them and, if need be, die with them. He was sometimes accused of being an aristocrat; but if so, he belonged to that aristocracy which holds itself servant to the maxim *noblesse oblige*.

In his private relations he was perfect in courtesy to all; he exacted perfect courtesy from all, to himself and to those dependent upon him.

This was the ideal.

It is needless to say that many abused it; some with sincere purpose, but lacking depth of understanding or feeling, indulged in a superficial mannerism of "gentlemanliness," which constituted a sort of social Quixotism, making themselves ridiculous, but not infrequently at the same time lovable in their Quixotism to all good men. Some, social hypocrites, without the heart of the gentleman, nor his power of self-control, like all selfish imitators who would obtain respect under false pretenses, became hateful to all right-thinking men, often bullies. Calling themselves "Southern gentlemen," it is not strange that they sometimes brought the phrase into disrepute and subjected it to sneers.

I have heard one of the most acutely intelligent, though not one of the broadest, men of this country use the phrase "Southern gentlemen" in debate sneeringly. Had he enjoyed an intimate social acquaintance with the type, he could no more have sneered when he used that phrase than he could have sneered at the manhood whose holiest aspiration it aimed to express.

It is also needless to say, Mr. Speaker, that with an ideal so high and so exalted as this which I have described, but a small percentage of men of any race, in any section of country, or at any time of the world's history, in any state of human evolution thus far reached, could succeed in fully attaining to it and in living it.

And yet Gen. E. C. WALTHALL, the man to whose memory we pay tribute to-day, attained to its full measure and lived it—lived its constant, not its fitful, impersonation.

There were some adventitious aids which might round out the pictured ideal, but which were not necessary to the make-up of the gentleman. Not every gentleman could be born physically strong, or graceful, or handsome in face and lithe of figure. Not every gentleman could be eloquent of speech, wise in council, and decisive in execution.

Nature denied these advantages to many.

She denied none of them to General WALTHALL. I have heard old soldiers say that mortal eye never saw sight better fitted for the modeling of an old Greek sculptor, whose business it was to model god-like men, than WALTHALL as a young officer of the Confederacy reviewing the men on dress parade with his young and beautiful wife by his side, her horsemanship rivaling his own, which was superb; or WALTHALL, magnificent in the glow and inspiration of battle, amidst its smoke and shock.

He was in war, serving where rude shocks leave little room for the courtesies of life; in his family; at the bar; on the stump; at the board, where the filled wingglass invites carelessness of speech and action; among his friends; among his political opponents—I will not say among his enemies, for I do not know that he ever had any—not only always a self-contained, courteous, intelligent, broad-minded, truth-loving, brave, loyal, charitable, and patriotic gentleman, but he so lived that he deserved to have inscribed on his tombstone the epitaph, "Prince of gentlemen."

As pure in thought, as modest in carriage, as high in personal aim as the noblest Knight of the Round Table, he was, as the good bishop of Mississippi said of him, "the lover of one woman, counting it cowardly to be untrue." Pure in heart, he was clean in speech. Those who were not like him in this felt the restraint of his presence. It was not because they were rudely interrupted or impolitely treated, either, but because even a fool could not fail to see, after one experience, that the two things did not go together—WALTHALL and impurity.

Yet he was not a Puritan; far from it. He hated the puritanical type, if, indeed, he hated anything. He was simply a gentleman, with the lack of assumption and the absence of pretense and of cant, which characterizes one.

As he lived, we all knew he could have died.

Mr. Speaker, the ideal death of the ideal gentleman was that of Sir Philip Sidney, when, directing the water brought for him to be passed by his own parched lips to the poor gasping soldier at his side, he said:

He hath greater need of it than I.

There was a death, Mr. Speaker, where neither rank nor condition nor wealth nor poverty counted, but courage and courtesy literally "to the death;" nothing beyond one's self but only self-control, self-sacrifice, utter unselfishness before God and with man. WALTHALL could have died that death as gracefully and as unassumingly as Sir Philip himself.

An ideal death of self-devotion and sturdy adherence to conviction was that of old Hugh Latimer, when, observing his fellow-victim to writhe in the flames and to cry out in his agony, he exclaimed:

Never mind, Master Ridley, play the man, and we shall this day kindle such a fire in England as shall never be extinguished.

There is not an old soldier in Mississippi, among the few left, who followed WALTHALL as lieutenant, as colonel, as brigadier, or as major-general (followed him, I say—not fought under his orders) who does not know that WALTHALL could have died this death, too, and would have done it rather than recant the simplest conviction or turn back upon a loved cause. As my colleague—[Mr. FOX] has so well said, quoting WALTHALL's own language: "He never sought a hard place for glory, nor a soft one for comfort." As my colleague, Mr. ALLEN, has told you, these were the words he uttered when General Hood asked him to cover the rear of the shattered army on its retreat from Nashville. He simply did his duty as time and circumstance brought duty.

Do you still ask why Mississippians almost worshipped him? If you do, you exhibit an ignorance of "the higher things of this life."

At his funeral there was no wailing, no noisy exhibition of grief; of flowers, and love, and tear-dimmed eyes there was an abundance. In speaking for myself I think I speak for others when I say that the eyes were not dimmed so much because the stainless gentleman was gone. There had been nothing to regret in his death, as there had been nothing to regret in his life.

It was because we knew how far short the rest of us had fallen from the life which he lived—the life of the pure, gentle, lion-hearted, Southern gentleman, provincial perhaps, but noble always. It was because he was almost the last of a long line of Mississippians of historic type and fame. The old historic ideal about which the Southern life revolved and which had furnished the link of connection between the several stages of the evolutionary development of its civilization is, they say, losing its molding force.

They say something better will take its place. I do not believe it. I do not believe anything better is, or ever was, or can be. It has lost its force with this generation in a measure, though not alto-

gether. The transition stage from an old to a new industrial life has partially destroyed that, as it has destroyed many other sweet flowers, which will, however, spring afresh to bloom anew among the beauties of the new order of things, fertilized by the ashes of the old.

But I believe our people will recur to it, simply because it will be, in the new life, the survival of the fittest out of the old.

It has been said that "An honest man is the noblest work of God." It is a half truth. There is something nobler than the merely honest man, because inclusive of it. It is an honest man, who adds to his honesty, courtesy, unself-assuming courage, charity, purity, unselfishness of thought and conduct, devotion of self and class to his people's weal; in a word, a gentleman.

This is the ideal in the homestead yet, though in the mart it has been overgrown with the weeds of money getting. Above all it is safely enshrined in the hearts of good women, whence it will come, as things enshrined there must come, in their children's lives to enrich all society. Call it what you will, Mr. Speaker, God grant that we as a people may never be without it. In the meantime the scythe of death has been busy with Mississippians—Davis, Lamar, George, WALTHALL—all gone! What wonder if we are tempted to exclaim—

O! my country's wintry state,  
What second spring shall renovate,  
What genial sun shall bid arise,  
The buried warlike and the wise?

Mr. HENRY of Mississippi. Mr. Speaker, rarely has it fallen to the lot of any State to lose by death two Senators in one session of Congress. And such Senators! Men who stood out from their fellows with God's impress upon them, each representing the highest type of his class, yet differing from each other in many respects.

The State of Mississippi, this session, mourns the loss of Senators George and WALTHALL. "Their like we ne'er shall see again." "Par nobile fratrum."

But I come now to talk of EDWARD CARY WALTHALL, at the time of his death the senior Senator from Mississippi, who died in this city on the 21st day of April, 1898. For some time he had been in feeble health, but despite the advice of his friends and physicians he refused to leave his post of duty.

His last appearance in the Senate was to deliver an eulogy on the life and character of his late colleague, Senator George. The effort prostrated him. Though advised not to attempt it, he felt it was his duty, which to him was paramount to any personal consideration.

The announcement of his death was received with genuine and heartfelt sorrow, not only in his own State, where he was universally beloved, but throughout the country at large, by which he was recognized as one of the most distinguished men in the august body of which he was a member.

He was a true friend, a wise counselor, and a safe leader. His life was a busy one; but few men attained more of success. He was not ambitious in the common acceptance of the term. It seemed his ambition to do right, to do his duty as he saw it; and possessing the courage of his convictions, he did it fearlessly and conscientiously.

Honors came to him unsought, and he wore them with grace and dignity. An uncompromising Democrat, he adhered at all times to the tenets of his party, as his votes will attest. Nothing could allure him to sacrifice his principles.

Succeeding the illustrious Lamar in the Senate of the United States, to which he was three times elected, his career reflected credit upon his ability and honor upon his constituency.

Rarely joining in debates, his views on all public questions were pronounced, and his influence marked to an extent his own people will never know, but which was quietly used in their interest, often the recipients learning of it through others, never from him.

Of superb mental and moral endowments, he quietly, modestly, and apparently without effort assumed his place in the front rank, and maintained it there with that innate dignity for which he was so remarkable.

He was appointed to the Senate in 1885, upon the resignation of Senator Lamar, and elected for the unexpired term by the legislature of his State in 1886; was reelected in 1888, and again in 1892. His term would have expired in 1901.

Born in Richmond, Va., in 1831, he proved himself a worthy son of that glorious old Commonwealth. Removing to Mississippi in 1859, his parents located at Holly Springs, where he received an academic education. There, early in life, he was imbued with those manly principles of independence which marked his after career.

So distinctive was his bearing that it did seem God had set His stamp upon him, and at all times, under all the vicissitudes of fortune, he stood forth from among his fellows, and "all did proclaim him a man."

Studying law, he was admitted to the bar in 1852. When hostilities commenced between the States, he was serving his second term as district attorney. This office he resigned and entered the Confederate army as a lieutenant in the Fifteenth Mississippi Regiment—of glorious memory—of which he shortly became lieutenant-colonel. In the ill-fated battle of Fishing Creek, in Kentucky, Lieutenant-Colonel WALTHALL commanded this regiment, exhibiting there the soldierly qualities for which he became so distinguished throughout the war.

In 1862 he raised and became colonel of the Twenty-ninth Mississippi Regiment, which he led through the Kentucky campaign under General Bragg. In December of that year he was promoted to the rank of brigadier-general, and two years later to that of major-general. His gallant conduct in every action during the campaign under Generals Bragg, Johnston, and Hood in Kentucky, Georgia, and Tennessee is a conspicuous part of the history of those perilous times, and stamps him as a soldier of the highest type.

When in the winter of 1864 the grand and devoted battalions of the Confederates were broken and shattered and in retreat from Nashville, General Hood, recognizing the seriousness of the situation, ordered General Forrest to organize a rear guard to cover his retreat, consisting of his cavalry and eight skeleton brigades of infantry, and told him to select a major-general to command the infantry; without hesitation General Forrest asked for Major-General WALTHALL.

When this command was tendered to him General Hood expressed regret at the arduous and dangerous duty to which he was about to be assigned. WALTHALL replied in words that savored of the days of chivalry, and so characteristic of the man, "Make your order, General Hood. I never sought a hard place for glory nor a soft place for comfort."

And during that long and weary retreat in the dead of winter, day and night, until the Confederate army had recrossed the Tennessee River, faithfully, doggedly, did he do his duty. Always with the rear guard—the post of danger—with no relief for many days and nights, he hung in front of the advancing enemy, meeting charge with charge, and disputing every foot of ground. For his devotion he received the thanks of Generals Hood and Forrest in their official reports.

Well do I remember him in those memorable days of war! With a splendid physique, magnificent in his bearing, warm of heart, as gentle in his manners as a woman, yet the very personification of chivalry, he filled a unique place in the hearts of Confederate soldiers. He always led his command into action, and when on the charge, in the storm of battle, he looked "a very god of war."

He surrendered his command at Greensboro, N. C., and returned to his home, where he resumed the practice of his profession. By dint of energy and ability he achieved for himself distinction and a competency.

Throughout the horrible era of reconstruction, to which his State was subjected, he was true to his people, never "bending the pregnant hinges of the knee," as did some men in those dark and troublous days.

But now he has gone to his reward, to "give an account of the deeds done in the body," and methinks that in that celestial host who welcomed him on the other side there was no purer nor knightlier spirit than that of WALTHALL.

His sword is rust, his body is dust,  
His soul is with the saints, I trust.

He sleeps in the beautiful burial ground at Holly Springs, in the State of his adoption, where tender and loving hands will with each recurring spring bring flowers to deck his grave. To them his memory will ever be as a sweet incense, and his career an inspiration to his people.

"Requiescat in pace."

Mr. FOX. Mr. Speaker, it is well for mankind, and I believe is a part of the divine plan for elevating, developing, and saving the human race, that in every age there are raised up men preeminent among their fellows for noble virtues and great achievements. They are examples for all. They inspire all with noble aspirations, high endeavor, lofty patriotism, and unselfish devotion to duty. It is impossible to know them without believing in them, and it is impossible to believe in them without emulating them and becoming better men and better citizens. Such a man was E. C. WALTHALL. Such men, considering them as examples to others, illustrate, and I might say demonstrate, the fundamental doctrine of the true Christian, whose simple faith is that he will be made better and better and finally saved by believing in and following the only Perfect Man.

The reflex action of WALTHALL's life and character on those who knew him and understood him was wonderful. It was impossible to know him without loving him, and those who knew him best loved him best. His character, his conduct, his sentiments, all

tended to uplift, to refine, and to ennoble those who believed in him and followed him. Those who emulated him were incapable of meanness. His example always inspired others with purity of thought, self-sacrifice, and loyalty to State, family, and friends. He had the loftiest ideals and lived up to them. The embodiment of courage and honor, he never turned his back on friend or foe. The highest sense of honor is often referred to as feeling a stain like a wound, but WALTHALL's honor never felt a stain. It was as stainless and pure as the virtue of any virgin, and he always valued it above wealth, position, friendship, reputation, life itself.

He always obeyed implicitly, in smallest as well as matters of greatest import, in public as well as private matters, the dictates of his own conscience. He never tried to fool or mislead himself in believing to be right that which he instinctively knew to be wrong. In this respect his character is best described by a word he was fond of applying to any friend in whom he had faith. He was always "perpendicular." In all his mental processes he was as conscientious as in questions of right and wrong. He had an intellectual conscience. He never tried to deceive his own strong intellect by any sort of sophistry or false reasoning. He never sought to reach any other conclusion than that which would be sanctioned by his own judgment, unbiased by any other consideration except a desire to arrive at the truth.

He was true to himself, and although exceedingly sensitive to criticism, valued his own self-respect more highly than the respect of others, and if he had been himself conscious of doing a wrong, although he alone knew it, it would have pained him as much as if the whole world knew it. His conscience had, therefore, never been perverted or distorted; but in all the years it had grown stronger and stronger until it had become well-nigh what every man's conscience is intended to be, an infallible, God-given sense of right. When he knew the facts, he never had to reason or think on a question of right and wrong, but had that unerring, indefinable sense which is sometimes called instinct, but which is the very essence of conscience.

So generally was this recognized that he was frequently the arbiter of differences between men, and no man who knew him hesitated to commit his honor into his keeping. Friends were constantly consulting him on questions of honor, and his advice was always implicitly followed. He had the greatest charity for the faults of others, and always preferred others to himself; but he would brook no infringement on the known personal rights of himself or his friends; and there was no personal sacrifice he would not make to maintain either. I have never known a man who had more disinterested, unselfish devotion to his friends. His attachment for them amounted to a burning love, and they in return loved him. He listened to no slander against them. He never lost an opportunity of aiding them, and he was so unselfish that he never told a friend what he did for him lest it might appear that he was keeping books against him and expected him to pay the debt.

Detesting sentimentality, he was full of sentiment. He loved his country. He loved his State better than he did his life; and there was nothing except his wife that he loved better than the old town of Grenada, where he lived; and never was a man so loved by his community as was he by the people of Grenada. It was because they knew him better than anybody else; they idolized him. "The General," as he was called with so much affection, was always their hero, and never went on the streets without an ovation. To them he was the greatest man; and they were right in their estimate of him because they knew him. At home among his intimates he never forgot his courtly manners, yet the humblest laborer never hesitated to approach him; without any appearance of patronizing them he was always kind to them.

The elegant manners that so marked his conduct in the presence of woman were not the accomplishments of a courtier or the studied grace of gallantry, but rather the natural and unaffected expression of a deep, sincere, and pure reverence for woman; and woman always recognized the high tribute paid her, and in return crowned him as her beau ideal of a noble manhood. I know of no greater tribute to his high character than the devotion of his noble wife, a woman of unusual refinement and intelligence. She shared with him all the hardships, privations, and dangers of the march and the bivouac, and for four long years was at every battlefield to receive her hero in victory or defeat, living or dead. One hardly knows which most to admire—the man who could win the love of such a woman and always be worthy of it, or the woman who could endure such hardships and self-sacrifices for him, and never doubt that he was worthy of it.

So great was her love for him that even death could not separate them long, and she soon joined him on the other shore.

Such was the private character of this great man as I knew him and loved him. Such were the splendid virtues that drew to him, as with hooks of steel, thousands of loyal friends who always delighted to honor him, and who would resent any attack on him. Among these friends the term "Walthallian" became the highest expression of chivalric honor and lofty courage, and to-day there

is no Masonry or mystic tie that binds its devotees in closer union than does the memory of WALTHALL unite his personal friends, who always delighted not only to honor him, but all those he loved.

In public life he was no less admirable.

As a lawyer, he had no superior at the bar in Mississippi, either in knowledge of the law or in careful preparation and skillful management of his case. He was painstaking and cautious and always knew his own position and that of his antagonist to the smallest detail, and when the time for action came no man could be more aggressive. In the courtroom, although treating his opponent with a courtesy that commanded respect and even admiration, yet he always forced the fighting and put his opponent on the defensive. His position at the bar was so eminent that he received a letter from a distinguished author, who was at the time preparing a biography of leading lawyers, requesting a sketch of his life as the leading lawyer of Mississippi. With his characteristic modesty and self-denial, he replied that he was not entitled to such a distinguished honor, that it belonged to his friend, Judge Wiley P. Harris, who was then living.

He never sought political honors. He was once appointed and three times elected United States Senator without being a candidate. The last time he was elected he had written a public letter peremptorily declining to be a candidate. It was then that Senator Lamar wrote to a friend: "Mississippi ought not to tolerate for a moment the idea of acquiescing in the retirement of Senator WALTHALL. Of all the splendid men that she has ever presented to the nation, WALTHALL is the one beyond all competitors in moral purity, strength of mind, heroism of soul, and commanding influence among men."

Mississippi so far sympathized with this sentiment that without any concert of action, yet with a unanimity unparalleled in political history, they met at the primaries and cast their ballots for E. C. WALTHALL.

While he recognized the right of all to aspire to public position and always aided his friends to gratify a laudable ambition by honorable methods, he believed that public office was only a post of honor when conferred by the people, to whom it belonged, on a worthy citizen as a reward of merit and an expression of confidence in ability and integrity. He revolted at the idea that office should be bestowed either for the personal or political aggrandizement of the appointing power or as a reward for the personal services of the appointee. He did not believe office was a commodity to be bought and sold or traded for. He was no more capable of entering a combination to control public office than of committing grand larceny. When he entered a political caucus, personal advantage was never sought and never desired. The only object was the public good and the selection of those who were regarded as the most suitable men.

The illustrious career of General WALTHALL in the United States Senate is history. He was essentially a conservative. Such a character as I have described could not be otherwise. He believed in the ideals of the fathers who wrote the Constitution and the Declaration of Independence. He repudiated the idea that these great masterpieces were mere swaddling clothes made for an infant republic, to be cast off now when it has grown to be a giant among nations, which a new school of statesmen say is henceforth to be guided by what they are pleased to call "manifest destiny."

On the contrary, he believed that the great principles of the Constitution were immortal and imposed limitations on all the coordinate branches of Government—limitations which were and are absolutely necessary to restrain the greed and power of those in authority and to preserve the liberties and rights of the people. He held as a sacred and fundamental principle that all government should be by the consent of the governed. He believed that the framers of the Constitution were both wise and patriotic; that they meant what they said and said what they meant.

He was in the highest and best sense of the word democratic, believing in the fullest individual liberty of the citizen consistent with good government and the rights of others; in perfect freedom of conscience and perfect protection to life, liberty, and property; that every citizen, however humble, was a sovereign and entitled to the equal protection of the law. Such a man could never favor a radical departure from original principles, could never favor a doubtful or dangerous experiment, could never tolerate class legislation. As a Senator he brought all his splendid ability, all his intellectual and moral conscientiousness, all his conservatism, all his devotion to constitutional liberty, all his personal attachment to his State and her citizens, all his love for the rights of men, to the service of his people and of the Union.

Such a man was easily a leader, whose counsel and advice were eagerly sought, and whose accurate reasoning and unerring judgment were usually followed by his associates. He had not been long in the Senate before he was made chairman of the Committee on Military Affairs and a member of the Finance Committee

and of the steering committee of his party. The eulogies of his colleagues in the Senate, Republican and Democratic, are the best testimonials to his ability, his wisdom, his probity, and patriotism as one of the leaders in that great forum.

In my judgment, great as he was as a lawyer and statesman, he was greater as a soldier. Entering the Confederate Army as a civilian, without military training or experience, promoted step by step from second lieutenant to major-general, his career, for daring, skillful maneuver, self-sacrifice, strategy, and glorious achievement, was unsurpassed in all the annals of that great struggle. Gen. Joseph E. Johnston, who knew him so well, said, "If the war had lasted two years longer, General WALTHALL would have risen to the command of all the Confederate armies."

In battle he always led, and never followed his command. He was the foremost in the charge and the hindmost in retreat. He would order no man, not even the humblest private, to encounter danger into which he would not lead, and would jeopardize his own life rather than that of a subordinate. As an illustration, I give an incident of the battle of Fishing Creek, as related by William Preston Johnston in the life of Albert Sidney Johnston. He says:

General Thomas's troops were encamped on either side of the road, with a wood in their front from one-fourth to one-half mile through. In front of the wood were fields about 300 yards across, and beyond this a low ridge parallel with the wood. The Confederates promptly crossed the wood and fields and found a force in the edge of the wood in their front. This consisted of the Fourth Kentucky and Tenth Indiana regiments. General Crittenden had warned them in the council of war of the danger of firing into their friends, especially as many of the Southern troops wore blue uniforms, and to avoid this risk they had adopted as a password, "Kentucky."

The morning was dark and misty, and nothing could be seen of the opposing force except a line of armed men. The skirmishers reported to WALTHALL that this was Battle's command. WALTHALL made his troops lie down behind a slight elevation, and, going forward to some high ground, hailed the troops in his front, "What troops are those?" The answer was, "Kentucky." He called again, "Who are you?" And the answer came as before, "Kentucky." He then went back and got his colors, and, returning, once more asked the same question and received the same answer. He then unfurled his flag, and immediately the Federal line opened upon him with a volley. He turned to order forward his regiment and found that Lieutenant Harrington, who had followed him without his knowledge, was lying dead beside him, pierced by more than twenty balls. The flag was riddled and the staff cut, but Colonel WALTHALL was untouched. It was this incident that led to the belief that the password was betrayed to the enemy by the guide; but the answer coming from the Fourth Kentucky was the natural and proper one.

WALTHALL was in command of the famous Fifteenth Mississippi Regiment, noted as among the most gallant in the service. One of the survivors of this regiment has told me, in explanation of this incident, that when WALTHALL, failing to get any response to his question except "Kentucky," went back to his command and cried, "Give me the flag, and I will find out who they are," Lieutenant Harrington begged him for the privilege of going in his stead, pleading with him that his life was too valuable to sacrifice, but WALTHALL, with his characteristic magnanimity, replied that the danger was so great that he would allow no man to incur it, but would go himself. Without WALTHALL's knowledge Harrington followed, with the result as stated.

As allusion has been made by others to the selection of WALTHALL to cover Hood's retreat from Nashville, I hope I may be pardoned for giving the exact history of that memorable event as related by an eyewitness, Maj. D. W. Saunders, a member of WALTHALL's staff and now a distinguished lawyer of Louisville, Ky. He writes:

On the morning of the 20th of December, 1864, General Hood sent a member of his staff to General WALTHALL, who had established his headquarters at the residence of Nimrod Porter, near Columbia, with the request that he should call at army headquarters immediately. General WALTHALL at once rode to army headquarters, and the writer accompanied him. On the pike, as WALTHALL approached army headquarters, he met General Hood on his horse, in company with Dr. Darby, who was the medical director of the army. Hood said to WALTHALL substantially as follows:

"Things are in a bad condition. I have resolved to reorganize the rear guard. Forrest says he can not keep the enemy off us any longer without a strong infantry support, but says he can do it with the help of 3,000 infantry with you to command them. You can select any troops in the army. It is a post of great honor, but one of such great peril that I will not impose it on you unless you are willing to take it; and you had better take troops that can be relied upon, for you may have to cut your way out to get to me after the main army gets out. The army must be saved, come what may; and, if necessary, your command must be sacrificed to accomplish it."

WALTHALL, in reply, said: "General, I have never asked for a hard place for glory nor a soft place for comfort, but take my chances as they come. Give me the order for the troops and I will do my best. Being the youngest major-general in the army, I believe, my seniors may complain that the place was not given to them, but that is a matter between you and them." And Hood said: "Forrest wants you, and I want you." General Forrest rode up during the conversation and said: "Now we will keep them back." And Hood gave verbal orders for WALTHALL to take any troops he wanted.

As evidence that WALTHALL in person was in full command of the rear guard, supported by General Forrest, I quote the language of General Hood in his book, "Advance and Retreat:"

Major-General WALTHALL, one of the most able division commanders in the South, was here ordered to form a rear guard with eight picked brigades, together with Forrest's cavalry. The march was then resumed in the direction of Columbia, Stewart's corps moving in front, followed by those of Cheatham and Stevenson. The army bivouacked in line of battle near Duck River on the night of the 18th.

The following day we crossed the river and proceeded on different roads leading toward Bainbridge, on the Tennessee, harassed by the enemy. I felt

confident that WALTHALL, supported on his flank by the gallant Forrest, would prove equal to any emergency which might arise. I therefore continued, although within sound of the guns of the rear guard, to march leisurely, and arrived at Bainbridge on the 26th of December.

I have said that WALTHALL had the loftiest ideals and lived up to them. His ideal of a soldier and statesman is best shown in his own "pure, chaste, classic language," of which Senator GORMAN has so truthfully said he was master. This language was used in a speech at Walthall, Miss., in support of General Hancock when a candidate for the Presidency; and when I listened to him I knew he was unconsciously delineating his own character as well as that of the distinguished man who was the subject of his eulogy. I was so much impressed with it then that I asked him to write it out and give it to me, which he did. I preserved it and give it now as a faithful portraiture of WALTHALL. He said:

My ideal of a soldier commissioned in the Army is of one who, with a liberal education, brings honor, courage, wisdom, and patriotism to the service of the Government which trained him for the duties of his calling; who stands ready at all times to meet his duty, if need be, with his life; one who glories in the victories of the field, but is so imbued with the spirit of our free Government that he never forgets that the sublimest triumphs of earth are the "peaceful triumphs of law."

My ideal of an American statesman is of one gifted by nature with a big brain and a true heart and a strong will; who has earnestly striven to master the science and philosophy of government and added to the stores of learning he has gathered from the teachings of the fathers the fruits of his own experience and careful observation; who is in sympathy with the body of the people in all their interests and their needs, but yields his convictions neither to the clamor of the multitude nor the demands of the powerful. A well-poised, incorruptible, just man, beyond the reach of flattery or fear; who looks down on timeservers and intriguers and would scorn to scheme for honors or office, but shrinks from no duty his country may impose. All this, and more, I find centered and harmoniously blended in General Hancock, a soldier who holds the law above his sword and a statesman who would draw his soldier's sword to uphold the law.

Mr. SPIGHT. Mr. Speaker, although much has already been said this evening, if I were to allow this occasion to pass without saying a word by way of tribute to the memory of Senator WALTHALL, I would feel that I were unfaithful to myself, unfaithful to the people of Mississippi, who loved him for his many noble qualities and for his devotion to their interests, and unfaithful to my dead friend, whose kindness I so often received.

As the only member of either House of this Congress who fought under him during the war, I come to-day to offer a slight testimonial to his exalted worth as a soldier and as a man. I loved him because he was lovable. I honored him because he was honorable. I trusted him because he was worthy of all trust. I knew him first as a soldier, when as a boy I followed his leadership on many a bloody field, and whether in the quiet of the camp, or on the wearisome march, or in the shock of battle he was always the same kind-hearted, chivalrous gentleman.

As gentle as a woman, or as fearless as a lion, as occasion demanded, he represented the truest type of the volunteer soldier. Sir Walter Scott makes one of his characters in "Old Mortality" say, "I never knew a soldier who was not a true-hearted man." General WALTHALL measured up to the full stature of that kind of a soldier, as every man who knew him will testify. His great, noble heart, his generous nature, his loyalty to his friends, his charity toward his foes, added to a peculiar grace of manner, won all who were brought into contact with him. You could not look into his face without feeling that you were in the presence of a gentleman. You could not touch his hand without feeling that magnetic thrill which goes out only from the heart of a friend you can trust.

When the fearful bugle blast of war was sounded in 1861, calling from their peaceful vocations the sons of America to the bloodiest war of modern times, WALTHALL, then a young lawyer, with a devotion to his people that characterized his whole life, responded at once to his country's call and was soon in the "thickest of the fight." From the position of lieutenant he rose step by step, until in the summer of 1864 the wreath and stars of a major-general adorned his collar, and no knightlier soldier ever drew blade in defense of the cause he loved.

Henry of Navarre admonished his soldiers when going into battle on a memorable occasion that if in the excitement and confusion of the strife they should lose sight of their colors, "Be your oriflamme to-day the white plume of Navarre." So could it have been said of WALTHALL. Where his gleaming blade was seen the battle raged most fiercely, and by his impetuous courage and splendid generalship he infused into his men so much of his spirit and with it so much confidence in their leader that his Mississippi command was known throughout military circles as "The fighting brigade" of the Army of Tennessee. How well they deserved it was evidenced on many a bloody field from Fishing Creek to Nashville, and hundreds of brave Mississippi boys fell under his banner and died with a consciousness of duty well done and pride that they belonged to "WALTHALL'S brigade."

I thank God that those dark days could not last; but looking back through the light of a third of a century, I can see him

yet as he rode like a veritable god of war amidst the screaming of shells and the song of the death-dealing minie; and my heart swells, now, with the pride of my boyhood that I, too, bared my breast to the storm of battle beneath his eagle eye and received his commendations when the bloody work was done.

Those were history-making days, and no brighter pages will ever be written than those which record the heroic deeds and martial spirit of our citizen soldiery who for four long years struggled for supremacy—the soldier of the South upon the one side, the soldier of the North upon the other—each believing his cause to be just as God gave him to see the right.

But when the Southern flag had been furled forever and her ragged veterans had returned to desolate homes and found themselves reduced to poverty, and during the dark days of reconstruction which followed, it was then that Mississippians realized in its fullest sense how faithful a friend they had in the peerless WALTHALL. Always ready to counsel, encourage, and lead his people, and asking nothing but the simple privilege of doing his duty, it is no wonder he became the people's idol.

No man was ever more unselfish in his devotion to his beloved State or more keenly alive to her best and highest interests. No man of equal eminence was ever so modest. The politician believes that for service rendered he should receive compensation at least commensurate with his estimate of the value of his services. But WALTHALL was not a politician. His nature was too generous, his heart was too guileless, his impulses too noble to learn the tricks of the politician. He never sought office, but steadily declined to accept every offer of political preferment, asking only the happy privilege of doing all in his power as a private citizen to advance the interests of the people who honored and loved him so much.

Notwithstanding his great modesty, he was a man of broad and liberal statesmanship. Quick of apprehension, prompt in action, and always keeping in view the good to be accomplished, he was a safe leader and a trusted counselor. Sincere in his convictions, and courageous to stand by them, there was never any trouble in knowing which side of any great question he was on. He did not know how to dissemble; he scorned the arts of the demagogue, and won his way to the hearts and consciences of the people by his ingenuousness, his absolute truthfulness, and evident devotion to the right. Few men ever possessed in so marked a degree that mysterious and indefinable power which, for want of a better name, is called "personal magnetism." Men were drawn to him and made to love and trust him by the force of inherent qualities which formed an essential part of his being.

He repeatedly refused to allow himself to be nominated for governor of the State, when nomination meant election, and never would accept any office except that of district attorney, which he held when the war commenced, until his great friend, Lamar, left the Senate to accept a place in Mr. Cleveland's cabinet, when, in deference to the unanimous demand of the people of the State, he at last agreed to take Colonel Lamar's place in the United States Senate, where he remained until his death, except about one year when he was forced to retire on account of bad health. In this retirement he only illustrated anew the integrity of purpose and devotion to duty which ever characterized the man.

When he realized that his health was such that he could not be as faithful and efficient as he felt he ought to be as a public servant, he resigned, over the protest of his friends; but in spite of all denials, he was promptly reelected to the next full term, and died in this city while Congress was in session last spring.

When he came to Washington as a Senator from Mississippi, he soon won the hearts of all with whom he was associated, without regard to party political faith; and I have been told that some of his warmest friends and greatest admirers here were found amongst the ex-Federal officers and Republican members of Congress.

One of the leading characteristics of General WALTHALL which early impressed itself upon me was his utter detestation of anything like sham and his love of justice and fair play. In my own personal experience as a young officer in his command, I had illustrations of this spirit of fairness which I can never forget, and which bound my heart to him with "hooks of steel." No soldier whose cause was just ever had ground to fear that he could not successfully plead it before the justice-loving WALTHALL.

He was the friend of every soldier in his command, from the humblest private to the highest officer, and they all loved him. He was a strict disciplinarian, but so kind and just with it all that it was a pleasure to obey, and so great was their confidence in him that they would have followed him into the very "jaws of death."

By his superior commanders he was often placed in most trying positions, where nothing but coolness, courage, and consummate skill could avail; and he never disappointed the trust reposed in him. A man of wonderful resources, keen perceptions, undaunted courage, a great heart, and unsurpassed magnetic power, he was an ideal leader of men. Without previous military training, he

was called suddenly from civic duties into the fiery arena of war, yet in his sphere he was the peer of the grandest soldiers of an army so full of great men.

The last year of his life was a pathetic one. Stricken by a mortal sickness, he lay dying in this city, while there stood at his bedside not only friends who loved him, but also his devoted wife, one of the noblest of a noble Southern womanhood, who had for about forty years walked by his side, his friend, his counselor, his wife, his helpmate indeed. They never had any children save an adopted daughter, and when the grave closed over the mortal body of the husband the heart of the living wife was buried there, too.

There was no more earthly sunshine for her. The music in her soul was hushed. The light had gone out of her life. "The silver cord was loosed; the golden bowl was broken," and in a short time she threw off the shackles that bound her to earth, and her pure spirit took its flight to the other shore across the river, and "under the shade of the trees" in the paradise of God she joined her loved one gone before, while side by side their bodies are sleeping beneath the sod in their beloved Mississippi, where their graves will ever be kept green by the hands of loving friends and those who come after them.

Within a period of about eight months the State of Mississippi suffered a peculiar and well-nigh irreparable loss in the death of two Senators in the Congress of the United States. Grand State that she is, how proud she was of her two great Senators, George and WALTHALL! George, the "great commoner," the friend of the people, the constitutional lawyer, the father and successful defender of the Mississippi constitution; and WALTHALL, the gallant soldier, the courtly gentleman, the incorruptible statesman, the faithful friend. Happy Mississippi! Proud Mississippi! Unfortunate Mississippi! What State of this great American Union could boast of two grander men? What State was ever so sorely afflicted in so short a time?

The old patriarch Job, when his afflictions bore heavily upon him, asked, "If a man die, shall he live again?" Jesus Christ answers, "I am the resurrection and the life." The soul of the Christian answers, "The grave is but the door that opens to a blessed immortality." The great Apostle to the Gentiles, in a glorious outburst of faith, exclaims, "Oh death, where is thy sting? Oh grave, where is thy victory?" Looking at the noble lives of these two great sons of Mississippi, and remembering their reverence for and faith in the "Man of Galilee," we have confidence that beyond the "dark river," in the home of the blessed, these faithful friends have met and clasped hands forever.

It is notable that the last speech made by General WALTHALL in the United States Senate was his memorial tribute to his dead colleague, and we recall with pleasure, now, his beautiful eulogy upon the Christian character of the departed statesman. Yes, "There is life beyond the river," but this is not all. Such men as George and WALTHALL, "Though lost to sight, to memory dear," will continue to live in the hearts of their countrymen so long as true worth, exalted patriotism, and wise statesmanship are revered on earth.

A sad and beautiful coincidence is noted in the close of the lives of these great Mississippians. Each had been blessed through long years with the companionship of his first and only love. General George saw his noble and devoted wife depart, and in a few weeks followed after her. General WALTHALL was blessed the more in having his with him when his summons came, but she could not tarry, and soon joined him.

Mississippi has had many distinguished sons about whom her warmest affections clustered, but she never had one more faithful and true, nor one more implicitly trusted, nor one more universally loved than the warm-hearted, generous, unspotted soldier statesman, EDWARD CAREY WALTHALL; and on one of the brightest pages of her history his name will be recorded as the synonym of exalted patriotism, true manhood, unswerving integrity, and unselfish devotion to duty.

When he died, every man who knew him felt that he had lost a friend over whose grave it was manly to drop a tear.

I shall not see his like again.

Mr. BOUTELLE of Maine. Mr. Speaker, I can not claim to have had an intimate acquaintanceship with Senator WALTHALL, but I have been in Congress during his entire service, and on numerous occasions, both public and social, it has been my fortune to meet him in such a way as to strongly impress me with his excellent qualities and the humble characteristics of the man. His public life, of course, is well known and has been delineated here in such tender and appreciative language by those who have known him long and well that it will hardly be expected that I should go further than simply to express my kindly feelings toward him in all the relations in which I have been brought in contact with him during my public life. I wish to attest my great appreciation of the manliness of the man, of his sturdy devotion to what he believed to be his duty, to the fearless expres-

sion of his convictions, and especially to the habits of tenderness in his social life, where I have been brought in contact with him under circumstances that have caused me to entertain the highest degree of respect for him.

Mr. Speaker, I felt a sense of personal loss when Senator WALTHALL was taken from us. His dignity of character, his geniality, his manliness, his candor, and his uniform courtesy of manner were always winning and attractive to those who knew him; and most attractive to those who knew him best.

I served with him on one occasion on the Board of Visitors to the Naval Academy at Annapolis, in which, during a week of pleasant experiences, I was in daily and hourly association with him, not only in the performance of the official duties assigned to us on the board, but in the lighter and more pleasing social duties of the occasion; and I can think of no man with whom I have been brought in contact since my official duties began in Congress, and no period of my association with any man or any family which I can recall with more pleasure than that period when I was associated with Senator WALTHALL and his charming wife and daughter in the ten days spent with them at the Naval Academy.

He was filled with kindness, as with bright thoughts; an entertaining conversationalist; a strong and earnest man, whose convictions were always expressed without offense, and yet a man of powerful ability in the expression of them. He was always the center of interest in the social circles he frequented; full of reminiscences, graphic in his statements, and always interesting, entertaining, and charming in what he had to say; while through it all there was running constantly a geniality of mind, a kindness of heart, a bonhomie of good nature, that seemed to well up toward his fellow-men and distinguished him wherever he might be found and in whatever society with which he intermingled.

Mr. Speaker, I simply come here to-day with these broken and imperfect words to lay my tribute of consideration and respect on the grave of a strong, earnest, and good man, an able statesman, and a kind, sympathetic, and deeply lamented friend.

Mr. BARTLETT. Mr. Speaker, with unerring and deadly aim the insatiate archer Death has fired his fatal arrows at the heart of Mississippi during the past few years; and following in rapid succession Jefferson Davis, L. Q. C. Lamar, James Z. George, and EDWARD C. WALTHALL have fallen victims to the dread enemy of mankind. The last two have paid the great debt of nature since I became a member of Congress. Both were members of the United States Senate, and both were distinguished for their ability and devotion to the interests of their State and their country, in peace as well as in war.

They are no more; and to-day the House puts aside the ordinary course of its business to pay a tribute to the memory of one of these who was respected, loved, and admired during his life, and who was sincerely mourned by the people of his State at his death. It was my good fortune and pleasure to meet and to know General WALTHALL early after I became a member of Congress. His courteous manner, his consideration, and the easy approach to him at all times soon won my respect, and the longer I knew him the more I admired and loved him. Others from his own State have delineated his character and life more fully and completely than I can undertake to do; but I desire to render this simple tribute of my remembrance and friendship to his memory.

Born in the State of Virginia, in early boyhood he became a resident of Mississippi, where he lived, whose people he served in many capacities, and whose interests and people he loved. He rests to-day peacefully in the soil of his adopted State after his life's labors had been faithfully and well performed. A lawyer by profession, he, soon after he became a member of the bar, was intrusted with high official position, which he resigned to enter the army of the Confederacy.

From the beginning of his public career down to the time of his death there was no office in the gift of his people that they would not have bestowed upon him, and the offices that he accepted and filled were given, in most cases, without his seeking them. And the records of the Senate show the remarkable fact that he was a member of that body, resigned on account of his health, entertaining a high sense of public duty that he should not hold the office when his health would not permit him to discharge its duties, and at the same time he had already been elected by the State of Mississippi to fill the full term, which he entered upon and served after his health had been restored.

As a soldier of the Confederate army none was braver, none was truer, and none won and retained the love of his followers and the confidence of his officers more than did General WALTHALL. First being elected lieutenant, then lieutenant-colonel, then colonel, after which he was appointed brigadier-general, then major-general, and but for his modesty and refusal to be preferred over a friend he would have been appointed a lieutenant-general in the Confederate army.

It would be impossible here to detail the many campaigns in

which he was engaged or the many battles in which he took conspicuous part, but wherever courage, skill, and heroic daring were needed to make the charge or to defend and protect the Confederate forces upon the retreat, General WALTHALL was ever present, and his presence and bravery were inspiration to his men. His firmness, his courage and patience at all times, met and answered the demands of the occasion. With 1,500 men at Lookout Mountain he held at bay 10,000 of General Hooker's division with such determination that it was characterized by General Thomas as "stubborn" and by General Bragg as "desperate."

Again, on the next day, at Missionary Ridge, with the remainder of his troops he protected the Confederate forces in retreat, and held his position until ordered away; and in this fight, although wounded, he did not leave the field, but remained to encourage his men. Again, in the retreat from the disaster at Nashville, where his services were in demand by General Forrest, the manner in which he conducted the retreat, the courage he displayed, and the firmness he exhibited have become a part of the history of that memorable campaign, and reflect honor and glory upon his name as a soldier. He was a typical representative of the Southern gentleman and of the old South. It was but natural that such a man should be a leader in the armies of the South.

I trust it may not be amiss on this occasion and at this time, when we speak in eulogy of one of the illustrious dead Confederate generals, who died a member of the United States Senate, after our country has become reunited and one, to say that the history of the civil conflict will demonstrate that influences of some sort operated fundamentally for the side of the Confederacy in every prominent event of the war, and this was especially true in the campaigns in Tennessee and Kentucky, in which General WALTHALL was a conspicuous figure. It is a marvelous fact that it required enormous sacrifices by 20,000,000 people to defeat the efforts of 8,000,000 people; that it required 3,000,000 soldiers to subdue 800,000 soldiers.

If we descend into detail, history will show that a naval fleet and 15,000 troops were required to advance against a weak fort, manned by less than 1,000 men, at Fort Henry; 35,000 men, with naval cooperation, to overcome 12,000 at Donelson; 60,000 to secure a victory over 40,000 at Pittsburg Landing; 120,000 to force the retreat of 65,000 at Corinth; 100,000 repelled by 80,000 in the first peninsula campaign against Richmond; 70,000, with a powerful naval force, to inspire the campaign which lasted nine months against 40,000 at Vicksburg; 90,000 to barely withstand the assault of 70,000 at Gettysburg; 115,000 sustaining a frightful repulse by 60,000 at Fredericksburg; 100,000 attacked and defeated by 50,000 at Chancellorsville; 85,000 held in check ten days at Antietam; 43,000 retaining the field uncertainly against 38,000 at Stone River; 70,000 defeated at Chickamauga by and beleaguered by 70,000 at Chattanooga; 100,000 to press back 50,000, increased at last to 70,000, from Chattanooga to Atlanta, a distance of 100 miles; 50,000 to defeat the investing line at Nashville, and finally 120,000 to overcome 60,000, with exhaustion, after a struggle of a year in Virginia.

(NOTE.—These statements are taken from *Battles and Leaders of the Civil War*, page 31.)

I do not mean by this to draw any invidious comparison between the individual Northern soldier and the Southern soldier. What, then, is the explanation of these facts showing that superior numbers were generally essential to Union victories and the success of Union operations? While much was due to the character of the contest, for revolution is calculated to inspire and aid desperate actions, and wars of sentiment are generally marked by unusual energy, still history must record there was something else which made the Southern soldier what he was.

I believe that the character of the leaders of the Southern armies, their generals, such as the man we mourn to-day, in a great measure made the soldiers, their neighbors and friends, almost irresistible. We are told that the style of orders and proclamations issued by the Southern generals showed that they relied on the passionate enthusiasm of their soldiers, and that in that way they tried to stimulate it. They recognized the fact that the odds must be generally against them, and that they must find some means to overcome the effect of that fact upon the spirits of the soldiers, and they thus set an example of courage, chivalry, and daring.

But there was still another influence to be found in the personal differences between the sections—a difference due chiefly to the customs of the South. For all popular movements, the Southern leader was then, and is now, followed with implicit confidence, which does not mean humility, by any means, but which produces subordination. It was, as I have said, because men like General WALTHALL were the leaders and officers in the Confederate army that they were enabled to achieve victories and perform deeds of daring which have immortalized the people of the South, and demonstrated that in that unfortunate war they were capable of achieving, as soldiers, victories and enduring disasters and defeat in such a way as has attracted the admiration and attention of the whole world.

But there was another influence. It was the influence of the Southern women, who, in agony of heart, girded the saber upon their loved ones and bade them go. A typical representative of the old South, a typical representative of the Southern leader, General WALTHALL himself thus spoke of the Southern soldier:

Deeds of heroism in the Southern army were of such common occurrence that to mention one would be to involve the misleading implication that it was exceptional. Hundreds of these could be enumerated, any one of which would make the actor's name immortal, if it stood alone. In our army the situation was peculiar, and the tests and strains severe, and the men who failed to meet them were the exceptions. Our condition and surroundings, the great stake which was at issue, and the odds we fought against bred heroes by the thousand in all branches of the military service. Some, of course, became more noted than others, but in their most conspicuous acts of daring they had a host of rivals whose name would fill this book.

My most interesting "reminiscence" of the war relates to the Southern soldier, not as an individual, but as a type, representing the body of the Southern troops. It is connected with that stage of the struggle after Vicksburg had fallen and Gettysburg was lost, and especially after Hood's Tennessee campaign had ended in disaster, and all reasonable ground for hope was gone. It was then that qualities were developed by the soldier in the South never before or since observed, in like degree, in any other soldier known to history.

If he had not made all sacrifices cheerfully, endured all hardships uncomplainingly, and staked his life freely for the cause he had espoused, so long as the hope of success remained, he would have belied his nature and disappointed the world. All this was expected of him by those who knew him. No less would have comported with his instincts, his training, or his teachings and example of the great men of his section, whose services in peace or war had laid the foundations of this country's greatness and glory.

But when hope had fled and the chances for the establishment of separate Southern independence amounted to no more than the vaguest possibility, that the Southern soldier, even in that dark hour, stood by his colors and his cause as faithfully, endured his growing hardships as uncomplainingly, bore himself as proudly, and faced death as fearlessly as when he believed that success would crown his efforts and reward his sufferings, presents a phase of constancy and devotion and of genuine chivalric sentiment which no other historic character so strikingly illustrates.

The men he stands for in history fought as well to save Hood's broken column after all had been lost at Nashville as they had done at Shiloh, when victory, as they believed, would establish the Southern Confederacy. They struggled as desperately in those "last days" of Lee's army—days of hopelessness and gloom—as they had ever done in the time of that great leader's proudest triumphs. At Bentonville, when it was not doubted that Richmond, in a few weeks, if not before the battle ended, would be in the hands of the Federals, they met the enemy as bravely and as cheerfully as they had done at Manassas or Murfreesboro.

In all this I see something unequalled and unrivaled in the history of war in any age—something that wins the admiration and wins the homage of mankind. Whatever it is, and whatever else it shows, it proves at least sincerity of motive, continuity of purpose, self-sacrificing adherence to a cherished sentiment, and settled conviction which defied despair; and it is to men of such attributes, moved by such incentives and capable of such deeds, that the South, under changed conditions, owes her position of honor and equality in the Union to-day.

This tribute to the Southern soldier by this gallant Confederate general, whose life we to-day memorialize, is a true representation of his character, of his fortitude, and of his struggles and faithfulness, and is worthy to be preserved here.

When the war was over, this ideal gentleman and soldier returned to his home in Mississippi, and by his example stimulated his people to new life and new energy to meet and overcome the new conditions that surrounded them; and in civil life, into which he again entered, he was the guiding spirit of his people, and by his example and precept aided and guided them in rebuilding their waste homes and restoring their State to good government. After his devotion to their interests, when they needed a successor to the illustrious and beloved Lamar, they unhesitatingly turned to General WALTHALL, and, without any seeking upon his part, elected him to represent the State of Mississippi in the Senate of the United States.

Fortunate, indeed, has been the South in presenting, since the civil war, as its representatives in that great body of the American Congress such men as WALTHALL, Lamar, George, Gordon, Colquitt, and others like them, who had been, and were still, leaders of the Southern people. It was by their presence in that body and by their daily association and contact with the Senators from the other sections that the prejudices of our Northern friends were at last allayed and broken down. It was the qualities of such men and the character they displayed in that body that gave to the present senior Senator from Massachusetts, Mr. HOAR, the occasion and the reason for saying, some years ago, with reference to the Southern gentleman, the following:

I know, too, when I say these things, I am saying them of my countrymen. They have some qualities which I can not even presume to claim in an equal degree for the people among whom I myself dwell. They have an aptness for command which makes the Southern gentleman, wherever he goes, not only a peer, but a prince. They have a love of home; they have, the best of them and the most of them, inherited from the great race from which they came the sense of duty and the instinct of honor as no other people on the face of the earth.

Such is, indeed, the true type of the Southern gentleman, as portrayed by Senator HOAR, and no one filled the full measure of this type better than did General WALTHALL.

In the Senate of the United States, by his manly bearing, by his courtesy, by his chivalrous conduct, by his considerate regard at all times of the rights of others, and by his attainments of intellect, he inspired not only respect and admiration, but won the esteem and love of his associates in that body; so that when he had performed his work, when his life was ended, there was not a

man who had known him as a member of the Senate, or one who had been blessed with his acquaintance and friendship in Congress, but deeply mourned his loss.

Just two weeks before he died he made his last appearance in the Senate to deliver an eulogy upon Senator George, who was his late colleague. Though physically unable to perform this, which he deemed to be his duty, he nevertheless did so. Two weeks from that day, on the 21st day of April, 1897, his true heart ceased to beat, and he laid down life's labors forever. After the impressive ceremonies in the Senate, the committee, of which I was a member from the House, attended his remains to their last resting place, at Holly Springs, in Mississippi. From every section of the State came the people of Mississippi to pay their last respects at this great and loved man's grave.

The governor and the officers of the State, the professors in the colleges, the lawyers, merchants, and the farmers all came to join with those of his neighbors and friends at Holly Springs in tenderly consigning his body to the tomb. The eloquent Bishop Thompson, of the Episcopal Church of Mississippi, came and delivered the funeral oration. He spoke of the pure life, the high character, and the unselfish devotion of the man whom they came to bury. A most impressive scene was the Walthall Camp of Confederate Veterans, who came in a body to attend the funeral, and who brought bouquets and wreaths of flowers to place upon the tomb.

The coffin rested first in the church, covered and surrounded with these flowers—not artificial or hothouse flowers, but flowers grown in the soil and in the air and sunshine of Mississippi, deposited by the hands of these old veterans, who had followed him to victory in battle and stubbornly resisted the enemy on retreat—and as we bore the coffin to the grave each one, with a wreath of flowers in his hands, marched beside the hearse that contained all that was mortal of their former commander and friend; and when the coffin was lowered to its last resting place, they tenderly and lovingly placed the flowers upon his grave. We left him buried in the soil of the State that he had served and loved so long, and there will he rest—

Till the sun grows cold,  
And the stars are old,  
And the leaves of the judgment book unfold—

when, unless the teachings of religion are false, will be found written on the leaves of the judgment book, in living characters, the virtues and deeds of this great and good man preserved as evidences of his worth, and which will entitle him, when the judgment is entered by that Infallible Judge, who judges all right, to eternal life, peace, and happiness forevermore.

The life, the name, and the memory of General WALTHALL is a precious tradition to be preserved amid the records of the Congress of the nation. It can but be an inspiration to the youth of this country. The characteristics that made him great and loved can never die. They live after him. Yes, indeed—

These shall resist the empire of decay,  
When time is over and worlds have passed away.

The memory of such a man will always be cherished as long as virtue is admired. Such principles were not born to die. The mortal may depart; that which made him great was immortal; it was the soul, and it does not die.

Cold in the dust the perished heart may lie,  
But that which warmed it once can not die.

Mr. McLAIN. Mr. Speaker, when by resolution of this honorable body this day was set apart to offer tribute of respect to the life, character, and services of Senator WALTHALL and the Hon. W. F. LOVE, it was my purpose to prepare only a eulogy on my lifelong friend, Mr. LOVE, leaving the tributes of respect to the memory of General WALTHALL to the many members of this House who knew him thoroughly and intimately. Such an acquaintance it was not my good fortune to share.

Upon reflection, I have decided within the last day to offer a few words expressive of my estimate and appreciation of this illustrious Mississippian. Being a Mississippian, in common with him, I feel a sincere and genuine desire to offer a few humble words of praise to his memory. Though his life, character, and services have been so truthfully painted to-day by his lifelong friends, and also heretofore by his associates in the Senate, that I deem it superfluous for me to say anything, yet I arise to pay my sincere respects to this great and matchless man.

Mr. Speaker—

His life was gentle, and the elements  
So mix'd in him, that Nature might stand up  
And say to all the world, "This was a man!"

He impressed me as being one of the most remarkable men, in many respects, in our State. He was by nature and cultivation a grand, knightly, and masterly character. In many respects he overtopped all. He treated everything he touched with a mas-

ter's hand. In his long, useful, and checkered career he proved this. In all departments of life that he was called to fill he stood at the head of his class. As a citizen, soldier, and statesman he proved this preeminently. In all these spheres he shone forth as a star of the first magnitude.

In brain power Mississippi may have produced a few men stronger than he. In fact, I am rather persuaded that she did; but in estimating a man's weight and worth to society and country we must view him from all points. No one man is great in all departments. While in actual brain power he did not, in my opinion, equal or excel a few Mississippians I have in my mind, yet I assert with absolute confidence that he was deeper rooted in the affections of his people than any man who has been upon the stage of action in Mississippi in the last generation—should I say within her history, I do not think I could be accused of extravagance. Mississippi delighted to honor him. She showered her richest gifts upon him, and with her wreaths of honor she was always proud to crown him, with or without his consent. The truth of this is known to all Mississippians. I shall not, therefore, here relate the facts of this seemingly extravagant assertion, but such is a fact. How did he gain this wonderful hold upon her? By God's lavish gifts.

He was magnetic in its broadest sense. He was pleasing and exquisite in his bearing and manners. He was chivalrous, courteous, and knightly. His great, manly, and tall physique was a silent witness to courage. In his presence you instinctively felt and saw that you were in the presence of truth, purity, and greatness, and that indefinable something, that was pleasing and sublime, flowed out upon you, emphasizing the fact that you were in the presence of no ordinary man.

Pure, chaste, and noble thought had been chiseled upon his intellectual and most lovable face. But this was not all. While God had given him a graceful, manly form, and a ponderous intellect, he had builded for himself a great character. It gave him great worth and showed him off at his best. Again, he was kind, generous, and had a just and keen conception of the rights of others. He scattered the seeds of kindness wherever he went. He was so pure, gentle, and kind to all that friends grew and multiplied around him. It has been beautifully said that "kindness is the real law of life, the link that connects earth with heaven. Would you live in the remembrances of others after you have passed away, write your name upon the tablets of their hearts by acts of kindness, love, and mercy."

General WALTHALL, along with his many other virtues, did this all through his long and useful career, and he lives in the remembrances and hearts of all Mississippians, and all others with whom he came in contact. I find that here, at this national capital, he was beloved and honored as in Mississippi, resulting chiefly from these great and pronounced characteristics and virtues. Among his colleagues in the Senate, I am told, he was estimated and regarded as the soul of truth and honor. By these adornments, coupled with his great intellectual ability, his influence was vast, second to none in the Senate.

His home is in the hearts of his people, and his memory is tenderly cherished by them. As cumulative evidence of this fact, at this very moment there is a movement among them to erect a monument to his memory. It will be built, and built by the free, spontaneous gifts of his people. They deem it eminently fitting that the love they bear to him and to his transcendent name and achievements should be thus honored.

Mr. Speaker, this distinguished subject has a great history. He was great as a citizen, lawyer, soldier, and statesman. The history and beauties of each of these spheres so occupied by him have been so beautifully and truthfully related by his life-long friends in this House and the Senate that I refrain from detaining the House further, and content myself with these few general remarks on his life, character, and services.

In his death Mississippi has lost one of her purest and best men. His life was "Like the day, more beautiful in the evening; like the summer, aglow with promise, and like the autumn, rich with the golden sheaves, where good works and deeds have ripened in the field."

Mr. MEYER of Louisiana. Mr. Speaker, the States of Mississippi and Louisiana lie side by side. We are neighbors in every sense, and therefore I feel impelled to utter briefly the sympathy felt by us of Louisiana for the people of Mississippi in the loss of one of our truest, bravest, and most eminent sons.

I am aware that this may seem a strong statement. Mississippi has been singularly fertile in producing men able in public affairs. She had from early days a strong bar. Her jurists, her soldiers, and her statesmen will always lend luster to our history. We easily recall the great names of Prentiss, Poindexter, Walker, Sharkey, Quitman, Albert G. Brown, and, most illustrious of all, Jefferson Davis.

Coming down to a still later period, that of our own times, we find as worthy successors in posts of trust L. Q. C. Lamar, James

Z. George, and EDWARD CARY WALTHALL. Mississippi may well be proud of such a galaxy.

Lamar, George, and WALTHALL were with us but the other day. We feel as though we were still listening to their voices and their patriotic counsel and gathering hope and inspiration from their presence. They have passed away all too soon.

Such is the natural thought of grief, but we must consider that, in the most painful and trying period of Southern history, they were here to lead us, and their great work was well and fitly done. They may now rest from their labors in peace, followed by our affection, veneration, and gratitude.

Mr. Speaker, the story of Senator WALTHALL's career has been told by faithful and loving eulogists. Born in Virginia's capital and historic city, he went as a mere boy with his father to Mississippi, where he received his education and then was called to the bar, the profession of his choice, in 1852. His rise was steady, crowded as that bar was by men of talent and legal acquirements.

Both then and in the years following the civil war he was a highly successful lawyer. He may be said to have realized in this, his chosen vocation, the full measure of his professional aspirations.

On this portrait of his career, as of any other, there is not a blemish or a stain.

But WALTHALL was much more than a sound, successful, strong lawyer. He was about 30 years of age when the war began and involved our land in four years of desolating conflict. The young lawyer was quick to take up arms for his State and section. He had enjoyed no military training; he was no professional soldier, and probably, measuring himself severely, deemed it best to begin at the foot of the ladder. He was made a second lieutenant, but his capacity for duty as an officer, his industry, zeal, and high soldierly qualities soon carried him through the various grades until in December, 1862, he was promoted to be a brigadier-general. In June, 1864, he was raised to the rank of major-general of the Confederate army.

This rise was not due to favor or influence. He never intrigued for anything. He won his spurs fairly, by solid, enduring merit, and by the faithful performance of duty. He rose to high rank in an army of brave men and skillful, tried, heroic officers, in such a host as has never been excelled in the story of human achievement, virtue, and endurance.

Fighting against terrible odds, imperfectly armed and equipped, ill fed, having no reinforcements to draw upon, fighting long months a losing battle, we can now hardly realize the constancy and inflexible courage it required in the commander, the strain upon the officers; but everyone who knew or who served with General WALTHALL in those dark days bears witness to his wonderful heroism and his knightly qualities.

It was during this period that I met him first—I a young officer, he with commanding position, yet his affability won me at once; and his kind consideration for all who came in his contact drew everyone to him. Inspiring veneration and respect, of attractive personal appearance, he presented the ideal cavalier "sans peur et sans reproche."

He was a man among men. Those who knew him personally and the strength of his personal character knew also there would be—there could be—no duty that he would not perform, whatever might be the personal risk or sacrifice; whatever man could do in onset or to cover retreat in case of disaster he would be sure to do. He was a hero. He has been judged by heroes, and so the verdict will stand forever. His monument is the history of the western army of the Southern Confederacy.

When that unfortunate war closed in conquest, ruin, and humiliation for the South, General WALTHALL returned to his work as a lawyer. He was no politician. He had cherished no political ambitions. None of the old politicians were permitted in that hour of passion to resume official trusts. Not even moderate men like Lamar and WALTHALL saw the road open to public distinction, though the tastes and qualifications of the first lay mainly in that direction.

But, Mr. Speaker, there is a place of duty somewhere for every man; and men like these were the natural counselors and leaders of the people, even in private life. Lamar was the first to come to the Federal Congress. His great career, his influence for good, we all know. It is not so well known, however, that the friend on whom he most leaned, the friend whose counsel he most valued, and whose constant sympathy was almost a necessity of his life, was EDWARD C. WALTHALL. Their communion on all questions of state and public duty was close and constant.

The death of one, the first called, ended this communion; but in the lives of the two it was perfect. Some of those who well knew both would say that it might be difficult to determine which owed the most to the other. The forte of the one was a wise philosophy; the other, WALTHALL, was a man of logic, but also preeminently a man of action. But so close was their friendship and so kindred all their thoughts that the influence of WAL-

THALL was felt in Congress and public affairs long before Mississippi sent him to the United States Senate.

I shall not dwell upon General WALTHALL's career in the Senate. He spoke rarely and aimed at no display, and apparently employed no special efforts to influence his associates. He led a quiet and simple life, such as Senators from the South led in the old days, even when their thoughts and utterances were molding the destinies of the Republic. But WALTHALL was not an idle man. He neglected no public duty. He wasted no time in dissipation or the pursuit of pleasure. He was a practical, laborious Senator. He studied all the public questions that came up, and on these he formed his opinions quietly and firmly. Everyone knew where to find him. Thoughtful, observant, studious and upright, courteous, yet frank and truthful, when he did speak he spoke with power.

It is doubtful whether any Senator has ever commanded more thoroughly the respect of friend and foe than General WALTHALL. He did not go around seeking to make friends; he had no such art; but such was his perfect rectitude, his love of truth, and his courtesy that when he passed from the Senate to his great reward, there was not one there who did not feel that he who had died was worthy to have been a senator of Rome when Rome survived.

Mississippi loved and honored her noble son, and in this she honored herself. Never once was her pride and confidence in him withdrawn or even weakened. WALTHALL could not but know and prize this wealth of trust and affection from his own people. He would not have surrendered it for any earthly honor. But there was something he cared for even more than to be the honored servant of that gallant State. To speak the truth, to avow and defend the right, to follow the line of duty, were more to him than any public honor. There came a time in the history of Mississippi when there was a demand for what is known as the subtreasury plan of the Farmers' Alliance. It was a vain delusion, born of the distress and suffering of the agricultural classes.

Sympathizing profoundly with the sufferings of their people, and recognizing the good motives of the advocates of this plan, both WALTHALL and George promptly declared their opposition to it. Such a step might have cost them their seats in the Senate and, what is far more important, the confidence of their constituents; but they did not hesitate for an instant. The good sense and the good feeling of this people rallied to the wise, brave counsel of the two Senators. But while WALTHALL was deeply gratified at this change, his friends knew that if it were necessary he was ready to quit the Senate rather than dishonor and repudiate his convictions. He loved Mississippi much indeed, but he loved honor more.

There has been no epoch in the history of mankind when public trusts were more difficult, when to serve the State required higher ability and higher personal qualities, than in the thirty years that followed the civil war, and especially from the public men of the South. They had to face a tempest of passion and a bitter prejudice that often brought a feeling to their hearts akin to despair.

To plead the cause of a weak and conquered people; to conciliate without sacrificing honor and duty; to be frank and yet not offensive; to lift up and regain the liberties of a trampled, hated, distrusted section; to make apparent to all the good faith and patriotism of their constituents without resorting to unmanly recantations or fulsome protestations; to be patient and yet strong under the most trying provocation; to know what to yield and when to be firm; to hope on and fight on to restore the material prosperity and political future of their constituents—these, and far more than I can describe, were their difficult tasks. How tersely does Kipling portray some of its burdens:

Take up the White Man's burden—  
In patience to abide,  
To veil the threat of terror  
And check the show of pride;  
By open speech and simple,  
An hundred times made plain,  
To seek another's profit  
And work another's gain.

Take up the White Man's burden!  
Have done with childish days—  
The lightly-proffered laurel,  
The easy ungrudged praise;  
Come now, to search your manhood  
Through all the thankless years,  
Cold, edged with dear-bought wisdom,  
The judgment of your peers.

In all the great work the wisdom, thoughtfulness and unselfish patriotism, and rare equipoise of an heroic man like WALTHALL was an invaluable aid to Mississippi and the entire South.

That grand, knightly figure has gone from our view. I mean the earthly part, the casket which contained the jewel, but we can see it still in the mind's eye—the proud, yet dignified and affable presence, the inborn grace, the winning smile, the courteous mien, the kindly frank tone, the countenance in which never lurked an ignoble thought.

In this feverish, fretful struggle of life, with so much in its daily strife and contention that is sordid, saddening, and repulsive, it is refreshing to turn aside and study the lineaments of one who was an unselfish patriot, an heroic soldier, a wise statesman, a devoted husband, a true friend, a gentleman of the South, in whom every better element of our nature seemed blended with an exquisite proportion that defies imitation. Such was EDWARD CARY WALTHALL.

Cold in the dust the perished heart may lie,  
But that which warmed it once can never die.

**Mr. McLAIN.** Mr. Speaker, we have assembled, in obedience to a resolution of this body, to express our appreciation of the life and services of the Hon. W. F. LOVE. As a citizen of his native State, and successor to him in this honorable body, I esteem it a privilege to offer a tribute of respect to his memory.

This time-honored custom of Congress, in setting a day apart to pay tribute of respect to a deceased member, has a chaste and pathetic significance. It is sweet and hallowing in its tendencies, though an eloquent reminder of the certainty of death. On these occasions the fragrant flowers of friendship gather around us, filling our souls with the purest of thoughts. Yes, it softens our characters, touching every chord of the heart with its hallowed remembrances.

Tender thoughts come trooping upon us, calling up the fondest memories of life, and throw open the door of the heart to the entrance of the richest flow of thought. To feel conscious that after death we shall be pleasantly remembered robs the grave of some of its terrors. God implanted this desire in the human breast to spur us on to noble efforts, reaping as a reward an honored name.

I dare say, Mr. Speaker, no State in the Union has suffered so greatly by death in the Fifty-fifth Congress as the State of Mississippi, having lost one-third of her delegation on the floor of Congress. First, the matchless George; next, the peerless WALTHALL; and lastly, the noble and promising W. F. LOVE.

Pain would we delay our coming fate, but when the heaven-born gale doth blow, we must embark.

I will briefly relate the chief features in the life of the Hon. W. F. LOVE. In performing this duty it affords me pleasure to say I knew him intimately and thoroughly. He was my neighbor and my friend. I shall paint him as he was, or, at least, as he appeared to me. At the very threshold of this undertaking I feel somewhat embarrassed. I feel and know that many features of his splendid character and the many gems that crowned his daily walks are not known to you as to me, his stay with you being too brief for it to fully develop and impress you with all of its power and true worth.

I shall not detain the House with an extended biographical sketch of his life. He was born in 1850, in the county of Amite—the county that he served so long with such marked ability. On the evening of the 16th of October, 1898, at his home in Gloster, Miss., after a long and continuous attack of typhoid fever, "God's finger touched him, and he slept." He was born and raised on a farm near Liberty, Miss. His environments were such as to compel him to engage in all the labor and drudgery of a farm life until he reached his full manhood. In this school of toil was doubtless the seeding place of that grand success that crowned his after life.

It was here that he became so thoroughly in touch with the toiling masses and acquired such great sympathy for them. In this field of toil he advanced patiently and deliberately. He did not become discouraged from these surroundings, but bravely pressed on with fortitude and courage, and soon took deep root in the community where he lived; and in the grand sweep of things his honors came thick, fast, and continuous. In this school of toil his educational advantages were limited, though he managed to acquire a fair education. Having passed through such a curriculum, he entered upon politics. His entrance into this new field was sudden, and not of any premeditated seeking or preparation.

In 1876 and for some time prior he was an active member of the Grange, a farmers' organization. His friends soon discovered that in him lay great worth. They recognized and honored his sterling qualities by electing him in 1877 to the legislature of his native State, a position that he held continuously, barring one term, until he entered the Halls of Congress. During his legislative career additional honors were showered upon him by an admiring constituency by his being elected in 1890 as a delegate to the constitutional convention of the State.

He was ambitious, but it was of a high and worthy character. His political life was marked by wonderful energy, purity of character, and rapid progress—rising as he did from the humble walks of life to the highest honors in the gift of his people. He was a strong debater, and had few superiors as a stump speaker. In his political and private life he carefully cultivated those virtues which so gracefully adorn the character of a Christian gentleman. Excellency of character, a pure and clean life, together

with a sunny disposition, marked conspicuously his whole career. Yes, he was honest, sober, industrious, and kind-hearted. His cheery disposition gave him friends wherever he went.

He had the ear and confidence of his people, and justly so, for he had a perfect code of morals and fully realized that the essence of every achievement is energy. By these adornments he grew, year by year, stronger and stronger, gradually winning the hearts and praise of his fellow-citizens. So honestly, so faithfully, and with such true fidelity did he serve his people that he became a tower of strength with them. So thoroughly was he schooled in the principles of morality, and so closely did he walk with his God, that he was steeled against the enticing whispers of the serpent of temptation that so frequently clusters around and destroys so many of our public men. In his long public career—he it said to his honor—he lived a sober, pure, and virtuous life, and a man thus crowned is the "finest fruit earth holds up to its Maker."

Soon after entering political life he married Miss Julia Raiford, of Liberty, Miss., who, with her beautiful and intellectual daughter, survives him. It is permissible in me to allude to him as a father and husband, or, as I might term it, as I saw him in his home circle. "Here is the heart's garden. Its sunshine and flowers are here." Truly, I can say of him he planted and cultivated love, peace, and happiness in his home. But how could it be otherwise with a man who nourished virtue and fostered and sustained the commandments of his God?

He was faithful to the trusts confided to him by the people. I feel sure that the members of this House who were nearest to him will bear testimony to this. A more faithful and painstaking Representative the Sixth Congressional district of the State of Mississippi never had. Could he have lived, he surely would have developed into one of your strongest and most useful men. He was not a star, nor a genius; but he was industrious, painstaking, and energetic, and these qualities often win where genius fails.

In religious belief he was a Baptist. He loved his church. He freely contributed to it his time and money. He served his church faithfully, but all good men were his brethren. He moved and acted upon a broad plane, feeling that all good men were Christians.

Having lived an honored, useful, and God-fearing life, commanding the utmost respect from all, a grand success was his reward.

He had just won the coveted prize of his life. He was flushed with hope and full of confidence. But this noble and beautiful life, all aglow with promise, was stricken in the noon of its supreme happiness and usefulness. He died rich in honors, at peace with his God, and with good will to all men.

I contribute these humble words of praise to his memory, and place them as a garland of friendship upon his grave.

**Mr. GARDNER.** Mr. Speaker, it is true of most of the children of men that the memory of them fades at the close of their day, even as the brief afterglow vanishes from the sunset sky. Their names and the dates upon which they enter and leave the world may be cut in marble. That world has room for no ampler page.

We devote this hour to writing in the annals of his country something of the life and work of WILLIAM FRANKLIN LOVE, of Mississippi, whose valuable and conspicuous public service began with his manhood and ended at his bier.

Very much that was most worthy in his life, as in all lives, must be lost. But if his known ambition to perform high public tasks, his constant aim to point worthy and inspiring models, his high ideals of public service, are taken as utterances of his solicitude for the political and social welfare of the people whom he served, we shall, if only partially, still the better understand the man.

It is true that I had not the advantage of a long personal acquaintance with Mr. LOVE, yet I knew him long and well enough to enable me in some degree to appreciate his sterling worth. When he entered the Fifty-fourth Congress, he was assigned to one of the committees on which I had the honor to serve. I early observed the conscientious devotion of his energies to the tasks before him, his integrity of mind, his high purpose, his habit of seeking foundation fact, and invoking right reason for his conclusions. He seemed always disposed to test both political and moral questions by the higher law of effect. Indeed, he soon impressed me as at once the embodiment and exemplar of a code of lofty moral and civic conduct. In matters to be determined by the right and the wrong, the just and the doubtful elements, he might well remind one of the line of South. "Such grand exemplars as make their own abilities the sole measure of what is fit or unfit."

Kindness and sympathy were as manifest in his intercourse as stern regard for duty and robust sense of justice—the former made him approachable and interested in his fellow-men, the latter unyielding and swift in pursuit of the right.

By inquiry into his record in the State of Mississippi I was glad to find my estimate of the man confirmed. It had been long entertained by the people whom he had served.

At home he seemed to have risen above all factional differences and local strife, and stood preeminently the man in whom public confidence centered. Local disputes left his standing unaffected "as the rock that lifts its head above the troubled waters and remains unshaken by the causes that agitate them." For eighteen years he had been in one or the other branch of the State legislature, discharging there and elsewhere the most responsible and delicate trusts, the popular approval being manifested by again and always reimposing public trusts—the same or greater.

So long and satisfactory public service for a discriminating constituency is the result of neither chance nor favor, but of sterling qualities of mind and of spirit—tireless effort to ascertain the right and courage to do it whenever duty requires action. I learned enough of Mr. LOVE to see that such was the secret of his success. Even the doubting must see a saving grace in the choice of public servants when men of his mold, full of honor and experience and of known purpose, are retained and transferred to wider fields of action, as he was to the halls of national legislation.

The loss of a man so worthy from public or private life means much. That in Mr. LOVE which at once challenged our admiration was his exalted character—it was his fortress and best equipment. Here, if time permitted, we could not dwell too long. Character such as his must give us our worthy representative men and make up the sum of our national security and progress. Unless it predominates our public concerns, nothing remains on which to base a hope for the future; controlled by its influence, the future will be secure; without it, arsenals and guns are no guarantee of long national life.

Had length of days been given Mr. LOVE, he would, by reason of his rectitude, of perfect integrity of purpose, of unswerving adherence to lines dictated by an enlightened conscience, of industry in mastering detail, and zeal for accomplishing that which he conceived the public good required, have retained and enlarged the esteem of his constituency, and this House, slow perhaps to perceive but ever ready to recognize and to utilize true worth, would, upon fuller opportunity, have accorded him honors fitting his great merit. But length of days was not for him.

The Lord of Life so orbited his sun,  
That evening's shadows fell just when his noontide shone  
On widened fields. With new tasks scarce begun,  
He heard the whisper—"Rest, your work is done."

[Mr. CATCHINGS addressed the House. See Appendix.]

Mr. BOTKIN. Mr. Speaker, I desire a moment in which to offer a brief but sincere tribute to the memory of one whose untimely death has closed an earnest and successful career.

Among the compensating features of Congressional life are the new and valued friendships formed. From the drudgery of committee and department work and from the noisy strife of House debate one finds restful relief in association with the many earnest and manly members of this body from the different parts of our country.

One of the first and rarest spirits with whom I had the honor and pleasure to become acquainted upon my entrance into Congress two years ago was the Hon. W. F. LOVE. Early in our acquaintance we had occasion to enjoy a somewhat extended trip together. It was such a journey as furnished an opportunity for a complete unbending from the strain of official duties and as might have led a man less self-contained into some degree of social excess. But the man we mourn to-day constantly maintained the same genial, self-poised, orderly conduct so usual with him in his home life.

From that time to the close of the second session our acquaintance became more and more intimate, even ripening into a friendship at once warm and enduring. I had learned to trust and love the man, and the news of his death filled me with a sense of deep and personal loss.

Mr. LOVE gave earnest and conscientious attention to all the duties imposed upon him by membership in this body. Always at his post, and ever alert for opportunities in department, in committee, and in this Chamber to serve his constituents and his country, few men attain to so high a measure of usefulness in so brief a period of time.

The deceased was a Christian gentleman, demonstrating that even in the public service one may be a good man in the highest sense. In his life at the capital of the nation, with its abounding distractions and temptations, he exemplified the religion of Jesus, whose servant he was.

It is my pleasure to say that the average standard of morals in the American Congress is much higher than I had been led to suppose. The lives and characters of such men as W. F. LOVE very materially elevate this general average and augment the sum of integrity, of sincerity, and of worth.

A devoted husband, a kind father, a sincere friend, an upright citizen, a useful public servant, a manly man, has gone from us. May we emulate his example and may Heaven's blessings rest upon his family.

Mr. FOX. Mr. Speaker, I think I am fortunate in having known WILLIAM FRANKLIN LOVE. He is dead, but his influence still lives. No higher tribute can be paid to his memory than to say that everyone was better for having known him. I knew him well, and in all the relations of life I have never known a man who met and discharged every duty, public and private, more courageously and conscientiously. He shirked no duty or responsibility.

The modest biography in the Congressional Directory tells an eloquent story of a life of honor, industry, and usefulness. He was elected to the legislature of his State when just old enough to be eligible. He continued to be a member of that political body for eighteen years—ten years in the house and eight in the senate. While in the senate he filled the responsible and important position of chairman of the committee on finance. He was also a member of the constitutional convention of the State of Mississippi in 1890, and took a prominent part in the deliberations of that memorable body, which was composed of the foremost men in Mississippi, men who brought all their brains and patriotism to the solution of the greatest political problem that ever confronted any body of statesmen.

Mr. LOVE brought to the service of his country as a Congressman all his long experience and training as a legislator, which enabled him at once to take a prominent position in this body. It was a wise selection when the Speaker concluded to appoint Mr. LOVE as a member of the Committee on the Post-Office and Post-Roads. He at once addressed himself conscientiously and industriously to the arduous work of that great committee, and his well-trained business ability enabled him to take a conspicuous place in that work.

No man ever was or could be more conscientious in the discharge of his public duties. His idea was that his people had employed him to represent them, and that it was his duty to remain in his seat from noon, when the House of Representatives met, until it adjourned, watching carefully and intelligently all the proceedings in the House. Although a new member, he was always alert, and thought that his own responsibility to the country was as great as that of any other member; and he was right.

No man was more loyal or true in all personal relations of life, especially to his family or to his friends. He was fortunate and happy in having a loving and an accomplished wife and a brilliant and charming daughter, to whom he was devoted and for whom he lived; and they in return gave all their purest and best affections to lighten the burdens of his laborious life. And, Mr. Speaker, he was worthy of it; and that is the highest tribute that can be paid any man.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I was so unfortunate as not to have enjoyed the acquaintance of my late colleague, WILLIAM FRANKLIN LOVE, until after he came to Washington in consequence of his election as a member of the Fifty-fifth Congress. This was not owing to the fact of any lack of prominence on the part of Mr. LOVE in the public affairs of the State of Mississippi. It was owing to the fact that I myself was but little acquainted with the public men of my State, except those with whom I had been brought into association by my election and service here as a member of Congress.

Mr. LOVE, on the other hand, had long been one of the most influential factors in public life at home. He was barely of age when he became a member of the Mississippi legislature. In that capacity he spent ten years of exceptional usefulness and exceptional popularity, when he became a State senator and impressed himself upon the legislation of the State for eight years more.

When the people of Mississippi, confronted by unprecedented conditions, seeking a solution of a seemingly insoluble problem, under the leadership of "The Great Commoner," J. Z. George, had determined to hold a constitutional convention, they determined that it should be composed of the wisest and best of Mississippi's sons, and Mr. LOVE was elected by his section of the State as one of the members of that great convention. It was a great convention, because it succeeded in a most difficult work, and succeeded in such a way as that the result achieved could be defended in the face of the world as fair and honest and intelligent and just. Mr. LOVE was one of the most useful and industrious of the members of that convention.

I knew him, however, as a member of Congress, where I was thrown with him very constantly. I sought his advice very frequently, and found his counsel always valuable, because he possessed that tact which enables a public man while standing firmly to his own convictions and working steadily for their enactment into legislation to do so without wounding the feelings or rousing the prejudices of those who entertain different opinions.

He was elected to the Fifty-fifth Congress as a Democrat, serving most creditably his first term. Notwithstanding the lack of opportunity for prominence or for usefulness which accompanies the position of a new member, it soon became evident to all of us

that Mr. LOVE was peculiarly useful in that special work which fell to the charge of his committee, and which, therefore, especially attracted his attention as a member. We could follow him safely on all questions brought into the House from his committee. He had been renominated by his people without opposition and with a unanimity of sentiment seldom equaled, and his election to the Fifty-sixth Congress was prevented only by the fact that his untimely death intervened between his nomination and the date of the general election.

He was suave, urbane, polite, of an evenness of temper which I scarcely ever knew excelled. He was at the same time pronounced in his convictions, scarcely ever hesitating about a vote or the position which he owed it to himself and his constituents to take, never wavering after he had formed a determination. He was industrious to an extent beyond most men.

He was conscientious in his attention to the details of his duties as a Representative on the floor, in the committee room, and in attention to his correspondence. A man of most remarkably regular habits, his Congressional life went on like clockwork, with a regular time for each character of duty. When the House opened, he sat as if chained to his seat until the House adjourned. I regret that I did not know better the private side of his life. But even my scant acquaintance with it was enough to teach me that his domestic relations were of the happiest kind.

The affection of the members of his family for him, their confidence in him, was evident to the most casual observer. He lived, as Southern men in public life generally do, so that at the end of twenty-five years of public service he was no wealthier than when he began. There was no opportunity to make money legitimately in the field of work which he had chosen. He therefore made none. While his constituents and his people will regret the fact that he died poor, they will be proud of it as a demonstration of his integrity and will remember it to his credit and to the credit of his descendants.

Mr. HENRY of Mississippi. Mr. Speaker, I rise to say a few words in commemoration of my friend and colleague the Hon. W. F. LOVE, late Representative of the Sixth district of Mississippi in this the Fifty-fifth Congress.

Knowing him as I did, and admiring him for his many noble traits of character, I feel that I can truly say of him that he was in every way worthy of the confidence of his people and of the respect of his fellow-members.

Quietly and unostentatiously he pursued the even tenor of his way, hearkening only to the voice of duty as he understood it. He may have had faults, but had more of virtues. He was my friend, and I prefer to remember the latter.

It seems but a short time since at the end of the last session of this Congress I bade him farewell in the fullness of health. With a consciousness of duty well performed he hastened to his family and constituency to receive the well-earned plaudit of "Well done, good and faithful servant."

Appreciating his devoted service here, his district, without opposition, renominated him to the Fifty-sixth Congress.

Life was but opening to him; he seemed strong and vigorous, and his friends predicted for him a long and useful career in that field to which they had sent him as their representative. But, alas! "Man proposes, but God disposes."

On the 8th day of October, 1898, at his home in Gloster, Amite County, Miss., after a brief struggle with disease, Death claimed him "for his own."

During his short career in Congress he had won the respect and confidence of his fellow-members, and I dare say no one of them heard of his untimely death without genuine and unfeigned sorrow.

As a member of the Committee on the Post-Office and Post-Roads he was painstaking, vigilant, and laborious, bringing to his work intelligence, earnestness, and ability. On the floor of the House, in discussing the bill offered by the committee as a representative of the minority, he won the admiration even of those opposed to him by his thorough familiarity with the questions involved; and to his incessant labor and lucid presentations, more than to any other, is the country indebted for the defeat of the bill.

His dignified bearing, his earnestness, and his devotion at all times demanded the attention of the House. He put on foot measures, which have since matured, of great consequence to his district, bringing to the hitherto neglected Gulf coast and other points that relief they had long prayed for in vain.

His high moral character, his gentle deportment, his close attention to duty were characteristics of his service. I have never yet heard a single member make a remark derogatory of him, but have often heard from his late associates the highest expressions of regard.

To me, who perhaps knew Mr. LOVE better than any of our delegation, his death was inexpressibly sad. Our lines had somewhat fallen together. In 1878 we served together in the legislature of Mississippi in the lower house, and again in 1890, Mr. LOVE

then being in the senate. In November, 1890, we served again together in the constitutional convention. In those days he brought to his duty the same devotion which marked his career as a member of this body.

When he was elected to this Congress he was chairman of the finance committee of the State senate. His record as such attests his fidelity.

We entered this Congress together; how little did I think then that I would be called upon to perform this sad duty. He was my friend for many years and I can pay him no higher tribute than to say that during those years he was true to every trust, and never betrayed a friend nor lowered his crest to an enemy. His word was his bond, his integrity was unquestionable, his worth beyond measure.

He leaves a wife and daughter, to whom he was devoted, who, in the years that are to come, will long "for the touch of a vanished hand and the sound of a voice that is still." May the good God shield and protect them.

No truer man sleeps beneath Mississippi soil. Peace to his ashes.

Mr. ALLEN. Mr. Speaker, I have known Mr. LOVE for some years. I knew him as a member of the legislature and a member of the State senate of Mississippi, not intimately at all, but I knew the esteem and high regard that his colleagues in both of those bodies had for him. He had taken the high stand for industry, honesty, and faithful service in those bodies of which his short service here gave so much promise. I watched his career with some interest.

I saw him elected to the Fifty-fifth Congress. When he came here, as my colleague has just said, with all the embarrassment that surrounds the average new member, he took his assignments on committees, went to work, and by his industry, his close attention to the duties of his position, he was fast winning his way to a place of great usefulness and prominence in this House.

He seemed from the very first to have the correct idea as to how to make himself a useful member of this House and a useful servant of his people. He did not want anything to go on here without his knowing something about it, and by close application and diligent inquiry, meeting and working with his committees and understanding all they did by close attention to the business assigned to him, and then attending regularly the sessions of the House and being in his seat and keeping up with what is going on, he was very fast familiarizing himself with the methods of legislation here. Very few new members who come to this House gave more promise of usefulness than did Mr. LOVE.

After his service in the first two sessions of the Fifty-fifth Congress I was invited to his home town. Just a few days before he was taken sick I spent a day there, almost all of which was spent in his company. I met a very large concourse of people. I learned in his association with them, in his apparent thorough knowledge of them, and their great respect for him, something of the hold he had upon the affections and confidence of his constituency.

There was a large meeting in the town of Gloucester, where he was living when he died, and where he died, and I was very much impressed with the thorough and cordial relations existing between Mr. LOVE and those people with whom he lived. As has been said, he had been renominated without opposition, and would have been elected almost as unanimously if he had lived. It was bad for the State, it was bad for the people, that a man who gave promise of a useful career, who had scarcely reached the meridian of life, should be taken off as he was.

I left him in good spirits, in apparently good health, enjoying all the happiness that belongs to a man of his happy domestic relations and the thorough confidence of his neighbors and constituents. A few days after I left him I noticed in the newspapers an account of his serious illness. This continued for some time, and then, a little more than a month from the time he and I were together, he passed over the river. We all mourn him.

Mr. Speaker, I did not enjoy an intimate acquaintance with Mr. LOVE before he came here; but when I came to know him well we became good friends, and I came to be very fond of him. I had come to appreciate his worth and had come to know of the many sterling qualities he possessed, and I will always be of those who loved him and who will ever cherish pleasant memories of him.

I recognize that in his death this House sustained a great loss, our delegation one of its most promising and useful members, and the State of Mississippi one of its best citizens and one of its most trusted and useful public servants. His family and friends have sustained an irreparable loss, for he was a true, faithful, and affectionate husband, a loving and tender father, and a friend who could be trusted under any and all circumstances. As there are others to speak, I will not detain the House longer.

Mr. SPIGHT. Mr. Speaker, these memorial occasions, of which there have already been several during this short session of Congress, remind us that "death is no respecter of persons;" that he puts his sickle into the council halls of the nation as well as

into the homes of the private citizen. They should also remind us that "it is not all of life to live, nor all of death to die."

If the life here is right, then death is not oblivion and forgetfulness, but is only a change in the form and duration of existence; a putting off of mortality and a putting on of immortality; an exchange of a state of being full of perplexity and sorrow and suffering for one full of perfect peace, happiness, and rest. For the Christian who has built upon "the firm foundation," death has no terrors. Such an one might well wish, for the sake of loved ones left behind, that his days on earth might be prolonged, but is nevertheless ready to say, "Thy will be done."

Of a man of this character, I come to say a word to-day.

I shall leave to others an outline of his life, and shall speak briefly of my personal acquaintance with him, and the impressions his character made upon me.

I first knew WILLIAM F. LOVE in 1878 when he and I were members of the Mississippi legislature. I learned then to appreciate his noble qualities, and to know something of the principles which animated and characterized his whole life.

He did not possess the too often fatal gift of brilliancy, but instead nature had endowed him with sound judgment, an honest heart, fixed purposes, and zeal in the performance of every duty. Of these qualities the most useful men are made. Mr. LOVE was faithful to every trust, public and private, and all his actions were prompted by a determination to do right, and a desire for that which would accomplish the greatest good.

Above all things else, he was a Christian gentleman, who carried his religion into his business, and no enterprise which was in conflict with the divine law and an enlightened conscience could secure his approval; and no matter what the allurements, he had the courage to say "No" to every wrong. In his death there was a loss to his country and to his friends, but more than all a loss to his family, who loved and appreciated him as no others could; but the God whom he trusted will care for and bless them.

Happy the man who, when his life-work is ended, can lie down to rest in the consciousness of duty well done, and in his last moments say, with Job, "I know that my Redeemer liveth."

Mr. LOVE's work on earth is ended, but he did not live in vain. I do not agree to the literal sense of that couplet:

The evil that men do lives after them;  
The good is oft' interred with their bones.

But rather with that other familiar sentiment:

Lives of great men all remind us  
We can make our lives sublime,  
And departing, leave behind us  
Footprints on the sands of time.

The world is better for Mr. LOVE's having lived in it, and his good deeds and elevating influences can not be lost, but will continue to bear fruit to the glory of God and the good of mankind long after his body has crumbled into its native dust. It was not said in vain—

Blessed are the dead which die in the Lord \* \* \* that they may rest from their labors; and their works do follow them.

Mr. FERGUSON. Mr. Speaker, as a new member of the Fifty-fifth Congress, I became acquainted with Hon. WILLIAM FRANKLIN LOVE, whose death came in the very midst of his strength and usefulness. I had most favorable opportunities to observe the methods and to study the character of this most conscientious public servant, for we were both members of the Committee on the Post-Office and Post-Roads, sat side by side at the table of that important committee, and often served on the same subcommittee, and now, when, in accordance with the long-established and appropriate custom, we, his fellow-members, meet to do honor to the memory of our deceased friend and pay tribute to his worth as a man and as a legislator, I shall enter upon no extended eulogy, for there are many others more able than I waiting to do that, but shall content myself with recording what I observed to be his most marked characteristic as a servant of his people and a member of this great body.

An ever-present and most imperious sense of duty Mr. LOVE exhibited on every occasion. In the obscure and little-appreciated labor of the subcommittee he was always present; he scanned and thoroughly mastered the scope of every bill submitted, and while exhibiting liberality and common sense in considering every proposition, he yet was inflexibly firm when his mind was made up. In full committee, where all subcommittee work must be reviewed, he was active, alert, inquisitive, and most useful; and when antagonism arose, and the clash of debate followed, Mr. LOVE showed himself to be a man of wide information and an advocate of great force and persuasiveness. It did not take a prophet to see that, had our friend been spared, he would have attained great distinction. The true door to distinction in this body, as I observe, is the mastery of the details of the various subjects of legislation.

The strong men we see around us in this House, who are shaping things, every one of them, show the mastery of details which

proves the possession of that very laboriousness and devotion to duty which was so prominent a characteristic of the subject of this tribute. It is bound to bring prominence; and with him prominence would have brought the increased and ever-increasing esteem of his fellow-citizens—for he was also a man of un-mixed integrity, a gentle and lovable companion, a pure-minded, brave, and Christian gentleman.

[Mr. GRIGGS addressed the House. See Appendix.]

Mr. ALLEN. Mr. Speaker, in conclusion I desire to make a request that a number of gentlemen who had intended to speak, some of whom have been deterred from doing so by the lateness of the hour and others by not being well enough to be here to-day—that all persons desiring to print remarks on Mr. LOVE and Senator WALTHALL be permitted to print them in the RECORD.

The SPEAKER. Without objection, the permission will be granted. The Chair hears no objection.

In obedience to a vote of the House already taken, the Chair declares, as a further mark of respect to Senator WALTHALL and Mr. LOVE, a member of this House, the House now stands adjourned until Monday at 11 o'clock a. m.

And accordingly (at 5 o'clock and 54 minutes p. m.) the House adjourned.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred House bill 12062, reported in lieu thereof, as a substitute, a bill (H. R. 12184) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation, reported the same without amendment, accompanied by a report (No. 2301); which said bill and report were referred to the House Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

Mr. BABCOCK reported from the Committee on the District of Columbia a bill (H. R. 12184) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation—to the House Calendar.

By Mr. BRADLEY: A resolution (House Res. No. 419) to prevent manufacture of United States Government uniforms in sweat shops—to the Committee on Rules.

By Mr. STEVENS of Minnesota: A memorial for the legislature of the State of Minnesota, against selling lands on the Indian reservations in that State until after January 1, 1902—to the Committee on the Public Lands.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. DAVIS: A bill (H. R. 12185) for the relief of John McGovern—to the Committee on War Claims.

By Mr. GIBSON: A bill (H. R. 12186) to correct the military record of John W. Robinson—to the Committee on Military Affairs.

Also, a bill (H. R. 12187) granting a pension to Lewis Perkins—to the Committee on Invalid Pensions.

By Mr. ROBBINS: A bill (H. R. 12188) to increase the pension of Mrs. Sarah R. Williams—to the Committee on Invalid Pensions.

By Mr. SPRAGUE: A resolution (House Res. No. 415) that the Clerk of the House pay to Ambrose E. Pratt balance due him as clerk of the late Hon. John Simpkins, member of Congress—to the Committee on Accounts.

By Mr. ODELL: A resolution (House Res. No. 416) that the Clerk of the House is authorized to pay Alfred Lewis and others, wood carriers—to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petitions of the Woman's Christian Temperance Union of Burgettstown, Pa.; Post 286, Grand Army of the Republic, Young People's Society of Christian Endeavor of Westminster Church, and Young People's Society of the United Brethren Church, all of Burgettstown, Pa.; Woman's Christian Temperance Union of Perryopolis; Pleasant View Christian Endeavor Society; Presbyterian Church of Pigeon Creek; United Presbyterian Church of West Alexandria; Cumberland Presbyterian Church of West Finley; United Brethren, Methodist Episcopal, and Presbyterian churches of Claysville, Pa., in favor of

the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. CAPRON: Protest of the Rhode Island Woman's Suffrage Association against the disfranchisement of the female citizens of Hawaii—to the Committee on the Territories.

By Mr. CLARKE of New Hampshire: Petition of fourth-class postmasters of Grafton County, N. H., for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

Also, petitions of the Woman's Christian Temperance unions of North Stratford and Franklin, N. H., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of North Stratford and Franklin, N. H., in favor of the passage of the Ellis bill and to continue the present liquor laws of Alaska, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Woman's Christian Temperance unions of Franklin and North Stratford, N. H., to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

By Mr. CODDING: Petitions of the Young Woman's Christian Temperance Union of East Smithfield, and Gustin Post, No. 154, Grand Army of the Republic, of Troy, Pa., favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. ELLIS: Petition of 33 citizens of Baker City, Oreg., favoring a bill to retire civil-service employees—to the Committee on Reform in the Civil Service.

By Mr. GRIFFITH: Protest of Garland Mills Company, of Greensburg, Ind., against the tariff rates of transportation proposed by trunk-line railroads, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. GROUT: Petition of William H. Burbank, of Barnet, Vt., and 18 other fourth-class postmasters of Caledonia and Orange counties, Vt., urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, protest of A. G. Artell and 51 citizens of Warren, Vt., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. HITT: Resolution of the Society for Ethical Culture, of Chicago, Ill., in favor of conceding to the Philippine Islands the right of self-government—to the Committee on Foreign Affairs.

By Mr. HOWARD of Georgia: Petition of citizens of Athens, Ga., for restoration of the appropriation to the Southern Railway Company for fast mail—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Woman's Home Missionary Society of the Methodist Episcopal Church South against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. HULL: Resolutions of the Runnells Conference of the Des Moines, Iowa, District of the Beorganized Church of Jesus Christ of Latter Day Saints, against the seating of B. H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. KETCHAM: Petition of the Woman's Christian Temperance Union and Young People's Society of Christian Endeavor of Clinton Corners, N. Y., in favor of the Ellis bill and to maintain prohibition in Alaska and Indian Territory—to the Committee on Alcoholic Liquor Traffic.

By Mr. LACEY: Petition of George A. Gates and other citizens of Grinnell, Iowa, for woman suffrage in the Hawaiian Islands—to the Committee on the Territories.

By Mr. LITTAUER: Protest of C. O. Thatcher and other citizens of the Twenty-second Congressional district of New York, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. McDOWELL: Petition of the Ministerial Association of Canal Dover and New Philadelphia, Ohio, against the seating of B. H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. NORTON of Ohio: Protests of the Woman's Home Missionary societies of the Methodist Episcopal Church of Tiffin, Marion, Fostoria, and Fremont, Ohio; Baptist Society of Sandusky, Ohio; Ladies' Society of Perkins Methodist Church, of Sandusky; Presbyterian Church and Methodist Episcopal Church societies of Crestline; Oak Grove Woman's Foreign Missionary Society, of Clyde; Antrim Township Sunday School Convention, of Wyandot; H. C. Lyman, of Bucyrus, and A. G. Lane, of Fremont, Ohio, protesting against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. PRINCE: Petition of L. A. Ferry, M. D., and 28 citizens of Geneseo, Ill., urging the enactment of the Brosius bill to prevent the adulteration of food—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBINSON of Indiana: Petition of letter carriers and citizens of Fort Wayne, Ind., favoring the passage of a bill to equalize the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. SHATTUC: Resolutions of the Evangelical Alliance of Cincinnati, Ohio, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of the Evangelical Alliance of Cincinnati, Ohio, for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. STEVENS of Minnesota: Resolutions of the St. Paul Typographical Union, No. 30, in favor of the restoration of wages in the Government Printing Office to 50 cents per hour—to the Committee on Appropriations.

By Mr. WANGER: Petition of the Woman's Christian Temperance Union of Doylestown, Pa., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

## SENATE.

MONDAY, February 27, 1899.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. HALE, and by unanimous consent, the reading of the Journal of the proceedings of Saturday last was dispensed with.

### MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE DINGLEY.

Mr. HALE. Mr. President, I wish to give notice that on Wednesday at 5 o'clock I shall ask the Senate to consider resolutions relating to the death of my late distinguished colleague in the House, Governor DINGLEY.

Mr. COCKRELL. On what day?

Mr. HALE. On Wednesday. I put the hour at 5, making it as late as possible, so that it will not interfere with the very pressing business of the Senate.

### EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting an estimate of appropriation for inclusion in the naval appropriation bill, required by the Bureau of Steam Engineering, under the title "Civil establishment," for one chief clerk for the department of steam engineering at the navy-yard, Boston, Mass., \$1,300; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Supervising Architect requesting an increase in the appropriation for rental of quarters at Chicago, Ill., for the year ending March 28, 1900, from \$18,845.23 to \$19,535.20 in order to provide additional space for the internal-revenue service; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Director of the Mint calling attention to the estimate formerly submitted by him for "Freight on bullion and coin, mints and assay offices" for the current fiscal year, \$45,000, and stating that under present conditions it is found that it will require \$10,000 additional to his first estimate, or \$55,000, to complete that service for the remainder of the fiscal year; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting estimates of appropriations for the service of the Ordnance Department for the fiscal year 1900; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, inclosing a memorandum from the Quartermaster-General showing the cases in which compensation in excess of \$150 per month is paid by that Department, indicating an aggregate annual expenditure of \$110,000, and recommending that the act of Congress approved June 7, 1898, suspending the operations of certain laws relating to the War Department be continued suspended until March 1, 1900; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

## LISTS OF JUDGMENTS AND CLAIMS ALLOWED.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 25th instant, a list of all judgments in favor of claimants in Indian depredation cases rendered by the Court of Claims since the date of the last appropriation for the payment of such judgments, July 7, 1899, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

## BARGE, DOCK, ELEVATOR AND RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator and Railway Company of the District of Columbia for the year ended December 31, 1898; which was referred to the Committee on the District of Columbia, and ordered to be printed.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 4748) for the relief of Charles K. Kirby and Edinger Bros. & Jacobi;

A bill (S. 5450) to attach Claiborne County, Miss., to the western division of the southern judicial district of Mississippi; and

A bill (S. 5513) to amend an act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," and extending the time for constructing and operating the said railway for two years from the 5th day of April, 1899.

The message also announced that the House had passed a bill (H. R. 7093) granting an increase of pension to William R. Warden; in which it requested the concurrence of the Senate.

The message further transmitted to the Senate resolutions of the House upon the deaths and as tributes to the memory of Hon. E. C. WALTHALL, late a Senator from the State of Mississippi, and of Hon. W. F. LOVE, late a Representative from the State of Mississippi.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 1154) granting a pension to George Hughes; and

A bill (S. 1776) to increase the pension of Mrs. Letitia Tyler Sample.

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the legislature of South Dakota, praying for the enactment of a free-homestead law; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA, DEPARTMENT OF STATE,  
Pierre, February 20, 1899.

To the honorable President of the United States Senate,  
Washington, D. C.

SIR: I have the honor to inclose you herewith copy of house joint resolution as passed by the legislature of the State of South Dakota, relating to the passage of a free-homestead law.

Very respectfully, yours,

WILLIAM H. RODDLE,  
Secretary of State.

UNITED STATES OF AMERICA,  
State of South Dakota, Secretary's Office:

I, William H. Roddle, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of a joint resolution memorializing the Congress of the United States for the passage of a free-homestead law as the same appears on file in this office, and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at Pierre, this 23d day of February, 1899.

WM. H. RODDLE, Secretary of State.  
By PHILIP LAWRENCE, Assistant.

A joint resolution memorializing the Congress of the United States for the passage of the free-homestead law.

Be it resolved by the house of representatives (the senate concurring), The legislature of the State of South Dakota respectfully and earnestly petition and memorialize the Congress of the United States to enact a law granting to all settlers, under the homestead laws of the United States, upon the public lands, acquired by treaty or agreement from any of the Indian tribes, who have or shall hereafter reside upon the same in good faith for the period required by existing law, a patent for the same, upon the payment to the local land officers of the usual and customary fees, and without any other charge or payment whatsoever.

We believe the proposed legislation to be wise, just, and equitable, not only to the settlers, the sections immediately interested, but also to the nation at large. It is the concurrent judgment of the several political parties as expressed in their last national platforms. No good or sufficient reason has been shown why the pronounced policy of the Government for more than a generation should be reversed and an excessive hardship and burden imposed upon the later settlers.

The greater portion of our national domain was purchased at varying prices by the General Government, and the lands made largely subject to the homestead law. Great States and Territories were speedily peopled and marvelously developed under its munificent influence and inspiration. A policy that added so extensively to the development of so vast a region should not be abandoned without substantial reasons. The result, both in population and in the accumulation of such vast wealth in the regions benefited, is a constant source of strength and revenue to the whole nation.

The settlers upon these lands are entitled to the same consideration that the Government has shown to all its other settlers upon the public domain. There is no just reason why the law should place a mortgage upon these particular lands sufficient to reimburse the Government for its outlay in extinguishing the Indian title. If this is the correct and just policy, then the original homestead law can not be justified, for the Government was compelled to pay, more or less, for all its public domain.

Neither can the existing law be justified upon the ground that the relinquishment of the payment of the price required by the settlers would involve a loss to the Government. As an investor in land, considered solely for the immediate money return, the nation has always been a loser. In the year 1890 it lacked upward of \$120,000,000 of being reimbursed for its outlays on the public lands and their management and disposition.

The Indians are the wards of the Government. It can not renounce its obligations toward them. It is unjust to transpose this duty by law and fix it largely upon the unfortunate settler, and compel him to pay for that which he heretofore been taken from the general Treasury. The settler, without payment for the land, is called upon to bear unnatural burdens and to assume unusual responsibilities.

The most desirable lands on these reservations were selected and awarded to the Indians under their allotments.

The settlers, in most cases, were obliged to take undesirable tracts, and are compelled to mingle with this foreign and largely helpless race. Local conditions in many of these new localities are crude and all the machinery of the community must be put into operation. The settlers are forced largely to assume the responsibility in behalf of the Government as its civilizing agents.

It is incumbent upon them to organize the local governments and bear practically all its burdens.

The lands allotted to the Indians are made absolutely exempt from taxation for a period of twenty-five years. The Indians, by act of the Government, are admitted to full citizenship, and they exercise this right without sharing practically any responsibility whatever. Highways are to be laid out, bridges constructed, schoolhouses erected, the schools maintained; outlays for county buildings have to be made, courts maintained, and court and county offices paid, with all the necessary adjuncts of a proper and safely regulated community. To bear these responsibilities in behalf of the Indians, who are alone the especial wards of the Government, would be far more than sufficient to compensate the United States for the free gift of the lands.

These responsibilities must necessarily be assumed by the settler if the Indian is to be made a safe and reliable citizen of the community and State. Some consideration should be shown by the Government to the hardy pioneers who have and now are undergoing great privations in the developing and upbuilding of the newer regions and cooperating and aiding in the solution of the Indian problem. The free gift of a homestead is but a pittance in return for the service that is directly rendered by the settlers to the General Government.

That the secretary of state is authorized and directed to transmit a copy of this resolution to the Speaker of the House of Representatives of the United States and to the President of the Senate.

And your memorialists will ever pray.

Indorsed:

A. G. SOMERS, Speaker of the House.

Attest:

WILLIS C. BOWER, Chief Clerk.

JOHN T. KEAN, President of the Senate.

Attest:

J. H. SCRIVEN, Secretary of the Senate.

I hereby certify that the within joint resolution originated in the house of representatives, and was known in the house files as house joint resolution No. 6.

WILLIS C. BOWER, Chief Clerk.

STATE OF SOUTH DAKOTA, Office Secretary of State, ss:

Filed February 16, 1899, at 5 o'clock p. m.

WM. H. RODDLE, Secretary of State,  
By PHILIP LAWRENCE, Assistant.

The VICE-PRESIDENT presented a petition of the legislature of the Territory of Oklahoma, praying for the enactment of legislation to permit taxation, by the local government, of Indian allotments; which was referred to the Committee on Indian Affairs.

Mr. MITCHELL presented a petition of the Humane Society of Beloit, Wis., praying for the passage of the bill (S. 1532) for the prohibition of vivisection in the public schools of the District of Columbia and in all the States and Territories; which was referred to the Committee on the District of Columbia.

He also presented a petition of Local Union No. 287, Cigar Makers' International Union, of Marinette, Wis., and of Teamsters' Protective Union, No. 7058, American Federation of Labor, of Kenosha, Wis., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented petitions of the congregations of the Gram Methodist Episcopal Church, of Marinette, the First Methodist Episcopal Church of Sparta, and the First Methodist Episcopal Church of Madison; of the Epworth League Convention of Milwaukee, and of William J. Corr, of Horicon, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Wilton, N. H., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Wilton, N. H., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Wilton, N. H., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and

Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. KENNEY presented a memorial of the Retail Liquor Dealers' Association of Wilmington, Del., remonstrating against the enactment of legislation placing additional restrictions on the retail liquor dealer having distilled liquors in jugs, bottles, etc.; which was referred to the Committee on Finance.

Mr. McMILLAN presented a petition of Flat Rock Grange, No. 636, Patrons of Husbandry, of Flat Rock, Mich., praying for the passage of the pure-food bill; which was ordered to lie on the table.

Mr. CARTER. I present a petition of the legislature of Montana, praying for the enactment of legislation to prevent Indians resident upon reservations in that State from leaving their reservations; which I ask may be read.

There being no objection the petition was read, as follows:

Joint memorial No. 1.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Whereas, owing to the fact that the Indians resident upon reservations within the State of Montana are allowed to and do habitually make a practice of leaving their reservations in large numbers and roaming over the country, and in and through settled and cultivated portions of the State, to the terror and annoyance of the people of Montana and to the wholesale and useless destruction of the game of the State, such Indians are a continual menace to the peace of the people of Montana and the preservation of the game of the State, and commit numerous depredations and violations of law and disturbances of families and communities, and uselessly slaughter and destroy every year great quantities of game; and

Whereas it is impracticable and often impossible for the civil authorities of Montana to prevent or punish such acts by such Indians and an attempt so to do would be attended by great and unjustifiable cost and expense: Therefore, be it

Resolved, That we, your memorialists, the legislative assembly of the State of Montana, respectfully represent that we ask the Congress of the United States to enact proper and effective legislation to prevent all of such acts by Indians in the State of Montana and to make it unlawful for Indians resident upon reservations in the State of Montana to ever at any time or for any purpose leave or be found off of their reservations, and to enact such measures as will stringently enforce such legislation. It is by us

Further resolved, That the secretary of state of Montana be, and he is hereby, ordered to furnish a copy of this memorial to each of our Senators and Representatives in Congress.

A. E. SPRIGGS, President of the Senate.  
HENRY C. STIFF, Speaker of the House.

Approved February 11, 1899, at 10.45 o'clock a. m.  
ROBT. B. SMITH, Governor.

UNITED STATES OF AMERICA, State of Montana, ss:

I, T. S. HOGAN, secretary of state of the State of Montana, do hereby certify that the above is, with the exception of corrections in orthography and punctuation and insertion of omissions of substitute words in brackets, a true and correct copy of an act entitled "Joint memorial No. 1," enacted by the sixth session of the legislative assembly of the State of Montana and approved by Robert B. Smith, governor of said State, on the 11th day of February, 1899.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 15th day of February, A. D. 1899.

[SEAL.] T. S. HOGAN, Secretary of State.

Mr. CARTER. I move that the petition lie on the table for the time being, for consideration in connection with the pending Army bill.

The motion was agreed to.

Mr. COCKRELL. I present a petition of the legislature of Missouri, praying that an appropriation of \$10,000 be made to the county of Dallas, in that State, for the erection of a bridge over the Niangua River at the point where it intersects the mail route; which I ask may be read and referred to the Committee on Post-Offices and Post-Roads.

There being no objection, the petition was read, and referred to the Committee on Post-Offices and Post-Roads, as follows:

Whereas the United States mail route from Buffalo, in Dallas County, to Phillipsburg, in Laclede County, Mo., is intercepted by the Niangua River at a point on said United States mail route in sections 20 and 23, of township 34, range 19, Dallas County, Mo.; and

Whereas the stream at the point of intersection with the said mail route is a rapid and dangerous stream when swollen by rains, so as to obstruct the passage of United States mail for several days at a time; and

Whereas Buffalo is a distributing office for eight other offices, a great many persons are deprived from receiving their mail a large portion of the time: Therefore, be it

Resolved by the house of representatives (the senate concurring therein). That our Senators are hereby instructed and our Representatives in Congress requested to use all reasonable means in their representative capacity to secure an appropriation of \$10,000 to the county of Dallas, in the State of Missouri, for the purpose of erecting a bridge over the said Niangua River at the point where the said stream intersects the mail route, as designated in the foregoing preamble.

That the secretary of state is hereby instructed to transmit to each of our Senators and Representatives in Congress copies of this resolution.

Reported to the secretary of state February 11, 1899.

H. A. NEWMAN, Chief Clerk.

STATE OF MISSOURI, ss:

I, Alexander A. Lesueur, secretary of state of the State of Missouri, hereby certify that the foregoing is a full, true, and complete copy of a joint and concurrent resolution of the general assembly of the State of Missouri, as appears by comparing the same with the original roll of said resolution now on file, as the law directs, in this office.

In testimony whereof I hereunto set my hand and affix the great seal of the State of Missouri. Done at office in the city of Jefferson this 20th day of February, A. D. 1899.

[SEAL.]

A. A. LESUEUR, Secretary of State.

Mr. ALLEN presented a petition of the Humane Society of Chadron, Nebr., praying for the passage of Senate bill No. 1552, for the prohibition of vivisection in the public schools of the District of Columbia; which was ordered to lie on the table.

He also presented the petitions of G. W. Perkins, president of the Cigar Makers' International Union of America, of Chicago, Ill.; of J. A. Cable, national secretary and treasurer of the Coopers' International Union of America, of Kansas City, Kans., and of the executive board of the United Hatters of North America, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

Mr. FAIRBANKS presented the petitions of William H. Holleman and 205 other citizens of Harrisville, Ind., praying for the establishment of postal savings banks depositories; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petitions of C. W. Kautz and 27 other citizens of Elkhart County, of D. D. Shoemaker and 65 other citizens of South Bend, of Louis Kirkwood and 63 other citizens of Fremont, and of T. Cope and 89 other citizens of Danville, all in the State of Indiana, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

Mr. SEWELL presented a memorial of the Woman's Christian Temperance Union of New Jersey, remonstrating against the seating of polygamists in the Congress of the United States; which was ordered to lie on the table.

He also presented a memorial of the congregation of the Baptist Church of Haddonfield, N. J., remonstrating against any appropriation being made for the maintenance of sectarian schools; which was ordered to lie on the table.

He also presented a petition of the congregation of the First Baptist Church of Camden, N. J., praying that Congress reopen the question of the contract-school system and the whole subject of Indian education; which was ordered to lie on the table.

He also presented a petition of the congregation of the Freehold Methodist Episcopal Church, of New Jersey, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was referred to the Committee on Military Affairs.

Mr. NELSON presented a petition of the legislature of Minnesota, praying that an appropriation be made for the construction of certain dams to prevent the overflowing of the farming lands in the Red River Valley; which was ordered to lie on the table and to be printed in the RECORD, as follows:

Concurrent resolution.

Whereas the legislature of Minnesota is in receipt of a memorial and concurrent resolution passed by the legislature of North Dakota urging the building of certain dams recommended by Government engineers to prevent overflowing of the farming lands in the Red River Valley: Be it

Resolved by the senate (the house concurring). That the Congress of the United States is earnestly and urgently requested to make the necessary appropriations in its river and harbor bill to have made a complete and proper survey necessary to the formulating of plans and specifications and determining the approximate expense of constructing such dams as are mentioned in the foregoing reports, and that the proper department be instructed to proceed with the work at as early a date as possible and report to Congress.

LYNDON A. SMITH,

President of the Senate.

A. N. DARE,

Speaker of the House of Representatives.

Mr. CULLOM presented a petition of the Society of Ethical Culture of Chicago, Ill., praying that the rights of self-government be conceded to the inhabitants of the Philippine Islands; which was referred to the Committee on Foreign Relations.

He also presented the petition of Barnhardt Bros. & Spindler, of Chicago, Ill., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a memorial of Local Union No. 157, Cigar Makers' International Union, of Belvidere, Ill., remonstrating against the annexation of the Philippine Islands; which was referred to the Committee on Foreign Relations.

He also presented the petition of Dr. Charles Davidson, treasurer of the West Side Hospital, of Chicago, Ill., praying for the enactment of legislation to authorize the employment of trained nurses in the Army; which was referred to the Committee on Military Affairs.

He also presented petitions of the faculty of the University of Illinois, Chicago; of the department of health of Chicago; of the State Grange of Illinois, Patrons of Husbandry, of Magnolia; of the Retail Merchants' Association of Peoria, and of the faculty of the University of Chicago, all in the State of Illinois, praying

for the passage of the pure-food bill; which were ordered to lie on the table.

He also presented petitions of the Illinois Canning Company, of Hoopston; of the Glucose Sugar Refining Company, of Chicago; of the Sparks Milling Company, of Alton, and of the J. C. Grant Chemical Company, of Chicago, all in the State of Illinois, praying for the enactment of legislation providing more efficient quarantine regulations; which were ordered to lie on the table.

He also presented petitions of the Trades and Labor Assembly of Moline; of the American Federation of Labor, of Champaign; of the Trades and Labor Assembly of Quincy; of the congregation of the First Methodist Episcopal Church of Chicago Heights; of Typographical Union No. 230, of Danville; of Local Lodge No. 2, Amalgamated Association of Iron and Steel Workers, of Kewanee; of G. W. Perkins, president of the Cigar Makers' International Union of America, of Chicago; of Local Union No. 47, Cigar Makers' International Union, of Quincy; of Progress Lodge, No. 10, Amalgamated Association of Iron, Tin, and Steel Workers, of Pullman; of Lodge No. 195, Brotherhood of Boiler Makers and Iron Ship Builders, of Kewanee; of Local Union No. 416, United Brotherhood of Carpenters and Joiners, of Chicago; of the Twelfth Ward Labor Club, of Chicago; of Local Lodge No. 24, Brotherhood of Railroad Trainmen, of Galesburg; of John B. Lennon, general secretary of the Journeymen Tailors' Union of America, of Bloomington; of the Trades Council of the American Federation of Labor, of Elgin; of the congregation of the Prospect Street Congregational Church, of Elgin; of B. K. Shadley, of Galesburg, all in the State of Illinois; of the Granite Cutters' National Union, of Baltimore, Md.; of the Journeymen Bakers and Confectioners' International Union, of Brooklyn, N. Y.; of the Brotherhood of Boiler Makers and Iron Ship Builders, of Kansas City, Kans., of the executive board of the United Hatters of North America, of Brooklyn, N. Y., and of the Coopers' International Union, of Kansas City, Kans., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

He also presented petitions of John Crawford, of Manhattan; of R. R. Gordon and M. O. Gordon, of Biggsville; of the Woman's Christian Temperance Union of Hillsboro; of J. A. Easby, of Aurora; of J. W. Craig, of Jacksonville; of Rev. Watson Thatcher, of Chicago; of David D. Thompson, assistant editor of the Northwestern Christian Advocate, of Chicago; of Thomas H. Hanna, pastor of the First United Presbyterian Church of Monmouth; of George W. York, editor of the American Bee Journal, of Chicago; of T. W. Smith, of Pawnee; of A. H. Beat, pastor of the Methodist Episcopal Church of Hillsboro, and of sundry citizens, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were referred to the Committee on Military Affairs.

He also presented the memorial of J. Milheanning, of Chicago, Ill., remonstrating against the seating of B. A. Roberts, Congressman-elect from Utah, and praying for the maintenance of the prohibition law in the Territory of Alaska and also for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

Mr. SIMON presented a petition of the legislature of Oregon, praying that the Second Oregon Regiment be the first to be mustered out from the Volunteer Army; which was ordered to lie on the table and to be printed in the RECORD, as follows:

Senate joint resolution No. 13.

Whereas it has been stated that the United States Government intends to muster out the volunteer regiments in the field at Manila at an early date; and

Whereas the Second Oregon Regiment was the first to land in that country, and was the first regiment to start in the great expedition which left San Francisco on the 25th day of May last, and has been continuously in the Philippine Islands, performing service during that period; and

Whereas a large number of the men in said regiment have lucrative positions being held open for them; also dependent fathers and mothers who need their assistance at home, and a great many more who are in the midst of their school years, which they should be allowed to resume; and

Whereas these young men should be returned to their homes to take up their civil positions as soon as compatible with public interest, assist in the care of their parents, and continue their school work where they laid it down; and

Whereas it is not the desire nor the intention of this regiment to demand that they be mustered out, nor do they desire to be relieved from duty before the Government has decided to reduce the Volunteer Army, still as they were the first to land in the Philippine Islands it is proper and right that they should be mustered out in the same order in which they came into active service—that is to say, the first to arrive should be the first ordered home: Therefore, be it

*Resolved by the senate (the house concurring).* That we earnestly recommend to our delegation in Congress that they use every honorable means that this object may be accomplished; and be it further

*Resolved.* That the honorable Secretary of War be requested to cooperate in the wishes of the people of the State of Oregon so far as relates to this matter, and that the secretary of state is hereby requested to furnish each

member of our delegation in Congress and the Secretary of War with copies of this resolution.

Adopted by the senate February 17, 1899.

T. C. TAYLOR, *President of the Senate.*

Concurred in by the house February 17, 1899.

E. V. CARTER, *Speaker of the House.*

Senate joint resolution No. 13.

B. L. MOORHEAD, *Chief Clerk.*

Filed February 18, 1899.

F. I. DUNBAR, *Secretary of State.*

UNITED STATES OF AMERICA, STATE OF OREGON,  
OFFICE OF THE SECRETARY OF STATE,  
Salem, Oreg., February 21, 1899.

I, F. I. Dunbar, do hereby certify that I am the secretary of state of the State of Oregon and custodian of the seal of said State; that the foregoing transcript of senate joint resolution No. 13 has been by me compared with the original copy of the said resolution now on file in this office, and that it is a true and correct transcript thereof and the whole of said original resolution as appears on file in my office and custody.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon. Done at the capitol, at Salem, Oreg., this 21st day of February, A. D. 1899.

[SEAL.]

F. I. DUNBAR, *Secretary of State.*

Mr. SIMON presented a petition of the legislature of Oregon, praying for a modification of the alien law debarring foreigners from taking up mining claims or working them in the province of British Columbia; which was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

House concurrent resolution No. 15.

Whereas the Parliament of British Columbia has recently passed an alien act debarring foreigners from taking up mining claims or working them in said province, to the great detriment of citizens of the United States: Be it

*Resolved by the house (the senate concurring).* That our Senators and Representatives in Congress are hereby instructed and requested to use every honorable effort to procure the modification of such law of British Columbia.

Adopted by the house February 9, 1899.

E. V. CARTER, *Speaker of the House.*

Concurred in by the senate February 17, 1899.

T. C. TAYLOR, *President of the Senate.*

House concurrent resolution No. 15.

A. C. JENNINGS, *Chief Clerk.*

EXECUTIVE DEPARTMENT, State of Oregon:

Received February 18, 1899, 10.15 a. m.

Filed 4.25 p. m., February 18, 1899.

F. I. DUNBAR, *Secretary of State.*

UNITED STATES OF AMERICA, STATE OF OREGON,  
OFFICE OF THE SECRETARY OF STATE,  
Salem, Oreg., February 21, 1899.

I, F. I. Dunbar, do hereby certify that I am the secretary of state of the State of Oregon and custodian of the seal of said State; that the foregoing transcript of house concurrent resolution No. 15 has been by me compared with the original copy of the said resolution now on file in this office, and that it is a true and correct transcript thereof and the whole of said original resolution as appears on file in my office and custody.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon. Done at the capitol, at Salem, Oreg., this 21st day of February, A. D. 1899.

[SEAL.]

F. I. DUNBAR, *Secretary of State.*

Mr. PETTIGREW. I present a petition of the legislature of South Dakota, praying for the adoption of an amendment to the interstate-commerce law authorizing and empowering the Interstate Commerce Commission to fix reasonable and just rates on all interstate freight and passenger traffic, etc., which I ask may be read and referred to the Committee on Interstate Commerce.

There being no objection, the petition was read and referred to the Committee on Interstate Commerce, as follows:

A joint resolution memorializing the Congress of the United States to amend the law, known as the interstate-commerce act, authorizing and empowering the commission to fix reasonable and just rates on all interstate freight and passenger traffic; also for the proper enforcement and carrying out their orders and decisions therefor.

*Be it resolved by the senate (the house of representatives concurring).* That the legislature of the State of South Dakota respectfully and earnestly petition and memorialize the Congress of the United States to enact legislation amending the law, known as the interstate-commerce act, authorizing and empowering the commission to fix reasonable and just rates for the transportation of passengers and property on all interstate traffic; and also adequate and well-defined procedure for the proper enforcement and carrying into effect their decision and orders therefor issued in the premises. We believe the commission should be given adequate power to determine and fix rates within the purview of the law, and that their orders made therein should have the utmost conclusiveness consistent with the nature of their powers. This enlargement of the statute is imperatively needed to give the law efficiency and effectiveness, so that the object, purposes, and benefits originally designed by the legislation may be fully secured to the people. The commission not being clothed with the power to enforce its own orders, these should at least have that finality, together with their findings and record, that the courts could carry out and enforce the same, unless upon appeal thereto injustice or error in law or fact was disclosed.

The necessity for such legislation, we believe, is urgent, and is demanded by the highest considerations of every public interest in behalf of the producing as well as the consuming classes of our population. Every interest of our people is largely dependent upon the problem of transportation, and of its wise and just solution. No other legislation, we believe, would so speedily secure the desired result, or be so effective in promoting in a large degree the prosperity and well-being of the nation. The enormous powers possessed by those great corporations and the great public agencies they subserve, affecting practically the marketable value of all products of whatever character and the values and interests of every locality and individual, make it of the highest importance to every interest of the people and of the nation that all legitimate, efficient, and ample authority be exercised to hold the great agencies within the strictest, broadest, and most ample governmental control, that they may in the highest degree serve the purposes of

their creation, and with exact justice to them and to the whole people. That the secretary of state is authorized and directed to transmit a copy of this resolution to the Speaker of the House of Representatives of the United States and to the President of the Senate. And your memorialists will ever pray.

A. G. SOMERS, *Speaker of the House.*

Attest:  
WILLIS C. BOWER, *Chief Clerk.*

JOHN T. KEAN, *President of the Senate.*

Attest:  
J. H. SCRIVEN, *Secretary of the Senate.*

STATE OF SOUTH DAKOTA,  
*Office Secretary of State, ss:*

Filed February 7, 1899, at 2:35 o'clock p. m.

WILLIAM H. RODDLE, *Secretary of State.*

By PHILIP LAWRENCE, *Assistant.*

OFFICE OF THE SECRETARY OF STATE, PIERRE, S. DAK.

UNITED STATES OF AMERICA,  
*State of South Dakota, Secretary's Office:*

I, William H. Roddle, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of a joint resolution relating to the interstate-commerce act as the same appears on file in this office, and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at Pierre, this 10th day of February, 1899.

[SEAL.] WILLIAM H. RODDLE,  
*Secretary of State.*

Mr. PETTIGREW. I present a petition of the legislature of South Dakota, praying for the enactment of legislation providing for the paying of taxes on Indian allotments; which I ask may be read and referred to the Committee on Indian Affairs.

There being no objection, the petition was read, and referred to the Committee on Indian Affairs, as follows:

A joint resolution memorializing Congress for the payment of taxes on Indian allotments.

Whereas the Congress of the United States has enacted a law by which Indians are permitted to take homestead allotments of lands, which shall be free from taxation for a period of twenty-five years; and

Whereas the Indians so taking lands in severalty become full citizens, having the right to vote at all elections and by their votes to lay the burden of taxes which they do not help to bear; and

Whereas this action of Congress has reduced the amount of taxable property in certain counties and districts in this State to such an extent that other property holders in those counties and districts are severely burdened by taxation, and the administration of justice greatly embarrassed: Therefore, be it

Resolved by the senate (the house of representatives concurring). That the legislature of South Dakota hereby petition and memorialize the Congress of the United States to enact a law for the payment by the United States of the taxes thus remitted, the taxes so to be paid to be fixed by the county commissioners of the county in which such lands are situated, subject to the approval of the State board of equalization; and be it further

Resolved, That a copy of the memorial be forthwith transmitted by the president of the senate to each of our Senators and Representatives in Congress.

A. G. SOMERS, *Speaker of the House.*

Attest:  
WILLIS C. BOWER, *Chief Clerk.*

JOHN T. KEAN, *President of the Senate.*

Attest:  
J. H. SCRIVEN, *Secretary of the Senate.*

STATE OF SOUTH DAKOTA,  
*Office of the Secretary of State, ss:*

Filed February 7, 1899, at 2:35 o'clock p. m.

WILLIAM H. RODDLE, *Secretary of State.*

By PHILIP LAWRENCE, *Assistant.*

OFFICE OF SECRETARY OF STATE, PIERRE, S. DAK.

UNITED STATES OF AMERICA,  
*State of South Dakota, Secretary's Office:*

I, William H. Roddle, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of a joint resolution memorializing Congress for the payment of taxes in Indian allotments as the same appears on file in this office, and of the whole thereof.

In testimony whereof I hereunto set my hand and affixed the great seal of the State of South Dakota, at Pierre, this 10th day of February, 1899.

[SEAL.] WILLIAM H. RODDLE, *Secretary of State.*

Mr. PETTIGREW. I present a petition of the legislature of South Dakota, praying for the establishment of a safe, convenient, and beneficial plan for systematic saving through postal savings banks, which I ask may be read and referred to the Committee on Post-Offices and Post-Roads.

There being no objection, the petition was read, and referred to the Committee on Post-Offices and Post-Roads, as follows:

A joint resolution memorializing the Congress of the United States for the enactment of a law providing a safe, convenient, and beneficial plan for systematic saving through postal savings banks.

Be it resolved by the house of representatives (the senate concurring). That the legislature of the State of South Dakota respectfully and earnestly petition and memorialize the Congress of the United States to enact a postal savings bank system, and provide for its conduct, control, and management.

We believe such a system would demonstrate its utility and prove a great benefit to the people at large as well as to the Government itself. Its creation and management by the Post-Office Department would not involve a large expenditure, and the completeness and security of its present management could be made available to reach every section of the country and every class of our population.

The pledge of the Government to repay investments would inspire confidence in the depositor and make it available especially for small savings. It would encourage economy, promote thrift and industry, attach a large element in closer and more interested sympathy with the National Government, and make available, we believe, a large sum for the use of the Treasury at a low and fair rate of interest.

The adoption and carrying out of the system by other governments has demonstrated its utility, and has proved not only to be of the highest service and benefit to the people, but to the State.

Such a system would be safe and economical, would be highly beneficial to all classes of our population, and would encourage systematic saving by the people.

That the secretary of state is authorized and directed to transmit a copy of this resolution to the Speaker of the House of Representatives of the United States and to the President of the Senate.

And your memorialists will ever pray.

A. G. SOMERS, *Speaker of the House.*

Attest:  
WILLIS C. BOWER, *Chief Clerk.*

JOHN T. KEAN, *President of the Senate.*

Attest:  
J. H. SCRIVEN, *Secretary of the Senate.*

STATE OF SOUTH DAKOTA,  
*Office Secretary of State, ss:*

Filed February 7, 1899, at 2:35 o'clock p. m.

WM. H. RODDLE, *Secretary of State.*

By PHILIP LAWRENCE, *Assistant.*

UNITED STATES OF AMERICA,  
*State of South Dakota, Secretary's Office:*

I, William H. Roddle, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of a joint resolution relating to postal savings banks as the same appears of record in this office, and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at Pierre, this 10th day of February, 1899.

[SEAL.] WILLIAM H. RODDLE, *Secretary of State.*

Mr. PETTIGREW. Mr. President, I wish to say in this connection that these three joint resolutions indicate that the legislature of South Dakota is not in harmony with the national Republican party, although the legislature apparently and nominally have a very large Republican majority.

They ask, in the first place, for an amendment of the interstate-commerce law by which the Interstate Commerce Commissioners shall have full power to regulate rates for carrying passengers and freight, with full power to enforce the law and impose penalties, etc., giving the Interstate Commerce Commission absolute control over the railroads of the country.

As everyone knows who knows anything about the standing of the Republican party nationally, this is Populistic doctrine and absolutely opposed to the position of the Republican party upon this subject. It is socialism in opposition to imperialism and plutocracy, which is the doctrine of the Republican party nationally to-day.

The second resolution presented to Congress by the legislature of South Dakota asks for a system of savings banks. This resolution was passed by a legislature having a very large majority apparently, nominally, of Republicans, and yet it adopts the Populist doctrine of national postal savings banks in contradistinction to the doctrine of the Republican party, which is opposed to postal savings banks.

The republic of Hawaii, lately absorbed into this country after this country had ceased to care for the republican principles upon which it was founded, had a system of postal savings banks, but the bill brought in by a Republican commission who went down there to confer upon those people the benefits of a foreign government reports in favor of repealing the law and reimbursing the depositors, and that bill is pending before this body. Repeated efforts have met with sturdy, united Republican opposition in this body and in the other against the system of postal savings banks, and yet the legislature of South Dakota insists upon the adoption of a system of postal savings banks throughout the United States.

While it would apparently seem that the State of South Dakota had come in line again with the old party, these resolutions clearly show that the people of South Dakota are preparing almost unanimously to leave the Republican party on every principle upon which it is now founded. In fact, the Republicans of South Dakota, if the legislature represent the sentiment of the State, are about to go back to the principles of the Republican party that existed before the campaign of 1896, and thus cease to support the national policy of that party.

The third resolution asks Congress to impose taxes upon Indian allotments, which are exempt from taxation for twenty-five years. That bill has passed this Senate twice, but a Republican House of Representatives refuses to enact it because the Republican party nationally are opposed to any relief which could be given to the people who have acquired homesteads upon the unoccupied lands in the West.

The original doctrine of the Republican party was free homes. It was planted upon that platform in 1860, when it won its great victories; but after the campaign of 1896 it abandoned that position and is now the opponent of free homes, the opponent of relief to the people who occupied the prairies and who conquered the wilderness. To-day the Republican party is opposed to free homes and to an income tax and is in favor of laying all the burdens upon the people, upon consumption, upon the individual, and allowing the wealth of the country to escape the burdens of government.

It has seemed to me that these three remarkable resolutions

passed by a Republican legislature were an indication of the drift of the Republican sentiment in the West, which, I believe, in the next campaign will most certainly condemn the policy of expansion, the policy of imperialism, the policy of plutocracy, which has become the national policy of the Republican party.

#### KRUPP ARMOR.

Mr. HALE. I present a communication from Captain O'Neil, Chief of the Bureau of Ordnance, Navy Department, transmitting a memorandum concerning Krupp armor. I move that the communication and accompanying memorandum be printed as a document.

The motion was agreed to.

#### FEDERAL COURTS.

Mr. HOAR. I present a communication from Edmund Wetmore, of New York City, on behalf of the American Bar Association, relative to the bill (S. 5584) in relation to the courts of the United States. I move that the communication be printed as a document.

The motion was agreed to.

#### AGRICULTURAL APPROPRIATION BILL.

Mr. CULLOM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 10, 12, 23, 28, and 29.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 7, 8, 9, 11, 14, 15, 19, 20, 25, 26, 27, and 31, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "total amount for salaries, \$338,340;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "\$26,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: On page 13, line 7 of the bill, strike out the words "may in his discretion" and insert in lieu thereof the word "shall;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, and on page 13, lines 9 and 10 of the bill, strike out the words "adulterated or otherwise;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: Strike out the matter inserted by said amendment, and on page 16, line 13 of the bill strike out the period and the word "The," and insert in lieu thereof the following: ", and the," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: On page 16, line 22 of the bill, after the word "advisable," insert the following: ", \$12,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: On page 17, line 11 of the bill, strike out the word "fifteen" and insert in lieu thereof the word "twelve;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$1,000;" and the Senate agree to the same.

S. M. CULLOM,

R. F. PETTIGREW,

Managers on the part of the Senate.

J. W. WADSWORTH,

V. WARNER,

JOHN S. WILLIAMS,

Managers on the part of the House.

The report was agreed to.

#### INDIAN APPROPRIATION BILL.

Mr. ALLISON. I submit the report of the conferees on the Indian appropriation bill and ask for its consideration.

Mr. CHANDLER. I ask the Senator from Iowa to wait until morning business is concluded.

Mr. ALLISON. This is morning business.

Mr. CHANDLER. I know it is; but I have waited here quite a while for an opportunity to present some routine business.

Mr. ALLISON. I will yield to the Senator for morning business, though I may say that I regard a conference report on an appropriation bill, which requires consideration in the other House and enrollment, as about the most important business that can be considered by the Senate.

Mr. CHANDLER. It is not only morning business and very important, but it has precedence over everything else. I will wait until the conference report is disposed of.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free

conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 6, 8, 15, 26, 28, 29, 42, 43, 50, 59, 60, 65, 66, and 67.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 9, 10, 11, 13, 16, 17, 18, 19, 20, 21, 23, 24, 25, 27, 29, 30, 31, 32, 33, 41, 44, 45, 46, 47, 48, 49, 53, 54, 55, 56, 57, 58, 62, 63, and 64, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The Secretary of the Interior is hereby authorized and directed to cause an investigation by an Indian inspector and a special Indian agent of the alleged cutting of green timber under contracts for cutting 'dead and down,' on the Chippewa ceded and diminished reservations in the State of Minnesota, and also whether the present plan of estimating and examining timber on said lands and the sale thereof is the best that can be devised for protection of the interests of said Indians; and also, in his discretion, to suspend the further estimating, appraising, examining, and cutting of timber and the sale of the same, and also suspend the sale of the lands in said reservation."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Strike out, in line 2 of said amendment, the word "shall" and insert in lieu thereof the following: "may, in the discretion of the Secretary of the Interior;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: Strike out, in line 2 of said amendment, the word "shall" and insert in lieu thereof the following: "may, in the discretion of the Secretary of the Interior;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: Add, after the word "dollars," at the end of the amended paragraph, the following: ", to be available until expended;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to grant rights of way for the construction and maintenance of dams, ditches, and canals on or through the Uintah Indian Reservation in Utah, for the purpose of diverting and appropriating the waters of the streams in said reservation for useful purposes: *Provided*, That all such grants shall be subject at all times to the paramount rights of the Indians on said reservation to so much of said waters as may have been appropriated, or may hereafter be appropriated or needed by them for agricultural and domestic purposes; and it shall be the duty of the Secretary of the Interior to prescribe such rules and regulations as he may deem necessary to secure to the Indians the quantity of water needed for their present and prospective wants, and to otherwise protect the rights and interests of the Indians and the Indian service."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with amendments as follows: In line 2 of said amendment strike out the word "forty" and insert in lieu thereof the word "thirty;" and in the last line of said amendment strike out the word "fifty" and insert in lieu thereof the word "forty-five;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For the erection of suitable buildings, and for fencing, water supply, means of locomotion, and other things necessary to properly establish and conduct an agency at Leech Lake, Minnesota, \$15,000, to be immediately available."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with amendments as follows: Strike out lines 1 to 4, inclusive, of said amendment, and insert in lieu thereof the following:

"That the provision in the Indian appropriation act approved July 1, 1898, relating to a water supply for irrigation purposes, to be used on a portion of the reservation of the Southern Utes in Colorado, is hereby continued in force for and during the fiscal year 1900, and is hereby amended so as to read as follows: Insert after the word 'upon,' in line 18 of said amendment, the word 'the;' and insert after the word 'land,' in line 19 of said amendment, the words 'to be;' and transfer said amendment and insert the same on page 43 of the bill, immediately preceding line 14 on said page."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with amendments as follows: Strike out, in line 1 of said amendment, the word "and," and insert in lieu thereof "a," and add, after the word "Alaska," in line 19, page 49, of the bill, the following: ", and of which amount the sum of \$25,000 shall be used for the erection of a girls' dormitory, kitchen, dining room, and hospital, and for necessary repairs and improvements, for the Fort Lewis Indian School, Colorado, to be immediately available;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with amendments as follows: In line 8 of said amendment, strike out the word "twenty" and insert in lieu thereof the word "fifteen," and in line 11, after the word "schools," insert the following: ", this being the final appropriation for sectarian schools;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, and strike out, on page 49 of the bill, in lines 22 and 23, the words "for general repairs and improvements, \$2,000," and insert in lieu thereof the following: "for erection of additional buildings, and for general repairs and improvements, \$0,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,550;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: Insert, after the word "Interior," in line 3 of said amendment, the words "in his discretion;" and the Senate agree to the same.

W. B. ALLISON,

GEORGE C. PERKINS,

F. M. COCKRELL,

Managers on the part of the Senate.

J. S. SHERMAN,

CHARLES CURTIS,

Managers on the part of the House.

The VICE-PRESIDENT. The question is on agreeing to the report of the committee of conference.

Mr. MANTLE. I wish to ask the chairman of the Committee on Appropriations what disposition was made of the amendment relating to the Northern Cheyenne Indian Reservation?

Mr. ALLISON. The Senate conferees recommend that the Senate recede from that amendment. The House conferees would not agree to placing any of these treaties upon this appropriation bill. I will say to the Senator from Montana that the chairman of the House Committee on Indian Affairs gave reasonable assurance that that matter would be disposed of in the House before final adjournment. He recognizes the fact that the treaty ought to be ratified, but the House conferees were not willing to ratify it on the appropriation bill.

Mr. PETTIGREW. I notice that the report is a disagreement to the Senate amendment ratifying the agreement between the Lower Brule and Rosebud Indians in South Dakota. This is an agreement between two Indian tribes. There was a long-continued controversy resulting in a compromise made by General Brooke in 1889 when the Sioux treaty was made. The Lower Brule Indians were promised lands in severalty upon the Rosebud Reservation when they signed the treaty of 1889, but instead of giving them lands in severalty, as General Brooke had promised, the Administration took them by force and moved them to a locality about 60 miles distant.

Thirty-two of those Indians died while living in tents during the following winter after their removal. Finally, by an act of Congress, as an amendment upon an appropriation bill, they were permitted to go back to the Rosebud Reservation and take lands in severalty. Over half of the entire tribe did return to their old homes, where they had houses and cultivated land.

This agreement was a ratification of an understanding afterwards arrived at between the two tribes, the Rosebud Indians and the Lower Brules, for they are kindred people, which adjusted all their difficulties, gave them a good title to the lands on the Rosebud Reservation, and ceded to the Government a like number of acres of land on the reservation which had been reserved for the Lower Brule Indians, but never accepted by them.

The status of those Indians without the ratification of this agreement is uncertain, and there is great unrest and uneasiness among them because of its not being ratified by the Government. The Senate passed a separate bill some weeks ago ratifying the agreement, but as the other House had not acted upon it we placed it upon this bill. I very much regret to see that it is not concurred in and thereby will not become a law.

Mr. SHOUP. I desire to inquire of the chairman of the committee if the Senate amendment ratifying the agreement with the Fort Hall Indians has also been stricken from the bill?

Mr. ALLISON. The three treaty agreements placed upon the bill by the Senate have all been receded from; that is, the conferees on the part of the Senate ask the Senate to recede from them, the House conferees refusing to agree to the ratification of any of them on this appropriation bill.

The report was agreed to.

#### REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6616) to remove the charge of desertion against John Phelon, deceased, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 7092) for the relief of George Gregg, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the amendment submitted by himself February 25, 1899, proposing to appropriate \$360,000 toward the construction of a military post at or near the town of Sheridan, Wyo., on lands now owned by the United States, etc., intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. ALLISON, from the Committee on Appropriations, to whom was referred the amendment submitted by Mr. FORAKER February 18, 1899, authorizing the Commissioner of the General Land Office to examine cases, and, if satisfactory, to thereupon issue a certificate to any soldier, sailor, his widow, or minor children, or to his assignee, certifying to the right in such soldier, sailor, his widow, or minor children, or his assignee, to make such additional homestead entry and have patent issued to him on the location of said certified claim, intended to be proposed to the sundry civil appropriation bill, asked to be discharged from its further consideration, and that it be referred to the Committee on Public Lands, which was agreed to.

Mr. SHOUP, from the Committee on Military Affairs, to whom was referred the bill (H. R. 7632) to remove charge of desertion from the military record of Robert Flower, reported it with an amendment, and submitted a report thereon.

Mr. CHANDLER, from the Committee on Privileges and Elections, reported an amendment proposing to pay \$3,000 to Martha E. Bowden and Zenobia Porter, the heirs of Lemuel J. Bowden, formerly a Senator from the State of Virginia, intended to be proposed to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the same committee, reported an amendment proposing to pay \$2,500 to Lafayette Grover, the amount expended by him in defending his title to a seat in the Senate from the State of Oregon, intended to be proposed to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MITCHELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3190) granting an honorable discharge to John H. Smith, reported it with an amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2419) for the relief of Frank Dunn, reported it with amendments, and submitted a report thereon.

Mr. RAWLINS, from the Committee on Claims, to whom was referred the bill (S. 4894) to pay certain judgments against John C. Bates and Jonathan A. Yeckley, captain and first lieutenant in the United States Army, for acts done by them under orders of their superior officers, reported it without amendment.

#### MICHAEL BAKER.

Mr. PLATT of New York. I move that the Committee on Military Affairs be discharged from the further consideration of the bill (H. R. 3388) to remove the charge of desertion from the record of Michael Baker, and that it be referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. PLATT of New York subsequently, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 3388) to remove the charge of desertion from the record of Michael Baker, reported it without amendment, and submitted a report thereon.

#### COMMERCIAL RELATIONS.

Mr. LODGE, from the Committee on Printing, to whom was referred the following concurrent resolution from the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to:

*Resolved by the House of Representatives (the Senate concurring).* That the Public Printer be, and is hereby, authorized and directed to print for distribution by the Department of State 5,000 copies of Commercial Relations, 1898, and (in separate form) 10,000 copies of the Review of the World's Commerce, etc., being part of said Commercial Relations.

#### STATISTICAL ABSTRACT OF THE UNITED STATES.

Mr. LODGE, from the Committee on Printing, to whom was referred the following concurrent resolution from the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to:

*Resolved by the House of Representatives (the Senate concurring).* That there be printed 12,000 additional copies of the Statistical Abstract of the United States for the year 1898, prepared by the Bureau of Statistics, Treasury Department, 3,000 copies for the Senate, 6,000 for the House of Representatives, and 3,000 for the Bureau of Statistics, Treasury Department.

#### REPORT ON PRODUCTION OF GOLD AND SILVER.

Mr. LODGE, from the Committee on Printing, to whom was referred the following concurrent resolution from the House of Representatives, reported it without amendment:

*Resolved by the House of Representatives (the Senate concurring).* That there be printed and bound in cloth, for the use of the Director of the Mint, 3,000 extra copies of the Report on the Production of Gold and Silver for the Calendar Year 1897.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

Mr. COCKRELL. I should like to ask the Senator from Massachusetts why copies are provided only for the Director of the Mint?

Mr. LODGE. These additional copies are for the Director of the Mint. It is a House resolution.

Mr. COCKRELL. I can not help it. That does not make it perfect.

Mr. LODGE. We have already had our usual number. This is simply to give the Director of the Mint some extra copies for further distribution.

Mr. COCKRELL. The copies for the use of the Senate have already been authorized?

Mr. LODGE. They have already been authorized. These are additional copies.

The concurrent resolution was agreed to.

#### ORPHA W. REYNOLDS.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 5591) granting an increase of pension to Orpha W. Reynolds, to report it favorably, without

amendment. I call the attention of the senior Senator from Alabama [Mr. MORGAN] to this matter.

Mr. MORGAN. I ask that the bill may be put upon its passage.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Orpha W. Reynolds, widow of Robert W. Reynolds, late captain in the First Iowa Cavalry (independent regiment), and to pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANNIE B. GOODRICH.

Mr. PRITCHARD. I am directed by the Committee on Pensions, to whom was referred the bill (S. 4905) to increase the pension of Annie B. Goodrich, widow of Robert W. Reynolds, late captain in the First Iowa Cavalry (independent regiment), and to pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

Mr. TURLEY. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The amendment of the Committee on Pensions was, in line 7, before the word "dollars," to strike out "twenty-five" and insert "fifteen;" so as to make the bill read:

*Be it enacted, etc., That the Secretary of the Interior be, and is hereby, directed to increase the pension of Annie B. Goodrich, widow of Amos B. Goodrich, who served as a second lieutenant in Company A, Twentieth Massachusetts Volunteers, in the war of the rebellion, and that she be paid a pension of \$15 a month.*

Mr. COCKRELL. Is that the amount provided by law?

Mr. PRITCHARD. It is the amount which the husband of the widow would have been entitled to as a lieutenant.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### WESTERN JUDICIAL DISTRICT OF TEXAS.

Mr. CHILTON. I am instructed by the Committee on the Judiciary, to whom was referred the bill (H. R. 5497) to provide for terms of the circuit and district courts of the western judicial district of the State of Texas to be held at the city of Laredo, and for other purposes, to report it favorably. It is very important that the bill should be passed, and I ask unanimous consent for its consideration at this time. It will take but a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. McMILLAN introduced a bill (S. 5582) to authorize the Maryland Suburban Railway Company, of Maryland, to extend its line of road into and within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. ALLEN introduced a bill (S. 5583) to incorporate the National White Cross of America, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HOAR. I ask leave to introduce a bill for reference to the Committee on the Judiciary. The bill relates to a very important subject, the reconstruction of the district and circuit courts of the United States, and their relation to each other. It has been drawn by a committee of the American Bar Association, who had the matter before them for nearly a year. I wish to invite the attention of members of the Senate to the bill during the recess.

The bill (S. 5584) in relation to the courts of the United States was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HOAR. I move that a letter relative to the subject, from the chairman of the committee of the American Bar Association, be printed as a document.

The motion was agreed to.

Mr. GEAR introduced a bill (S. 5585) to pay Samuel Lee for services in Forty-seventh Congress; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Privileges and Elections.

Mr. BACON introduced a bill (S. 5586) to create the northwestern division of the northern district of Georgia for judicial purposes, and to fix the time and place for holding court therein; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. FRYE introduced a joint resolution (S. R. 258) to authorize the appointment of Robert H. Dunlap a second lieutenant in the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. CHANDLER. I submit an amendment intended to be proposed to the naval appropriation bill, which I ask may be read and referred to the Committee on Appropriations.

The proposed amendment was read, and referred to the Committee on Appropriations, as follows:

Amendment intended to be proposed by Mr. CHANDLER to the Navy appropriation bill (H. R. 12122).

Amend the last section by adding at the end of line 3, page 50, the following: "Provided also, That the President is authorized to appoint, by selection and promotion, two vice-admirals of the Navy, who shall not be placed upon the retired list until eight years after the passage of this act, except upon their own application; and whenever either of such offices shall be vacated, by death or otherwise, the office shall cease to exist."

Mr. SIMON submitted an amendment providing in the increase of the Navy that one, and not more than one, of the protected cruisers shall be built on or near the coast of the Pacific Ocean or in the waters connecting therewith, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McMILLAN submitted an amendment proposing to appropriate \$5,000 to enable the Secretary of the Navy to erect at some suitable place in Arlington Cemetery a monument to Charles Vernon Gridley, late captain, United States Navy, commander of the flagship *Olympia* in the Asiatic Squadron in the battle of Manila Bay, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. TILLMAN submitted an amendment appropriating \$4,000,000 for the erection of suitable buildings and the purchase of suitable machinery and other material necessary for the establishment and maintenance of a plant for furnishing armor plate for the use of the Navy, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FRYE submitted an amendment proposing to appropriate \$350,000 for the construction of a repair steamer and for spare cable, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DANIEL submitted an amendment proposing to appropriate \$5,000 to pay the legal representatives of the late James Crooks and William Crooks, citizens of the United States and of Canada, the same being the value of a vessel called the *Lord Nelson*, illegally seized by Lieutenant Woolsey, of the United States Navy, on Lake Ontario, June 5, 1812, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. PERKINS submitted an amendment authorizing the Secretary of the Navy to pay, out of the appropriation to the Union Iron Works, of San Francisco, Cal., \$3,680.31, being the amount expended by that company over and above the sum received by it for certain armor furnished for the United States steamship *Wisconsin*, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment authorizing the President, upon the application of the governor of any State having seacoast line or bordering on the Great Lakes, to authorize the Secretary of the Navy to furnish to one well-established military school in that State, desiring to afford its cadets instruction in elementary seamanship, one fully equipped man-of-war's cutter for every twenty cadets in actual attendance, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

#### VIVISECTION IN THE DISTRICT OF COLUMBIA.

On motion of Mr. GALLINGER, it was

Ordered, That 2,000 copies of Senate Document No. 75, Fifty-fifth Congress, third session, being a statement of Dr. Albert Leffingwell, of New York, containing a critical examination of various objections to Senate bill No. 1083 and other papers and facts relating to the subject of vivisection, be printed for the use of the Senate.

#### USE OF ROTUNDA OF CAPITOL.

Mr. McMILLAN submitted the following concurrent resolution; which was referred to the Committee on Rules, and ordered to be printed:

*Resolved by the Senate (the House of Representatives concurring). That the use of the Rotunda and adjacent rooms be granted to the ladies of the George Washington Memorial Association on the first Saturday in May, to hold a colonial reception and bazaar, the object being to raise a fund to aid in the erection of an administration building for a national university at Washington, D. C.*

## AWARDS OF THE WORLD'S COLUMBIAN EXPOSITION.

Mr. MASON submitted the following concurrent resolution; which was referred to the Committee on Printing, and ordered to be printed:

*Resolved by the Senate (the House of Representatives concurring). That there be printed 10,000 copies of the Report of the Jury of Awards of the World's Columbian Exposition, held in Chicago in 1893, for the use of Congress, to be divided, 6,000 for the House and 4,000 for the Senate.*

ELIZABETH V. LITZENBERG.

Mr. GALLINGER. Mr. President, I wish to enter a motion to reconsider the vote of the Senate on the passage of the bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg, and I move that the Secretary be directed to request the House of Representatives to return the bill to the Senate. The bill was returned by the President on Saturday last, in compliance with a resolution of the Senate. I am informed that the enrolled bill is not susceptible of amendment in that form, and it is necessary to recall the original engrossed bill from the House in order to make a few necessary corrections by way of amendment.

The VICE-PRESIDENT. The motion to reconsider will be entered. The Senator from New Hampshire moves that the House of Representatives be requested to return the bill to the Senate.

The motion was agreed to.

## MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE LOVE.

Mr. MONEY. Mr. President, I wish to give notice that on next Thursday, at some hour when the regular business will permit, I shall ask the Senate to lay aside its usual business in order that Senators may pay their tribute of respect to the memory of WILLIAM FRANKLIN LOVE, late a Representative from the State of Mississippi in the Congress of the United States.

## EXTENSION OF ANTI-CONTRACT LABOR LAWS TO HAWAII.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of the bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii.

Mr. HAWLEY. Mr. President, I think I must object. We are through with the regular morning business, I believe?

The VICE-PRESIDENT. Morning business is not yet completed; but the Senator from Indiana [Mr. FAIRBANKS] asks unanimous consent for the consideration of the bill named by him.

Mr. HAWLEY. Is it the immigration bill?

Mr. FAIRBANKS. The request is for unanimous consent to consider the bill for the extension of the anti-contract labor laws to Hawaii.

Mr. STEWART. I should like to inquire, before I either assent or dissent to the request of the Senator, if the bill proposes to extend the customs and internal revenue laws over Hawaii? I think they ought to go together.

Mr. FAIRBANKS. There is no purpose in the bill to extend any laws over Hawaii except the immigration, the contract-labor laws, and the Chinese-exclusion acts.

Mr. STEWART. I think they all ought to go together.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill named by the Senator from Indiana [Mr. FAIRBANKS]?

Mr. HAWLEY. I must object. I am instructed to press at the earliest possible moment the consideration of the Army bill.

The VICE-PRESIDENT. Objection is made.

Mr. FAIRBANKS. Then I wish to give notice that I will move to take up the bill to extend the anti-contract labor laws of the United States to Hawaii immediately after disposition is made of the Army bill.

Mr. ALLISON. Not to displace appropriation bills, I trust.

Mr. FAIRBANKS. No.

Mr. STEWART. I will also give notice that if the bill of the Senator from Indiana is taken up, I will offer as an amendment the House bill to extend the customs and internal-revenue laws over Hawaii.

Mr. PETTIGREW. Do I understand the Senator from Indiana simply gives notice of his intention to call up that bill?

Mr. FAIRBANKS. That is all.

The VICE-PRESIDENT. The Senator from Indiana has given notice of his intention to move to take up the bill hereafter.

Mr. PETTIGREW. That is one of the most important matters before the Senate, and I hope a short time will be given to its consideration. I also hope the Senator from Nevada [Mr. STEWART] will not press his motion, because if he does so it will result in a debate which will last until after the 4th of March.

The bill moved by the Senator from Indiana ought to pass, because there have been 10,000 contract laborers imported into Hawaii since our flag went up there, and some 50 Europeans have been imprisoned because they refused to labor, and they are subject to be whipped and punished like slaves upon the plantations there. They have been imprisoned and made to work on the streets under the flag of the United States.

Mr. CHANDLER. Mr. President, I desire to concur in the remarks of the Senator from South Dakota [Mr. PETTIGREW].

## HOUSE BILL REFERRED.

The bill (H. R. 7093) granting an increase of pension to William R. Warden was read twice by its title, and referred to the Committee on Pensions.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. RROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes.

The message also announced that the House insists upon its amendment to the joint resolution (S. R. 189) to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BABCOCK, Mr. CURTIS of Iowa, and Mr. RICHARDSON managers at the conference on the part of the House.

The message further announced that the House had passed a joint resolution (H. Res. 339) authorizing the President to appoint Osborne W. Deignan a naval cadet at Annapolis, in which it requested the concurrence of the Senate.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

A bill (S. 5427) granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho;

A bill (S. 5514) to amend an act entitled, "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights and privileges and franchises therein granted to said first-named company;

A bill (H. R. 321) for the relief of the Berdan Firearms Manufacturing Company;

A bill (H. R. 1136) for the punishment of seduction in the District of Columbia;

A bill (H. R. 1800) to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster;

A bill (H. R. 3261) to remove the charge of desertion from the military record of George L. Plummer;

A bill (H. R. 3297) to remove the charge of desertion from the military record of William Henry Woodward;

A bill (H. R. 5323) granting a pension to Patrick O'Shea;

A bill (H. R. 5740) to remove the charge of desertion against William Britton;

A bill (H. R. 6248) to provide for the disposition of assessment certificates of the District of Columbia, and for other purposes;

A bill (H. R. 6930) for the relief of and to correct record of Jacob Covert;

A bill (H. R. 7860) to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894;

A bill (H. R. 8739) to authorize a resurvey of certain lands in Cheyenne County, in the State of Nebraska, and for other purposes;

A bill (H. R. 9281) authorizing the construction of three bridges across the Conecuh River, a navigable stream, in Escambia County, Ala.;

A bill (H. R. 11023) to regulate the height of buildings in the District of Columbia;

A bill (H. R. 11024) to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes;

A bill (H. R. 11570) to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes;

A bill (H. R. 11677) to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia;

A bill (H. R. 11733) to prevent the sale of intoxicating liquors on Sunday in the District of Columbia; and

A bill (H. R. 11771) to amend section 1 of an act to provide for the entry of lands in Greer County, Okla., to give preference right to settlers, and for other purposes.

OSBORNE W. DEIGNAN.

Mr. GEAR. I ask that the joint resolution just received from the House of Representatives be taken up and acted on. It is the same as the joint resolution which passed the Senate, but the House preferred to pass its own joint resolution.

The joint resolution (H. Res. 339) authorizing the President of the United States to appoint Osborne W. Deignan a naval cadet at Annapolis was read the first time by its title and the second time at length.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 25th instant approved and signed the following acts:

An act (S. 4630) granting an increase of pension to Chauncey A. Bradley;

An act (S. 4690) for the relief of certain homestead settlers in Florida;

An act (S. 4775) granting a pension to Flora Stanton Kalk;

An act (S. 4808) authorizing the President to appoint additional cadets at large at the United States Naval Academy;

An act (S. 4854) granting a pension to Isom Gibson;

An act (S. 4982) granting an increase of pension to Amanda T. Jumper; and

An act (S. 5533) to permit volunteer regiments to retain their colors.

#### RIGHTS OF WAY THROUGH INDIAN LANDS.

Mr. PETTIGREW submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 11668) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 9, 10, 11, and 12, and agree to the same.

That the Senate recede from its amendment numbered 13.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: After the word "heard," in line 4, strike out the words: "Provided further, That when a right of way has been heretofore or shall hereafter be granted, no parallel right of way within 10 miles on either side shall be granted by the Secretary of the Interior unless in his opinion the public interest will be promoted thereby," and insert in lieu thereof the following: "Provided further, That where a railroad has heretofore been constructed, or is in actual course of construction, no parallel right of way within 10 miles on either side shall be granted by the Secretary of the Interior unless, in his opinion, public interest will be promoted thereby;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with amendments as follows:

In lieu of the words "President of the United States," in line 10, insert the words "Secretary of the Interior." In lieu of the words "pay double," in line 29, insert the word "deposit." In lieu of the word "into," in line 30, insert the words "with the;" and the Senate agree to the same.

O. H. PLATT,  
R. F. PETTIGREW,  
*Managers on the part of the Senate.*  
CHARLES CURTIS,  
JOHN F. LACEY,  
*Managers on the part of the House.*

The report was agreed to.

#### REORGANIZATION OF THE ARMY.

Mr. HAWLEY. I move that the Senate proceed to the consideration of what is known as the Army bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 5578) for increasing the efficiency of the Army of the United States, and for other purposes.

Mr. BATE. Mr. President, I feel more than ordinary responsibility with corresponding embarrassment in discussing the pending bill. It is, perhaps, the most important measure we have had before this Congress, and perhaps none more important has been presented to any Congress in recent years. I regard it as another step in the direction of a change in the theory and form of our Government. It is in keeping with that step which was accomplished some eight or ten months since when we annexed Hawaii by resolution instead of by the usual and constitutional mode of treaty, in open violation of the Monroe doctrine, and established a new mode of procedure in beginning the acquisition of territory beyond the North American continent, and encouraging territorial conquest beyond the seas—a policy hitherto unknown in the history of this Government.

A bill has been presented here for the purpose of raising a regular army of 100,000 men in a time of peace. It is certainly anomalous in that respect, and to some extent it has shocked the public sentiment, although it follows immediately upon the heels of a war which has been sharp and quick, but of successful termination. We really should have perfect peace in the land, Mr. President, if we have not, and our efforts should be to reduce the Army of our country instead of enlarging it.

It is known that a year ago we only had an army of 25,000 men, just previous to the war with Spain, when two regiments of ar-

tillery were authorized to be organized, which made 27,000, and that increase was made for a special purpose. That purpose was to man the guns and have the forts upon our seacoasts defended. Only two regiments, however, were called for as the necessary additional force for that purpose. That was about a year ago. Now it turns out that a bill has been introduced which calls for fifteen or twenty thousand men for that same home purpose, when we thought at the time we gave the authorization that two regiments would be amply sufficient. The head of the Army then—only a year ago—said that number would be sufficient. The same head of the Army, however, in his recent testimony before the Committee on Military Affairs has exceeded vastly that number, and has asked for something like 20,000 men for the same purpose.

He has multiplied the number of points for constructing defenses on the oceans and the Gulf from about 32 to 144. This militarism, Mr. President, seems to be growing rapidly, and to a degree which is alarming to the plain honest people and taxpayers of this country. Now, in time of peace, a bill for reorganizing the Army, known as the Hull bill, has come from the other end of this Capitol and was considered by the Committee on Military Affairs, resulting in such difference of opinion as to fail of a favorable report. The opposition was of such a character as to constrain the bringing before the Senate a new bill reorganizing the Army and asking that it be 100,000 strong, and we have that bill before us now for consideration, and it is sought to have it passed hurriedly, when the near close of this session of Congress forbids that calm and close consideration which a bill of its nature and importance requires.

I object to the bill, Mr. President, for various reasons. In the first place, the proposed increase of the Army is too large; I think it more than twice as large as the necessities of the country require. It calls for 100,000 regular troops, a part of them mis-called volunteers. It is a force to be kept in existence for nearly two and a half years, virtually making it not only a regular, but in reality a standing army, although a clause in the bill says that at the end of two years and four months a part of the force, so-called volunteers, shall be mustered out. We all know how difficult it will be to reduce it when once organized and under arms. Besides, the very terms of existing laws and regulations in putting the so-called volunteers in the service are the same as those prescribed for regulars, except that part of the bill which applies to Cubans and others similarly situated, who may be enlisted at the discretion of the President. No, Mr. President, the term "volunteers" is misused, for not one of them can aid in choosing or electing a single one of their officers; neither can the governor of any State appoint one of the officers, but the President alone can appoint them, as he does in the Regular Army. The so-called volunteers and regulars are enlisted in the same way, and when in the service treated just alike and are amenable to the same laws and regulations, the only practical difference being the length of service—the regular enlists for three years, and the so-called volunteers two years and four months. This, then, becoming a regular army, will, I fear, become a standing army by law, as it will be in fact.

Mr. President, I look upon this proposition as one for a standing army, and that standing army could be used as the powers that be may require, at home or abroad, to threaten the liberties of the people.

I object to this bill for various reasons. I object to it, as I have said, because of the number of troops it calls for. I object to it because it makes them regular troops and casts aside the volunteers. I object to it because it makes invidious distinctions between the volunteers and regular troops in favor of the regular troops, and to that extent sets aside the volunteers and that which would otherwise be their rights. I object to it again, sir, because I think it may be an entering wedge which would ultimately result in changing the laws and the Constitution under which we live, and which will to some extent subvert the theory of our Government and make us rely almost entirely upon the Regular Army for protection and not upon the consent of the people in their own sovereign right for the government of this country.

Believing that the passage of this bill will contribute to revolutionize the principle upon which our Federal Union rests; that it will familiarize our people with a principle of force and power not compatible with a government responsible to the people; that it will accustom the Federal authorities to rely on the strength and discipline of the Army rather than on the consent of the people; that taxation already bears too heavily on the energies of the people to further burden them with the enormous cost which this bill will compel, and that as the main object of this bill seems to be to raise and send an army to fight the Filipinos, and as I believe that conciliation and kindness will go farther and sooner effect their reconciliation to our guidance than would an army, I can not give my vote to a bill which threatens such consequences as this course would entail upon our country.

This bill calls for 100,000 men, and we all agree that an army of 100,000 men is what is aimed at by the framers of the bill and by

the committee which has reported it for the consideration of the Senate, yet the word "maximum," in alluding to the number of troops to be enlisted, occurs nowhere in the bill save in its last sentence, and then it is used incidentally, while the word "minimum" occurs in relation to nearly all the numbers of troops, armaments, and departments. While I know there is no intention of deceiving as to the number being greater than the 100,000, yet the verbiage used may give it an elasticity which we do not see.

I am not the only person who can not reconcile the provisions of this bill with the promises made on this floor. I find in the Evening Star of Saturday the "merits of the measure" discussed by "one of the officers who has had a leading part to perform in arranging the compromise measure." He says that "under this authorization the Army may be carried forward from 62,000 to 75,000 in total strength." The extract is short, and I will read it to show that this bill is not so plain that the wayfaring man, though a fool, can not err therein, but is so drawn that the officer who had a hand in its construction says it can be stretched to 75,000 men:

#### MERITS OF THE MEASURE.

One of the officers who has had a leading part to perform in arranging the compromise measure to-day said:

"This is a better bill than the Army really expected to have for many years. Instead of providing for 950 appointments to first and second lieutenants, as the Hull bill did, it provides for only 135 second lieutenancies.

"It gives the infantry a permanent organization on the three-battalion basis to make it conform to modern ideas, so that this arm does not go back to the hybrid organization of two skeleton and two unmanned companies and two battalions of four companies each, as the infantry stood last spring.

"The minimum strength of each company and troop will be 65 men and each battery of artillery 80 men, yet there is a flexible provision by which the strength can be increased at will in case of emergency without seeking additional legislation, and under this authorization the Army may be carried forward from 62,000 to 75,000 in total strength. The bill also gives 3 majors to each regiment, instead of 2 as at present. This will enable the Department to promote to majorities a number of most deserving veteran captains who could not be benefited otherwise in the usual course of promotions."

Where is the "flexible provision," of which this officer is so certain that the Army can be increased to 75,000 in total strength? Is the flexible provision to be found in line 7 of section 15, where for the first and only time we have the words "maximum authorized strength?" But the bill nowhere else mentions maximum, and repeals all laws or parts of laws which conflict with the provisions of this act. So, whether or not this bill is amendatory to the standing army law and repeals its maximum strength, may present a question of doubtful solution.

It is the uncertainties which hedge this bill, as well as to what it does as to what it does not authorize, that give me reluctance to support it. I find the officer of the Army who claims to have had a hand in the construction asserting that it carries 75,000 men, yet I find its provisions limiting the Army to 65,000. So there is nothing certain, nothing fixed, nothing concluded, except that the President is provided with an Army of 100,000, and Congress adjourns leaving him a free hand to convert the "present exigencies" into war of rebellion, 10,000 miles away. However much confidence we may have in the President, it is a bad precedent.

The Senate is asked to believe that this force of 65,000 can not be used for "any improper purpose." The size of the Army is no guaranty against use for improper purposes; our little Army was no protection in the past against its improper use. And the Senate is asked to believe that this bill promises no heavy burdens upon the people. I must ask the Senator "to tell that to the marines!" I can not say what burden it will inflict, nor can any other Senator until after the deficiency bills of all kinds are passed. It is not prudent to attempt to measure a rattlesnake until his head is off, and even then accuracy requires calculation.

That the burdens of the present year, already running high into the hundreds of millions and necessitating one bond sale of \$200,000,000 and threatening now an issue of untold hundreds of millions of Treasury certificates, will fall eventually on the people no man will venture to deny. If the honor of the country demands the sacrifices and burdens which the Army bill must carry, if that honor requires war, unrelenting war, on the Filipinos, I would vote for this bill, as I have already voted for every measure involving much money, without stopping to inquire as to how many men or how much money.

It is the honor of the country alone that justifies any people in resorting to war. Material advantages or disadvantages are subjects for diplomatic adjustment, to be paid for in hard cash, to which they naturally belong. But the honor of the country stands upon a plane so lofty that only the lives and blood of its people can effectually satisfy its high and noble demands. The conquest of the Filipinos can not involve the honor of the United States. The treaty of peace reduced the question to one of bargain and sale, and this country is to pay \$20,000,000 to Spain for the Filipinos and islands, and if Spain can not deliver the goods, the bargain and sale ought to be declared off.

But I would not drag the honor of my country into that trade. I would hold what we already possess and say to Spain the

\$20,000,000 awaits her delivery of a good title with warranty. If she can not complete the sale, and this country has to effect it by force, the \$20,000,000 should be charged to expenses incident to a perfect title. "Present exigencies" are not recognized in the Constitution of the United States as a reason for organizing an army. The "exigencies" ought to be defined in plain terms.

If this country can not declare war against the Filipinos without recognizing their existence as a nation, if the President can not by proclamation declare them in rebellion because the authority of the United States awaits the action of Spain in ratifying the peace treaty, then "the present exigencies" ought to await the final outcome of the treaty of peace, when our authority would rightly exist in the islands, and those who may oppose that authority could be rightfully proceeded against if they then refused all advances to peace and rightful government. But they are not Americans now, whatever they may become after Spain ratifies the treaty.

But in any probable event an army of 100,000 men is beyond all reasonable requirement. And if such an army is necessary its construction should be mainly on the volunteer forces of the States; 65,000 volunteers and 35,000 regulars, if those figures are to be the divisions of the two armies, would be more in harmony with our system of government and all the precedents of our history. Never before did the Congress give precedence to the Regular Army and subordinate the volunteer service.

This bill confines the 35,000 to infantry, and their field officers are confined to the Regular Army, or to persons who served as officers of volunteers in the war with Spain, and to be appointed by the President. No more citizen soldiers need apply. There will be no place for such gallant men as those who commanded regiments in the Union and Confederate armies. The brigadier-generals of volunteers are to be from the Regular Army.

This bill is the passing of the volunteer and creation of a Regular Army, in which the volunteer is a mere temporary adjunct for two years and four months, and marks the beginning of imperialism by statutory enactment.

Mr. President, one of the reasons why I hesitate about this—and I think it a very pertinent one—is that the President has not defined his policy. There has been no publication made of the extent of the war, if such exist. There has been no publication made by the President over his signature that he needs and wants these troops for the purpose of carrying out a well-defined policy. Such a declaration has always been made by every President who has called for troops heretofore. Mr. Lincoln did so even in the civil war, and every President thus far who has called for troops has called for them in a formal way, giving his reasons for the call. This is not a call by the President of the United States. Where or when has any such proclamation ever been issued by him?

Nor has he ever said that he needed 100,000 men. To whom has he said it, and for what purpose has he told us he needs them? He has not done so. For that reason I think, sir, we should oppose a bill that calls for that number of troops, a number so enormous, compared with what we have had heretofore when no war existed, and an enlargement of the Regular Army.

We should be cautious as to how we proceed in matters of this kind. A regular army, a standing army, has been the cause of the downfall of every republic, and we should stand upon the threshold and view it with caution and with fear. The President has not, then, defined a policy; he has not called for troops; he has asked for no 100,000 troops nor for an army of that size to maintain the honor of the flag in any other country or here at home. Why are they wanted? Are we not at peace? Where is any war?

Sir, the recent war with Spain was quickly and sharply fought and soon over. It has been terminated in the most gallant manner. It is true we were fighting against a power of only 17,000,000 people, with no money to back her and a divided sentiment at home touching the war, with only a few modern-built guns and ships to compete with us; and we pushed her to the wall sharply and quickly. But protocols and peace commissions have since intervened and we have no war now. Instead of war, what did we hear within the last few weeks? The President himself in the City of Brotherly Love, near this national capital, made a speech in which he was glorifying the peace that prevailed in the land, and his words found a joyous refrain all over this country. It was a jubilee of peace. No one thought of any further war; no one dreamed then that there would be 100,000 troops called for for any purpose.

Again, we find the President in our Southland, at Atlanta, the place of many battles fought in our never-to-be-forgotten fratricidal strife, uttering the same kind of sentiments—peace, peace all over the land—and paeans went up and found their echoes from the Pacific to the Atlantic. Here, now, before those joyous acclamations of peace have ceased and their echoes died away—yes, before the ink is dry upon your treaty of peace—you are calling for a hundred thousand troops to force, I suppose, a peace. What a travesty! For what purpose are they called? Commissioners were appointed, went to Paris, and labored for two months. They

wrestled and struggled, diplomatizing with the question, as they presented the situation, and at last came to terms.

Their terms of peace were ratified. Under the situation our commissioners had it all their own way. I am one of the Senators, Mr. President, who voted against the ratification of that treaty; and I do not think I have given any vote that I have reason to be prouder of since I have been a member of this Senate than that, especially since we see the results which have come upon us. If we had not ratified that treaty, some terms or some relations, I doubt not, could have been established between the Filipinos and the Americans that would have been conciliatory and agreeable, and we would not now have this call for a hundred thousand men to disturb the peace and quiet of the country.

We would not have sick soldiers sweltering and dying in that tropical climate. Neither would we be hurrying troops over in transports at a cost of millions to meet what is called "an exigency." Therefore, from my standpoint, it is a misfortune that the treaty was ratified and not held up until there was something more definite agreed upon and until such proper relations as would have prevented present embarrassments, were established between the Philippines and the United States.

Are we in serious trouble there now? Why do we want all of these troops if we are not? It is believed by those who are well informed that we have as many there as are needed, with volunteers returned and regulars now on hand to substitute for them. In Porto Rico it is known and conceded that a regiment or two at most are all that are required. In Cuba, what? Only a few thousand at the most. If you take the testimony of those generals who have been there, and who were before the committee, you will see that we need but a few thousand American soldiers at the most. We need only to man the forts, with a few battalions in reserve at each fort. We should remember that the Cubans, including Spaniards, are disarmed, and that our forces there have repeating rifles and rapid-fire guns, and that one man is worth a hundred unarmed Cubans. Then for the present, or in the near future, we will have an organized constabulary force of itself equal to the demand. I think, Mr. President, that less than half the number that are called for in this bill will serve the purposes for which it is said an army is desired. A few thousand in Cuba, as shown; comparatively none in Porto Rico, and but a regiment in the Sandwich Islands, with the Philippines already sufficiently provided for the present situation—for what do we want a large army? We are told that thousands are needed at home for coast defenses. Mr. President, that is a matter which I think is much exaggerated. When we look into it there seem to be thirty-two points on the coast already manned and equipped, and they have proved sufficient thus far. These defenses are already provided for. But we are told that we need 144, or 112 more than we now have. This I do not credit, and it should, and I have no doubt will, be looked into and the whole scheme or system remodeled.

The Indians are virtually out of the way. Sitting Bull is dead and the Sioux subdued and scattered, Geronimo in prison, the Apaches scattered and gone, so we need but few soldiers on our frontier. Indeed, we now have no frontier. We want no excessive troops. Want none to overawe the people; none to go into States without the request of the governor or legislature. Those of us who live below Mason and Dixon line, those of us who after the war saw regiment after regiment mustered around us in the South, know what it is to be under the military. We know what it is to have a government of that kind. And when we see an effort to increase the Army in time of peace, it excites grave apprehensions.

Mr. President, as to the condition of things in Manila, which is alleged by the advocates of this bill as a reason for its passage, we are hardly well informed. It has been amusing to some of us to see, whenever a vote is to be taken in this Senate upon any question involving that country at all, or upon the question involving the treaty of peace, just before the vote some sensational publication purporting to come from there, perhaps for the purpose of influencing votes in the Senate, has almost invariably been seen in large headlines of an attractive character in the Administration press. Such has been the case. They do not, however, I believe, come as a general thing from those who are in authority. I beg leave in this connection to read a line from a man in authority, General Otis. What does he say as to the situation there, and does that show we need 100,000 troops or need any more troops than we have there now? There was received yesterday at the War Department the following dispatch:

ADJUTANT-GENERAL, Washington:

Condition of affairs quiet. Progressing favorably. Anxiety need not be felt in regard to the situation here. Will send small body of troops to Cebu, where the Navy took possession.

OTIS.

The general in command says, "Anxiety need not be felt in regard to the situation here." That does not indicate to my mind that there is any great necessity because of the situation there,

for 100,000 troops. We are in trouble there to some extent, it is true, but my idea is (whether I am correct or not I do not know) that we ought to make a stand and hold our own where we are, and that Commissioner Denby and those who go with him should go under flags of truce to those people and explain to them the true situation, and make honorable terms with Aguinaldo and his insurgent followers.

Let them have interviews with those people. Denby is familiar with them, their language, their prejudices, etc., as he has been long in a representative capacity in the Orient. Let him go there, make a report, and let us see whether or not we have to prepare for serious trouble. I am one of those who do not want the islands to belong to this country. I object to their coming in as a part of our Republic. These are a different class of people, with a different language, different religion, with different ideas of life, different in every respect. I do not want to see them annexed to or become a part of this country.

Therefore, how will we get out of this? We are in trouble. It is embarrassing, I admit, but then, sir, is it not best for us to present to them some terms of conciliation? Let Denby and the commission go forward and see what can be done before you call out 100,000 troops. Not only that, but let us send the Bible and the Cross in advance of gating guns, to show a Christian spirit, by which we can bring about a reconciliation and save the honor of our country without shooting to death for "humanity's" sake those half-civilized human beings who have been so long oppressed by Spain, and who, inspired by our presence, had a hope of that liberty for which they had so long struggled, and now see their cup of joy dashed to pieces by the hand that lifted it to their lips. Away with such expansion! Such Christianity!

About a year ago two regiments of artillery were all that was regarded necessary to man the coast defenses in addition to those already manned and equipped. Now it is multiplied to 20,000. There is something awkward about all this. Are the times so out of joint that the military dominates the civil authority? I stand here in defense of what I believe to be the rights of the liberty-loving people and taxpaying people of this country. I believe that the civil ought to dominate the military power with us, and if it does not the Republic is gone.

A hundred thousand men means something. They represent a power, including forts, docks, arsenals, etc., that could absolutely awe the country, for they would have all the arms. I believe, sir, it would be dangerous to the liberty of the people. We have heretofore had some respect for the Constitution and its guaranteed rights. But what would an ambitious leader with 100,000 soldiers trained to obey him do when opportunity offered for him to snatch the reins of power? After the Revolutionary war we had no standing army. After the war of 1812 we had but 6,000, and after the close of the Mexican war we had only about 10,000, until the commencement of our interstate struggle.

In all these wars the militia and volunteers constituted the right arm of our military strength.

The ready disbanding of regular troops after each of our wars shows the apprehension of our yeomanry from a standing army and that they regarded it inconsistent with republican government and a menace to individual liberty and self-government. The idea of 100,000 soldiers being called for at once would have appalled our fathers, as it ought to appall their children.

To vote to increase the Regular Army of the United States to the maximum or minimum of this bill is to sanction and approve all that was most objectionable in the treaty of peace, against the ratification of which I voted. For the Congress to increase the Regular Army after concluding peace with Spain will be the revocation of that pledge to the country contained in that provision of the law which, when war was declared, provided:

That at the end of any war in which the United States may become involved the Army shall be reduced to a peace basis by the transfer in the same arm of the service or absorption by promotion or honorable discharge, under such regulations as the Secretary of War may establish, of supernumerary commissioned officers and the honorable discharge or transfer of supernumerary enlisted men; and nothing contained in this act shall be construed as authorizing a permanent increase of the commissioned or enlisted force of the Regular Army beyond that now provided by the law in force prior to the passage of this act, except as to the increase of 25 majors provided for in section 1 hereof.

The Senator from Connecticut recognized that pledge when, in introducing the report on his original bill, he said: "Therefore, it will then be the imperative duty of the President to reduce the Army to 27,000 men."

But now we find that instead of 27,000 this bill brings it up to thirty-eight thousand and some hundred, conceded; but when you look at it and take into consideration the 1,100 who belong to the bands, and others named, you will see it comes within a fraction of 40,000 instead of 25,000 or 27,000. I am against that increase. That makes a permanent increase to the Regular Army, and this bill is for the establishment of a permanent as well as a regular army, and the volunteer is not known in it.

And why not? That 27,000 is the "peace basis" of our Army.

Are we not at peace? The ink will hardly be dry on the signatures to the ratification of peace before, under this bill, the President will be directed to prepare for war. War against whom or for what purpose? The answer to that question condemns every vote for the ratification of the treaty of peace with Spain, and consistency, it would seem, compels every Senator who voted against ratification to vote against this bill.

It was the expression of the honest conviction of this country, which pledged its faith in the declaration of war, that the acquisition of territory from Spain was no part of the purpose of this country. We did not then dream of expansion; no view of imperialism then disturbed the country; but the high, the noble, and the sole enthusiasm of all our people was to make the people of Cuba free and independent. Now, at the conclusion of peace, the Administration demands a regular army of 100,000 to hold that which conquest has gained.

The many who were impatient a year ago to drive Spain out of Cuba had no expectation or purpose that the pledge against the acquisition of territory would be abandoned and the war for the liberation of Cuba converted into a war for the conquest of the Filipino people. If that is not to be the sequel of this increase of the Regular Army, what other reason exists for this bill? There is no justification for a standing army of 100,000 men within the United States. The law-observing and the law-abiding people of the States do not require 100,000 regulars to keep them in order. Porto Rico, which did not rebel against Spain, has settled down to her fate in peace and quiet, and there does not come a rumor of disturbance from that island. We have compelled the Cuban army to disband and surrender their arms, preparatory to their pacification.

In Cuba "The right of the people to keep and bear arms"—a right secured to our people by the Federal Constitution—is denied; and the persuasion of \$3,000,000 is added to the threat of a large United States army on the island as a preliminary to the peace, freedom, and independence of that people. And now the friends of the Administration demand a standing army nearly four times the size of our "peace basis" to hold what the President, in his recent speech in Boston, designated as the "far-reaching consequences" of the act of those who voted to declare war for the liberation of Cuba. The "new and grave problems" which the President feared might follow the inauguration of the war for the freedom of Cuba now take the form and shape of an imposing army on the very threshold of peace.

The Czar of Russia has recently invited the nations of the world to a congress, to deliberate on the disarmament of those immense armies which are depleting and exhausting the resources of every people. The President has accepted that invitation, and his ambassadors will enter that congress of peace with an army four times as large as our "peace basis" as our earnest pledge of peaceful purpose.

That overture to peace and prosperity of peoples all over the world finds this country, heretofore exempt from the burdens of immense armaments, just entering upon the policy from which the Czar of Russia is seeking to escape. But the President says it is "the evolution of events which no man could control which has brought those problems upon us." What problems? Is this bill for a standing army of 100,000 men to be the initial of the problem to hold Cuba? Is it to be the conclusion of the problem in the Philippines, where, with sword in hand, we teach peace and prosperity by the sovereign grace of a conquering nation?

A standing army has ever been an object of aversion to the people of this country. So long as it was small and was kept on police duty over the Indians it was tolerated, but as a Regular Army never was it esteemed as an army that could exist among the people of this country for the purpose of overawing them. Our wars have all been fought by the volunteers—the people of the States—ever ready to spring at any enemy and never yet unable to defeat any foe.

From the Revolution, when the standing armies of England were twice compelled to unconditional surrender; from New Orleans, where the Western volunteer drove back the triumphant regulars which Wellington had led in Spain; from Mexico, where the volunteers planted the country's flag on the hall of the Montezumas and dictated indemnity for the past and security for the future, the volunteer has ever been the arm of defense and offense for this country. But in this bill the word volunteer—the citizen soldier, the cheap defense of the nation, the ever-ready and unconquerable defense of the country—is relegated out of the Army, and the regular soldier is given the place of honor and made the sole defender of the country; and as this bill leads to that proposition, I oppose it upon that ground, if no other.

The people have not entirely forgot the feat of the standing Army in Chicago a few years since. That experience they do not want repeated, and they are unwilling to provide the means by which the State's duty shall be quickly and speedily assumed by the Federal Government.

A large standing army, the crowning act of imperialism, is a temptation to the use of power which is incompatible with a government by the people. And to create a large standing army at the very moment of reestablishing peace, and proclaiming to the nations of the world that we are at peace, but deem it necessary to augment our Army four times the recognized "peace footing," is a contradiction between profession and acts which is not calculated to commend our system of government to any people.

To use the standing army to effect the subjugation of the Philippines is the total subversion of the principle upon which our system of popular government rests. The right to conquer other people may be recognized as an attribute of every sovereign nation, but the duty of abstaining from the exercise of that right is not less incumbent upon a people which holds that consent alone confers just powers on the government.

I do not controvert the right of this country to conquer and hold any possession of our enemy. That is a right of war which may be properly used by any nation. But when it comes to governing the people our principles of government deny the right to impose our system on any unwilling people. Hence to organize and equip a standing army in time of peace for the sole purpose of waging a war of conquest upon the Filipinos, with whom we were practically if not actually allied in the contest with Spain, is a contradiction of the spirit of our institutions, however much it may be within the letter of international law.

I have taken pains to look into the history of the troubles that were brought about in the Philippine Islands in the book relating thereto, which has been published by the Senate. It gives a history of the movements of Aguinaldo.

How far United States Consuls Williams, Wildman, and Pratt committed the United States to an alliance with Aguinaldo by the many interviews and conferences which took place between those officers beginning April 23, prior to the battle of Manila, is now to be ascertained by the papers published with the treaty.

United States Consul Pratt arranged the interview between Aguinaldo and Commodore Dewey in Hongkong. His Report No. 213 (on page 341 of Document No. 63, paragraph 1), embodies a telegram from Consul Pratt to Secretary Day that "General Aguinaldo gone at my instance [to] Hongkong [to] arrange with Dewey cooperation [with] insurgents [at] Manila." That report reveals the fact that at the instance of "Mr. H. W. Bray, an English gentleman of high standing," Aguinaldo, "the leader of the Philippine insurgents," had come "incognito" to Singapore, and that on account of his "great prestige with the insurgents" Mr. Pratt "determined at once to see him, and at my [his] request a secret interview was accordingly arranged for the following morning, Sunday, the 24th instant [April]."

While Pratt says he explained to Aguinaldo that he had no authority to speak for the Government, it is not difficult to understand that Aguinaldo may have formed a contrary conviction when he realized that the United States consul desired, and had arranged for, an interview with Commodore Dewey at Hongkong, and was shown the commander's reply, "Tell Aguinaldo come soon as possible." And when that interview took place it was followed by a paper in the Singapore Free Press, May 4, 1898 (see page 349), which designated the "scene" as "a secret political arrangement by which Gen. Emilio Aguinaldo y Farni, the supreme head of the revolutionary movement in the Philippines, has entered into direct relations with Admiral Dewey, commander of the American squadron in China waters, while that officer was still at Hongkong."

Next in the course of these advances on the part of the United States consul was that "serenade and speeches, with addresses," which are reported on pages 351, 352, and 353, from the Straits Times of June 9, and which were disavowed by Secretary Day in dispatch No. 78 (page 354), and by dispatch No. 87 (pages 356, 357), all of which Secretary Day regarded "in a light which causes apprehension, lest your action may have laid the ground of future misunderstanding and complications."

If the Secretary of State anticipated future complications from the actions of Consul Pratt upon his own reports, who can say that Aguinaldo was not more misled and induced to believe that his "direct cooperation" with Admiral Dewey was but the initiative of that further cooperation of independence?

The fact that Secretary Day discovered discrepancies of an important character in the conflicting dispatches of Mr. Pratt as to whether it was Aguinaldo who sought Pratt or Pratt who sought Aguinaldo (page 357) suggests that Aguinaldo may have been even more unfortunate in his understanding of the American consul, and regarded his disavowal of authority to speak for the United States Government as a mere diplomatic disavowal intended to be disregarded by Aguinaldo (page 429).

On page 429 of this document there is published "Brief notes by Señor Aguinaldo," in which he says of those interviews that "it was agreed that Señor Aguinaldo and other revolutionary chiefs, in cooperation with the American squadron, should return

to take up arms against the Spanish Government in the Philippines, the sole and most laudable desire of the Washington Government being to concede to the Philippine people absolute independence as soon as the victory against the Spanish arms should be obtained. By virtue of this agreement Señor Aguinaldo proceeded by the first steamer," etc. (See also page 431.)

It is contended that no assurance of independence under an American protectorate was ever given to Aguinaldo, and in the conflict of assertions it is not possible to decide. But the fact known to the world and apparent in Aguinaldo's proclamations on pages 431, 432, 433, 434, 435, 436, 437, 438, 439, and 440 of this document, that the American authorities at Manila neither protested nor prevented the actual setting up of a Filipino government, is something which goes far to sustain the claim of Aguinaldo that his confidence was not misplaced in "the great American nation, which struggled first for its independence and afterwards for the abolition of slavery, and is now actually struggling for the independence of Cuba" (page 440).

The tenor of those interviews between Aguinaldo and the American authorities, his recognition as commander in chief of the insurrectionary forces in the Philippines, the practical cooperation in military movements around Manila, the correspondence with General Anderson—all, when taken in connection with the fact that not once was the purpose and intention of the United States Government openly and frankly disclosed to the insurgent leaders, have placed the United States in a most unfavorable light with the Filipinos.

All that most probably resulted from the fact that the Administration had no policy to disclose, but was waiting for "something to turn up" which would enable the formation of a plan and policy as to the new acquisitions in the Orient. However that may be, the fact exists that just at the moment of making peace with Spain the United States finds itself involved with a rebellion among the Filipinos because of the provisions of the treaty of peace which transferred 10,000,000 people over whom Spain had lost all legal power, and whose sale and transfer for \$20,000,000 are repugnant to every sentiment of freedom and independence.

This Army bill is intended and designed to make good that bargain and sale of 10,000,000 people against their will. It is designed to conquer their consent—and to govern them according to Anglo-Saxon civilization and against Malay ideas modified by Spanish methods. "Can the Ethiopian change his skin or the leopard his spots," and the Malay adapt himself to the principles of the common law and adjust his ideas to the demands of Magna Charta or the Constitution and laws of the United States, of which he has not the least conception and no capacity to learn? Of self-government and home rule as understood and practiced in this country the Malay has no idea. The army to be organized ought to have a kindergarten attachment in order to begin its educational work at the very lowest strata of naked Malayism.

It is now seventy years since Lord Brougham electrified England with the declaration:

Let the soldier be abroad if you will, he can do nothing in this age. There is another personage—a personage less imposing in the eyes of some, perhaps insignificant. The schoolmaster is abroad, and I trust to him, armed with his primer, against the soldier in full military array.

That is the kind of army that the United States ought to organize and send to the Philippine Islands. Moral suasion and not military force.

I desire to say that it is an undisputed fact that the consul made arrangements there for Aguinaldo not only to meet but to go and consult with the then commodore, but now admiral in command, Dewey. Not only that, but he gave facilities as an officer of the United States Government, and Aguinaldo got a dispatch, which is shown here also, from Dewey himself, telling him to "Come along at once." He did so. He went there. He united his military forces with Dewey's. He gave him assistance not only in advice, but in battle, and when the battle was fought his forces were around there to give assistance and did give assistance.

So it seems that those who were our allies a short time ago, upon our own invitation, are being shot to death by our people for the sake of "humanity." That is the situation. You may talk about it as you please. That is the truth; that is the situation now. As I said, I believe our armies ought to hold what we have. They must not submit to dishonor in any respect. At all hazards we must maintain the honor of our country and our flag, but it is proper under the circumstances, it seems to me, that the commissioners of peace should go, as I said, with the Bible and the cross, and not with Hotchkiss and Gatling guns, in their hands, and in a Christian spirit inform these deluded and liberty-seeking Filipinos that we have announced to the world, by statute, that we were not seeking conquests, and a kindly effort should be made for the purpose of reconciliation. Then let us stop this trouble; let us stop the Regular Army of a hundred thousand, the end of which we will never see and never know.

It is said that the "evolution of events" beyond our control has put us in possession of the Philippine Islands. It would be more proper to say that our victory had put Spain out of possession, and that, by virtue of our victory, the people of the Philippine Islands, like those of Cuba, had become a free and independent nation; that for the purpose of their protection in the enjoyment of that freedom and independence the United States would stand guard around the archipelago and warn off all other nations.

That in return for their freedom and independence acquired by our Army and Navy we would acquire by treaty and negotiation with the rightful authorities of that people all possible benefits of trade and commerce as well as a proper indemnity for all expenses; and having thus set that youthful nation on its feet the United States would retire without loss of means or prestige, carrying the grateful acknowledgments of that people of our supreme love for righteousness in government untarnished by a denial of the great underlying principle of our own system of government.

There is no doubt that the results of the war have created very serious embarrassments for this country. But I can not understand how a large standing army is to effect any solution of those embarrassments. The arts, appliances, and practices of peace will sooner solve every embarrassment than is possible under the rigid rule of war which a standing army only knows.

Once convince the people of the late Spanish possessions that the habit and hateful rule of Spain is abolished forever and that their welfare, prosperity, and happiness rest with themselves; that a government of their own making, with its foundations laid in justice to every individual is their right, and that the United States will protect them against the world in its enjoyment, and then this country will be able to see how the embarrassments will dissolve and peace assure its blessings and distribute its rewards.

The embarrassments which a large standing army can dissipate and scatter will come again and again—like the fabled crop of armed men springing from the earth—to defend their lives, their fortunes, and their sacred honor, as our example has taught them and will teach, I hope, generations yet unborn, to resist any and every power which attempts to impose its government upon them by force and violence. "Conquest's crimson wing" but "mocks the air with idle state" and fans no popular government. With a large standing army the Filipinos may be easily overrun and scattered, but no standing army can exercise those ministrations of kindness which turn injured enemies into lasting friends nor lay down those lines of compromise and adjustment along which every government must be drawn which can develop the resources of any country.

Maj. Gen. Leonard Wood, when before the Committee on Military Affairs of the Senate, gave some admirable examples of how the peaceful way dissipates embarrassments. With "an ample supply of rations" and "a good medical staff," and with the knowledge on the part of the people of Holguin "that he had money to buy and pay for what he wanted and to pay the wages of all whom he might employ," he had little difficulty in pacifying Holguin.

By following "ways of pleasantness and paths of peace" he brought about friendship with the people. His "ways of pleasantness" were to clean up the district, to put men to work on the public roads, to reestablish the telegraph lines, to reestablish courts of justice and municipal governments. And his "paths of peace" were good roads and a widespread intercourse of his officers and men with the people, and to assure them that "we were among them to help them and not to harm them"—to pay for all we took and to account for every dollar we spent. Efficiency backed by honesty and supported by kindly intercourse will go further to remove embarrassment than an army with banners.

Expansion by conquest and imperialism by force need and require a standing army, but peace and prosperity are the only rightful means to progress and happiness to which a republican government ought ever to appeal. The new policy of force sought to be ingrafted on our late success in the war with Spain involves consequences to the people of this country which ought to be considered when discussing the organization and equipment of a large standing army at the moment when we announce to the world the reestablishment of peace.

The people of this country are already handicapped with an annual outlay of \$150,000,000 for pensions to soldiers of other wars. To that it is now proposed to add the enormous expenditures of the costliest army in the world. Our soldiers are better paid, our officers better provided, our transportation is more costly, our commissariat beyond all comparison with that of any other army, and every incidental expense exceeds in cost the same items in any other army.

The expenses of the German army have been set down at \$130,000,000; that of France at \$161,000,000; that of Russia at \$160,000,000; that of Italy at \$87,000,000; that of Austria at \$57,000,000; and this bill will entail an increased charge, which no authority has yet fixed, but which has been estimated at \$150,000,000.

A little more, about \$100,000,000 a year, will be the cost we will have to pay for the establishment of this Army; nay, it will be more than \$100,000,000 a year. For the two years and four months we know that it will not be less than \$250,000,000. That enormous charge will come at a time when the chairman of the Appropriations Committee at the other end of this Capitol has fixed an annual deficit of \$170,000,000.

That deficit alone will require a tax, from other than present resources, of \$2 per head of population; and all expenses of this Administration have been estimated by Mr. Atkinson at \$8 per head, and the superadded cost of imperialism that distinguished statisticians set down at \$3 per head of population. Without intending to guarantee the accuracy of these figures and estimates, I can affirm, without the fear of successful contradiction, that one of two alternatives must follow the passage of this bill—either there must be a large increase of taxes or there will be another sale of bonds. Either alternative brings increase in the expense of living to the people of this country without any present or prospective advantage at all commensurate with the hardships which the policy of this Administration will have brought upon our people.

All that the undefined and unknown policy of the Administration can offer to the people in return for the increased burden of additional taxation is that in the future, I hope the far distant future, the "open door" of China promises enormous benefits to that people who stand nearest and are most ready to rush in and grab everything in sight. To that state of preparedness the Philippine Islands offer this country the best opportunity of position in the future plunder and robbery of China. Thus, in order to be prepared and ready to grab a part of China we must have a standing army which shall conquer and hold, if not plunder, the Philippine Islands.

According to the imperialists, this country emerged from the war with Spain in some undescribed and indescribable condition never before dreamed of by any statesman and which is as surprising to its people as it is astounding to other nations. In some way, not explained by the latter-day patriots, this country has taken on a new character and become a new power among the nations. It is no longer the great American nation, teaching by its example, but something more—a controlling and directing nation to all the world, not by the force of its peaceful policy, but by the fire of the guns of its Navy. I consent to no such doctrine that might makes right, and I can not vote for an army greatly beyond all possible exigencies in order that mere power shall dictate a policy among other nations more hurtful than helpful to our people.

Every example of history warns us against the insidious power which underlies a large standing army and an unknown and undefined policy in a distant quarter of the world. The people demand to know what is to be done with this large standing army, and as yet they have not been informed.

We are told by the author of *The Decline and Fall* that when Augustus Caesar

Framed the artful system of imperial authority, his moderation was inspired by his fears. He wished to deceive the people by an image of civil liberty and the armies by an image of civil government. The names and forms of the ancient administration were preserved by him with anxious care. The usual number of consuls, praetors, and tribunes were annually invested with their respective signs of office and continued to discharge some of their least important functions—

that Augustus was sensible that mankind is greatly governed by names and that the Senate and people would submit to slavery provided that they were respectfully assured that they enjoyed their ancient freedom; and that under that pleasing fancy he erected an absolute monarchy disguised by the forms of a commonwealth; that the masters of the Roman world envied their throne with darkness, concealed their purpose, policy, and intentions, and safe behind the legions, humbly professed themselves the accountable ministers of the people, with whom was vested the future policy of the new empire, and whose supreme decrees would be enforced; that "the face of the court corresponded with the forms of the administration," and while scrupulously observing the "constitutional fictions," he yet possessed the full measure of regal power. But that as imperialism became more fully established, the forms and shams were dispensed with, and, adds Gibbon, "the fine theory of a republic insensibly vanished."

I impute nothing to the President, for I have the highest personal regard for him; but, in the language of the great orator, Mr. Clay, when opposing an army bill, I say, "I hope not to be misunderstood. I am far from intimating that General Jackson cherishes any designs inimical to the liberties of the country. I believe his intentions to be pure and patriotic. I thank God that he would not, but I thank Him still more that he could not if he would, overthrow the liberties of the Republic. But precedents, if bad, are fraught with the most dangerous consequences."

So it is in this instance, Mr. President. We have confidence in President McKinley, but who ever heard before of a President of the United States at the head of our Government having a discre-

tionary power equal to that granted to him in this bill? It is unknown in the history of this country. However much faith we may have in him, however much we may rely upon his good judgment, upon his patriotism, yet it is an example which should not be furnished. It will open the doors for the future, for we know not who may be his successors, and when some successor having different aspirations shall come, proximately or remotely, with an Army of 100,000 at his back, no one can tell what will become of the liberties of this country.

See, now, how the military forces are employed. We see them here in this city; we see them everywhere in the land, and there is no denying the fact that "militarism" is becoming popularized. One of the fears we have is that the military will in the end take possession of the country, and I want to avoid it. This is one of the changes to be looked to and guarded against. So far as my vote and voice can be given I object that 100,000 men shall in time of peace be put at the discretion of any President in this Republic. That would be traveling along the very pathway that has led to the destruction of every republic known in the history of the world. It is a dangerous precedent, as Mr. Clay has said, and it should be avoided.

If Henry Clay could thus deplore the creation of a standing army to be commanded by Andrew Jackson, with all the grandeur of his past life, I may be pardoned for not yielding my consent to a like demand from any President so long as the Congress does not know with certainty the lines of policy he proposes to follow in the disposition of this large force—whether or not it is wanted to prosecute a war against the Filipinos.

What policy has the President defined? Has he announced that the Filipinos are enemies? Has he announced that we need this force to go there and conquer them and hold that country? Has he announced that he needs such a tremendous force at home or for service elsewhere? No, sir; no such enunciation has come from the President as yet. No one knows what the policy may be. Will it be to subdue and permanently hold those Asiatic islands; and if so, in what form shall the holding be? These uncertainties are embarrassing to me. The truth is we are building up a large regular standing army, dangerous to the Republic.

With Mr. Clay, I beg the Senate to beware how you give sanction to military subordination. As to the danger of military men and large standing armies, we should "remember that Greece had her Alexander, Rome her Caesar, England her Cromwell, France her Bonaparte, and if we would escape the rock on which they split, we must avoid their errors."

Necessity is the plea of tyrants and the creed of slaves. This country will not be driven to accept necessity as a reason for the retention of the Philippine Islands. No man contemplates their return to Spain, still less their sale or barter to any other nation, and yet their forcible retention by this country is not our only alternative. The destiny or fate of that people, the President said in Boston, rested with the Congress of the United States. If so, there need be no large standing army to help the Congress to a rightful conclusion.

The solution by Congress of that problem may require information derived through peaceful inquiry rather than that obtained through the cavalry scouts of an invading army. That information can not be obtained by the President's commission, headed by Denby, following in the rear of General Otis's army, and so long as that army marches on the enemy the commission dare not take the advance.

Our duty is first to exhaust all efforts at a peaceful solution—to seek peace rather than war. But the bill, on the other hand, is to make "a solitude and call it peace"—to enable General Otis to announce that "order reigns" in Manila—of the same kind which the French brought to Warsaw.

An American army can win no laurels in the Philippine Islands—victory over a shirtless enemy with bows and arrows, or even over those other natives armed with the captured guns of the Spaniards, will bring no great renown to the successors of the soldiers that stormed or defended the heights of Gettysburg or immortalized Chickamauga—in that tropical group where the deadly climate inflicts more losses than the enemy and disease is more fatal than fighting. Neither national glory nor national wealth is to be attained by military success in those distant and disease-ridden islands. While, on the other hand, both may be won by a magnanimous treatment of a weak and defeated foe. But to that most agreeable end a large standing army will contribute nothing.

If this country is at peace with all nations, I would have the Senate certify that fact to all the world by defeating a bill to organize and equip the largest standing army ever proposed in this country's history when war was not flagrant. If this country is still at war, I would have the Senate ascertain by what branch of the Government that war was declared or recognized—with what nation or people this country is now involved in war. If rebellion exists anywhere, I would have the Senate ascertain against what authority, and how that authority was established without the knowledge of the Senate.

It is still an open and debatable question whether the Constitution extends itself *proprio vigore* over the recognized Territories of the United States or must be extended by act of Congress. But I have never heard it urged that the Constitution followed the Army and Navy around the world, settling down over the lines of offense, and making citizens out of prisoners of war. I do not regard the President, as Commander in Chief of the Army and Navy, as capable of exercising the *jus coronæ* of England's Queen and acquiring dominions and peoples by the movements of armies and fleets.

I deny that authority to any President. I oppose the abdication of the constitutional power and duty of the Congress to declare war and of the Senate to unite with the Executive in re-establishing peace by giving a free hand to the President to recognize the existence of war in the Philippine Islands and to prosecute the same against a people with whom the Congress has not declared war. If constructively, the Filipinos being subjects of Spain, we are at war with them by virtue of the declaration of war against Spain, so also constructively we made peace with them when we made peace with Spain.

They are in a position for peace. No man can tell whether they are citizens of the United States and whether, if they are citizens, they can be rebels; or if they are not citizens, who can tell that they are not? That question is not yet in a state of solution. In my humble judgment we should defer all these matters until there is a certainty, until there is an established fact, and until we know that there is a well-defined line of policy upon the part of the Administration.

Instead, therefore, of a large standing army to prosecute a war without a declaration of war, the wiser policy would be to try the efficacy of peaceful advances and, if possible, ascertain whether there will be any necessity for a large standing army. It is indeed deplorable that a collision occurred around Manila after our splendid naval victory, but due consideration should be given to that unfortunate people. The victims of two hundred years of tyranny and oppression by Spain, it is not surprising that they mistrusted the continued presence of our Navy, the growing strength of our Army, the hurrying forward of reinforcements as soon as peace with Spain became apparent. "The smallest worm will turn, being trodden on."

The instinct of self-preservation, the prospect of further subjugation by an unknown people and an alien race, prompted that excitable people to acts of violence and wrong which have been properly avenged and punished. Before further acts of war and further destruction of life and property widen the deplorable breach it is possible that overtures of peace may render further war unnecessary and abate altogether any justification of a large standing army.

I am aware that by the terms of law the Army as it now is must be reduced, but I am also aware that such reduction was the intention and declaration and provision of this Congress. That reduction does not take the Executive authority unawares. It was deliberately provided for, because it was not the purpose to continue the standing Army on any other than a "peace footing" after peace with Spain was declared.

The afterthought of conquest is diametrically opposed to the original intention and declaration of Congress. Hence it is that afterthought that calls for a great standing army. But peace is the proper afterthought of war, and every effort ought to be exhausted to secure peace before complicating the difficulties with a large standing army.

I desire the peace, freedom, and independence of the Philippine Islands, and I do not want their subjugation, colonization, or annexation to this country.

And, Mr. President, upon the point in regard to whether they are citizens of the United States or not, we are involved in a large expenditure of \$20,000,000. Why could we not have postponed action upon the treaty, as I think we ought to have done and as I, with some others, voted to do? Why could we not have postponed it until this matter involving \$20,000,000 was settled and until this question of treatment of the islanders, which has brought us so much trouble, had been settled? It could have been done; but we hurried along, it seems, by some impulse of revolution, some impassioned feeling, such as governs men when war is in the air, and I fear we went into it without that due consideration its magnitude required.

Mr. President, the \$20,000,000 has not been paid. It will be paid, of course, under existing conditions. It is part of our contract, and it will be paid unless something to justify its nonpayment should turn up to prevent it in the near future.

A mistake was made, as I think, as to the purchase of those islands for \$20,000,000 of the people's money, tax ridden, as they are, when we really do not need or want them, and when they will inevitably be an incubus upon us. Living across the sea, at a distance of 7,000 miles, with Asiatic surroundings, a different race of people, speaking a different language, holding a different religion, ignorant, superstitious, and many of them semibarbar-

ous, strangers to our political institutions, and unfamiliar with Anglo-Saxon tastes and ways, it can not be expected of them to assimilate with us in any essential way.

Furthermore, one of the chief objections is, that to have them under our protection and care will almost of necessity involve us in constant broils with foreign powers. Believing that the troubles liable to be entailed upon us because of the embarrassment resulting from the treaty of peace with Spain, I feel assured that my vote against said treaty was the proper one. To have delayed and secured an amendment to it would have relieved existing troubles.

Now, Mr. President, I have no criticism to make upon any member of the Military Committee of which I am a member; we differ about both the necessity and propriety of this bill. I oppose it openly for the reasons given, and believe that the organization of an army of 100,000 soldiers, in time of peace, is dangerous to any republic, and, if not an evil in itself, is a bad and dangerous precedent. It may not alarm some Senators, but it alarms me, and it will alarm the liberty-loving citizens and taxpayers, when they come to know its probable effect—when they come to see and feel it.

I say, therefore, without casting the slightest reflection, by imputation or otherwise, against any member of our committee, I beg to differ with them, and do so regretfully, but openly and frankly. What matters it if I stand alone on that great committee in opposition to its views, if I am right? And I believe I am, and that the near future will demonstrate it.

Again, I object to the bill because of the invidious distinction it makes against the volunteers in favor of the regular soldier, practically giving the regulars all the offices. Is it to be understood that henceforth the services of volunteers will be dispensed with in defense of the honor and interests of our country or to maintain the glory and grandeur which they have won for it?

Mr. President, I have no criticism on the regulars. The officers of our Regular Army are a source of pride to us, as they should be. Independent of their gallant fighting whenever occasion has offered, their personal bearing, graced with an *esprit du corps*, gives them a distinct characteristic as the representatives of the military spirit of our country, and we are proud of them as a class. But we look not with less favor on the patriotic, self-sacrificing, courageous volunteers who have fought for us so many battles and won so many victories and crowned our country with such unperishable honors. I further object to this bill for denying unto the volunteer the same official opportunities given to regular. It seems to forget his patriotism and valor that won for us our liberties. It seems to also forget his courage and devotion to the country in the war of 1812-1815, which brightened the page of history with the battles of Tippecanoe and the Thames and redeemed the great Northwest. It seems forgetful, too, of Talladega and Emucfau, and that brilliant victory at New Orleans that made immortal the 8th day of January. These battles and victories were won by volunteers. Ought the volunteer to be overlooked or set aside while the Black Fort at Monterey and the blood-stained heights of Buena Vista belong to history? or while the "Round bald hill-top" of Cerro Gordo, the old lava beds of Contreras and Churubusco, the plain of Molino del Rey, and the White Castle, sitting like a crown on the brow of old Chapultepec as it overlooks the halls of the Montezumas, live in the memory of this and future generations, when it is history that volunteers were the chief actors on those bloody fields?

Let us see for a moment the fruits of the patriotism and valor of those volunteers; see the thousand miles of coast on the Pacific that they brought unto us, with rivers and harbors, mountains and plains—aye, with the golden apples of California passed into our Treasury on waiters of silver from Nevada. Behold all this and rebuke if you will, even by implication, with silence and invidious distinction, as does this bill, that volunteer system under which they won for us so many victories and brought unto us a renown unsurpassed.

Mr. KENNEY. Mr. President, I desire to send to the desk and have read for the information of the Senate some amendments that I shall propose to the pending bill.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The amendments will be read.

The Secretary read as follows:

Amendments intended to be proposed by Mr. KENNEY to the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes, viz:

On page 1, in line 11, after the word "corps," insert the following "a veterinary corps."

On page 2, in line 12, strike out the words "two veterinarians."

On page 3 strike out all after the word "privates," in line 7, down to and including the word "regulations," in line 19.

On page 7, at the end of section 7, add the following:

"SEC. — That the veterinary corps shall consist of a chief veterinary officer, with the rank, pay, and allowances of a colonel, United States Army; 10 veterinarians, each with the rank, pay, and allowances of a first lieutenant of cavalry; and 20 veterinarians, each with the rank, pay, and allowances of a second lieutenant of cavalry."

"The original vacancies in the force created by this section may be filled

by selections from veterinarians who have served in the armies of the United States in the war with Spain or from civil life: *Provided*, That no person shall be appointed a lieutenant in this corps until he shall have passed a satisfactory examination as to his physical, moral, and professional qualifications before a board to be appointed by the Secretary of War, of which board the chief veterinary officer shall be one, whose proceedings and findings shall first be approved by the Secretary of War.

"All rules and regulations governing the veterinary corps shall be made by the Secretary of War, and the chief veterinary officer shall report directly to that officer."

Mr. KENNEY. Mr. President, I shall trespass upon the time of the Senate as briefly as possible in an endeavor to explain some of the reasons why, in my judgment, the amendments which have just been read should be incorporated into the bill now pending in the Senate.

In any reorganization of the Army of the United States there is no question of more importance to its efficiency and welfare than a properly established veterinary corps. In and out of the Army for many years there have been men who have appreciated the value and necessity of a veterinary corps in our Army, and on more than one occasion bills looking to that end have been formulated and presented to Congress, but none have ever been enacted into law.

Most of the European nations have as a part of their military establishment well-organized veterinary corps.

The English army has a principal veterinary surgeon with the rank of colonel, a first-class veterinary surgeon attached to each army corps, a first-class veterinary surgeon attached to the inspector-general of the line of communication, with subordinate grades of veterinary surgeons and veterinary surgeons on probation.

The French army has 5 first-class principal veterinary surgeons with the rank of colonel, 10 second-class principal veterinary surgeons with the rank of lieutenant-colonel and major, 123 first veterinary surgeons with the rank of captain, 233 second veterinary surgeons with the rank of first lieutenant, 91 assistant veterinary surgeons with the rank of sublieutenant.

The German army has an inspector-general of the military veterinary medical service with the rank of colonel of cavalry, to each army corps a veterinary inspector, to each regiment a staff veterinary surgeon, and to every squadron, battery, or train battalion a first or second class veterinary surgeon, all commissioned officers.

In the Italian army there is an inspector-general of military veterinary medicine with the rank of colonel, 1 veterinarian with rank of colonel and 1 with rank of lieutenant with inspector-general's office at headquarters of the army; 2 with rank of lieutenant-colonel and 10 with that of major to the 12 army corps as inspectors of public animals; 24 with rank of captain and 48 with rank of lieutenant to the 24 regiments of cavalry; 12 with rank of captain and 24 with rank of lieutenant to the 12 regiments of artillery; 12 with rank of captain and 36 with rank of lieutenant to the battalions of the train; 3 with rank of lieutenant to engineer corps; 1 rank of captain to military school; 1 rank of captain, 2 rank of lieutenant, to cavalry school.

If veterinary service is so important in foreign armies, it should not be less valuable in the Army of the United States. If the humane sentiment in the countries mentioned sanctions such an elaborate organization to provide proper care and treatment for animals, should not the United States take an equally advanced position in this respect? In my judgment it should, and no better or more fitting time could be found than now.

The efficiency of an army in the field does and must depend upon the health and strength of its force, and the health and strength of the troop and battery animals are as much to be desired as that of the men. To be certain of the efficiency of army animals is most important.

Of first importance in this regard is that animals purchased for army service should be inspected, before acceptance, by men who are in every way competent to inspect, and the graduate professional veterinarian is the one who alone can and does fill this requirement. Next is the proper care of the health of these animals after they have become the property of the Government, and again there is but one who can be charged with this responsibility—the veterinarian. Not alone are we to be benefited by the incorporation of this corps into our Army because of what it will do in the selection and care of animals necessary to its organization, but as well will this corps be most valuable in the inspection of flesh food for our troops. It is the veterinarian who, by reason of his education and experience, is best able to pass upon the fitness of animal food for our Army.

I venture the assertion that had we had a properly and well organized veterinary corps during the late war with Spain upon which had rested the responsibility for the selection and care of army animals and inspection of meat for our soldiers, many thousands of dollars would have been saved to the Government and the deplorable condition now existing in the War Department would never have been. The necessity for such a corps does to me

seem apparent when the value of army animals is taken into consideration. The following figures show the number and cost of army animals to the Government for the periods named:

	Peace period, from July 1, 1897, to March 31, 1898 (nine months).			War period, from April 1, 1898, to August 31, 1898 (five months).		
	Number.	Total cost.	Average cost.	Number.	Total cost.	Average cost.
Cavalry horses.....	608	\$84,274.50	\$139.15	10,743	\$1,078,813.82	\$100.42
Artillery horses.....	118	16,200.00	137.79	2,551	333,897.11	130.85
Draft horses.....	30	5,776.50	192.55	1,137	142,561.75	125.38
Riding horses.....	1	123.75	123.75	*2,115	164,330.00	77.70
Bell horses.....				32	11,505.00	49.84
Pack horses.....				40	1,200.00	30.00
Draft mules.....	215	21,400.48	99.54	17,515	1,927,008.40	110.05
Pack mules.....	38	2,771.00	72.93	2,667	221,774.00	83.15
Total.....	1,079	130,672.83		38,800	3,871,600.08	

\* Includes 1,500 little horses for Cuban service.

From this statement it will be seen that during the period of five months, viz, from April 1 to September 1, 1898, the cost to the Government for horses and mules for all branches of the service was little short of \$1,000,000.

The following extract from the report of the legislative committee of the American Veterinary Medical Association I desire to read:

The proper selection and care of the horses, mules, and other animals in the cavalry, artillery, and transportation service and of those taken to be slaughtered for subsistence is a very important consideration, and upon it must depend to a large extent the efficiency and success of the Army.

Horses should be selected with a view to proper size and conformation for the service in which they are to be used; they should be free from lameness and other forms of unsoundness, the mares should not be pregnant, and all animals should be specially examined for contagious diseases. These points can only be determined by a competent veterinarian. They would be passed upon most carefully by an official with rank and responsibility who would be held to a proper accountability for the condition of the animals.

When horses and mules in the service are injured or become lame, it is important that they should be skillfully treated. If contagious diseases, such as glanders, break out, the proper measures should be at once taken to prevent the spread of the contagion and to stamp it out. Such measures can be intelligently formulated and enforced by expert veterinarians only.

The provision in the bill for two veterinarians with the rank of second lieutenant mounted for each cavalry regiment makes the position of such veterinarians more agreeable, and will have a tendency to secure better men and to give them some standing and authority. But it should be understood that this does not provide an adequate veterinary service. It leaves the artillery, the transportation service, the inspection of public animals, and the military schools without military veterinarians. It also fails to provide veterinary advice for the War Department or the headquarters of the Army. Surely there should be at least one veterinarian of greater ability and experience than can be obtained for the pay of a second lieutenant, who can advise as to the medicines, instruments, regulations, and orders to be issued to the veterinarians in the several regiments. There should be some one with the most expert knowledge to see that the regulations are carried out and that contagious diseases are properly guarded against and suppressed. The experience of the past summer should be sufficient demonstration of this fact.

In 1890 Dr. R. S. Huidekoper, late chief medical director, First Army Corps, of Philadelphia, Pa., in an address before the students of the veterinary department of the University of Pennsylvania on this subject said:

In the Middle Ages we find frequent mention of veterinarians attached to the bodies of troops who bristled at the heels of all the kings and great nobles of Europe. First in Italy and Spain, and later in France and Germany, the necessity of expert care of war horses was recognized, and we find mention of military veterinarians who were held in much esteem. Under the first Republic in France Lafosse, who had formerly been veterinarian at the court of the King, was appointed inspector-general of the horses in the cavalry. In the first year after the foundation of the Alfort Veterinary School officers from the armies of Austria, Prussia, and Denmark were enrolled among its students.

In 1760, A. D., each cavalry regiment of the French army furnished one student to the school, and in 1774 the French Government established twenty free scholarships for students who would agree to enter the army after finishing their studies. Later the number was raised to forty. While the veterinary schools in France are in charge of the department of agriculture, the department of war takes an active interest in them, and the army secures about one-half of the graduates each year. The end of the last century and the beginning of the present one saw veterinary schools established in all the countries of Europe, either directly by the government or with government aid, except in England, where the schools have always been private enterprises.

In the more peaceful countries, like Switzerland and Denmark, the schools are attached to the departments of agriculture, but receive support from the departments of war, and furnish in return veterinarians to the army. In France and Prussia the schools have been in turn under the direction of the minister of war and of agriculture. In Prussia the army controls over nine-tenths of all the students. Many of these enlist, and after carrying the musket for one year, are sent to the Berlin school in uniform and under pay, where they receive their education at the expense of the Government. For each six months at the school the soldier has to serve one year as a veterinarian in the army, so with the three and a half years required at this school, the service is seven years. If a student fails in one half-year examination, and has to take an extra six months' instruction, he is called on to serve his eighth year in the army before he can retire to the more profitable civil offices and private practice.

In Austria the veterinary school was founded at Vienna by Maria Theresa and completed by the Emperor Joseph II, essentially as a military institution, which it is to-day, under the direction of the department of war. The

discipline is strictly military, and the destination of the greater percentage of the students is the army. In Russia and Italy the veterinary schools are classed more closely with the general educational institutions, but both have a majority of military students. In the former country the same system of free education for future military service that exists in Prussia is in vogue. It is only within the last half century that the army veterinarians of Europe have been commissioned officers.

In Prussia the veterinarians enter the army as noncommissioned officers, and after two years receive the commission of lieutenant; but it must be remembered that the army surgeon in the same country only became a commissioned officer in 1845. In all other civilized countries except the United States the veterinarian enters as a lieutenant and may be promoted to the rank of colonel. In France the veterinarians became officers, with a definitely organized corps, in 1843. During the several years previous to this the loss of horses in the French army was from 80 to 85 per 1,000; in 1845 it fell to 77 per 1,000. In 1852 the service was improved by increase of pay, pension, and retirement, securing better veterinarians, and the annual loss fell to 67 per 1,000. In 1860 considerably increased pay again attracted better men, and the loss fell to 23 per 1,000.

Dr. Schwartzkopff, in speaking of the present Army veterinarians, says:

If we now review the professional position of the veterinary surgeon we find that he has but little support in regard to his duties and privileges. Very little is said about it in the Army regulations and cavalry tactics, and this with open cautiousness. This puts the veterinary surgeon in a doubtful place and his position is dependent by favor or disfavor of his commanding officer and his special orders in regard to veterinary matters. No office or veterinary hospital is given him; he is compelled to go to the different stables for the treatment of the sick animals.

The gathering together and carrying of implements from one stable to another in special cases causes trouble and delay, and much treatment must be omitted by want of proper medicine, instruments, and any arrangement for certain diseases. The veterinary surgeon gets but little willing assistance from the farrier and shoeing smith, who logically should be his subordinates. But he has no authority over them, his instructions are carelessly executed, and his orders in the treatment and shoeing of horses often changed by others in authority, who measure their competence to indulge in the practice of scientific medicine among horses by virtue of their rank, which the veterinary surgeon does not possess.

Now, the responsibility of the troop commander over his horses under treatment of a veterinary surgeon is a great drawback, as it prevents the latter from using his judgment and energies in critical cases, for it is almost certain that a difference of opinion may exist, and all exact knowledge and practice gained by years of studying in colleges and universities goes to naught by reason of prejudice and superstition. But cavalry tactics require of officers that they shall be able to treat all ordinary cases of injury and disease in horses. This is exactly the point in view one hundred years ago, but to-day is an absurdity. The only competent authority to treat disease in horses is the veterinary surgeon, and he alone should be responsible for the proper medical treatment.

But the general rules of the hygienic care of horses in their natural condition, the knowledge of hippology, should be well known to every cavalry officer. To be a good horseman is a necessary qualification of a cavalry officer, and gives him a wide field of studies, as hippology contains: The history of the horse, the history of the art of breeding, training, saddling, riding; also the sanitary care and economy of the horses in regard to the principles and practice of stabling, feeding, watering, grooming, and finally the knowledge of the exterior conformation of the horse on a general anatomical basis, with the view of proper judgment for the purchase of horses to the different branches of the service. But quite separate from modern hippology is veterinary medicine and surgery; that is absolutely a medical science of vast extent.

It is a deplorable fact that the United States is far behind European nations in the matter of veterinary surgery. It is the only Government in the world that does not make its Army veterinarians commissioned officers. This defect must be apparent to every man who has the slightest understanding of military matters. Contract veterinarians who have no official authority are as helpless as can be in the enforcement of orders.

It has been said to me that the young officers of the Army oppose the provision covered by these amendments, for the reason they do not want to be ranked by horse doctors. Mr. President, does not every well-informed person know that to-day the brightest and most exclusive young men of the country are veterinarians; and that the classes in veterinary surgery of the great universities and colleges of this country have among their numbers young men of the very highest classes in the land? The tramp horse doctor of half a century ago and the veterinarian of to-day are no more akin than are the doctors of medicine of to-day and the barber bloodletters of centuries ago.

I know of no calling or profession more to be honored and encouraged than that which labors for the care, relief, and improvement of our domestic animals.

No dishonor can attach to anyone by contact or association with such men. The fact is, the Army will be the better when they are a part thereof.

The present system can not but bring to the service men of inferior abilities, and while there are many men in the service of much fitness, yet a veterinarian of high class can not seek Government service where his authority can be questioned by the men in the ranks.

Now, therefore, Mr. President, I hope that the amendments just read will be adopted, for the reason that if reorganization of the Army is to be had, no more advanced step can be taken than one which will engraft on our Army service a veterinary corps. I hold that the expense of the corps will be paid and money saved by its adoption.

The losses to our Government during the last war in horses by

reason of a lack of proper medical care would support for years a veterinary corps as provided in these amendments.

In this connection, Mr. President, I desire to submit, and ask to have printed as a part of my remarks, without reading it, a letter from Dr. Leonard Pearson, the dean of the department of veterinary medicine of the University of Pennsylvania.

The PRESIDING OFFICER. The letter referred to will be printed, in the absence of objection.

The letter referred to is as follows:

UNIVERSITY OF PENNSYLVANIA,  
DEPARTMENT OF VETERINARY MEDICINE,  
Philadelphia, February 15, 1899.

DEAR SIR: One of the provisions of the Army reorganization bill that has recently been passed by the House of Representatives gives veterinarians in cavalry regiments the rank of second lieutenant.

The office of veterinarian in the United States Army has always been without rank, dignity, authority, or adequate compensation. The position has therefore been of a most humiliating description and one that an educated and self-respecting man could not long endure.

All of the leading civilized nations, including England, Germany, France, Italy, Russia, and Spain, have competent army veterinary departments, and their army veterinarians have commissioned rank or position corresponding thereto. In England the chief veterinarian ranks as colonel; in Russia, as general.

There are now in this country numerous veterinary schools—some independent, some connected with universities, such as Harvard, Cornell, Pennsylvania, Ohio, and Iowa—that prepare veterinarians for the work of their profession as thoroughly as physicians are prepared.

The veterinary profession is now recognized as of importance and dignity, and it is evident that veterinarians must have a good education and full scientific equipment to meet the new and enlarged demands of their calling. There can be no doubt that a properly organized army veterinary service would save several times the amount of its cost annually in the improvement of the quality of remounts and the increased term of usefulness of the army horses, provided the positions are made such as well-trained men can accept without sacrifice of self-respect.

On these grounds, may I ask you to support the provision in the Army reorganization bill that confers the rank of second lieutenant on veterinarians in cavalry regiments?

Yours, very truly,

LEONARD PEARSON, Dean.

HON. RICHARD B. KENNEY,  
Senate Chamber, Washington, D. C.

Mr. KENNEY. Mr. President, I have endeavored to explain as best I could the reasons why these amendments should be ingrafted upon the bill now pending before the Senate, but whether agreed to or rejected, nevertheless, to my mind, there seems no reason why the bill now under consideration should not be enacted into law.

The permanent increase of the Army is but 10,000 men, making an Army of 38,000 men for 70,000,000 people. If 28,000 men have been found necessary for the last twenty years, certain it is that 38,000 for the future is such an increase as is justified by our increased population and territory.

In 1830 the population of the United States was 38,000,000 and we had an army of 10,000 men. In 1882 our Army was organized at 25,000 men, and at that time the country's population was 50,000,000. To-day our population is not less than 70,000,000 and the strength of the proposed standing Army is to be but 38,000 men; and in this estimate of our population I have not considered the thousands who have come to us through the annexation of Hawaii and the conquest of Porto Rico.

This bill by its very terms limits the Army to 38,000 after July 1, 1901, and there will be needed no legislation hereafter for its organization, all that being provided for in this bill. Now, Mr. President, as to the strength of the Army from now until July 1, 1901. Under the existing conditions I take it there is not a Senator on this floor who can successfully contend it is too large, unless it is to be first conceded that our arms are to be at once withdrawn from the Philippines and Cuba; a thing which, no matter how desirable a while ago, can not now for a moment be considered.

The American people have always been equal to any and every emergency, and I am confident that they will prove equal to the present one, and that out of all the trying circumstances now surrounding us the proper solution will in the end be found, and that we shall prove to ourselves and the world that every sacrifice made in all this matter has been for the betterment of mankind and his moral and political advancement.

I am not, Mr. President, one of those who, in the light of the conditions that confront us, fear harm to our institutions from this increased army. This army is, in fact, to be a volunteer army; in its personnel not unlike that which responded to the President's call in April last; Americans, men from every walk in life, men from every section of our great country. In it will march and fight, if fighting be necessary, shoulder to shoulder, men from Maine with men from Florida, Washington, and Wisconsin.

Yes, Mr. President, it will be an American army, and one to every man of whom the traditions and institutions of our country are and will be as dear as to you and I. There will be no Hessians in this army, and no men nor any power can use them against freedom and personal liberty. If there be those who have fears on this score, let them study who are to make up this army and their fears must be dispelled.

We voted the war; it was the people's war. Victory has come, and with it the consequences and responsibilities of victory. The step was taken for the emancipation of men held in bondage, men brutalized and outraged by their masters. Their emancipation has come, and with it the high moral and national obligation to us to protect and guide those emancipated until such time when they will understand, when the scales shall have dropped from their eyes and they see liberty and understand freedom as we enjoy it, and are welded other links in the great chain of free peoples which shall in the end encircle the world. For that protection and for that guidance this bill provides, and should be passed.

I agree with the distinguished Senator from Missouri [Mr. COCKRELL].—"I believe it is right in the sight of God and man"—and, like him, I am willing to take my share of the responsibility for its enactment. The President whom the people chose in 1896 asks for it—says it is necessary; and on him and his Administration must rest the responsibility for the proper exercise of the powers therein granted. The same people who chose him in 1896 will hold him and his Administration to the strictest accountability, and it is seldom that the people's verdict is error.

Mr. CHANDLER. I ask for a vote on the pending amendment.

Mr. VEST. I did not hear the Senator from New Hampshire.

Mr. CHANDLER. I asked for a vote upon the pending amendment.

Mr. VEST. Mr. President, I am as anxious as is the Senator from New Hampshire to dispose of the pending bill. I wish to say now that under no circumstances will I indulge in any factious opposition to the determination of its fate. I have so much respect for my colleague, and know so well how gallant and experienced a soldier he was and is, that I can not content myself with simply voting in opposition to him upon this legislation, but feel it my duty in a very few words to say why I am opposed to his views upon this matter.

Mr. President, I have tried to bring myself to the conclusion that it is my duty to vote for an increase of the Army. I have argued faithfully and earnestly with myself upon that subject, and I am compelled to say that I do not believe this war in the Philippines is for the purpose of enabling their people at any time to determine the form of their own government.

I believe as much as I believe I am now in the Senate of the United States that the Philippines are being taken as indemnity for the expenses of this war, and that they are to be held as the absolute property of this Government. I make no assertions upon my personal knowledge; I know the rules of the Senate and the duties of a Senator; if I do not know them, I never will; but I ask the friends of this bill and the advocates of expansion to state now whether the assertions in the public press, repeatedly made by newspapers, which have never agreed with me in regard to territorial expansion and have, on the contrary, assailed me most bitterly for my position, are true, that the President of the United States telegraphed to our commissioners at Paris to take nothing less than Luzon; that Porto Rico was worth only \$40,000,000 and would not pay for the expenses of the war, and that it was necessary to take the Philippines in order to settle the account. Is it true or is it false?

Mr. FRYE. It is not true.

Mr. VEST. Were not dispatches to that effect sent to the commission?

Mr. FRYE. Not to that effect, even.

Mr. VEST. Was there not a dispatch sent that nothing less than Luzon must be taken?

Mr. FRYE. The instruction of the President when we started was to take Luzon.

Mr. VEST. To take Luzon; was there not a dispatch to the effect that Porto Rico was worth only \$40,000,000, and would not pay the expenses of the war?

Mr. FRYE. There was not, or anything of the kind.

Mr. VEST. Was no mention made of Porto Rico in connection with indemnity?

Mr. FRYE. Not at all. The Senator will pardon me. The Senator has heard read in executive session every telegram, every cable, and every letter of instruction that passed between the President of the United States and the commissioners.

Mr. VEST. Mr. President, I make no issue as to what I heard in executive session. I stated what was published in the imperialist press of this country, and it never has been contradicted until the Senator from Maine says now that nothing was said in regard to any indemnity in connection with the island of Porto Rico. As to what occurred in executive session, it can only be settled in one way; that is, by making public to the people of the United States what those dispatches were. For the purposes of my argument, I content myself with the admission of the Senator from Maine that the President did instruct his commissioners not to take anything less than Luzon.

If that be so, then how does the President in his Boston speech say that this contingency has come upon as the act of God; that

there has been no disposition to exercise the power of conquest; that the people of the United States are called upon under an overruling Providence to dispose of responsibilities placed upon them by the accident of battle. Why was nothing less than Luzon to be taken? Why was Luzon to be taken? If not as indemnity, for what? If it was not to be the property of the United States in any contingency, why did the President instruct the commissioners not to take anything less than Luzon?

His Excellency tells us now in his Boston speech that he is a mere instrument of Providence; that he can not restrain himself in discharging the duty which the fortune of war has placed upon him; that he, as the representative of this great Republic, must deny to the people of the Philippines the right to choose their own government and lead them by force, to the music of Gatling guns and the rattling of musketry, to a higher and better civilization.

Sir, I know but one parallel to this Christian philanthropy, and that is to be found in the works of Charles Dickens, when an eminent divine placed his ecclesiastical hand upon a vagrant, called Poor Joe, and said to him: "Young man, come with me, and I will do you good." "Let me alone," said Joe. "Take your hands off my shoulder." In solemn and sepulchral tones, equal to those of my friend the Senator from Montana, the Rev. Mr. Chadband replied: "Young man, I will not take my hands from your shoulder. I am a toiler and a molder, and I intend to do you good in spite of yourself." So now His Excellency puts his hands upon the Filipinos, and when they say "Hands off! Let us alone; let us follow your Declaration of Independence and govern ourselves as we please," he says "No, Filipino; I am a toiler and a molder, and I intend to lead you to a higher and a better civilization in spite of yourself," if it takes 100,000 missionaries with guns in their hands to carry out that divine and ecclesiastical intention.

Under the Constitution of the United States the power is given to Congress to make war and to furnish supplies to the Army. It becomes my duty as a member of the Senate, notwithstanding the treaty has been approved, to exercise my judgment under my oath as to whether I will vote supplies and men to carry on a war which I believe to be unconstitutional, un-Christian, in violation of the legends and traditions of this Republic, and an outrage upon humanity and upon the cause of personal and religious liberty throughout the world.

I beg pardon, or I ought to have to beg pardon, for mentioning the Constitution. It is an effete instrument. It has been relegated to the lumber room, not to be brought out except upon rare occasions, in celebrating the Fourth of July or the 22d of February. General Merritt, one of the heroes of the war, a major-general in the United States Army, is reported to have said at the New England banquet that the Constitution of the United States had been outgrown by this country and there was no longer any use to mention it.

General Shafter, another hero of the war, is reported to have said at another banquet that he would kill half the population of the Philippines in order to reduce the other half to subjection. I will not believe for an instant that a soldier meant by this that he would destroy 5,000,000 men, women, and children, but I take it that he meant that he would shoot down one-half the arms-bearing population of the Philippines in order to make the other half subservient to the will of the Government of the United States.

I have no doubt that every man who dares to vote against supplies to carry on the legitimate and logical results of the approval of this treaty will be branded with treason. The Senator from Montana was kind enough to warn us the other day, when we opposed the treaty, that we were perilously near the verge of treason. Mr. President, I had brought myself to the beatific condition of hoping that treason and the bloody shirt would no more be heard of in this Chamber.

After WHEELER had led Confederate and Union veterans side by side up that bloody hill at Santiago; after Fitzhugh Lee and Butler and Oates of Alabama had put on the Federal uniform and were marching under the United States flag; after our President had worn the Confederate button in the South and piously devoted himself to the care of Confederate cemeteries, I supposed that the bloody shirt had become a thing of the past. But we must have it again, it seems, and all those who dare to think that this war in the Philippines is not justified and that it will involve the loss of thousands of precious lives unnecessarily, that it will be a charge upon the people of this country and upon our children after us, the extent of which no man dares to compute, will be called disloyal to the country and ready again to precipitate it into civil war.

So be it, Mr. President. If this sort of accusation is pleasant to the men who make it, let them indulge themselves in the luxury. For myself I dispose of it with the single assertion that the man who says in this Chamber or out of it that I am not as much devoted as he to the honor and welfare of this country utters a willful and deliberate falsehood. If stated, it is slander; if written,

it is libel. I am not actuated by any sentimental sympathy for the people of this archipelago.

I would not give the life of one American boy for any matter of sentiment in regard to any foreign people upon the face of the earth. I do not believe that this war can be stopped in years if the present policy of the Administration is pursued. I believe that thousands of men will be required in order to occupy those islands and to hold them. I believe that the policy upon which we are now entering is one of continual war and that we are deliberately preparing ourselves for war by land and sea if we now vote for the present bill and follow it up with measures which will be necessary after it is enacted.

Mr. President, does any intelligent man believe for an instant that we can enter into the maelstrom of oriental politics with the nations of the world, armed and vigilant and jealous, unless we increase our Navy enormously and also our Army? England today has 80 battle ships of the first and second class, and 591 vessels of war, auxiliary cruisers, transports, and others, besides. Are we to build a navy equal to that of England? How long will it take to do it? And how many hundreds of millions of dollars must be expended?

Are we to have an army at all like those of the Continent, standing to-day armed and ready to assail each other in order to preserve the balance of power in Europe? Germany, with her six hundred and odd thousand men upon a peace footing, and able to put 3,000,000 soldiers in the field in case of war; France, with five hundred and odd thousand in time of peace, and able to put two and a half millions in the field in time of war; Russia, with 750,000 soldiers sleeping upon the ground in November on until June, ready at any time to obey the commands of the Czar, and the Empire ready to put 3,000,000 men in the field on a few hours' notice to fight under its flag. Are we to enter into such armaments as these?

Mr. President, I know that nothing I can say will influence a single vote to prevent the inevitable conclusion that must come. Fifty-seven Senators voted for this treaty, and voted for it the day after 4,000 Filipinos had fallen before the Gatling guns of our Government. Those 57 Senators knew what it meant. They knew these Malays must be conquered, and if I had voted for the treaty and had been one of the 57 I would accept the inevitable and logical result and vote for all the men and all the money the President required in his new policy.

But we are told that we passed a resolution that settles this question and saves over the conscience of the most timid in regard to expansion. Mr. President, the McEnery resolution is dead—dead in the coordinate branch of Congress, and will never be heard of again except as a part of the parliamentary history of this struggle. If enacted it would amount to nothing. It has served its purpose. It was a mere pretext, a Bridge of Sighs upon which certain Senators could pass from one side of the expansion question to the other. It declared that the Philippines should never come in as a State; it declared that they should never be held as a colony, but it declared that the people of the United States should determine when the Filipinos were prepared for self-government. Will any Senator undertake to explain to me how that declaration is consistent with the great doctrine that all governments derive their just powers from the consent of the governed?

I say it is a crime for any nation, no matter how powerful or enlightened, to impose upon any other nation or people, however poor, ignorant, or degraded, a government to which they are opposed. I say it is a crime for any people, no matter how enlightened or powerful, to deny to another, no matter how ignorant or poor or degraded, the right to choose their own government; and I say it in the name of that sublime declaration of human rights which declares that all governments derive their just powers from the consent of the governed.

If this nation is to determine when another shall have the right to govern themselves, then we declare the purest absolutism that has been known in the history of the world. No tyrant ever trained his guns upon the people of a territory he wished to acquire until he had told them, "We do this for your good, and to elevate and Christianize and civilize you." George III and Lord North said to the people of the thirteen colonies, our fathers, "You are not fit for self-government. We will govern you. We will lead you out of the low and ignorant paths you are pursuing and elevate you to the high civilization of England."

Has any Senator here read that most interesting of all modern novels, *Hugh Wynne*, from the pen of Dr. Weir Mitchell, of Philadelphia? If he has not, let him do it, and he will see a picture of colonial times in this country that will go with him to the last of his life. He will find the aristocracy of Philadelphia sneering at Mr. Washington and his ignorant and ragged battalions. He will find the fashionable dames of that metropolis grasping their silken skirts as they passed by what they termed "some rebel woman," in order to avoid the contamination of the touch. He

will find ministers of the gospel, then, as now, subservient to wealth and power and preaching allegiance to the Crown, and saying, "These poor, miserable rebels, led by Mr. Washington, of Virginia, do not know what they want, do not know what they need. We must take them and lead them to the high plane upon which we live."

Mr. President, the new system upon which we are entering is a system based upon war. In the long reign of Queen Victoria under the colonial system there have never been two consecutive years in which Great Britain was at peace with the entire world. It is a system opposed to prosperity. In the last seven years, according to statistics, the commerce of Great Britain has fallen off more than 5 per cent and ours has increased 18. For one hundred years this country has been growing in wealth, growing in prosperity, growing in all the elements of national greatness, and yet we have not had one single colony.

Great Britain has eighty-nine times as much area in her colonies as in her home country, and her 36,000,000 people rule nearly 340,000,000 in different parts of the globe, and yet the statistics show that we have outstripped her in the race for wealth and power and greatness. What do we want with the Philippines? What good can they do us? Two Senators upon this floor have visited the Philippines. Both of them voted for this treaty, and both will tell you to-day that the step we are now taking is one of disaster, almost of ruin. The Senator from New Jersey [Mr. SEWELL], who spoke to us Saturday, told us with the frankness that characterizes all he says that he went to the President, and, to use his own language, he begged him for God's sake to stop, take Dewey away from Manila after destroying the Spanish fleet, and let those islands alone.

Mr. President, it is said here that this increase of troops is not to be used in the Philippines except to maintain order. Unquestionably they are not to be used in Porto Rico. I traveled recently to Florida with General Brooke, and he told me, as he will tell any Senator in this body, that the people of Porto Rico are in absolute peace and anxious to be annexed to the United States. No soldiers are needed there. They are not needed in Cuba, for my colleague told us the other day that a child could pass from one extremity of Cuba to another without molestation. They are not needed in the United States, because the Indians are absolutely helpless and beyond possibility can make no war upon this Government.

The Senator from Montana tells us that property in different places is under the protection of two or three soldiers. No more, thank God, are needed. It is the highest compliment to the people of the United States that two or three soldiers can protect hundreds of thousands of dollars' worth of property, and that property be in absolute security. Where, then, do we need these soldiers? We can only need them in the Philippines, and for what purpose? To make good the title that Spain gave us by the treaty of Paris, and for which we are to pay \$20,000,000. What was that title? It was title to a revolution, to bloodshed, to war. Will any Senator pretend to say here that the authorities of the United States did not know that a struggle for independence was going on in the Philippines at the time we declared war against Spain?

Consul-General Williams at Manila sent a dispatch in July, 1898, to the authorities at Washington, stating that 5,000 insurgents were then encamped in sight of Manila, and that the rebellion, as he termed it, was more powerful than ever before. In a week afterwards he telegraphed that there were 1,000 insurgents to every Spanish soldier or civilian to be found in Luzon.

Did we not know when we declared war with Spain and when the treaty was made that the Filipinos, after their fashion, were claiming independence? Are we to say to them now, "You are not capable of self-government, and although we used you in the war and armed you in order to fight for your own claim, we will now turn our guns upon you, our former allies, and answer your appeals with shot and shell?"

Mr. President, I say now what I said when I spoke for the war with Spain to achieve the independence of Cuba. When it was urged here by the Senator from Delaware [Mr. GRAY] and others that the people of Cuba were not fit for self-government, I said then the love of liberty is not found with the great and rich and powerful; it does not dwell in palaces, but in the hovels of the poor, who have nothing else but liberty to console them in their humble walk through life. If those people were ignorant and poor and weak, so much more the duty of this great Republic, that has taught them the lesson, to assist them to arrive at self-government, no matter how poor a government they may adopt.

We were told when opposing the treaty that we were responsible for every drop of blood that should be spilled in the Philippines; that if the treaty should be confirmed, peace would at once come and not another gun be fired. The treaty has been approved, and this morning's telegram brings to us the news that the Filipinos are in arms, that more troops are required, and that Admiral

Dewey has telegraphed for the Oregon for political purposes in those islands.

But I will hurry through with what little I have to say. I am told that the pending measure is a great improvement upon that originally proposed in the coordinate branch of the Government; that this is merely temporarily an increase of the Army, and that after July, 1901, the Army will be remitted back to a force of 37,000. Mr. President, that is but a comparison of the evils. It is like telling me that one ulcer is simply smaller than the other. With my convictions in regard to the purpose for which these troops are to be used, I might just as well vote for a million men as to vote for 100,000. If I believe these soldiers are to be used for a purpose not justified by the Constitution and antagonistic to the prosperity of my country, I can not, as an honest legislator or citizen, vote for a single man or a single dollar for any such purpose.

But, Mr. President, I know, if my experience in legislation is worth anything, that this Army, temporarily increased until July, 1901, will never, never, be decreased. You might as well talk about taking the right of suffrage from a people to whom it has been given. You might as well expect to limit appropriations by saying that so many thousand dollars may be expended. The Army will never be less than what we make it to-day; and when we put in simply this provision for a temporary increase, it amounts with me to the same thing as a permanent adjustment.

When we put our feet on this path of expansion, we are bound to follow the road to which it legitimately comes. We must increase the Navy, increase the Army, provide for the transportation of troops, furnish men to be slaughtered, and then pay an enormous pension roll, as the result of a useless, wicked, and, in my judgment, criminal war.

Mr. WHITE. Mr. President, it is needless to say that the subject now before the Senate is most interesting. It is disagreeably interesting. Taking the situation in the Philippine Islands, which has been so accurately described by the Senator from Missouri [Mr. VEST], we find a people numbering from 7,000,000 to 10,000,000 who desire a government of their own choice. They wish to conduct affairs as they think the situation ought to be conducted. We deny them that right. That they shall have a government of their choice is antagonistic to our present view. We desire them to have a government of our choice.

True they are some 7,000 miles from us; true they are exceedingly numerous; true we engage in this effort for humanity's sake and that men may live in happiness and carry out their views in accordance with the dictates of their consciences. But the situation has changed. The dove of peace hovers over the land, and the ratification of the Spanish treaty signalizes the termination of a war; and yet to-day in the Philippines the guns of those whom we have "rescued," to quote a Presidential expression, are turned against the redeemed, and we have turned our weapons against our alleged friends.

The President of the United States sees in the action of the Filipinos a very disagreeable condition. So do we all; but we define it, perhaps, differently. We have "rescued" them, says the Chief Magistrate, and they are ungrateful. From what have they been rescued? From Spanish domination; they have been saved from the yoke of Spain; now they are to pass, sub "jugum," under another master. Is it at all remarkable that those people, who have been taught to believe that this great Republic typifies independence and manhood and advancement, expect us to be honest? Is it peculiar that they should to-day resent our interference?

Mr. President, the honesty of Senators and legislators generally is challenged because they see fit in this place of responsibility to deny the justice of American action.

I will never forget a statement made in the early days of this Republic by Fisher Ames, when he said that he knew of no spectacle more sublime than that of a powerful nation kneeling before the altar of justice and sacrificing there alike her passion and her pride.

No one, I think, who is rational, and surely we claim to come within that category, denies this Republic to solve this question *vi et armis*. No one, I suppose, doubts that this great nation may summon into action the intelligence and power which she commands and stamp forever from life every person who treads the soil of the Philippine Isles. Hence, it can not be a question of national degradation, it can not be a matter of subserviency to any demand of those people, if we deal with them differently and at variance with the action which we have already disclosed. Our power precludes controversy.

Mr. President, I concur that whenever a struggle takes place where the people of this Republic must encounter antagonism, there is but one issue, and that is to make honorable contention, powerful and conclusive. But I think that there is a responsibility upon the members of the Congress of the United States to tell the truth. I believe this to be paramount. I see in this contention, sir, nothing that can add to our glory. I look at her achievements. They have been on the lines of peace.

I note at this moment a great effort to stimulate the American mind and to arouse us and our children and to transmit tradition of arms and military glory. When I hesitate but a moment over the bloody leaves of history I am compelled to appreciate that if we pass into the lines and follow the examples of other nations, we will, after all, move in that circle of history which seems to have been an unfortunate heritage of humanity.

Look at our own people. When we formed this great Republic we thought we were constructing broad and deep the foundations of nationality more solid than the granite of the ages. Upon that massive foundation let the governmental edifice rest. We see our great ships encountering the foe in every clime—triumphant always. We invoke our intelligence and our greatness, and we triumph upon every sea. We have taken the navies of Spain and have subdued them to our dictation. We have eradicated these armaments from the surface of the ocean.

We have won wherever a contention of arms has occurred. And what is the result? Pause a moment and reflect upon what we said in this Chamber some months ago. We spoke of a war for humanity. We denied that we were engaged in a struggle of battle for the mere purpose of military triumph or for that splendor which comes from death, destruction, and woe.

The war has passed. We enacted in the Senate a resolution drawn by the Senator from Colorado [Mr. TELLER] who sits here now, wherein we pledged ourselves to give to that people a government of their own choice. No human being has ever been able to answer the question as to why we have not done the same in the Philippine Islands. True it is said that the difficulty is that there has been resentment there.

But why has there been resentment, Mr. President? Because we have failed to define a policy. Here is the President of the United States, for whom personally I have, in common, I believe, with all American citizens, the most earnest respect. He states to us that he is not prepared to-day to say what policy ought to be adopted toward the Philippine Islands. But, Mr. President, if there is anything in the history of the American people, if there is any faith in those glowing words which sparkle through the Declaration of Independence, and which from the day when they were uttered have sent a thrill among all the peoples who aspire to liberty, it is that there should be independent thought and freedom from interference.

Are we here to rest our aspiration upon the silly pretext that the right of international alienation existed in Spain and that therefore we are empowered to deny to a people heretofore enslaved that free government for which men have lived and died and for which we have often contended in every arena from shore to shore? In no political contest has there ever been a dissenting vote upon that proposition.

See the present situation. It is a gloomy specter to me. I can not contemplate it with anything less than shame. I cordially agree with the Senator from Missouri [Mr. VEST] who said that he would not give the life of one American boy who had struggled in the Filipino group for the entire affair. Nor would I. I heartily accentuate the expression to which I have adverted.

We have wandered from home, we have gone across the world, almost to the end of it, if I may use that expression, and have attempted to subjugate and to bring in harmony with us and to assimilate a people who care not for us. What do they aver to-day? Their leaders declare, and have declared within the last week, that they preferred the domination of Spain to that of this country.

Oh, think of it! We have engaged in a war. We have sacrificed not many but choice specimens of our people, the nobility of our ranks. I do not speak in titled phrase, but I talk of the consciences and manhood of those who have fallen, and for what? Will any man tell me in this body to-day that he sees anything which evidences an upward tendency upon the part of the American people in the conflict now progressing in the Philippine Islands? Will he tell me that the toiling people who have suffered, who have been placed upon the block, who have been subjected to diseases and death from the tyrant's hands, will profit by our intervention under procedure such as that which we are adopting?

Mr. President, I have a more drastic view of the situation and am more positive perhaps about it than any Senators in this body, save perhaps four or five. I would, if I had the power to do it, appoint three or four men of conceded ability and whom I thought to be possessed of intelligence. I would send them to Cuba and to the Philippine Islands, and I would formulate for those peoples a government and commission them upon the ways of freedom in accordance with their necessities and their needs.

It is arrant hypocrisy to say that you do not know what is best for them. Unless the whole history of the American people has been a living lie, we know that freedom is the heritage of man. And there may be a difference in this clime and that as to the method of the exercise of liberty; there may be a question as to whether this form of government or that statute or this law

is better for this man or for that; but the sensible American, deeply schooled in the walks of independence, knows what is best, and can do it.

Look at Cuba. Where is the verification of your promise? I dislike to say it, but I feel it my duty to declare that I do not believe a great many people who are in power in this country intend to verify that solemn assurance. It is my belief that there will be contention and trouble.

I concur with the distinguished Senator from New Jersey [Mr. SEWELL] in the statement that there will be war in Cuba, and that the guns of this Republic which were directed against Spain will be directed against the people of that island. How vain and visionary are the theories of men when behind it all is the grim cause of lucre!

Why shall we have twenty, thirty, forty, or fifty thousand troops in Cuba? Gomez entered the city of Havana in triumphal acclaim; the crowd signalized his presence; but he has no connection with the government of that island.

Why do you throng Cuba with your troops? Why do you fill that island with armed men? Against whom are you contending? The effete Spanish monarchy has been ejected from the island; her vessels have been sunk in the sea. Absolutely deprived of potentiality, she views her power fallen to a state which she can not to any extent remedy, alter, or avoid. Why, then, shall the soldiers of this free Republic, this Republic that promised freedom to the people of Cuba—why shall they be there with arms, with cannon and rifles, and Maxim and Gatling guns?

What does it mean, Mr. President? There is no solution of it save upon the theory that there are some people who do not intend to carry out the pledges which were registered here, and which will live when every man in this body shall have perished and been forgotten.

There is more than manhood involved in this. There is the promise of this great Republic; there is the pledge of this people, who constitute the anchor, if there is any anchor, of freedom for all time to come. Shall we perish and be forgotten? Is our existence evanescent? Are we to leave this world and to confer upon posterity but little to evidence the fact that we ever existed? Said the poet:

Happy Palmyra, in thy desert domes,  
Where only date trees sigh and serpents hiss,  
And thou whose pillars are the silent homes  
Of the stork's brood—superb Persepolis.

Standing upon the edge of that great river of Syria is to-day nothing save desolation.

Take the story of mankind from the beginning. Are power and wealth and strength, mighty armies, and the traditions of greatness sufficient to perpetuate nationality? We know they are not. The empire that sprang from Tiber's bank faded before the barbarians of the north; and when Marius sat upon the ruins of Carthage he had something before him which has long since been hurled into oblivion.

Who considers the story of mankind and does not discover, Mr. President, that even this Republic may reverse herself? I sigh not for the individual, but I look to the future. For myself, I will soon pass away; but I think of my children and my children's children, and of the aspirations of my earliest boyhood, that this nation might stand before the world preeminent, spreading the beatific vision of freedom all over the world. Was that a chimera, an idle dream, a passing shadow, or was it an entity—something that really existed?

Let us pause a moment and reflect. It will not do for us to speak about the outrageous conduct of some barbarian in a tropical clime. What care I for him? He is a cipher in the plot of life; he contributes nothing to civilization; he amounts to less than nothing in the great cause to which you and I, sir, and all of us, are conscientiously committed.

I have felt from the beginning of this desperate alternative that this nation was upon the verge of ruin. If she were alone in her experience I might doubt it, but when I think of all that has happened in the history of mankind and of how many able and powerful men have existed, and how they have sought to raise up and secure the blessings of human emancipation, I have questioned whether we are stronger than they. When Socrates drank the fatal hemlock and saw fast approaching the end of his vitality, he uttered sentiments which must find their indorsement in every heart.

When we witness the progress which mankind has made, we can not question that peace should be our aspiration. I believe you, sir [the Vice-President in the chair], were at the great exhibition in Chicago. Looking at those beautiful buildings, pure and glorious as they were, the electric display illuminating them, you were almost translated into another age, and you were unable, perhaps, to appreciate that you even lived in your century; you commented upon the magnificent efforts of those who had called these structures into existence.

Did you go into the great repositories of national wealth and

see all the evidences of peace that were summoned to that great display? Did you look at the triumphs of genius, the great and lasting triumphs that contribute to the happiness of man and make him better and stronger and truer and more able to work out his destiny? Were they not all there? Are they not better than the clash of arms? Are they not better than the contention which makes the widowed mother water with her tears the grave of her boy?

Are they not preferable to that fierce contention which leads to mastery not founded upon intellect, not based upon truth, but based upon brute force? Was there anything in the wager of battle that commended itself to the lawyer or the jurist? An accident, a chance; and yet in this generation we are summoning to our shrine and making our momentary god him who in days of crime and wrong, many an age ago, was worshiped by the savages of the earth.

Mr. President, we claim to be a Christian people; we claim that we are anxious that art and science and literature and truth shall prevail. Are we in earnest? Look in this great capital city, which bears the name of the founder of this Republic, of him who taught us our most glorious lesson and whose precepts we daily disregard, and see that great pure shaft rising against the sky, pointing upward and upward to higher things. Peaceful and beautiful, it is admired of the world, the typification of what we ought to be.

Look at your Library, that wonder of this capital, and do you not see there the victories of peace, of magnanimity, of greatness? Shall we discard them? Are we to enter upon the domain of conquest against those who are not of us; who are not worthy of us; who are incapable of understanding our institutions? Had we not better stand with our Republic and pause within this great domain and transmit unsullied to those who are to come after us the priceless heritage which we have received?

Mr. President, we claim, as I have said, to be a Christian people. Do we not know the example of Him who toiled to Calvary's hill, though He might have summoned to His side the countless legions of His Father, He perished as to His manhood's vitality that He might give us a lesson of peace and love.

I am opposed to this bill. I see no necessity for it. I love my country with as supernal devotion as any human being can love; but I wish to see her militant in the lines to which I have referred. I look with no satisfaction upon the gory field, the blood-stained hearth, the orphan, the dying patriot, the ravished home.

War may come, sir, but it must be for freedom. War may come, but it will be to defend the liberties of this people, if it ever has my concurrence; and I will never cast my vote in favor of any conflict that will have any other effect.

Mr. COCKRELL. I wish to offer a few amendments to the pending bill before we take up others.

On page 3, section 2, line 7, I move to strike out the words "a minimum of;" so as to leave a cavalry company to consist of 43 privates.

The amendment was agreed to.

Mr. COCKRELL. On page 4, section 3, line 10, after the words "consist of," I move to insert "1 captain, 1 first lieutenant, 1 second lieutenant;" so as to read:

Each battery of heavy artillery shall consist of 1 captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, etc.

That was simply an omission in drafting the bill.

The amendment was agreed to.

Mr. COCKRELL. In the same section, on page 4, line 16, after the words "consist of," I move to insert "1 captain, 2 first lieutenants, 1 second lieutenant;" so as to read:

Each battery of field artillery shall consist of 1 captain, 2 first lieutenants, 1 second lieutenant, 1 first sergeant, etc.

Those words were also omitted by oversight.

The amendment was agreed to.

Mr. COCKRELL. On page 4, line 19, of the same section, I move to strike out the words "a minimum of;" so as to leave each battery of field artillery to consist of 51 privates, so that there shall be no question in regard to the number of privates that are to be in each company. The number may be under 51, but it can not be over 51.

The amendment was agreed to.

Mr. COCKRELL. On page 5, in section 4, line 21, before the words "48 privates," I move to strike out "a minimum of;" so that each infantry company shall consist of 48 privates. The number can not be higher than that; it may be less.

The amendment was agreed to.

Mr. PASCO. I should like to ask the Senator if he has moved to strike out the words "a minimum of" in lines 14 and 15, on page 4, in the clause referring to batteries of heavy artillery?

Mr. COCKRELL. I have moved to strike out those words in line 21, and that amendment has been agreed to, but I did not see the words in lines 14 and 15 on the same page. In the clause relating to the composition of a battery of heavy artillery, on page 4,

lines 14 and 15, I move to strike out the words "a minimum of," so that each battery shall consist of 52 privates.

The amendment was agreed to.

Mr. COCKRELL. I do not think the words "a minimum of" occur anywhere else in the bill.

Now, I wish to offer an amendment on page 7, line 17. The proviso there reads:

*And provided also, That no person in civil life shall hereafter be appointed a judge-advocate, paymaster, or chaplain until he shall have passed satisfactorily such examination as to his moral, mental, and physical qualifications as may be prescribed by the President; and no such person shall be appointed who is more than 40 years of age.*

I move to insert after the word "forty" the word "four," so that the age limit shall be 44 years. I ask the Secretary to read the paragraph as it will stand when amended.

The SECRETARY. As proposed to be amended the paragraph reads:

*And provided also, That no person in civil life shall hereafter be appointed a judge-advocate, paymaster, or chaplain until he shall have passed satisfactorily such examination as to his moral, mental, and physical qualifications as may be prescribed by the President; and no such person shall be appointed who is more than 44 years of age.*

Mr. GORMAN. I confess, Mr. President, that in the short time we have had for the consideration of this bill I have not had an opportunity to give it such examination as I would desire, but it strikes me that the proviso on page 7 would require all of the gentlemen who have been appointed judge-advocates, if there be any such, from private life in the Volunteer Army, and also paymasters and chaplains, to again pass an examination, notwithstanding they have made a record for efficiency in similar positions. The Senator from Georgia [Mr. BACON] has drawn up an additional proviso to this part of the bill, which strikes me as being necessary, although I still want information from the Senator from Missouri.

The proposed proviso is as follows:

*Provided further, That in the case of an officer who has served in a similar capacity during the war with Spain said examination shall not be required, but he shall be deemed competent under the record made by him in said service.*

The intention is only to put these gentlemen on an equality with Regular Army officers and give them the credit for whatever good record they may have made. I ask the Senator from Missouri if there is any objection to a provision of that character?

Mr. COCKRELL. The Senator offers this amendment:

*Provided further, That in case of an officer who has served in a similar capacity during the war with Spain said examination shall not be required if he shall be deemed competent under the record made by him in said service.*

So far as I am personally concerned, if that is properly worded and guarded, I have no objection to it. Now, I will propose that the amendment shall read:

*Provided further, That in case of the appointment of an officer who has served in a similar capacity during the war with Spain and has demonstrated his moral, mental, and physical qualifications for the position, then such examination shall not be required.*

The VICE-PRESIDENT. Is there objection to the amendment?

Mr. COCKRELL. Let the amendment be reported.

The VICE-PRESIDENT. The amendment has not been taken down.

Mr. COCKRELL. I supposed the clerks were taking it down, or I would have written it myself.

The VICE-PRESIDENT. The reporter has taken it.

Mr. COCKRELL. I dictated it slowly enough for anybody to have written it out.

The VICE-PRESIDENT. The reporter will read the amendment.

The reporter read the amendment.

Mr. DANIEL. I rise to a parliamentary inquiry. Will the adoption of the amendment exclude the motion to strike out the clause?

The VICE-PRESIDENT. If it is adopted, the Senator from Virginia or any other Senator may move to strike out the whole clause.

Mr. DANIEL. I prefer to strike out the whole clause and get rid of the restriction.

The VICE-PRESIDENT. It is proper to amend it first.

Mr. DANIEL. I presume I can make that motion after the amendment has been amended.

The VICE-PRESIDENT. That is the situation. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. COCKRELL. On page 9, in lieu of lines 16, 17, 18, and 19, down to the words "thirty-five years," which read as follows:

No person other than an officer of the Regular Army who has passed the age of 45 years shall be appointed as a field officer in said force, nor as a company or staff officer therein if he be past the age of 35 years.

I propose to insert:

No person over the age of 45 years, except officers of the Regular Army and officers or enlisted men who served in the war with Spain, shall be appointed as field officers in such emergency force, and no person over the

age of 40 years shall be appointed as a company or regimental staff officer therein.

The VICE-PRESIDENT. The Chair understands that that is offered as a substitute for the amendment offered by the Senator from Connecticut.

Mr. COCKRELL. I will read it again:

No person over the age of 45 years, except officers of the Regular Army and officers or enlisted men who served in the war with Spain, shall be appointed as field officers in such emergency force—

That is, in these 35 regiments—

and no person over the age of 40 years shall be appointed as a company or regimental staff officer therein.

The VICE-PRESIDENT. The Chair understands that to be a substitute for the pending amendment offered by the Senator from Connecticut and the Senator from Illinois.

Mr. COCKRELL. I offer it as a substitute for all.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. COCKRELL].

Mr. PASCO. Let the amendment be stated at the desk.

The SECRETARY. It is proposed to strike out lines 16, 17, 18, and 19, on page 9, down to and including the word "years," and insert in lieu thereof the following:

No person over the age of 45 years, except officers of the Regular Army and officers or enlisted men who served in the war with Spain, shall be appointed as field officers in such emergency force, and no person over the age of 40 years shall be appointed as a company or regimental staff officer therein.

Mr. GORMAN. Under the amendment of the Senator from Missouri no field officer, of which I understand the highest is a colonel—

Mr. COCKRELL. Colonel, lieutenant-colonel, and major.

Mr. GORMAN. Under the provision of the Senator's amendment that would, of course, restrict the appointment of regular officers to the age at which they retire, 64, but it leaves open the age limit for all others, does it not? You could have a colonel 70 years of age if he were not an Army officer.

Mr. COCKRELL. Oh, no.

Mr. GORMAN. Let us see. I think so. Let us have it read again.

Mr. SPOONER. That is true.

Mr. GORMAN. There is no age limit whatever. In the one case the law requires an officer to retire at 64, and he would not be eligible to the position of field officer; but all others who were in the Army might come in at any age. If the Senator will look at it, I think he will see that is correct.

Mr. COCKRELL. There is no danger of the occurrence to which the Senator from Maryland referred. It is true that this does except from the age limit of 45 years the officers in the Regular Army and the officers of the Volunteer Army and nobody else. All the officers in the Regular Army are under 64 years of age. They could be assigned to duty.

It is supposed that the officers who have served in this war, if they are reappointed, would be taken from those who are physically able to perform the duties, so there is no limit upon the officers of the Regular Army or upon the officers of the Volunteer Army, because those now performing duty of some kind are presumed to be young enough to perform any duty of lieutenant-colonel or major. That is why there is no limitation put upon the age of Regular Army officers and Volunteer Army officers in being placed in this service.

Mr. BATE. I propose, on page 9, line 2, after the word "service," to insert "including the Signal Corps." That seems to have been left out.

The SECRETARY. After the word "service," in line 2, page 9, it is proposed to insert the words "including the Signal Corps;" so as to read:

That to meet the present exigencies of the military service the President is hereby authorized to maintain the Regular Army at a strength of not exceeding 65,000 enlisted men, to be distributed amongst the several branches of the service, including the Signal Corps, according to the needs of each, etc.

The VICE-PRESIDENT. Is there objection to the amendment proposed by the Senator from Tennessee?

Mr. COCKRELL. Let it be reported.

Mr. BATE. I spoke to the Senator from Connecticut [Mr. HAWLEY] about it.

The Secretary again read the amendment proposed by Mr. BATE.

Mr. GORMAN. What has become of the amendment of the Senator from Missouri?

The VICE-PRESIDENT. This seems to be interjected while the debate is going on. If any question of order is made, the Senate will return at once to the amendment of the Senator from Missouri.

Mr. GORMAN. Oh, no; I make no point.

Mr. BATE. There is no objection to this. I spoke to the chairman about it.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Tennessee.

The amendment was agreed to.

Mr. ALLEN. If the Senator from Missouri will yield to me I will offer an amendment. There is so much conversation going on that I can not tell the parliamentary situation.

Mr. COCKRELL. I will yield in a moment.

Mr. BUTLER. Is there an amendment pending?

The VICE-PRESIDENT. An amendment is pending, offered by the Senator from Missouri.

Mr. COCKRELL. I modify the amendment so that it will read "as a company officer therein."

Mr. GORMAN. Let it be read.

Mr. CARTER. Let the amendment be stated.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to strike out lines 16, 17, 18, and 19, on page 9, down to and including the word "years," and to insert:

No officer over the age of 45 years, except officers of the Regular Army and officers or enlisted men who served in the war with Spain, shall be appointed as field officers in such emergency force, and no person over the age of 40 years shall be appointed as a company officer therein.

Mr. THURSTON. Does that cover the volunteer force we are authorizing for two years?

Mr. COCKRELL. Yes, sir.

Mr. THURSTON. Mr. President, I am opposed to any age limit for the officers who are to be selected to command our volunteer troops and go into the field for two years' service. This country is full of men who served four years in the greatest conflict of modern times on both sides. Many of them served as very young men. To-day they have far greater military ability and experience than almost any of those who enlisted in the late war with Spain and who did not actually get to the front or see real service.

This amendment would deprive the Government of the United States of the experience of every man who fought in the war of the rebellion on either side, and it would shut out from our foreign service the very men to-day who, in my judgment, are best able to carry on and wage successful warfare. I do not wish to see that done with the consent of my vote. I sincerely trust that we will strike out all age limit, so far as it concerns the volunteer force of our Army.

Mr. President, the very man who, in my judgment, organized and secured the victory at Santiago, the brave old Confederate veteran, General WHEELER, would be shut out under a requirement of this sort. I know of thousands of men to-day who are better physically fitted to fight, better mentally fitted to fight, better fitted by experience—

Mr. SPOONER. They know better how to take care of their men.

Mr. THURSTON. And who know better how to take care of their men, as the Senator from Wisconsin says, than any young men who can be selected, even if they have had the experience of a short service in the Volunteer Army of the United States without having had any actual experience in battle. I do not care to multiply words, but it seems to me the country will wish that we avail ourselves as long as we can in perilous time of the ripe experience of men who hazarded their lives in the great conflict of 1861-65.

Mr. ALLEN. I offer an amendment which I send to the desk, to be inserted after line 19, on page 10.

Mr. COCKRELL. I hope the Senator will permit me to perfect this amendment. I want to insert the words "company or regimental staff officer;" so as to read "as a company or regimental staff officer therein," inserting the words I moved to strike out. Now let the amendment be read.

The VICE-PRESIDENT. The amendment as modified will be read.

The SECRETARY. It is proposed to modify the amendment so as to read:

No person over the age of 45, except officers of the Regular Army and officers or enlisted men who served in the war with Spain, shall be appointed as field officers in such emergency force, and no person over the age of 40 years shall be appointed as a company or regimental staff officer therein.

Mr. THURSTON. I move, as an amendment or substitute, to strike out all of the age limit as it refers to officers of the volunteer organization.

The VICE-PRESIDENT. The Chair would hold that the amendment is not in order, the substitute taking the place of two amendments already offered.

Mr. COCKRELL. Before the amendment is acted upon, I should like to have an opportunity to prepare it so that it will refer only to the volunteers and not to the force that is added to the Regular Army.

Mr. THURSTON. That is right.

Mr. WARREN. That is right.

Mr. COCKRELL. I withdraw the amendment, and the Senator from Nebraska can offer his amendment.

The VICE-PRESIDENT. The amendment is withdrawn.

Mr. ALLEN. I move to insert as an amendment what I send to the desk.

The SECRETARY. After the end of line 19, page 10, section 13, it is proposed to insert:

And provided also, That any officer now in the Army who was graduated at the head of his class at the United States Military Academy and who is not now in the Corps of Engineers may be appointed to the Corps of Engineers with the same grade and date of commission that he would have if he had been appointed to the Corps of Engineers on graduation; but said commission shall not entitle an officer to any back pay or allowance.

Mr. COCKRELL. I hope the Senator will not insist upon the amendment. That is special legislation. It affects the rank of officers in the Army and we have no report from the War Department. There has been no investigation made by a committee in regard to it and I hope it will not be adopted. It may be right, and the Committee on Military Affairs may favor it in the end, but I think we should not undertake on this bill to readjust the positions of the officers in the various corps and departments of the Army.

Mr. HAWLEY. It applies to only two men, and I think it is objectionable. I do not think we should load the bill with little provisos helping individuals.

Mr. COCKRELL. I hope the amendment will not be agreed to.

Mr. ALLEN. This affects only two officers, it is true, but it affects them very meritoriously, and I hope the Senator from Missouri will withdraw any objection he may have to it.

Mr. COCKRELL. I can not withdraw it, for it is not right for such legislation as this to be put upon any general bill of any kind. I would oppose it upon any general bill. It is a matter that ought to be considered by the Committee on Military Affairs. We ought to have a statement from the War Department as to what will be the effect of it, as to how many officers will be displaced from their ranks and over the heads of how many these officers will go by virtue of such legislation.

Mr. ALLEN. I wish I was in a frame of mind to be convinced by that argument, but I am not. I call for a vote on the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska. [Putting the question.] The yeas appear to have it.

Mr. COCKRELL. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. WARREN. Mr. President—

Mr. PETTIGREW. I should like to have the amendment stated again.

The amendment was again stated.

The Secretary proceeded to call the roll.

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. MALLORY]. As he has not voted, I withhold my vote.

Mr. WARREN (when his name was called). I ask unanimous consent to say that I was seeking the floor for a moment when the yeas and nays were ordered. I seemed to be unsuccessful in getting recognition from the Vice-President.

Mr. BERRY. I submit that no debate is in order, even by unanimous consent, after the roll call begins. The rule is specific. The Vice-President shall not entertain debate after the beginning of a roll call.

The VICE-PRESIDENT. Does the Senator from Arkansas object?

Mr. WARREN. I did not wish to debate the question. I merely wanted to make an explanation.

Mr. BERRY. It is out of order.

Mr. WARREN. I will vote. I vote "yea."

The roll call was concluded.

Mr. FAULKNER. I desire to inquire whether the Senator from West Virginia [Mr. ELKINS] has voted?

The VICE-PRESIDENT. The Senator from West Virginia has not voted.

Mr. FAULKNER. I am paired with that Senator, and therefore withhold my vote.

Mr. CARTER. I am paired with the senior Senator from Delaware [Mr. GRAY] on this vote, and therefore withhold my vote.

Mr. THURSTON (after having voted in the affirmative). I should like to inquire if the Senator from South Carolina [Mr. TILLMAN] has voted?

The VICE-PRESIDENT. He has not.

Mr. THURSTON. I am paired with that Senator generally, and therefore withdraw my vote.

Mr. MANTLE (after having voted in the negative). I wish to ask if the Senator from Virginia [Mr. MARTIN] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. MANTLE. I withdraw my vote, being paired with that Senator.

Mr. CAFFERY (after having voted in the affirmative). I desire to inquire whether the Senator from Michigan [Mr. BURROWS] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. CAFFERY. Being paired with that Senator, I withdraw my vote, unless I am assured that the Senator from Michigan would vote as I do.

The result was announced—yeas 27, nays 33; as follows:

## YEAS—27.

Allen,  
Bacon,  
Bate,  
Berry,  
Butler,  
Clay,  
Daniel,

Gorman,  
Harris,  
Heitfeld,  
Kenney,  
Lindsay,  
McLaurin,  
Money,

Murphy,  
Pasco,  
Pettigrew,  
Rawlins,  
Reach,  
Sewell,  
Smith,

Stewart,  
Teller,  
Turley,  
Turner,  
Vest,  
White.

## NAYS—33.

Allison,  
Clark,  
Cockrell,  
Cullom,  
Dobbs,  
Fairbanks,  
Forsaker,  
Gallinger,  
Gear,

Hanna,  
Hansbrough,  
Hawley,  
Hoar,  
Lodge,  
McBride,  
McEnery,  
McMillan,  
Mitchell,

Morgan,  
Nelson,  
Perkins,  
Pettna,  
Platt, Conn.,  
Platt, N. Y.,  
Pritchard,  
Ross,  
Shoup,

Simon,  
Spencer,  
Sullivan,  
Warren,  
Wellington,  
Wilson.

## NOT VOTING—30.

Aldrich,  
Baker,  
Burrows,  
Caffery,  
Cannon,  
Carter,  
Chandler,  
Chilton,

Davis,  
Elkins,  
Faulkner,  
Frye,  
Gray,  
Hale,  
Jones, Ark.,  
Jones, Nev.

Kyle,  
Mallory,  
Mantle,  
Martin,  
Mason,  
Mills,  
Penrose,  
Proctor,

Quay,  
Thurston,  
Tillman,  
Turpie,  
Wetmore,  
Wolcott.

So Mr. ALLEN's amendment was rejected.

Mr. COCKRELL. There is force in what the Senator from Nebraska says respecting the age limit as to volunteers. If the Senator wants to accomplish what he has intimated, it seems to me it would be a better way to strike out the entire provision from line 16, on page 9, down to and including line 2, on page 10. That would leave the President to appoint either regular officers, or any of those in the service, or civilians.

Mr. CULLOM. Without reference to age?

Mr. COCKRELL. Without reference to age. It would leave the President simply to make his own selection without regard to age.

Mr. SEWELL. The Senator has stated, I have no doubt, that this applies only to the volunteer force of 35,000 men. I agree with the Senator from Nebraska that that force could be properly officered—I mean the higher grades—by men who have seen service, even in the civil war. There are a great many men 55 years of age who would make better colonels of regiments than a young man of 40 who has not had experience. The only way to prevent embarrassment is to strike out the whole section.

THE VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri.

Mr. COCKRELL. I yield to the Senator from Nebraska to move an amendment.

Mr. THURSTON. I move to strike out beginning with line 16, on page 9, down to and including line 2, on page 10.

Mr. DANIEL. That is the amendment which I had given notice I would offer, provided the amendment of the Senator from Missouri was adopted. I hope that the amendment of the Senator from Nebraska may be unanimously adopted. I do not think that the President, in the first place, ought to be restricted in his selection of officers of a volunteer army. In the second place, I do not think that disfranchisement or impediment of any kind should be put upon the citizens and the citizen soldiery of this country.

It chanced that to-day the Commander in Chief of the Army, the Secretary of War, the Adjutant-General of the Army of the United States, and the general who commanded in the only battle of great importance which was fought are all men who worked themselves up to their high positions through the Volunteer Army and not through the Regular Army of the United States. The distinguished Confederate officer to whom the Senator from Nebraska so fitly referred, while indeed he had once been in the Regular Army, had for over thirty years been occupied in the pursuits of peace.

It is calculated, Mr. President, to produce a spirit of militarism rather than the natural warlike spirit of a free and brave people, to put incumbrances in the pathway of those whom the President may regard as worthy of serving the country in a position of honor and distinction. I shall vote to strike out every amendment in this bill, whether of age, examination, or what not, that might be used to prevent the entry into the military service of the United States of a reputable citizen whom the President in his discretion thought fit for the office.

Mr. CAFFERY. I ask the Senator from Virginia what is the scope or purport of his amendment? Is it to exclude from the Volunteer Army men who served in the late war and who have arrived at a certain age?

Mr. DANIEL. It is to strike out the reference to the Volunteer Army and all of those limitations.

Mr. CAFFERY. As to age?

Mr. DANIEL. As to age.

Mr. CAFFERY. That is the purport of your amendment?

Mr. DANIEL. Yes, sir; of the amendment offered by the Senator from Nebraska—the amendment of which I spoke.

Mr. CAFFERY. Mr. President, I believe that the amendment offered by the Senator from Nebraska ought to be adopted. I can see no reason why a discrimination on the ground of age should be made against men for service in our Volunteer Army who have heretofore served with distinction in the war between the States. It looks to me as an invidious distinction. Besides the example quoted by the Senator from Nebraska, anyone can call to mind hundreds of instances of men who served their country in the war between the States who are fit now to serve their country in a war against any foreign power. I will not say anything about the Filipinos, for I think that anybody can serve in a war against them.

Mr. President, there is a great deal in this spirit that stalks abroad throughout the land now in regard to the formation of standing armies, and in regard to officering those armies with men who may make the military life a calling. They are always behind a movement of this sort. They give powerful weight and influence to the passage of any bill which extols and magnifies the Army.

But, Mr. President, do we want standing armies? Do we want to inculcate this spirit of militarism in the United States? Have not heretofore our militia, our citizen soldiery, been able to cope with any foe, foreign or internal? And if they have been, what is there now to tell us that they will not be equally as able hereafter as they have been heretofore to maintain the supremacy of our institutions and the glory of our flag?

I see nothing throughout this whole bill from its inception until now but to exalt the military arm. It is the first fruits of empire and expansion. It is the fruit—that forbidden fruit—of which republics have partaken to their death and desolation. Inculcate the military spirit, assemble your standing armies, and republics go to the mythology of the past. I want no standing army. I do not believe the American people want a standing army. We want the nucleus of a force around which the citizen soldiery can assemble, to which they can look as a rallying point in time of danger; and, sir, wherever the flag of the United States is raised there you will find the American breast and the American courage ready to repel any foe that assails our country.

Mr. ALLEN. Will the Senator from Louisiana allow me to interrupt him just a moment?

Mr. CAFFERY. Certainly.

Mr. ALLEN. I desire to reserve the amendment I offered a moment ago and take it into the Senate, so that I may there offer it when the bill reaches the Senate.

Mr. WARREN. I wish to state to the Senator that I was about to move a reconsideration of the vote by which the amendment was rejected.

Mr. ALLEN. It can be done either way, I suppose, either by reserving it or by reconsidering the vote.

Mr. WARREN. I will not take the course I suggested if the Senator prefers to take the other.

Mr. ALLEN. Whatever course the Senator prefers will be satisfactory to me.

Mr. WARREN. I simply want to say, while on my feet, if I am in order, that while it may be questionable whether an amendment of that kind should go on a general bill in that it does not affect many people, yet it is a fact that it would correct what every Senator will admit was an injustice to two loyal good officers of our Army.

The circumstances are that two men who graduated, each one the first in his class at West Point, under the law and the rules were entitled to appointment in the Engineers. They graduated at a time when there was no opening in that line of service. So they were sent to other lines. This simply provides that it may be lawful to place these men in the corps to which they belonged originally and do that tardy justice.

I repeat, while it may not be the place on this bill, I dislike to see the Senate vote against a proposition of that kind, and thereby say that no injustice has been done, and that these men, having graduated first in their class, shall not have the same privileges that I will not say a few other men, but all other men, have had from time immemorial who graduated from West Point at the head of their classes.

Mr. COCKRELL. Nor do I want to see the Senate do an injustice to the Army and to other engineer officers. Now, what are the facts as stated by the Senator? We have no record here. The Senator has not the official record from the War Department.

Mr. WARREN. Mr. President—

Mr. COCKRELL. Have you a report from the War Department?

Mr. WARREN. I will simply say that I took it up personally to the Adjutant-General and verified the statement I have made.

Mr. COCKRELL. Now, then, here is the statement. These two officers at the time of their graduation stood at the head of their classes, and if there had been vacancies in the Engineer Corps they would have been entitled to assignment there. There being no vacancies in that corps, they had to go to the other. Now,

are they the only two men in the Army of the United States to-day who graduated at the head of their classes and did not get the positions to which they were entitled?

Mr. WARREN. I so understand it. I understand from the Adjutant-General of the Army that those are the only two instances in which West Point cadets who graduated first, not second or third, but each one at the head of his class, failed to secure recognition in the branch of the service which is supposed to be first, that is, the Engineer Corps.

Mr. COCKRELL. How many officers will they rank who are now in the Engineer Corps by virtue of this local transfer, regardless of the rights of others? I should like to have the Senator answer.

Mr. WARREN. I have not gone into that at all. They want—

Mr. COCKRELL. In other words, there has been no investigation of the injustice that may be done by this provision.

Mr. WARREN. They will rank no more than if they had gone where they belonged at the time; that is all. It is not a matter whether they overrank one man or five.

Mr. COCKRELL. These other men have been serving in the positions for years. I do not want the Senate to commit itself to passing upon this kind of a claim without an investigation by the proper committee and without an official report from the War Department. It ought not to do it in any case.

This is a subject for a private bill, and as such it can be fully considered. It is no rejection of the supposed justice of this bill for the Senate to vote the amendment down. It is simply a declaration by the Senate that it has not had this claim investigated in the way it investigates all matters coming before it for consideration. When the matter is investigated it may be unanimously agreed to by the Senate. I do not say that I would oppose it. I will look into all the facts. The Committee on Military Affairs will look into all the facts, and if they justify them they will report it to the Senate, and the Senate will pass it.

This condition has been going on for years. Why should there be haste in the matter? Is this an emergency where the provision can be forced upon this bill regardless of the question whether it is right or wrong? I appeal to Senators that that is not the way to legislate. Neither is that the way to remedy injustice, because we may do greater injustice than we remedy.

I hope the amendment will never be adopted or even reconsidered.

Mr. HAWLEY. Let me add a word or two. One of these officers went into the infantry, and I think he was on his own free will and choice transferred to the ordnance. If he goes into the engineers, he will rank five seniors. As to the other one, I do not know; but something similar will result in his case.

Mr. CAFFERY. Mr. President—

Mr. WARREN. I desire to say only a word.

The VICE-PRESIDENT. Does the Senator from Louisiana yield to the Senator from Wyoming?

Mr. CAFFERY. I suppose the Senator from Wyoming is not cognizant of the fact that I had the floor.

Mr. WARREN. I beg pardon; I did not know it.

Mr. CAFFERY. I yield to the Senator with pleasure.

Mr. WARREN. Thank you. I simply desire to call the attention of my colleague on the committee, the Senator from Missouri, to the fact that I agree with him in the main that it is a better place to legislate on some other bill than upon this; but the ranking of other officers is no argument, because the amendment simply provides that the appointing power may appoint if he sees fit. That is all there is to it. I do not see the Senator from Nebraska in the Chamber, and as he has proposed to bring it up and offer it in the Senate I will not enter the motion to reconsider.

Mr. HAWLEY. I think we ought to perfect the bill by acting upon the amendments of the committee. That has not yet been quite done, but very nearly.

The VICE-PRESIDENT. The Senator from Louisiana [Mr. CAFFERY] is speaking to the amendment offered by the Senator from Nebraska [Mr. THURSTON].

Mr. HAWLEY. If the Senator from Louisiana has the floor for a speech, I will say nothing more.

Mr. ALLEN. What is the status of the bill now?

The VICE-PRESIDENT. The Senator from Nebraska [Mr. THURSTON] has offered an amendment, with the assent of the Senator from Missouri [Mr. COCKRELL], which is the pending question.

Mr. CAFFERY. After the very learned and eloquent discourse of the friends of the bill and members of the committee who reported the bill, I have somewhat lost the thread of my own feeble discourse, but I hope to gather it up as I proceed further along. I was saying something in regard to the military spirit which appears to have absorbed our country when I was interrupted by these eloquent discourses about amendments to the bill.

Now, Mr. President, it occurs that a sentiment pervades the land that we have outgrown the Constitution. That proposition

has been stated by a very high military officer. It is fit that such a declaration should come from a military source. Military men, as a general thing, care very little about constitutions. They are barriers to the vaulting ambition of successful generals. They are outside of the circuit of their movements; and, as a matter of course, any emergency in our affairs is seized upon to inform the people that we have outgrown the Constitution.

I also hear that it is time to come out from our hermitage; it is time to cease our isolation; it is time to make ourselves felt as a great nation of the world, a great world power, and the way to make ourselves felt, the way to get out of our isolation is to grab every outlying island in every sea that washes the globe. That is the only way that I know of, and that is the only way the expansionist and the imperialist knows of to get out of isolation and to outgrow the Constitution.

Five days ago there was read in this Hall the Farewell Address of the Father of his Country to the people whom he had delivered from the yoke of the British Crown. That address is replete with wisdom and it ought to be engraved in the hearts and memory and brain of our people. It ought to find a lodgment there; it ought to be nursed with care; it ought to be watered with the best inspiration of their patriotism and intellect. I will read as follows:

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not legally hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe—

The immortal author of this address might have said with any other part of the world, which he evidently meant—

entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

Mr. President, why forego the advantages of our peculiar situation? Why put ourselves on foreign soil and invite entanglements and invite combinations of the world against us; invite attack from any quarter hostile to us? Are these sentiments obsolete? Have our greatness and prosperity outgrown the wisdom of these declarations? Have the people of the United States so firm a hold and grasp upon the universe as that they can defy these admonitions? Is there danger now of stepping abroad upon foreign soil and inviting all of these disasters pointed out by the Father of his Country?

Mr. LINDSAY. With the permission of the Senator, I will ask him whether he will regard the Philippine Islands as foreign soil after the treaty of peace shall have been ratified?

Mr. CAFFERY. Oh, Mr. President, this process of "benevolent assimilation" can take in every inch of the habitable globe; but it was foreign soil, and it is now foreign soil in that its situation, its people, its climate, its productions, everything surrounding those islands is foreign to America, foreign to her institutions, foreign to her principle of liberty. They are foreign in a sense greater than that set out by the Father of his Country in his immortal address. There is not one single point of similarity or congeniality between us and any of those possessions which have been thrust into our lap by the greed of conquest.

Mr. President, there are abundant cautions in the writers of the Federalist by Hamilton as well as Madison against the dangers of a standing army. No man needs proof or argument or appeal to convince him that the peculiar institutions of our United States do not brook and can not sustain without peril standing armies.

The first bill that was introduced by the Military Committee for the reorganization of the Army provided for a standing army of 100,000 men, to be reduced at the pleasure of the President of the United States to 50,000 men. That bill met with such earnest and stubborn opposition that an amendment to it was accepted, the amendment coming from the Senator from Missouri [Mr. COCKRELL]. That amendment provides for the increase of our present Regular Army some 10,000 or 12,000 men, I do not remember which.

Mr. FAULKNER. Ten thousand.

Mr. CAFFERY. Ten thousand men, and provides for an auxiliary volunteer force to swell up the aggregate to about 97,000 men, that organization to endure until April, 1901. That is objected to by the Senator from Maryland [Mr. GORMAN], whose amendment provides for an increase based upon the present organization of 25,000 men, and that whole force is to be brought down to the peace limit of the old Army, 27,000 men, to be disbanded in 1901.

Now, as between the amendment of the Senator from Missouri and that of the Senator from Maryland I have no particular choice, favoring, however, that of the Senator from Maryland, for which I shall vote. But the inquiry comes, and it will come, why is it that we need this army? For what purpose are these troops to be employed? What portion of the globe are they to be sent to? What is the foe that calls out a hundred thousand American soldiers? Is it to repel invasion of any foe powerful enough to threaten us or the country? No, sir. Is it to attack a formidable power anywhere? No, sir; it is to shoot down men half civilized and wholly poverty stricken, whom lately we had as our allies and who now are rebels.

Mr. President, what a parody on fate, what an irony of circumstance, is it that the flag which we unfurled in the Philippines as a symbol of independence and as carrying in its folds the blessings of its liberty and peace should now be the signal of war—red, horrid war—and that the people whom it is said we liberate we first commence to kill!

This is a war of paradoxes, Mr. President. We started in for humanity; we started to save the reconcentrados. They are dead, I am told. We then started to carry the flag throughout the universe, and wherever it floated there we were to establish the principles of free government; and we wind up, we stop, by shooting down with Gatling guns, Maxim guns, and all the improved apparatus of scientific murder the very men whom we set out to liberate and free! This is a condition of affairs that invites the most careful and deliberate scrutiny upon the part of the American people.

When we ask what has done this, what has provoked this, we are told that destiny has done it. When it was said that we ought to pursue toward those people the same programme and make to them the same declaration that we made to the people of Cuba, "Oh," the answer was, "we can not shirk the responsibility of taking those Filipinos out of the grasp of European robbers, and we can not leave the Filipino to himself. Destiny has done it, and duty follows destiny, and imposes upon us the obligation of Christianizing, civilizing, liberating, and then killing the Filipinos." That is the condition.

Mr. President, let us look at the facts squarely. The Spanish Cortes has not yet ratified the treaty of peace, and Premier Sagasta and the royal coterie are playing perhaps for some political advantage, or their opponents in the Cortes are doing the same thing. There is a slight halt in the proceedings, but the treaty will be ratified. Just as surely as Spain was compelled to ratify the protocol and every similar provision that the United States commissioners at Paris demanded, just so surely will she sign this treaty of peace.

We have been appalled, or attempted to be appalled, about what Spain was going to do. When the treaty of peace was pending in the Senate, it was solemnly urged by the advocates of expansion that if we did not ratify the treaty we would have Spain down upon us. Why, Mr. President, it was too absurd to fool a child, it was too insignificant to give a moment's thought to.

After the treaty is ratified and we have this white elephant, which the President of the United States does not know what to do with, which destiny told him to take and duty told him to keep, we find a condition of what is termed rebellion in the Philippines, and we have got to put it down. We must put down the rebellion; we must exterminate the Filipinos. If they continue to fight, if they manifest the same dogged courage which they are displaying now, the same endurance and obstinacy, extermination awaits them. The die is cast. We have made the fatal mistake of not applying to the Filipinos the same doctrine, of not giving them the benefit of the same declaration which we made in regard to Cuba, and we are reaping the bitter fruits of it.

The honorable Senator from Georgia [Mr. BACON] introduced, debated, and procured a vote upon a resolution; and if it had been adopted, there would not have been a gun fired in the Philippine Islands, in my humble opinion. Nearly every imperialist and expansionist voted against the Bacon resolution. There were other resolutions passed by this body which, in my opinion, were a declaration of war to the Filipinos, and, in my opinion, it was our bounden duty, it devolved upon us from the peculiar situation of affairs in the Philippines, for us to have adopted the Bacon resolution.

But no, Mr. President, they did not go the way of empire far enough to suit the modern idea. They did not in terms pledge the United States, so far as a declaration could pledge them, to give to those people independence. They did provide for a benevolent tutelage of the Filipinos, and when the period of instruction was over we did not propose to set them up in that independent attitude which appears to be the aspiration of the Filipino heart.

But instead of that we adopted a resolution which distinctly declares that the Filipino is an outlawed man; that the identity of the islands for all national purposes is obliterated; that they are waifs in the human family, owing no allegiance to Spain and not

subjects of the United States, with no present condition of any kind that any people would adopt of their own accord, and with no hope for the future.

It occurs to me that the proposition contained in the declaration we adopted left these people no other recourse than servile submission or armed resistance. The alternative was forced upon them.

It may be our sorrowful duty, Mr. President, in view of the international relations that we have assumed toward those people, to exterminate them rather than that our policy of annexation should fail. That distressful and dreadful condition is upon us. If these people resist, we have heard it announced by the Senator from Montana [Mr. CARTER] that the only alternative is to shoot them to death.

So, therefore, if they continue this struggle the end of it will be the extermination of those people. And that is the liberty, that is the humanity which we propose to give! "All is quiet in Warsaw," said the Russian general. Peace—the peace of death, the peace of desolation, the peace which springs from the still, cold form of death—that is the peace and that is the liberty which, if this state of affairs continues, will be the lot of the Filipinos.

But, Mr. President, what are we getting? We are getting nothing, according to the declarations that have passed this body, but conquered territory. The people who inhabit that territory are vassals and slaves. The future of that country hangs upon the slender thread of our caprice or our interest. The present is safe; they are not citizens; we do not intend to incorporate the territory permanently; we do not intend to give them citizenship, but we do intend to do what? To prepare them for local self-government, and then to make such disposition of them as the best interests of the United States, first, will require, and, second, the interests of the poor Filipinos.

There appears to be, in my opinion, a false impression in regard to what will flow from the possession of the Philippines as affecting our fiscal relations with them. It is assumed that the United States can levy upon imports from the Philippine Islands just whatever duties the United States chooses to impose, and any exports from the United States can be likewise taxed at the ports of the Philippine Islands. It is assumed that we can hold the inhabitants of the Philippine Islands, like Mahomet's coffin, between heaven and earth, with no nationality, no citizenship known to anyone.

Are these assumptions true? Is there warrant, either of reason or of law, for them? I think not. The authority of the Supreme Court, in my opinion, is not necessary to establish the character of the Filipino. It would seem to flow from natural reasons that whenever a territory inhabited by any people is incorporated into the United States or other country, especially a people with a germ of national life, especially a people with law, literature, and religion, those people would be subjects and citizens—the terms are synonymous—of the government to which the territory that they inhabited was ceded.

Mr. ALLEN. Will the Senator from Louisiana permit me?

Mr. CAFFERY. Certainly.

Mr. ALLEN. How can we discriminate against those people in the line of taxation in the light of the decision of the Supreme Court?

Mr. CAFFERY. That is precisely what I was trying to get at. It has puzzled my mind as to how these unwarranted assumptions which I have just stated could get abroad.

I was stating, if the Senator from Nebraska remembers—he was sitting in his seat—that there was an assumption that the inhabitants of the Philippine Islands, by the annexation of their territory to the United States, did not become citizens of the United States, that the tariff laws of the United States were inoperative in the Philippine Islands, and that exports from the United States to and imports to the United States from those islands could be taxed precisely as if the Philippines were a foreign nation. I can not understand how any of these groundless assumptions could for a moment find credence anywhere.

I want to speak in relation to an industry which occupies nearly half of the capital of my State that I deem to be seriously threatened by the annexation of the Philippines. I honestly believe and am firmly convinced that every single pound of sugar, or tub of tobacco, or bundle of cigars, or package of rope that comes from the Philippine Islands into the ports of the United States comes as free as they do from Kentucky into Louisiana, or a cigar from New York into Maryland. It can not be otherwise. Is the monstrous doctrine to obtain that we have in the United States, under the Constitution of the United States, the germ of despotic power?

Have we anywhere, either in the spirit or letter of our Constitution, a single line or syllable that will allow the Congress of the United States to govern for all time to come these subjects in the Philippine Islands as so many slaves? If that be so, it is time that the people of the United States took note of the danger, of

the menace to our institutions. What is to prevent this powerful Republic from overrunning the countries to the south, overrunning all the outlying districts, and holding them as thrall to the magnificent power of this Republic, governed despotically by the Congress of the United States?

First allow the President to govern under military despotism, and then when Congress gets tired of seeing the Chief Executive in the character of czar or kaiser Congress can relieve him of the burden; and instead of a government of one despot we will have a government of 90 despots in the Senate and nearly 400 in the House of Representatives. I do not know but that the Philippines would rather have the despotism of one man than the multitudinous despotism of two representative bodies.

I simply wish to refer to a case which has been quoted as sustaining the theory that the United States can impose taxes upon products from a territory that the United States has incorporated as a part of its domain; and I do not think the case bears out that position. It is the case of *Cross vs. Harrison* (16 Howard). I will ask to have inserted in that connection the letter of Mr. Buchanan, cited with approval by the judge delivering the opinion, Justice Wayne, and which announces and contains the true doctrine on the subject.

Mr. LINDSAY. I ask the Senator what case it is?

Mr. CAFFERY. The case of *Cross vs. Harrison*.

Mr. LINDSAY. In what report?

Mr. CAFFERY. Sixteenth Howard.

Mr. SULLIVAN. I should like to know what it is.

The PRESIDING OFFICER (Mr. CLAY in the chair). The Senator from Louisiana asks that a part of the decision referred to by him may be placed in the RECORD without being read. Is there objection?

Mr. SULLIVAN. I object. I should like to hear what it is.

The PRESIDING OFFICER. The Senator from Mississippi objects.

Mr. CAFFERY. Let the Secretary read it. If it will edify the Senator from Mississippi, I shall be very glad.

Mr. SULLIVAN. I want to know what the Senator is asking to have inserted in the RECORD.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary proceeded to read the extract.

Mr. TELLER. I want to ask the Senator from Mississippi if he desires the whole case read, or just to know what the case is?

Mr. SULLIVAN. I wish to know exactly what it is that the Senator from Louisiana wishes to have read, and I want to hear it read.

Mr. TELLER. I hope the Senator from Mississippi will not ask to have the whole case read. It is very lengthy.

Mr. COCKRELL. Read the syllabus.

Mr. TELLER. Will not the syllabus do?

Mr. LINDSAY. It is only an extract.

Mr. CAFFERY. I have marked an extract about a page long; that is all.

Mr. SULLIVAN. I wish to know whatever it is the Senator wishes to have read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary resumed and concluded the reading of the extract, which is as follows:

The President, in his annual message, at the commencement of the next session, will recommend all these great measures to Congress in the strongest terms, and will use every effort consistent with his duty to insure their accomplishment.

In the meantime the condition of the people of California is anomalous and will require, on their part, the exercise of great prudence and discretion. By the conclusion of the treaty of peace the military government which was established over them under the laws of war, as recognized by the practice of all civilized nations, has ceased to derive its authority from this source of power. But is there for this reason no government in California? Are life, liberty, and property under the protection of no existing authorities? This would be a singular phenomenon in the face of the world, and especially among American citizens, distinguished as they are above all others for their law-abiding character.

Fortunately, they are not reduced to this sad condition. The termination of the war left an existing government, a government de facto, in full operation, and this will continue, with the presumed consent of the people, until Congress shall provide for them a Territorial government. The great law of necessity justifies this conclusion. The consent of the people is irresistibly inferred from the fact that no civilized community could possibly desire to abrogate an existing government when the alternative presented would be to place themselves in a state of anarchy, beyond the protection of all laws, and reduce them to the unhappy necessity of submitting to the dominion of the strongest.

This Government de facto will, of course, exercise no power inconsistent with the provisions of the Constitution of the United States, which is the supreme law of the land. For this reason, no import duties can be levied in California on articles the growth, produce, or manufacture of the United States, as no such duties can be imposed in any other part of our Union on the productions of California. Nor can new duties be charged in California upon such foreign productions as have already paid duties in any of our ports of entry, for the obvious reason that California is within the territory of the United States. I shall not enlarge upon this subject, however, as the Secretary of the Treasury will perform that duty.

Mr. CAFFERY. Mr. President, that decision all through bears

out the position I have asserted, that the tariff laws of the United States become operative in the Territories the very moment the Territories are organized.

Mr. LINDSAY. Without expressing any opinion on the subject, I will ask the Senator if he has considered in this connection the case of *Fleming vs. Page*, 9 Howard, in which it was held that imports from Florida, after Florida has become a part of the United States, were to be subject to tariff duties until Congress had established revenue agencies in the new Territory; also that the same rule will apply upon the annexation or purchase of Louisiana.

Mr. CAFFERY. The Senator is in some error in regard to the Florida case, for there was an interregnum of Spanish authority. In the case of Louisiana, the delay in the delivery occurred from the fact that France had to get title from Spain before the cession could be made by France to the United States, and in the case of Florida there was an interregnum of a like character. But put the cases in the best light that the Senator from Kentucky can, and what do they amount to?

They amount to this, that if Congress allows the President of the United States to usurp civil power, and Congress does not provide the collection districts and machinery for collection, to do which it is its bounden duty, then there is no means of collection and the laws are inoperative. But you can not argue down the principle by taking from that principle the necessary machinery to put it into operation.

Even if the decision in the Florida case were correct, which it is not, according to the decision in *Cross vs. Harrison*, it would only amount to the fact that if Congress violated its solemn duty to organize a Territorial district and to divide the Territory into collection districts then there would be the opportunity to levy arbitrary taxes. Is that law? Are the American people going to tolerate for any length of time the usurpation of civil authority upon the part of the President of the United States? Will not public opinion force Congress to provide Territorial government and to divide the Territory into collection districts?

Mr. President, I had intended to debate this point at some length. I have a considerable number of authorities, but the hour is late. I am told that the clouds which a few months ago lowered over our political horizon are buried in the oblivion of a peaceful settlement, and I now, in accord with the harmonious feeling which pervades the body, will not take any more of the time of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska, which will be stated.

The SECRETARY. After line 15, on page 9, it is proposed to strike out all of the bill down to and including line 2, on page 10, relating to the matter of the age limit.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

The amendment was agreed to.

Mr. SEWELL. On page 11, line 16, there occurs a similar provision in relation to restrictions upon age. I move that lines 15, 16, 17, down to the word "also" in line 18, be stricken out.

The SECRETARY. It is proposed to strike out, on page 11, beginning with line 15, the following:

*Provided, That no person, other than an officer of the Regular Army, who has passed the age of 45 years shall be appointed an officer of volunteers: And provided, also.*

Mr. SEWELL. I make the motion in order to make the text here correspond with the amendment just adopted.

Mr. COCKRELL. I move as a substitute for the words proposed to be stricken out what I send to the desk.

The SECRETARY. It is proposed to strike out lines 15, 16, and 17, down to the word "volunteers," and insert in lieu thereof the following:

*Provided, That for each Regular Army officer of a staff, corps, or department who may be retained in or appointed to a higher volunteer rank in said staff, corps, or department than that actually held by him in the regular establishment there may be appointed one officer of volunteers of the lowest grade mentioned in this section for such staff, corps, or department; but no appointment shall be made which will increase the total number of officers, regular and volunteer, serving in any grade above the number authorized by this act.*

Mr. COCKRELL. Then the other proviso is to remain in. Read the other proviso, so as to get the whole question before the Senate.

The Secretary read as follows:

*And provided also, That all the volunteer staff officers herein authorized to be appointed or retained in the service shall be honorably discharged on July 1, 1901, or sooner if their services are no longer required.*

Mr. COCKRELL. That remains in the bill.

Mr. SPOONER. That takes out the age limit altogether?

Mr. COCKRELL. Yes.

The PRESIDING OFFICER. The Senator from New Jersey moves to strike out part of the section referred to and the Senator from Missouri moves to strike out and insert.

Mr. SEWELL. I should like to have the amendment of the Senator from Missouri stated again.

The PRESIDING OFFICER. It will be again stated.

The Secretary again read the amendment of Mr. COCKRELL.

Mr. SEWELL. I accept that.

The PRESIDING OFFICER. The question is on agreeing to the amendment to strike out and insert.

The amendment was agreed to.

Mr. GORMAN. Mr. President—

Mr. HAWLEY. I understood the Senator from Maryland to say that he would yield to me.

Mr. GORMAN. Certainly.

Mr. HAWLEY. I have two amendments that I have been waiting to offer all the afternoon. I move to add a proviso after section 15, in the words I send to the desk. I ask that the amendment be read for information.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Add at the end of line 10, page 12, being the end of section 15, the following:

*And provided further, That the President is authorized to enlist temporarily in service for absolutely necessary purposes in the Philippine Islands volunteers, officers and men, now in those islands and about to be discharged, provided their retention shall not extend beyond the time necessary to replace them by troops authorized to be maintained under the provisions of this act.*

Mr. HAWLEY. I will state—

Mr. PASCO. I suggest to the Senator from Connecticut to provide that they may be retained in their present organizations. That may be very desirable.

Mr. HAWLEY. Of course that will be done. I understand one regiment has offered to accept. It will be done if it can be.

Mr. PASCO. A few words will make that clear, if the Senator will modify his amendment.

Mr. HAWLEY. I do not think that is necessary at all. The enlisting officer would be very glad to have a regiment come out.

Mr. PASCO. That is simply for the reenlistment of individuals, not in companies or regiments.

Mr. HAWLEY. They are enlisted individually, every one of them.

Mr. CHILTON. I do not understand the Senator from Connecticut.

Mr. HAWLEY. I will say by organizations or individually.

Mr. PASCO. That will cover it.

Mr. CHILTON. Let the amendment be read again.

The SECRETARY. Add at the end of line 10, page 12:

*And provided further, That the President is authorized to enlist temporarily in service for absolutely necessary purposes in the Philippine Islands volunteers, officers and men, now in those islands and about to be discharged, provided their retention shall not extend beyond the time necessary to replace them by troops authorized to be maintained under the provisions of this act.*

Mr. COCKRELL. "And not beyond," the Senator had better put in there, as in the beginning, "the period of six months."

Mr. HAWLEY. It is limited to six months, is it not?

Mr. COCKRELL. No. And not to exceed the period of six months.

Mr. HAWLEY. I thought that was in the first line. I am not quite sure.

Mr. ALLISON. Has the amendment been agreed to?

Mr. HAWLEY. Not yet.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. Add at the end of the amendment, "and not beyond the period of six months."

Mr. SEWELL. Mr. President—

The VICE-PRESIDENT. The Senator from Connecticut has the floor.

Mr. SEWELL. I ask a question for information. Why limit it to six months? It costs \$400 or \$500 a man to get them to the Philippines. The limitation is two years and four months. Why should not those remain in the service if they choose to enlist for two years and four months?

Mr. HAWLEY. They will be taken for that time as a matter of course if they wish to reenlist, but high authorities have said to me that many men who will be discharged there would be perfectly willing to reenlist for a brief time again, say six months. The object of it is clear. Many volunteers will be discharged and will be rushing home before the regulars or newly enlisted men who are to take their places get there. This is just to bridge the gap of a few months. As many as choose to enlist in the new thirty-five regiments will be welcome.

Mr. COCKRELL. I was going to suggest to put in that the number who enlist for service to July 1, 1901, shall be a part of the force herein authorized.

Mr. SEWELL. That is my view of it.

Mr. HAWLEY. Very good. Let some one write that down.

Mr. PASCO. Did the Senator from Connecticut accept the suggestion I made, to insert, after "officers and men," the words "individually or by organization?"

Mr. HAWLEY. By organization or individually. I wish to have that put in.

Mr. PASCO. That is not in now. I move that the amendment be amended by inserting after "men," in the third line, "individually or by organization."

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the amendment to the amendment is agreed to.

Mr. SPOONER. Let the amendment be read again.

The VICE-PRESIDENT. It is accepted by the Senator from Connecticut.

Mr. GORMAN. Is the Senator through?

Mr. HAWLEY. No; I am not through, quite. Has the amendment been adopted?

The VICE-PRESIDENT. The amendment is being corrected by the Senator from Missouri. The amendment will be again read.

The SECRETARY. At the end of the amendment insert the following:

*Provided, That those who are enlisted for the term authorized by this act shall be counted as a part of the volunteer force herein authorized.*

Mr. ALLEN. Is it the intention to retain the troops now enlisted their full term?

Mr. HAWLEY. Why, Mr. President, there is not a man in the United States who thinks it can be done, and not a man who tries to do it. They are absolutely free when the proclamation of established peace is made. But the theory is—it is known, in fact—that many men will be willing to stay a few months longer, to bridge over the time between the discharge of the old volunteer regiments and the arrival of the new regiments to take their places. It is a temporary bridge; that is all.

Mr. ALLEN. The trouble with the amendment is that it is broader than the statement of the Senator from Connecticut. It will authorize the retention in the service for their full term the troops that enlisted a year ago.

Mr. HAWLEY. Oh, no.

Mr. ALLEN. If the Secretary will read the amendment again, I will be much obliged.

The VICE-PRESIDENT. The Secretary will read the amendment again.

The SECRETARY. The amendment as modified is as follows:

*And provided further, That the President is authorized to enlist temporarily in service, for absolutely necessary purposes in the Philippine Islands, volunteers, officers and men, individually or by organization, now in those islands and about to be discharged, provided their retention shall not extend beyond the time necessary to replace them by troops authorized to be maintained under the provisions of this act, and not beyond a period of six months: Provided, That those who are enlisted for the term authorized by this act shall be counted as a part of the volunteer force herein authorized.*

Mr. ALLEN. The provision to which I desire to direct attention is that those now enlisted in the service are to be counted as a part and parcel of the aggregate troops authorized by this bill, and I infer that the President, under the terms of this bill, would have a right to retain them for the full period of their enlistment—two years.

Mr. CARTER. If the Senator from Nebraska will yield a moment, I will say that I understand the effect to be that all enlisted men and officers in the Volunteer Army will, upon the issuance of the President's proclamation of peace, be entitled to a prompt discharge. This amendment contemplates the reenlistment of such of those troops of the volunteer service as may consent to remain for a brief period of time awaiting the arrival of troops to take their places.

Mr. ALLEN. I understand that quite well.

Mr. CARTER. It is likewise provided in the amendment that if any of the volunteer soldiers when discharged elect to enlist for the full term of two years and four months contemplated for enlistments of volunteers under this bill, they may have the privilege so to do, and they will be counted as a part of the maximum force authorized by the bill.

Mr. COCKRELL. I withdraw the amendment to the amendment I offered. It is not necessary. This contemplates only the organization of a temporary force not to exceed six months. That is a special provision. The President has the right to organize any number of them as a part of the 35,000, and it does not affect that. Therefore my amendment to the amendment would not be applicable.

The VICE-PRESIDENT. The Secretary will read the amendment offered by the Senator from Connecticut as it now stands.

The SECRETARY. Add at the end of line 10, on page 12:

*And provided further, That the President is authorized to enlist temporarily in the service, for absolutely necessary purposes in the Philippine Islands, volunteers, officers and men, individually or by organization, now in those islands and about to be discharged, provided their retention shall not extend beyond the time necessary to replace them by troops authorized to be maintained under the provisions of this act, and not beyond the period of six months.*

Mr. ALLEN. I have no objection to that at all.

Mr. SPOONER. The word "enlistment" would be better than the word "retention."

Mr. ALLEN. I have no objection to the amendment whatever. The amendment was agreed to.

Mr. HAWLEY. I offer an independent section, to be numbered 16, changing the next number, of course, to 17.

The SECRETARY. Insert as a new section:

SEC. 16. That the Secretary of War be, and he is hereby, authorized to permit enlisted men of the United States Army to make allotments of their pay under such regulations as he may prescribe for the support of their families or relatives, for their own savings or for other purposes, during such time as they may be absent on distant duty or under other circumstances warranting such action.

The amendment was agreed to.

Mr. CHILTON. I wish the attention of the Senator from Connecticut to section 15 of this proposed act. It will be remembered that the law of April 23, 1898, provided:

That the Volunteer Army shall be maintained only during the existence of war, or while war is imminent, and shall be raised and organized, as in this act provided, only after Congress has or shall have authorized the President to raise such a force or to call into the actual service of the United States the militia of the several States: *Provided*, That all enlistments for the Volunteer Army shall be for a term of two years, unless sooner terminated, and that all officers and men composing said army shall be discharged from the service of the United States when the purposes for which they were called into service shall have been accomplished, or on the conclusion of hostilities.

That fixed the right of the volunteers to be discharged on the conclusion of hostilities. In this bill section 15 provides:

That as soon as practicable after the approval of this act the officers and enlisted men of the Volunteer Army not herein authorized to be retained in service shall be mustered out of the military service of the United States and discharged: *Provided*, etc.

The balance of the section is, I think, very appropriate, but the point I wish to direct attention to is that under the language used here, that these men shall be discharged "as soon as practicable," the term of service would be enlarged. The rights of the men are to be determined by their contract made with the Government at the time of their enlistment, and the Government of the United States has no right to say that a man who enlisted for a certain time shall be held in the service as long as the President may deem practicable. Therefore, instead of the language used in the first part of the section, I have written this language, which will much better protect the rights of the enlisted men—

Mr. SEWELL. Will the Senator from Texas allow me a word?

Mr. CHILTON. Certainly.

Mr. SEWELL. The language used in that clause is to cover a case like the Philippines. Suppose the President issues the proclamation to-day, you can not discharge them to-morrow. You have got to give them transportation and you have got to get them home. The language is "as soon as practicable." It is not intended for any other purpose.

Mr. CHILTON. But that language is too broad. That language might be construed to give the President of the United States the right to hold these men for one year or two years.

Mr. HAWLEY. But he can not do it.

Mr. CHILTON. You say he can not do it, but you are enlarging the language which was used at the time of their enlistment. Now, let us follow the statute and there is no danger at all of the difficulty which the Senator from New Jersey suggests. You can not discharge these men in the twinkling of an eye; that is impossible. Hence that contingency is implied in any language that you use. But when you use language such as this, that "they shall be discharged as soon as practicable," the President of the United States might say to these men who are held down in Cuba or in parts of the United States who enlisted as volunteers, "I will not discharge a man until I get new men to take your places." That would be an act of tyranny. It would be an act of oppression. These men have made their contract with the Government of the United States. They enlisted to serve during the war, and it is but an act of tyranny to compel them to serve after the war.

Mr. SEWELL. What does the Senator propose?

Mr. CHILTON. You have no right to say to the volunteers that they shall stay in the Army. If you want to make up your Army, you have got to go out among the people and draft men, if necessary, and put them in the Army. Here is the amendment. The amendment simply repeats the law as it now stands. I propose to make the section read:

SEC. 15. That the officers and enlisted men of the Volunteer Army shall be mustered out of the military service of the United States and discharged as provided in the act of April 23, 1898.

That leaves their rights just as the statute now makes it.

Mr. FAULKNER. I ask the Senator from Texas whether he has not really enlarged the power of the President as it would exist under the pending bill. Would it not be well, if he is going to offer that as an amendment, to leave in, also, the first part of the section? Is it not a fact that it is a limitation upon the previous law—which was in the interest of the volunteers?

Mr. CHILTON. I do not think so.

Mr. FAULKNER. The volunteer is only to be discharged under the existing law when either a ratification of peace occurs

or the limitation of the term of two years expires. This is a provision which enables the President at once, on the passage of this bill and before either of those contingencies, to discharge the soldiers.

Mr. CHILTON. The President has already got that power.

Mr. FAULKNER. I think so, too.

Mr. CHILTON. And he has already exercised that power.

Mr. FAULKNER. I think so, too.

Mr. CHILTON. Therefore the language does not do any good at all in that respect. The only construction that could be given to this language is that it would enlarge the President's power, and he could hold these men longer than the law contemplates. I understand that the Senator from Connecticut accepts the language.

Mr. HAWLEY. No; I do not know that I do, because the President has a right to keep them only until he shall have procured the exchange of ratifications.

Mr. CHILTON. That is right.

Mr. HAWLEY. Very well. We are willing, if it be possible, to have it done sooner than that, because they will go immediately about getting men to relieve them.

Mr. CHILTON. The President has already got that power. Here is the language I want to put in. Instead of the words "as soon as practicable," which is an indefinite clause, I propose the following language:

That the officers and enlisted men of the Volunteer Army shall be mustered out of the military service of the United States and discharged as provided in the act of April 23, 1898.

Mr. HAWLEY. The President can do that now.

Mr. COCKRELL. The Senator ought to put in the words "not herein authorized to be retained in the service," because we authorize some of these volunteers to reenlist and be retained in the service. We authorize any of the volunteers in the Regular Army who wish to stay there to remain.

Mr. CHILTON. I understood that to be covered by the proviso right at the end of the section, which is left in. Read on the top of the next page. It is covered by that language.

Mr. COCKRELL. That would not refer to those in what is called the Regular Army.

Mr. CHILTON. I am perfectly willing any language should be used there that covers the point. What I mean is that I do not want the President's authority over these men enlarged beyond the act of their enlistment.

Mr. SEWELL. Let me make a suggestion to the Senator from Texas.

Mr. CHILTON. Strike out lines 23, 24, 25, and line 1, on page 12, down to "provided."

The VICE-PRESIDENT. And insert?

Mr. COCKRELL. What do you propose to insert?

Mr. SEWELL. I call the attention of the Senator from Texas to a suggestion.

Mr. CHILTON. Excuse me.

Mr. SEWELL. Would it not answer the Senator's purpose just the same by striking out "as soon as practicable" and inserting "after the approval of this act?"

Mr. COCKRELL. Upon the approval of the act.

Mr. SEWELL. "That upon the approval of this act."

Mr. CHILTON. It is all right, if you put it that way, because that was the first language I suggested. The reason why I did not insist on that was simply because the Senator mentioned a while ago that the President might want to retain these men until the treaty of peace was proclaimed. Then he would have to discharge them at once. The language I used is, I think, the proper language to be employed.

Mr. COCKRELL. I suggest to insert "upon the approval of this act and the ratification of the peace treaty."

Mr. CHILTON. No. We merely want to let the troops be discharged according to the terms of the act under which they were enlisted, leaving the construction of that act to be determined hereafter. Let the proviso be read.

The SECRETARY. It is proposed to strike out section 15, down to and including the word "discharged," in line 1, on page 12, and to insert in lieu thereof:

SEC. 15. That the officers and enlisted men of the Volunteer Army shall be mustered out of the military service of the United States and discharged as provided in the act of April 23, 1898.

Mr. BUTLER. I should like to have the attention of the Senator from Texas for a moment.

Mr. COCKRELL. Has that amendment been agreed to?

The VICE-PRESIDENT. The Senator from North Carolina [Mr. BUTLER] has risen to speak to the amendment.

Mr. BUTLER. I call the attention of the Senator to the fact that I wish to modify his amendment as follows. I would suggest to add after the word "discharged" the words "and not later than April 23, 1898."

This would give the volunteers the benefit of being mustered out sooner than is now provided by law, if it be practicable to do

it. It would guarantee that they would be mustered out at that date in any event.

Mr. CHILTON. I do not think that suggestion improves the amendment. The whole case in a nut shell is this: The President now has authority to discharge these men earlier, but my amendment simply provides that not any of them shall be kept beyond the time of their original enlistment.

Mr. SEWELL. I suggest to the Senator the striking out in section 15, line 23, the words "as soon as practicable after" and inserting the word "upon;" so as to read:

That upon the approval of this act the officers and enlisted men of the Volunteer Army, etc.

Mr. CHILTON. Why not leave their rights depend on the act under which they enlisted?

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Texas [Mr. CHILTON].

The amendment was agreed to.

Mr. GORMAN. I offer the amendment I send to the desk, to come in at the end of section 15, as now amended, being the last proviso to that section.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert at the end of the amendment following section 15:

*And provided also, That each and every provision of this act shall continue in force until July 1, 1901, and on and after that date all the general staff, and line officers appointed to the Army under this act shall be discharged, and the numbers restored in each grade to those existing at the passage of this act, and the enlisted force of the line of the Army shall be reduced to the number as provided for by law prior to April 1, 1898, exclusive of such additions as have been or may be made under this act to the artillery, and except the cadets provided for by this act who may be appointed prior to July 1, 1901: And provided further, That no officer who has been or may be promoted under existing law or under the rules of seniority shall be disturbed in his rank.*

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Maryland [Mr. GORMAN].

Mr. WARREN. Mr. President, I hope the amendment will not be adopted. I should much prefer to see an amendment, if one of this character must be provided, that will go still further and provide that on July 1, 1901, the entire Army shall fall. That would leave the deck entirely clear and leave our responsibility entirely plain. I would have no objection to that, because I believe that Congress hereafter would pass some law to provide for whatever was necessary, whether it be 62,000, 38,500, 29,000, 27,000, or even as few as 20,000 men.

I do not understand that there is now any difference of opinion as to the present necessities of the Army or to the number of men needed in the way of a temporary army. I have believed, and been very happy in the belief in the past few days, that we had at last come to some conclusion and agreement, and that it was admitted upon all sides that it would be necessary to provide, provisionally at least, for about 100,000 men; but there is perhaps no necessity for figuring upon or debating that point. It is conceded.

So, then, the whole question now comes upon the size of the standing army of the United States after a certain date. Why is it necessary for Senators, who have been supposed at least—perhaps erroneously—to be satisfied with what has been known as the compromise bill, to forestall the action of Congress hereafter? I can not even imagine. It seems to me that the next Senate and the next House of Representatives ought to have something to say regarding the Army that shall exist after 1901. So long as 38,000 or nearly 100,000 are required now, and so long as it is admitted that at least 38,000 will be required until we meet again, I do not understand why we are asked now, at this time, to legislate so far in the future and declare that after two years and four months from now we shall have but 27,000 men.

I am one of those who believe that a standing army of 27,000 is too small now or at any time hereafter. We provided away back in the seventies for an army of 25,000 men. We considered an army of that size necessary in times of peace and when the country was not nearly as large nor as powerful nor as exposed as it is now. We considered it necessary when many of our States were sparsely settled and some not at all. We have since then considered it necessary to build a very considerable system of coast defenses, which, it has been admitted, requires for artillery in the United States Army alone from 20,000 to 21,000 men and officers.

If that be true, I submit to the Senate it is not wise legislation to say that, with 21,000 men necessary upon our coast, we need but 27,000 men altogether; or, in other words, leaving only a matter of some 6,000 men for all purposes for the entire interior and frontier.

I know that there is a necessity for a standing army in the interior. I do not believe that any Senator here can successfully combat the proposition. It may be said we are to-day not in war with the Indians. You could say the same nearly one hundred years ago, but there is not a day, Mr. President, when this country is not in danger of Indian outbreaks unless proper forces are in sight at every Western Indian agency. No man can successfully maintain his position who will contradict that assertion.

I may realize it more keenly perhaps than those Senators who live in sight of the Atlantic or the Pacific Ocean. They may see the necessity of withdrawing all our forces to their coast defenses, but, Mr. President, the house in which I live is not a stone's throw from where men have been killed and scalped by Indians since I have been an inhabitant of that town. I have been called out in the night and in the day to saddle a horse, and with comrades, go after marauding bands of Indians who had stolen stock, and to rescue men who had been taken captives.

Just so long as you have a standing army, not a large one, but consisting of a sufficient number of troops near these agencies and near these savages, you stand a good chance of peace, and I believe you will have peace. But even though the old men among the Indian tribes have given up the idea that they can successfully combat the United States, there is a class of young bucks growing up who listen to the stories of their grandfathers and their fathers of the scalps that they took, of the battles they fought, and the victories they gained, and the young braves' blood is warmed for war.

In the presence of troops and the authority of the United States, backed with powder and ball, that young restless spirit is repressed, at least sufficiently to avoid anything worse than a few small raids, a little matter of the stealing of live stock, horses, etc., and we let it go at that; but when you withdraw the troops from those agencies you are bound to have warlike raids from the Indians, though they may be in amity with us to-day, and though they may be beneficiaries of the Government in drawing their rations, annuities, etc.

We are in the habit in the West of paying tribute to the East. We expect to do that. Between life insurance and fire insurance and sundry and divers other things which we have to pay from our section of the country to the coast country our purses are continually drained. We have to pay our taxes for constructing these coast defenses; we have to pay to support all of the army and fortifications expenses along the coast, and I think we have a right to insist that we shall not be crippled in the standing army of the United States beyond the point which we believe is safe for our exposed frontiers.

I do not know, Mr. President—it may be explained here—why this amendment is offered. We were proceeding in the usual way of doing business in the Senate. An appropriate committee was in charge of the bill for the reorganization of the Army, and, unfortunately, that committee was divided; I have nothing to say about that. I have no fault to find with those outside of the committee who may have considered that committee impotent to take charge of its affairs. I can say nothing about that under the circumstances.

But it seems to me that, after having taken the bill in charge, having had consultations, and having come in here with a bill which the honorable Senator, the oldest in service upon the other side of the Chamber—who has served so long upon the committee—has said was a good bill, that he considered it a good bill, before God and man, and so forth—I do not understand why they do not stand by the product of that compromise agreement. When the veteran Senator from Missouri, from the other side, makes this declaration in regard to the bill, I believe him, and when he indicates—whether he says so or not—that there has been a solemn agreement, and that the reason that we have such a bill as a compromise measure is because both sides have agreed to it, I can not understand why we are to add another codicil to it, and yet another, and I should like to know where we are going to stop and when it is to end.

Mr. ALLEN. Does the Senator from Wyoming pretend that the Senator from Missouri has the right to bind Senators who are not members of the committee?

Mr. WARREN. Not at all.

Mr. ALLEN. Have we any right of independent thought or action on this side?

Mr. WARREN. Assuredly.

Mr. ALLEN. Then why should the Senator say that we are questioning the authority of the Senator from Missouri to make the compact?

Mr. WARREN. I think the Senator mistakes my meaning. I am simply stating that inasmuch as the Committee on Military Affairs was evenly divided, inasmuch as these affairs were taken up by sundry other Senators upon both sides, inasmuch as it is reported an agreement was made, inasmuch as the result of that consideration was presented here without a dissenting voice, as I understand it, I then ask why those who are understood to be the ones in chief or the one in chief who directed this bill, which has been presented here by a Senator who was against the Hull bill, with a statement that it was a good bill before God and man—I say I want to know why those who agreed then are disagreeing now, and why the mover of the amendment first agreed and now disagrees?

Mr. ALLEN. Suppose some Senators disagree with that Senator, and do not believe before God and man that this is a good bill; we have a right to oppose it, have we not?

Mr. WARREN. Certainly. If another Senator had presented the amendment which has been read, I might have considered it differently as to its origin than I now do, coming, as it does, from the Senator who I understood, perhaps erroneously, was the controlling factor and one of the very few, I might say less than a half dozen, who prepared this compromise bill now before us.

Mr. ALLEN. So far as I am concerned, if the Senator will permit me, I do not know that there was any agreement between members of the committee. I only know it through the newspapers. If there was an agreement it was carried on very diplomatically, very secretly, and very exclusively, and nobody was permitted to know anything about it until it came in the form of this slipshod affair which is now before the Senate.

Mr. WARREN. Replying to that, I desire to say that the Senator from Nebraska had the same information that I had. I gave it my support when it was returned here because I believed it was the result of a deliberate and solemn agreement, and because the bill looked to me like a good bill; but I believe this amendment now offered makes it a bad bill. There is the difference.

If there be enough votes here to carry the amendment, I shall be satisfied, but I can not take my seat without protesting against this declaration at this time, in the face of all the appropriations which have been made for coast defenses, and in face of the fact that there has been no kind of difference in the testimony that it takes 21,000 men for the artillery alone. I can not, I say, help protesting against reducing the Army, in view of that fact, to 27,000 men, and leave the frontier, from which I have the honor to come, exposed to dangers of various kinds.

Why is this curtailment to be made now, so long in advance? Is it to be made, forsooth, by those who perhaps do not expect to be in Congress hereafter, but who propose to prejudice, and, indeed, control by this action the Senate and House of Representatives and the country hereafter? Should not everyone here, whether he expects to be a member of the next Congress or not, be willing to trust his case with that Congress?

It seems to me that the size of the Regular Army in this case can be better fixed by Congress two years from now, in view of the facts as they may then exist, than we can undertake to limit it now; and I have heard no argument to show that there is any necessity for limiting the Army to 27,000, or even 29,000, men for the future.

Mr. President, I do not wish to talk against time. If the votes are here to adopt the amendment, I want to see them regularly recorded. I shall be satisfied in recording my vote against it.

Mr. BACON obtained the floor.

Mr. HAWLEY. Mr. President—

Mr. BACON. I will yield to the Senator from Connecticut, if he desires.

Mr. HAWLEY. I do not think it would be unfair to yield to me, as I engaged the Presiding Officer, and am chairman of the committee.

Mr. BACON. I yield to the Senator with great pleasure.

The VICE-PRESIDENT. The Senator from Georgia yields to the Senator from Connecticut.

Mr. HAWLEY. I shall not detain the Senate long, as the Senator speaks so seldom and so agreeably.

Mr. President, I am not satisfied altogether with this proposition. It frequently happens in this world that we do not get exactly what we want. In the first form in which this proposition came I could not concur at all. My opposition was absolute and positive. It has since gradually climbed down, as the boys would say, until it has become the one that we must, on the whole, submit to.

Mind you, there is one fundamental feature in that bill which is very satisfactory anyhow. It provides 100,000 men for the President to maintain the honor of the country and keep peace in our acquired possessions. I should have been glad to have had more. I should have been glad to have had a complete organization upon a much larger scale, to man the guns along our coast from Nova Scotia around to Puget Sound. There are seven or eight hundred of the finest guns ever made, and we have not artillerymen enough to take care of them. There is the chief defect of the bill. But the force is somewhat increased, and I think we can keep the sand out of those guns and perhaps occasionally turn one or two of them around; and next December, God willing, we will make the coast defenses what they ought to be.

Now, as to the process by which we have arrived at this conclusion, I do not know anything unusual about it. There were various conversations. There were a number of men who met half accidentally in the White House one evening and talked over certain propositions, and immediately a subcommittee of the Committee on Military Affairs, in connection with the War Office, began the draft of a new bill, and did get what we considered a very good bill indeed.

As I have said, they have not kept in enough of it to suit me, as to artillery chiefly, but the bill on the whole is wisely drawn and is pronounced by those whose experience and skill justify them in

speaking as the best that has ever been drawn for the Army. It is not shorn of all of its good by any manner of means. It will answer the purpose, we can say that, and, thank Heaven, it has, I repeat, the fundamental thing—100,000 men for William McKinley to take care of this country with. In the next Congress, I am happy to say, although I am sorry to part with some men on that side, both the House and the Senate will be Republican.

Political divisions do not govern, necessarily, in such matters, but I assert that as a fact. It will take care of coast defenses and some other things exactly as they ought to be taken care of. But in the meantime we are within four days of the end of the session, and I give my assent, with not so much rejoicing as I had hoped, to the passage of this bill.

Mr. WARREN. May I ask my colleague on the committee a question before he takes his seat? I desire him to state, if he will, what would have been the minimum on July 1, 1901, under the bill which that conference of Senators directed to be brought in here, and what will be the minimum if this amendment carries. I simply wish to show the difference between the two measures—the one to which my esteemed friend the chairman of the committee first gave his approval, and the minimum under this amendment.

Mr. HAWLEY. This temporarily raises the Regular Army to 65,000, and in addition to that there are 35,000 volunteers.

Mr. WARREN. That does not answer the question as to the standing Army, the Regular Army. I understand that it has cut the Army, and if I am wrong the chairman will correct me, from about 38,500 down to 27,000 or 29,000. In other words, it is a matter of cutting off from the standing Regular Army by this amendment 11,500 men. The country ought to know it, whatever it is.

Mr. WHITE. Mr. President, I am glad to learn from the Senator from Wyoming that there is a codicil to this bill. Its testamentary character appeals to me. De mortuis nil nisi bonum.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Maryland.

Mr. WARREN. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. GRAY]. I understand that he would vote for this amendment, and therefore I will vote. I vote "yea."

Mr. WARREN (when his name was called). I have a general pair with the junior Senator from Washington [Mr. TURNER], and as he is out of the Chamber, I withhold my vote.

The roll call was concluded.

Mr. THURSTON. Has the Senator from South Carolina [Mr. TILLMAN] voted?

The VICE-PRESIDENT. The Senator from South Carolina has not voted.

Mr. THURSTON. I have a general pair with that Senator, and if he were present, I should vote "yea."

The result was announced—yeas 68, nays 0, as follows:

#### YEAS—68.

Allen,	Elkins,	McBride,	Platt, Conn.
Allison,	Fairbanks,	McEnery,	Platt, N. Y.
Bacon,	Faulkner,	McLaurin,	Pritchard,
Bale,	Foraker,	McMillan,	Proctor,
Berry,	Frye,	Mallory,	Rawlins,
Burrows,	Gallinger,	Maulie,	Roach,
Butler,	Gear,	Martin,	Rosa,
Caffery,	Gorman,	Mason,	Sewell,
Carter,	Hanna,	Mitchell,	Simon,
Chandler,	Hansbrough,	Money,	Smith,
Chilton,	Harris,	Morgan,	Spooner,
Clark,	Hawley,	Murphy,	Stewart,
Clay,	Heitfeld,	Nelson,	Teller,
Cockrell,	Hoar,	Pasco,	Turley,
Cullom,	Jones, Nev.	Perkins,	Vest,
Daniel,	Lindsay,	Pettigrew,	Wellington,
Deboe,	Lodge,	Pettus,	White.

#### NAYS—0.

#### NOT VOTING—22.

Aldrich,	Jones, Ark.	Shoup,	Warren,
Baker,	Kenney,	Sullivan,	Wetmore,
Cannon,	Kyle,	Thurston,	Wilson,
Davis,	Mills,	Tillman,	Woolcott.
Gray,	Penrose,	Turner,	
Hale,	Quay,	Turpie,	

So the amendment proposed by Mr. GORMAN was agreed to.

Mr. PROCTOR addressed the Chair.

The VICE-PRESIDENT. The Senator from Georgia [Mr. BACON] yielded the floor a moment since.

Mr. BACON. Mr. President, I desire to detain the Senate but a very few minutes. The adoption of this amendment offered by the Senator from Maryland very much simplifies the question as to the purposes for which this army is to be organized. It is now a clear-cut proposition that the regular standing army is estimated and fixed at 29,000 men. I understand that is the number which it will be under the amendment just adopted, and therefore the

balance of 71,000 men is for an extraordinary purpose. What is that extraordinary purpose?

The Senator from Connecticut [Mr. HAWLEY] says he thanks God that there are 100,000 men provided for the defense of the country. I think in that he makes a misstatement. We have provided 29,000 men for the defense of the country and we have provided 71,000 for the extraordinary purposes of the time. As I shall show in a very few minutes, these 71,000 men are almost altogether for the services required by the complications in the Philippine Islands. Here, now, is the demonstration of that proposition.

Mr. President, outside of the regular force for the standing army, that which will be needed on a peace basis, we have the addition of Porto Rico, in which it may be said troops are required. I shall not repeat what has already been said here to-day to show that the demand for troops in Porto Rico is not such as would have necessitated any increase of the Army, so none need be added on that account. We have also the demand for some troops in Cuba. I will not in that instance either take up the time of the Senate to repeat what has already been said and what is conceded by all, that very few troops are needed there now.

I have the word for that, if I do not misunderstand him, of the Senator from Vermont [Mr. PROCTOR], who has just returned from Cuba, that very few are needed there now, and that in a very short time none will be needed there. It follows that no troops need be included in this bill for this purpose. If any are needed the few can be furnished from the Regular Army. So that all the extraordinary force needed, and which is provided for in this bill, is that which is called for by the Filipino complications, and as to that purpose I desire to occupy for a moment the time of the Senate. How much is that extraordinary force? Twenty-nine thousand for the Regular Army leaves 71,000 for an extraordinary purpose; that extraordinary purpose being now almost exclusively, and within a very short time will be exclusively, the purpose demanded by the annexation of the Philippine Islands. I use the expression, "annexation of the Philippine Islands," because by the ratification of the treaty these islands have been annexed. There is no longer any question of annexation. The only question in this connection is whether we can undo what has been done by the ratification of the treaty.

Mr. President, those of us who have opposed the annexation of the Philippine Islands have been largely influenced by the fact that we believed it would commit the country to a policy which involved an immense expenditure. There were other paramount reasons, but I am now discussing the matter of expense. We believed that it would involve an immense expenditure not only now, but for an indefinite time in the future; and it is proper that now, when we have a clear-cut item of that expense, we should make a note of it, that the country may know of it, in order that we may count the cost, and in order to determine, so far as this feature is concerned, the great question which is going to be presented to the people of this country—whether or not we will pursue a policy which must necessarily involve the continuance of this great expense.

Sir, what is this expense in this particular instance? One hundred thousand men, 71,000 of them by reason of the fact that we have annexed the Philippine Islands. How much is it in money? The War Department, if the published statements are correct, estimated that an establishment of 100,000 men, when it was proposed to have a regular army of that size, would cost \$145,000,000 per annum. A volunteer force will cost as much.

The Senator from Missouri [Mr. COCKRELL] thinks it will not cost probably over a hundred and twenty-five millions, and I propose to take the lowest figure for the purpose of arriving at the question, when we go to keep books on this question, how much is to be charged up to the fact that we have annexed the Philippine Islands. It is but the beginning. If this particular expenditure were all, it would be a different matter.

If a hundred thousand men are to cost a hundred and twenty-five millions per annum, seventy-one one-hundredths of that amount is between eighty-five and ninety million dollars per year. This bill provides for two years, so that doubling it we have at least a hundred and seventy million dollars to charge up under the provisions of this bill for the single expense attendant upon the maintenance of an army for the purpose of making good the annexation of the Philippine Islands and the subjugation of their people.

To that expenditure for the Army must be added the expense of the Navy, which we can not ascertain with similar accuracy, because it is more difficult to determine what particular part of the Navy is employed in that service and what particular portion of the total expense of the naval establishment is to be charged up to it. But I have asked some gentlemen who are upon the Naval Committee, and they think it is a fair proportion to say that one-half of the expense of the naval establishment for the next two years is properly chargeable to the service in the Philippine Islands.

The annual expense of the naval establishment will be fifty or

sixty million dollars a year, and one-half of that will carry the annual expense for the Army and the Navy for the Philippine Islands to over a hundred million dollars. The annual expense will be at least a hundred and ten million dollars solely for the Army and the Navy, required solely by reason of the fact that we have annexed the Philippine Islands.

Of course, there is the original cost of \$20,000,000 to be paid to Spain, but that is so insignificant in amount compared to the hundred millions a year and more to be paid out every year for many years on account of the Philippine Islands that this purchase price drops out of sight and is almost forgotten.

Mr. President, when is that to stop if this policy of holding the Philippine Islands is to be pursued? That is certainly a most serious question. I doubt not, as has been said here to-day, that it is within the power of this Government to utterly crush out the opposition in the Philippine Islands. I doubt not that it is in the power of this Government to entirely exterminate the Filipinos. But unless we do exterminate them, the temporary suppression of what we call their rebellion will not relieve us of the necessity of a continued charge of this kind for the support of the Army and the Navy, which will be sufficient to keep them in subjection.

Why, Mr. President, they are on the other side of the world. We can not withdraw from there an army with an idea that if a rebellion breaks out we can send it back, and we can not have any possible reason to hope that that population, especially after what has passed in the slaughtering of their people, will consent to a subjection to the Government of the United States. We must, so long as we hold the Philippine Islands, keep an army and a navy there sufficiently large to deal with any rebellion which may break out among 10,000,000 people. It takes more than a month to send troops there. General Lawton left on a transport with troops on the 19th day of January, and he has not arrived there yet, in spite of haste telegrams which are being sent to him along the line where he touches at different points.

So, Mr. President, we have necessarily to face this proposition. We must either stop and turn back from the course upon which we have started—we must either abandon our purpose to subjugate the Filipinos and to hold them in subjection, or we must make up our minds to an annual expenditure in the future of a hundred million dollars at least for the purpose of maintaining in the Philippine Islands the army and navy which will be necessary to keep their people in subjection.

Nor is it alone in the expenditure of vast sums of money that we must pay the cost of the Philippine Islands. In that which is more valuable than money—in human life—in the lives of our own people, must the price be paid. And, sir, there is every reason to fear that before the autumn comes there will be mourning in thousands of American homes for noble youths sent across the seas who will never return. And so long as we persist in retaining the Philippine Islands in any relation, this annual sacrifice must be made.

This extraordinary and continued expenditure of money and life is solely due to the fact that we are not at peace; that on the contrary, we are at war.

Sir, there can be no successful dispute of the proposition that but for our annexation of the Philippine Islands we would now be at peace with the world. We do not propose to annex Cuba, and we have assured the Cubans that we do not intend to subjugate them, and in consequence we have no war with Cuba. On the contrary, we have annexed the Philippines, we are proceeding to subjugate the Filipinos, and we have war with them. Therefore, this extraordinary expense of hundreds of millions of dollars, this continued sacrifice of life is due, and due only, to the annexation of the Philippine Islands. Let the American people know the fact, and let them charge it up where it belongs.

Now, Mr. President, the time is late, and while I would like to proceed with that line of thought, I can not do so in justice to the Senate.

But I desire to say one word further as to the reasons why I shall support this bill in spite of the fact that it is a bill for a hundred thousand men. I do not do so because I favor an army of 100,000 men, for the contrary is true. I am opposed to an army of a hundred thousand men. I am opposed to any large standing army. In voting for this bill I consider that I am voting for a regular army of only 29,000 men, and that I am voting to furnish the President with 71,000 men, which he and his Secretary of War say are necessary to enable the President to perform the duty imposed upon the Executive by the ratification of the treaty in the annexation of the Philippine Islands.

Now, Mr. President, I can not be accused by anybody, or be suspected by anybody, of favoring the annexation of the Philippine Islands. I can not be thought to favor anything growing out of this annexation or of anything made necessary by such annexation. I can not be considered as in any manner responsible for anything which has led to the annexation of the Philippine Islands. I can not be understood for a moment as favoring the retention of the Philippine Islands. If I had my way, before we

adjourned this night I would pass a resolution saying to those people, be free! And I would do it immediately; not only because they are entitled to be free, but also mainly because of the influence which that would have upon our own people and upon the most cherished institutions and principles of our own country.

Mr. President, no one is more extreme, I admit it, on that question than I am, and therefore it is from the standpoint of one occupying that extreme position that I propose to give the reasons why I conceive it to be my duty to vote for this bill.

In the first place, I think it is proper that I should vote for so much of the bill as represents the Regular Army. We, all of us, are agreed upon that. I am not sure that the exact number which should be embraced in the Regular Army is provided for in this bill, but I will let that pass. The Senate has with unanimity fixed that number at 29,000. There can be no question as to the propriety of my voting for that part of the bill.

Now, as to the question whether holding the views I do, having occupied the position which I have done and which I still do with reference to the impolicy of the annexation of the Philippine Islands, or their retention after annexation, I should vote for the 71,000 men required for this extraordinary purpose, I think I should do so upon this principle. Whenever the country, through its constitutional methods, commits itself to measures or to policies which result in war, it matters not how much I may have been opposed to those measures or to those policies or to the resulting war, I hold that it is my duty as a legislator to furnish the Government with all the means and all the money necessary to carry on that war.

The oft-repeated expression "our country, right or wrong" has a vital principle in it, and upon that principle I stand. In this annexation of the Philippine Islands through the ratification of the treaty, and in waging war to subjugate the Filipinos, I think the country, acting through constitutional authorities, is wrong. But it is not for me to say because the country has been committed to a policy that I do not favor and have opposed, in consequence of which there is war, that I will not support the Government. If that were the case, if enough of us could properly say that we would defeat legislation providing the Army necessary to support the Government in such war, we could bring disaster upon the country by so doing. We could subject the Army already in the field to defeat and massacre.

I conceive that it is our duty as Senators to contend for those measures which we deem to be right and to oppose those measures which we deem to be wrong, to do all that we can to avert war; but when war comes through the action of constitutional authorities—as, for instance, through the making of a treaty by the President and ratification by the Senate—there is but one thing for us to do, and however much we may disapprove of the measures that led to the war, and however strongly we may have striven to prevent those measures, and however much we may be opposed to the war, we must furnish the men and the means required by the Executive for the purpose of carrying it on. Otherwise we would be in a position where the requisite majority did that which involved war and then refused to sustain him with the money and men necessary to carry it on.

Mr. President, if this were a question where it was proposed as an original act that we should send abroad an invading army, even if it was one which the majority had through constitutional measures determined upon, there might be ground for hesitation in furnishing the men and the means to accomplish the invasion; but it is a very much stronger question, a very much stronger proposition, when war is flagrant, and when we have troops upon the scene of war who must be defended or who must be left to become a sacrifice to those who are in arms against us. There are twenty-odd thousand American troops in the Philippines. They are there in obedience to orders for which they are not responsible. If the war is to continue, they must be supported or left to defeat and death.

Therefore, Mr. President, if there were nothing else which would constrain me, repeating as I do my utter abhorrence of this war, as much as I would rejoice to stop this war, believing that it is an unholy war, believing that its prosecution and the measures which brought it about constitute the greatest misfortune that ever befell the American people, believing it to be a page in our history of which Americans will not be proud, I still believe that it is my duty under the circumstances to vote for the men and for the money necessary to support our soldiers already at Manila and for the Government to carry on the war which has been determined upon through constitutional methods and which is now flagrant in the Philippine Islands.

I say, Mr. President, the war which has been determined upon, because I suppose there was no Senator so blind but that he knew when we ratified the treaty and said that we would annex those islands, when we knew that the people whom we determined to annex had for years been fighting for their independence, when we knew that these people did not admit the sovereignty of Spain, when we knew that these people denied the right of Spain to sell

them or our right to buy them, I say I suppose there was no Senator so blind but what knew that war would result, unless, as many hoped, we would at the time of the annexation or immediately thereafter assure the Filipinos that we did not intend permanent annexation. Many voted for the treaty upon the faith that this would be done. I did not believe then that it would be done, and there is no reason now to believe that it will be done.

When the question of the ratification of the treaty was before the Senate the argument used was to ratify the treaty and settle the question of the permanent annexation of the Philippines afterwards; that until the treaty was ratified the power of the President was supreme; but that after the treaty should be ratified the question of the retention of the islands would be one exclusively for Congress; that the President then would have no right to decide the question, but that Congress could and would decide it. The treaty has been ratified, but where is the evidence of any intention to have Congress decide this question? An expression of intention to give freedom to the Filipinos is voted down by the Republican party. The term of this Congress is about to expire. So far from intending to give Congress an opportunity to decide the question, an extra session is to be avoided even at the price of the abandonment of pet measures of the Republican party.

But, however this may be, for the reasons given I believe it to be my duty to vote for the bill, although I am in no manner responsible for the measures which make necessary this extraordinary force for the Army.

Mr. HANSBROUGH. I offer an amendment as an additional section to the bill.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Insert as section 17 the following:

SEC. 17. That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post, exchange, or canteen, nor shall any person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from North Dakota.

The amendment was agreed to.

Mr. COCKRELL. On page 8, line 8, I move to strike out the words "two from each State at large."

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Missouri.

Mr. PASCO. I should like to ask the effect of that amendment.

Mr. COCKRELL. It is to strike out the two cadets appointed at large.

Mr. PASCO. The purpose is to take away the appointments which are to be made under the bill by the Senate?

Mr. COCKRELL. Yes.

The amendment was agreed to.

Mr. COCKRELL. Now, at the end of line 21, page 11, I move to add:

And provided further, That the officers herein authorized shall be appointed by the President, by and with the advice of the Senate.

There might be some question as to some of the officers if that proviso is not in.

The amendment was agreed to.

Mr. PROCTOR. Mr. President, it is with great regret that I refrain from offering the amendment to this bill which I offered to the Hull bill, but some of my colleagues on the committee have urged with great force that this is an emergency, not a reorganization measure. Certainly the proceedings of to-day would indicate that it was a measure of great emergency.

I think it is a very important measure of improvement to the Army. We have the best material for an army in the world. We have the best officers, as a whole. Other nations have very excellent officers in the higher grades, but it is universally admitted that there is no school so good and no average of officers throughout the army so good as in ours. Certainly I believe that in blood and stock we have the best material for the rank and file of an army.

The amendment I proposed is no new thing. Ten years ago Colonel Mills, of the artillery, a very able officer, went through Europe under the War Department. He went as far as India, inspecting the different systems. The first sentence of his report I should like to read:

There is no such thing as a permanent staff in the English army, nor is there in any modern army of the world, except in the higher grades, save our own, if we call ours a modern army, the French being the last to give it up.

Before that, Mr. President, twenty years ago, this matter was under consideration by Congress and a joint committee was appointed. The members from the Senate were General Burnside, of Rhode Island; Senator Plumb, of Kansas; and Senator Butler, of South Carolina. Their report, Document No. 555, with the accompanying documents, occupies over 500 pages. They recommend a measure of staff detail, and they quote the opinions of

over twenty general officers. I should like to read only three or four sentences.

General Doubleday says the present system of continuing the same officers in a special branch of the service is not beneficial. \* \* \* Everything in the Army should be subordinate to the fighting element. To transfer from the line to the staff and from the staff to the line has a tendency to bind all parts of the service together and to excite the young officers to study and to emulate each other.

General Gibbon thinks that officers should be transferred from the staff to the different arms of the line, so as to serve for a term of years in each.

General Crook thinks that officers being so much stationed in cities and not with troops become fossilized, and lose sight of the wants of the troops in the field. \* \* \* A greater freedom of detail and transfer is better.

General Reynolds says:

A better system than the present for the efficiency and harmony of the service would be to have the duties of staff departments referred to performed by officers detailed for that purpose and not to be retained on such duty for a longer time than four years for one term of staff duty.

That is the general drift of these reports.

Mr. President, I believe in a measure of this kind, and I am glad to say that my colleagues who urge me not to offer it have said that they favor some such system and will at the next session try to have it adopted. I hope they will remember their promise. I believe it would cover many of the present evils, and it would bring the different branches of the Army into harmonious relations with each other, as the Navy seems to be. I am sure it would be better for the President, and better for the Secretary, and better for the officers themselves and the service, and very much better for the country.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. BROWNING, its Chief Clerk, furnished the Senate, in compliance with its request, a duplicate engrossed copy of the amendment of the House and a copy of the message insisting upon its amendment to the bill (S. 104) to increase the pension of Lucretia C. Waring.

The message also announced that the House had passed the bill (S. 2904) for the investigation of leprosy.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900.

The message also announced that the House had agreed to the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 1968) granting an increase of pension to George W. Nevins; and

A bill (S. 2919) granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy.

The message further announced that the House had passed a bill (H. R. 11879) to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes;" in which it requested the concurrence of the Senate.

#### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the joint resolution (H. Res. 339) authorizing the President of the United States to appoint Osborne W. Deignan a naval cadet at Annapolis; and it was thereupon signed by the Vice-President.

#### REORGANIZATION OF THE ARMY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 5378) for increasing the efficiency of the Army of the United States, and for other purposes.

Mr. CARTER. Mr. President, I offer an amendment, on page 9 of the bill, which I send to the desk.

The SECRETARY. In line 3, page 9, add the letter "s" at the end of the word "volunteer;" line 4, same page, strike out the word "infantry;" line 7, same page, strike out the word "thirty" and insert the word "twenty-seven;" after the word "Army," in line 9, same page, insert:

And three regiments, to be composed of men of special qualifications in horsemanship and marksmanship, to be organized as cavalry for service mounted or dismounted.

Mr. CARTER. This does not increase the number. It merely changes the form of organization.

Mr. COCKRELL. It simply authorizes the three regiments of cavalry if the President wants them.

Mr. CARTER. If the President wants them.

Mr. COCKRELL. To serve mounted or dismounted.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Montana.

The amendment was agreed to.

Mr. CARTER. Now I call attention again to section 10, where an amendment was made at the suggestion of the Senator from Missouri.

I move to strike out, in line 9, page 8, the word "twenty" and insert the word "ten;" and after the word "large," in the same line, to insert the words "each year;" so that the President will be authorized to appoint ten cadets from the country at large to West Point each year.

The VICE-PRESIDENT. The amendment offered by the Senator from Montana will be read.

The SECRETARY. In line 9, page 8, it is proposed to strike out the word "twenty" and insert the word "ten;" and at the end of the line, after the word "large," to insert "each year;" so as to read, "and ten from the United States at large each year."

Mr. ALLEN. I think that amendment ought not to be adopted.

Mr. CARTER. I will state in explanation of the amendment that the text of the bill contemplated the appointment of 100 additional cadets to West Point every four years. On the motion of the Senator from Missouri the provision for two cadets at large from each of the States was stricken out. Now, my amendment provides that ten at large shall be appointed by the President each year, making the number of appointments in the course of four years by the President forty rather than twenty, as provided by the bill.

Mr. ALLEN. I think the bill as it is drawn is altogether out of place in this respect.

I have no objection to continuing the present law, in fact, giving the President all the necessary and proper power to keep the military school at West Point full of competent students, but I do not think we ought to increase the number of appointees now. There is no necessity for it that is apparent at this time. I do not believe we should engage in educating, at the expense of the Government, at West Point or any other military or naval school young men whose services will not be necessary in defense of the country.

Mr. President, the average boy has to earn his own living in this world. He earns his means of support, procures his own education, embarks in business for himself, meets with success or disaster, as the case may be, and when he grows old he must either depend upon what he has gained during his working days or upon the charity of his friends.

Mr. CARTER. If the Senator will permit me a moment, owing to the lateness of the hour, and for the purpose of saving any further discussion of the matter, I will withdraw the amendment.

Mr. ALLEN. Well, Mr. President, I will offer an amendment myself. I move to strike out the proviso on page 10, between lines 13 and 16, inclusive, as follows:

Provided, That Regular Army officers continued or appointed as general officers or as field or staff officers of volunteers under the provisions of this act shall not vacate their Regular Army commissions.

And I will continue the general line of my remarks where I was interrupted by the Senator from Montana [Mr. CARTER].

Mr. President, I believe in a volunteer army. I took occasion to say a few days ago that I was in favor of enough regularly educated and regularly trained men in military affairs to furnish us in case of war a competent corps of instructors. I am in favor of a reasonable standing army as a nucleus for any great army that may be raised in consequence of a war in which the Government may be engaged; but I am opposed to what is known as militarism. It is hostile to the genius and the prosperity of our country. There can not be the slightest doubt about that.

I have yet to find a man in military life, who makes a profession of arms, in favor of a reduction of the Army in any of its branches. All of them are in favor of an increase in the Army; all of them want the Army increased larger than it now is and larger than it will be increased by this bill. All seem to think that the time has come in the history of this country when it is essential for us "to shy our caster into the ring" as one of the military powers of the earth. I am opposed to any policy of that kind.

The proviso which I move to strike out shows one of the beauties of this beautiful and perfect bill. A Regular Army officer, who may be a major or colonel, or possibly something below that, can be appointed a brigadier-general in the volunteer service or a major-general in the volunteer service, and yet during the time he holds that office and enjoys its emoluments and its honors he holds the rank he previously held in the Regular Army; he holds two positions. Why not compel him to go step by step and grade by grade until he reaches the highest round of the ladder? If he is taken when a boy and educated at the expense of the Government, clothed, paid, and provided for, why should he be permitted to jump over the head of some competent civilian or some other man who has equal merit and equal aptitude

for the office? He holds on to both positions at the same time. There is no argument in favor of it except the argument of favoritism.

Mr. President, it is the exercise of the mere power on the part of Congress to authorize this discrimination in favor of these Regular Army officers and against volunteers. There is no argument in support of it; no reason; no logic. They want it so, and they have got power to influence Senators and members of the other House, and they do it. They flock around these galleries and around these halls and corridors as blackbirds flock in a cornfield in October, undertaking to influence, and importuning and buttonholing Senators in favor of these measures.

Sir, you have got to depend upon the great yeomanry of this country in case of war. These gentlemen are perfectly willing to furnish the officers and men to bear the honors, the men to draw the pay, but they want the farmer boys and the boys in the factories to fill up the ranks and march under their orders. It is a discouragement to volunteers. Let it be understood among the young men of this country that, however meritorious they may be, whatever aptitude they may have for military service, they will, by the provisions of this or some other act of Congress, be deprived of reaching the highest ranks in the Army through merit, and you will find them avoiding both the volunteer and the regular service.

It is entirely proper that I should refer to a matter which has not been called out during this discussion. The volunteers now in the service of the Government enlisted for the war with Spain, and for no other purpose. Many of them are being compelled today to serve, not in the war with Spain, but in a war with those they have regarded as their friends, as their allies. I have received letter after letter from young men in the Volunteer Army who performed splendid service in action against Spain at Manila, and who have performed splendid service in the action against the Filipinos, protesting that they did not enlist to shoot down their friends, and protesting that they should not be used for that purpose; yet, Mr. President, in violation of law, in violation of the terms of their enlistment, they are being used from day to day in a war with a power with which we were friendly at the breaking out of the war with Spain.

I believe those volunteers from the States ought to be recalled as soon as possible. They are composed of a very high order of men. I know in the First Nebraska Regiment, at Manila, that bore a conspicuous and leading part in every engagement which has taken place, and I think has lost more men in action than any other one regiment, there are young men serving in the ranks who at home were capable of earning from one hundred to two hundred dollars per month—young men of a high order and ability. They ought to be recalled as speedily as possible.

Mr. President, while I have criticised this bill, and shall continue to criticise it whenever occasion offers; while I believe it to be the loosest jointed piece of legislation I have ever seen in this Chamber, I am going to vote for it. I am going to swallow the whole dose simply because to refuse to do so would be to paralyze the military arm of the United States at this critical period.

As expressing the views of an eminent gentleman regarding the present volunteers, I ask to have published, as a part of my remarks, a letter from Governor Poynter, of my State, to the President of the United States.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

The letter referred to is as follows:

EXECUTIVE CHAMBER,  
Lincoln, Neb., February 15, 1899.

MR. PRESIDENT: Forasmuch as the treaty of peace has now been ratified upon the part of our Senate, the war with Spain is at an end so far as our Government can terminate it, and it seems certain that Spain will also ratify the treaty at no distant day.

The questions now to be determined are those of policy relative to the territory from which Spain by the treaty withdrew her armies. Under these conditions our volunteer soldiers who enlisted for the war with Spain, many of them at very great sacrifice, it seems to me should be relieved from garrison duty, for which they are now held, and as soon as possible be permitted to return to the duties of citizenship. I beg to urge upon Your Excellency the propriety of gaining from Congress the permission to recruit an army especially for this service, thereby relieving our citizen soldiery, who wish, now that the cause for which they gave their services is at an end, to return to their interrupted business. This need in no way interfere with the question of the increase and organization of the Regular Army.

The radical and irreconcilable difference of opinion which exists in regard to the necessity for the increase of the Regular Army should not be permitted to interfere with the speedy release of our volunteers, and will not interfere if the subject is divided and the matter of the Regular Army is left to be settled after such an army of occupation has been recruited and our volunteers discharged.

With high respect, yours, truly,

His Excellency WILLIAM MCKINLEY,  
Washington, D. C.

W. A. POYNTER.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Nebraska [Mr. ALLEN].

Mr. HOAR. Let the amendment be read.

The SECRETARY. On page 10, section 13, line 13, it is proposed to strike out:

*Provided, That Regular Army officers continued or appointed as general officers or as field or staff officers of volunteers, under the provisions of this act, shall not vacate their Regular Army commissions.*

The amendment was rejected.

Mr. BUTLER. I should like to inquire from some one familiar with this bill as to the necessity for section 8, and what business it has in a bill of this kind. The Senator from Vermont [Mr. PROCTOR] said this was a great emergency measure, and therefore he did not offer a provision which he thought was very necessary for the improvement of the service. I should like to know if section 8 is an emergency provision.

Mr. President, it seems to me that we should not put private legislation on a bill of this kind, especially private legislation for special favorites or pets, regardless of special merits. If we are going to do that for one person, why not do it for all the pets and friends and favorites that any or all of us may have? There are hundreds who would all like to be taken care of in such a bill and who should be if it is to be made a drag-net measure for that purpose.

Such provisions are simply put in and pass along without notice. It is not right or proper to put such a provision in this bill, regardless of the merits of the case, which goes along as a matter of course. This measure has not been discussed and is supposed to go through as a matter of course.

It may be proper for such a provision as that found in section 8 to stand in this bill, but I do not know it, and unless Senators have been told privately, no Senator knows it. I should like to know if the Chief of the Record and Pension Office of the War Department, whom it is proposed to make a brigadier-general, with such rank and pay, has rendered any great or heroic service in line of battle or otherwise which would entitle him to this promotion and pay, as such services are generally considered necessary to entitle a military officer to such promotion. When did he enlist in the Army? In what battles has he fought? What special act of heroism has he performed in the service of the Government? If there is any member of the committee who can give me that information I shall be very glad to have it.

Mr. SEWELL. I do not know that I can give the record of the service of the officer under consideration during the war, but I can give his record after the war. He is a gentleman who took charge of the Record and Pension Office and reduced its expenditures by the application of brains to business so that the Government saved, after he was there a few months, \$400,000 a year. He brought order out of chaos, and to-day you can go to that Department and find in five minutes the record of every man who was in the Army, which it would have taken months to do before his appointment.

Mr. HOAR. May I ask the Senator a question before he sits down, with the permission of the Senator from North Carolina [Mr. BUTLER]?

Mr. SEWELL. Certainly.

Mr. HOAR. What is the rank of this gentleman now?

Mr. SEWELL. He is a colonel. I will say to the Senator from Massachusetts that the heads of these bureaus have practically assimilated rank and pay.

Mr. HOAR. I do not question the justice of the amendment, but I want to understand the legal and constitutional effect of it. Does this amendment make this officer, who is now a colonel, a brigadier-general?

Mr. SEWELL. Practically. It does not give him any command, but it gives him the pay of a brigadier-general.

Mr. HOAR. It makes him a brigadier-general?

Mr. BUTLER. It gives him the rank as well as the pay.

Mr. HOAR. My question is—I dare say the familiarity of the Senator from New Jersey [Mr. SEWELL], or some other Senator, will enable him to answer it—can we constitutionally make a man who is not now a brigadier-general a brigadier-general?

Mr. SEWELL. I suppose that has been done ever since the formation of the Government. It is the present rank pertaining to the office.

Mr. HAWLEY. The President might nominate another man under this provision. He has a right to do that.

Mr. HOAR. Does this require a new nomination, then?

Mr. SEWELL. Yes.

Mr. HAWLEY. It does.

Mr. HOAR. If it does, that answers my scruples perfectly. If the effect of this provision is to require a new nomination by the President of somebody who will then be a brigadier-general, it is all right.

Mr. SEWELL. It is entirely in the discretion of the President. Everybody in Congress who has watched this matter recognizes the great ability of this man.

Mr. HOAR. That is all right. I do not object to it. I was merely looking at the form of doing it. I suggest that if we

should propose to do so and so, describing a man and what he is now doing, and saying that Mr. John Brown shall be a brigadier-general, we could not do that; but if it is understood that under this provision the President may make a nomination it is all right.

Mr. SEWELL. It merely raises the office to that dignity.

Mr. BUTLER. In effect the section declares that the person holding that position now is to be made by law a brigadier-general, otherwise the statement made by the Senator from New Jersey is of no force and effect. If the purpose is not to confer this grade upon the present head of the office, then the reasoning of the Senator from New Jersey falls to the ground. So for all practical purposes this provision has just the effect which the Senator from Massachusetts at first thought it had.

Mr. President, are we to make a brigadier-general of every man who has performed service to the Government as a clerk or the head of a bureau equal to the service that this officer has performed? Are there no other officers of the Government, no other heads of divisions, no other bureau chiefs who have performed their duties as well and as faithfully as this officer has performed his? If so, why should we not take care of all of those in this bill? Is this officer the only one in all the Government service who deserves such promotion? Does he stand out par excellence as towering head and shoulders above all the others?

If so, we ought to have his record here, so as to be able to vote intelligently and make this discrimination against all the others. If he does not so stand, then why is this provision put in this bill? In fact, this is a general bill, and such a provision has no place properly in it. Legislation of that kind should never be dragged into a bill of this nature.

I should like to ask the members of the committee if the War Department recommended the placing of that provision in this bill as the bill came from the Department? I do not know. I am not on the committee. I would like to know. Will some member of the committee inform me?

Mr. HAWLEY. Nobody came to me asking to have that provision made. Possibly a suggestion was made to some other member of the committee. I know it was not tested in the committee at all. I know, from twenty years in Congress, more or less, something of the service of that man. I know what the condition of things used to be as to the records of soldiers before Ainsworth took hold of the office. It was two or three or four weeks—nobody could tell how long—before you could get the record of a soldier applying for a pension.

Ainsworth went in there, and by his card system and his extraordinary ingenuity and his executive force made it so that you can go to that office and ask for the record of John Smith, Company A, one hundredth New York, and he will get it as easily as you go into a pigeonhole of your desk. There it is recorded. Anyone who has been a soldier in the United States can go there and after he gets to the corridor where that belongs it will not be ten seconds before his record will be in his own hands. It has produced an enormous saving. Before that there were scores of clerks engaged in the work of turning over and wearing out the old muster rolls, piled here and there.

Mr. BUTLER. Then it seems that this man is to have a promotion because there was an inefficient man in the office before he came in?

Mr. SULLIVAN. Will the Senator from North Carolina permit me? The Senator from Connecticut does not mean to say that it is necessary to have an Army officer to arrange the details of keeping in their proper place letters or records or anything of that sort.

Mr. HAWLEY. I would have the best man you can get in the country, whether an Army officer or not, but nobody begins to approach this man in that kind of work. It was a brilliant feat. That is all there is to be said about it.

Mr. BUTLER. It simply simmers down to the fact that we had, it seems, an incompetent man in this position before, and therefore the contrast is very great. This man performs his duty intelligently, but hundreds of other men in the Government service have done equally well.

Mr. HAWLEY. Never.

Mr. BUTLER. Then, is it such a case where we should pass resolutions of Congress thanking him for the wonderful services he has performed? If it is simply because he has got every paper in its place, where it ought to be and where he can find it promptly, then let us add a special provision to make Mr. Amzi Smith a brigadier-general with rank and pay, for I am sure his services to the Government under our eye each day have been as wonderful as the service of the head of a division in the War Department. It can not be that Colonel Ainsworth is the most wonderful man in the Government service.

It can not be that we have no other men who perform equal service. It is an absurdity to say that we must give a man the rank of brigadier-general because he has been efficient in sticking papers in a pigeonhole and having them filed and indexed, with

a cross index, kept so that you can find them in a few minutes. There is nothing of military genius needed in that. There is no peculiar military skill required for that. Every railroad office in the United States is filled with men who perform such service. They are all over the country, in the State governments and in every one of the great industrial enterprises of this country men just as competent who are receiving small pay. They are men of equal qualifications who perform equal or greater service.

Then why is it proposed in this bill to stick high military titles and pay on men who do not do military service? This chief was never in the Army as a soldier or an officer. He never enlisted. He never served a day in the Army as a soldier in his life. He never saw the enemy of his country in battle. He has not smelt the smoke of battle from afar, as Job's war horse did. If an officer of the Government has performed such noble service as to attract the attention of Congress and the country, then let us increase his pay if necessary. Let us vote him a bounty or a pension if necessary, but why shall we give him a military title? It is not the proper thing in a republican form of Government to be giving military titles to men for performing ministerial duties.

Mr. President, I am surprised that this was put in a bill of this kind and passed in the Military Affairs Committee without question. The chairman made that statement. I am not a member of the committee. I know nothing about the reasons for its being put in here. Whoever was approached has kept his seat and has not answered my question. I would like to know whose pet he is. If there are reasons why it should be put in, the man who was approached and had the reasons furnished him has not furnished them to the Senate. It certainly can not be that he is to be made a brigadier-general for his connection with, not to say responsibility for, the Ford Theater disaster.

I do not object to promoting this man and increasing his pay if he deserves it; in fact, I stand ready to give ample pay to every officer of the Government who performs services that justifies it, but I object to this amendment on two grounds. First, it has no place in this bill, being private legislation. Next, I object to conferring military titles, even if they are entitled to more pay, upon men who perform ministerial services. It is wrong. If we do it for this officer, why not do it for all other officers holding similar positions? Mr. President, I move to strike out section 8.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from North Carolina to strike out section 8 of the bill.

The amendment was rejected.

Mr. HOAR. Mr. President, I wish to say two or three words. I shall not detain the Senate a moment. I wish to give the reasons why I shall not support this bill.

I should find it hard to think of a case where I would vote against supplies to the Army when the country was engaged in war, but this is not a bill for supplies. They have been taken care of in another measure. It is, as has been stated here, an emergency bill. It is not a bill for supplies, and it is not a bill for a proper, thorough, and complete reorganization of the Army. Indeed, the Senator from Vermont [Mr. PROCTOR], having an amendment which I believe has the approbation of nearly the whole Senate, declines to offer it, and postpones to some future day the best single suggestion, as many of us think, that has been made for that purpose. It is not, therefore, a supply bill, and it is not a permanent bill of any sort.

Now, it was said, or implied, by my honorable friend the Senator from Georgia [Mr. BACON] that the country is in war. I understand that the country will be at peace within a few weeks.

Mr. BACON. It is practically at war.

Mr. HOAR. Let me see. Perhaps within a few days it will be at peace, as I have no doubt that the treaty of peace will be ratified on both sides very soon, and that there are to be no more hostilities on the part of the authorities of Spain against this country. So in a few weeks, perhaps in a few days, we are to be at peace, so far as the existing war is concerned, and are to enter upon a civil war, if we have any. Under the new policy, with new rights, new constitutional duties, and new legal questions, somebody is to determine whether we shall make a civil war upon certain persons whom I suppose the gentlemen who oppose this bill—most or all of them—think are misguided, who are struggling for what they think are principles, and what we always thought were our principles in this country until within a few months.

Now, in regard to the policy with which that condition of things is to be encountered, the President says he declines to announce any for himself and leaves it to Congress. I suppose there can have been no more impressive, clear, distinct, and unquestionable utterance. The President not announcing a policy on his part of making war, civil war, upon those people, Congress is asked to pass a bill which, in substance, does nothing else. It does not reorganize the Army upon any permanent basis. It does not furnish supplies for the existing soldiers in the field or provide for

their coming home or contemplate the continuance of war with Spain. It simply, for a short time, raises the American Army from 27,000 or thereabouts, whatever the number may be—

Mr. BACON. Twenty-nine thousand.

Mr. HOAR. For the emergency of making war upon the Filipinos—civil war. They are called Filipinos, but they are to be some sort of Americans. Whether they are citizens, whether they are rebels—what they are—is a subject of debate; but the first thing that Congress does—not supporting the President, not following the President, not adopting any policy which he recommends to us or to which he commits himself—is to raise 100,000 men for the ostensible and avowed purpose of using force upon those people and reducing them to submission.

I am not willing to make the first and only announcement of the purpose of Congress, which the President says he wants to know and means to follow, and does not in the least undertake to suggest, the raising of 75,000 new recruits for the purpose of making war upon the Filipinos, without even accompanying it by a direction to the President to send there a message of peace, by a declaration to them that we propose to respect their rights, and an attempt at least to get out of this condition by pacific methods.

There is a great temptation to amplify and dwell and enlarge on this subject. If I were to speak a half hour more the temptation would be greater at the end of that time than it is now. If I should speak an hour after that the thoughts which are in my mind would press upon me still more. Therefore, having stated my reasons so briefly, I will stop.

Mr. PETTIGREW. Mr. President, last spring we authorized the President to raise an army for the purpose of carrying on a war against the Kingdom of Spain. This bill recognizes the fact that all necessity for such action has disappeared. It recognizes the fact that the men who then enlisted are soon to be discharged, because the act under which our Army was assembled provided that when hostilities should cease, when peace was restored, when the war was over, they should be discharged and returned to the ranks of civil life.

What, then, is the necessity for this bill that we are now called upon to pass? So long as the war with Spain continued, until the treaty was ratified, we had army enough under the laws passed here last year. When peace is declared and the treaty is ratified and the ratifications are exchanged, those soldiers should be discharged and the Army should assume its normal proportions as an army of peace.

What, then, I say, is the necessity for the passage of this bill? Has anyone told us? Have those who presented the measure to the Senate declared to us its purpose? Have the Administration a policy that they propose to pursue in this connection? No Senator has risen here to tell us what shall be done with the men whom we are to authorize the Administration to enlist. The concealed, the undefined purpose seems to be to fight the newly acquired citizens of this country.

The object of this bill, then, is to march 71,000 men against the people of the Philippines, whose only offense is that they desire a government of their own. To this policy, to this purpose, if the Administration have a purpose—and I doubt if they are capable of entertaining one, but if they have—against such a policy, against such a course, I enter my protest.

No vote of mine shall ever give assent to a proposition that the armies of the United States, the sons of this Republic, shall be marshaled in military array to destroy the liberties of another people. The most revolting chapter, the blackest page in American history, it seems to me, is being enacted in the passage of this bill and in sending forth our troops to oppress and destroy the hopes, the new-born liberties of millions of people in the Tropics.

What good object can be gained to our country? What advantage can the people of the United States secure by having imposed upon them the burden of hundreds of millions of dollars a year and the loss of thousands of lives that we may overcome by superior force the people of that country? Has that been pointed out? No one has pretended to show what advantage can come to us.

Therefore, Mr. President, I shall not vote for this bill. The necessity for the passage of this measure would disappear in a day if we would announce to the people of the Philippines that we will withdraw our military forces from their islands and allow them to establish and maintain a government of their own. It is the cowardly course which says we shall go forward and by superior force destroy the liberties and the lives of those people. It is the higher and the honorable course which says to them we, in our sympathy with you, will withdraw our forces and lend the moral force of our example to the maintenance of your liberties.

What, then, is presented to-night to the Senate of the United States? The proposition that we will refuse to encourage a people struggling for liberty, that we will turn back the record of a century, that we will reverse our history from the foundation of this Republic and join the robber nations of the world in an effort to

destroy the liberties of people who are struggling to maintain and govern a republic founded upon the principles of our own Declaration of Independence.

Mr. President, no compromise like this for the purpose of escaping an extra session of Congress can receive my support. Last spring I joined in voting \$50,000,000 to be expended by the Executive at his discretion; but to-night, watching the course of events since that time, he no longer is entitled to my confidence, and he can not have it. I believe it is the duty of Congress to remain in session, if it is possible to do so, until these events have culminated. Remain in session, Mr. President, and save the Republic from shame. Remain in session, and if possible prevent the Executive from pursuing a course toward the people of the Philippines which will blacken the name and the character of this great Republic.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. ALLEN. I renew in the Senate my amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In section 13, after line 19, insert the following:

*And provided also, That any officer now in the Army who was graduated at the head of his class at the United States Military Academy and who is not now in the Corps of Engineers may be appointed to the Corps of Engineers with the same grade and date of commission that he would have if he had been appointed to the Corps of Engineers on graduation; but said commission shall not entitle an officer to any back pay or allowance.*

Mr. HOAR. Was the amendment striking out the provision for the appointment at large by the President of two cadets from each State reserved?

Mr. BERRY. No; there was no reservation of that amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Nebraska [Mr. ALLEN].

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is in the Senate and still open to amendment.

Mr. HOAR. I should like very much to have the Senate consider, though I do not want to delay the passage of the bill, the propriety of restoring the provision proposed by the committee, I understand, for the appointment of two cadets at West Point at large from each State and to have them appointed by the governors of the States.

Mr. HAWLEY. We did not have that in.

Mr. HOAR. You did not have it in, but instead of having them appointed at large by the President I would have them appointed by the governors of the States. But I shall not undertake to detain the Senate now.

Mr. SEWELL. The appointment by Senators was intended.

Mr. HOAR. I understand.

Mr. SEWELL. Any change in the present relation would destroy the harmony of the agreement.

Mr. HOAR. I do not propose to move the amendment. I want to be allowed to take one moment to express my opinion, because the subject may come up on another bill. I do not think that any considerable number of Senators desire the responsibility of recommending to the President, as Representatives now do, one cadet at large from their States. It would be an infinite discomfort to Senators. But I think if the recommendation of the governors of the States could be substituted for that of Senators it would tend very much to win favor for the Academy at West Point and would be an admirable arrangement in the future. However, as I said, I will not detain the Senate at this late hour by introducing a new subject by an amendment.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. VEST and Mr. WHITE called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE]. I am informed, however, that if he were present he would vote "yea," and as I would vote that way, I will vote. I vote "yea."

Mr. CHILTON (when his name was called). The Senator from New Hampshire [Mr. GALLINGER] is paired with the senior Senator from Texas [Mr. MILLS], my colleague, who is absent. I am paired with the Senator from Minnesota [Mr. DAVIS], who is absent. The Senator from New Hampshire and I have agreed to exchange pairs, and that leaves us both at liberty to vote. I vote "nay."

Mr. GALLINGER (when his name was called). The junior Senator from Texas [Mr. CHILTON] announced the transfer of the pair of his colleague [Mr. MILLS], who is my general pair, to the Senator from Minnesota [Mr. DAVIS], and that allows me to vote. I vote "yea."

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). My colleague [Mr. JONES of Arkansas] is sick and unable to be present in the Senate. He is paired on all questions with the Senator from Maine [Mr. HALE].

Mr. THURSTON (when his name was called). I have a general pair with the Senator from South Carolina [Mr. TILLMAN]. If he were present, I should vote "yea."

Mr. VEST (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. ALDRICH]. I transfer my pair to the Senator from Indiana [Mr. TURPIE], and I will vote. I vote "nay."

Mr. WARREN (when his name was called). I ask if the junior Senator from Washington [Mr. TURNER] has voted?

The PRESIDENT pro tempore. The Senator has not voted, the Chair is informed.

Mr. WARREN. Then I withhold my vote, as I have a pair with that Senator.

The roll call was concluded.

Mr. CULLOM. I have a general pair with the senior Senator from Delaware [Mr. GRAY]. I am informed that he would vote for this bill, and I will therefore vote. I vote "yea."

Mr. HARRIS. I am authorized to announce that the junior Senator from Delaware [Mr. KENNEY] is unavoidably detained from the Chamber. He is paired with the junior Senator from Pennsylvania [Mr. PENROSE]. If the Senator from Delaware were present, he would vote "yea."

Mr. WARREN. I ask if any pair has been announced for the Senator from Colorado [Mr. WOLCOTT]?

Mr. LODGE. There has not been any announced.

The PRESIDENT pro tempore. The Chair is informed that no pair has been announced.

Mr. WARREN. Then, if there be no objection, I should like to pair the Senator from Colorado [Mr. WOLCOTT] with the Senator from Washington [Mr. TURNER], and vote.

Mr. CHANDLER. That is all right.

Mr. WARREN. I vote "yea."

The result was announced—yeas 55, nays 13; as follows:

## YEAS—55.

Allen,	Frye,	McLaurin,	Proctor,
Allison,	Gallinger,	Mallory,	Rawlins,
Bacon,	Gear,	Mantle,	Roach,
Burrows,	Gorman,	Mitchell,	Ross,
Carter,	Hanna,	Money,	Sewell,
Chandler,	Hansbrough,	Morgan,	Shoup,
Clark,	Harris,	Murphy,	Simon,
Cockrell,	Hawley,	Nelson,	Smith,
Cullom,	Heitfeld,	Pasco,	Spooner,
Deboe,	Jones, Nev.	Perkins,	Stewart,
Elkins,	Lindsay,	Pettus,	Teller,
Fairbanks,	Lodge,	Platt, Conn.	Warren,
Faulkner,	McBride,	Platt, N. Y.	Wellington.
Foraker,	McEnery,	Pritchard,	

## NAYS—13.

Bate,	Chilton,	Martin,	White.
Berry,	Clay,	Pottigrow,	
Butler,	Daniel,	Turley,	
Caffery,	Hoar,	Vest,	

## NOT VOTING—22.

Aldrich,	Jones, Ark.	Penrose,	Turpie,
Baker,	Kenney,	Quay,	Wetmore,
Cañon,	Kyle,	Sullivan,	Wilson,
Davis,	McMillan,	Thurston,	Wolcott.
Gray,	Mason,	Tillman,	
Hale,	Mills,	Turner,	

So the bill was passed.

Mr. KENNEY subsequently said: I desire to state that I was unavoidably detained from the Senate when the vote on the Army bill was taken, and that had I been present I should have voted in favor of the bill.

Mr. HAWLEY. I ask unanimous consent that an order be made that the Army bill be printed.

Mr. CULLOM. As passed.

Mr. HAWLEY. As passed.

The PRESIDENT pro tempore. In the absence of objection, the order will be made.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 7865) to pay J. L. Stearns Lumber Company \$370; and

A bill (H. R. 12184) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation.

The message also communicated to the Senate the intelligence of the death of DENIS M. HURLEY, late a member of the House from the State of New York, and transmitted resolutions of the House thereon.

The message further announced that the Speaker pro tempore

of the House had appointed Mr. FISCHER of New York, Mr. SHERMAN of New York, Mr. HOWE of New York, Mr. SHANNON of New York, Mr. ODELL of New York, Mr. BARTHOLOMT of Missouri, Mr. MAHON of Pennsylvania, Mr. KULP of Pennsylvania, Mr. DRIGGS of New York, Mr. BARTLETT of Georgia, and Mr. CLAYTON of Alabama as the committee on the part of the House to take charge of the funeral arrangements.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

A bill (H. R. 123) granting a pension to William F. Bolan;

A bill (H. R. 247) granting an increase of pension to John Doebler;

A bill (H. R. 635) increasing the pension of Howard L. James;

A bill (H. R. 855) granting an increase of pension to James R. Zearing;

A bill (H. R. 2293) granting an increase of pension to Andrew J. Snowden;

A bill (H. R. 3123) granting an increase of pension to Frank S. Devol;

A bill (H. R. 3155) granting a pension to Kitty Ann Patterson;

A bill (H. R. 3806) granting an increase of pension to Elam Allen;

A bill (H. R. 4249) granting a pension to Samuel B. Koontz;

A bill (H. R. 4880) granting a pension to Jonathan Scott;

A bill (H. R. 6876) to increase the pension of George Alexander;

A bill (H. R. 6913) granting an increase of pension to Charlotte B. Cousins;

A bill (H. R. 7046) granting an increase of pension to Arba Capron;

A bill (H. R. 7657) granting an increase of pension to James E. Searl;

A bill (H. R. 8568) granting an increase of pension to Mrs. Susan Stedman;

A bill (H. R. 8578) granting an increase of pension to George W. Reisinger;

A bill (H. R. 8610) granting a pension to Minnie B. Titus;

A bill (H. R. 8749) granting a pension to James J. Marcher;

A bill (H. R. 9344) granting an increase of pension to John Begley;

A bill (H. R. 9415) granting an increase of pension to Henry Bullen;

A bill (H. R. 9455) granting an increase of pension to Richard Atkinson;

A bill (H. R. 9569) granting an increase of pension to Timothy A. Allen;

A bill (H. R. 9843) granting a pension to America Easton;

A bill (H. R. 10056) increasing the pension of James Webb;

A bill (H. R. 10285) granting an increase of pension to Mazie V. Sullivan;

A bill (H. R. 10355) granting an increase of pension to Catherine C. Goodrich;

A bill (H. R. 10385) granting a pension to George Brown;

A bill (H. R. 10417) granting a pension to James H. Nichols;

A bill (H. R. 10480) granting a pension to Nelly V. Crosby;

A bill (H. R. 10605) to increase the pension of Annie Cusack;

A bill (H. R. 10716) granting a pension to John S. Draper;

A bill (H. R. 10738) granting an increase of pension to Beeri

Servias;

A bill (H. R. 10803) granting an increase of pension to James Porter;

A bill (H. R. 10850) granting a pension to Mianda A. Sanford;

A bill (H. R. 10933) granting a pension to Sarah A. Kizer;

A bill (H. R. 11296) granting a pension to Anna M. Rowe;

A bill (H. R. 12026) to increase the pension of Thomas Crinigan;

A bill (H. R. 12033) granting a pension to Mary A. Kennedy; and

A bill (H. R. 12077) granting an increase of pension to Charles N. Smiley.

## SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask unanimous consent that the Senate now proceed to the consideration of the sundry civil appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ALLISON. I ask that the formal reading of the bill may be dispensed with, and that the committee amendments may be considered as the bill is read.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to dispense with the formal reading of the bill, and that the amendments of the committee be acted upon as they

are reached in the reading. Is there objection? The Chair hears none.

Mr. PETTUS. I think it is important, before we enter upon the consideration of this bill, as we are evidently going to have a night session, that it should be understood what other business, if any, shall be transacted to-night.

The PRESIDENT pro tempore. The Senator from Alabama inquires of the Senator from Iowa what other business will be taken up to-night.

Mr. ALLISON. I shall have no objection to the consideration of any other business after this bill shall have been passed, but until it is disposed of I shall object to the transaction of any other business.

Mr. HOAR. I suggest to the Senator from Iowa whether it would not be well to have a brief executive session of three minutes now.

Mr. ALLISON. I hope the Senator from Massachusetts will not urge that now, unless there is some special matter of importance to be considered.

Mr. PLATT of Connecticut. Would it not be well, I inquire of the Senator from Iowa, to have an understanding that no other business shall be transacted to-night except this bill? A good many Senators will leave the Chamber.

Mr. ALLISON. I shall not object to that, but I hope Senators will not be absent on that account, as it is important to have a full Senate.

Mr. PLATT of Connecticut. We ought not to take up business at the end of the consideration of this bill to-night.

Mr. ALLISON. I quite agree with the Senator from Connecticut.

Mr. CHANDLER. I ask the Senator from Iowa whether, if the Senate should find itself without a quorum, he would insist upon sending for absent Senators in order to go on with the pending appropriation bill?

Mr. ALLISON. I beg pardon; the Senator from Massachusetts had attracted my attention at the moment.

Mr. CHANDLER. I will take occasion, while the Senator from Massachusetts and the Senator from Iowa are conferring, to say that I think a quorum ought to remain here and that if at any time there is not a quorum the absent Senators ought to be sent for and this bill finished to-night.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the subhead "Public buildings," on page 1, after line 7, to insert:

For public building at Altoona, Pa.: For purchase of site and completion of building under present limit, \$125,000.

The amendment was agreed to.

Mr. SULLIVAN. I was not in the Chamber when the reading of the bill was begun. I should like to have a report of what occurred.

The PRESIDENT pro tempore. Unanimous consent was given to proceed with the reading of the bill, the committee amendments to be acted upon as they are reached.

Mr. SULLIVAN. Very well.

The reading of the bill was continued. The next amendment was, on page 3, after line 14, to insert:

For post-office, court-house, and custom-house at Memphis, Tenn.: For installation of clock in clock tower of said post-office, court-house, and custom-house, \$3,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 18, to insert:

For court-house and post-office at Newport News, Va.: For purchase of site and completion of building under present limit, \$100,000.

Mr. ALLISON. The word "court-house" in line 19 is a mistake. It should be "custom-house." It should read "For custom-house and post-office at Newport News." I move to amend the amendment in that particular.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 4, after line 10, to insert:

For post-office at Washington, D. C.: That the act approved July 7, 1898, relating to the post-office building, Washington, D. C., is hereby amended so as to assign not exceeding one-half of the eighth floor as additional floor space for the use of the Post-Office Department and the Auditor for the Post-Office Department.

The amendment was agreed to.

The next amendment was, on page 5, line 4, to increase the appropriations for repairs and preservation of public buildings, etc., from \$310,000 to \$350,000.

The amendment was agreed to.

The next amendment was, under the subhead "Marine hospitals," on page 6, line 9, after the word "hundred," to insert "at a cost not to exceed \$300;" so as to make the clause read:

Medical books and journals for the use of the Marine-Hospital Bureau may be purchased during the fiscal year 1900, at a cost not to exceed \$500, and paid for from the appropriation for the Marine-Hospital Service.

The amendment was agreed to.

The next amendment was, under the subhead "Quarantine stations," on page 6, line 23, after the word "station," to insert "new pier, and new disinfecting plant;" and in line 24, before the word "thousand," to strike out "three" and insert "thirty-six;" so as to make the clause read:

For quarantine station, Gulf: For improvements to station, new pier, and new disinfecting plant, and detention quarters for crew, \$93,000.

The amendment was agreed to.

The next amendment was, on page 7, line 23, after the word "dollars," to insert the following proviso:

Provided, That of this amount not exceeding \$100 may be used for the purchase of books of reference and periodicals of a purely technical character relating to architectural subjects and required in the transaction of the business of the Office of the Supervising Architect of the Treasury.

So as to make the clause read:

Plans for public buildings: For books, photographic materials, and in duplicating plans required for all public buildings under control of the Treasury Department, \$3,500: Provided, That of this amount not exceeding \$100 may be used, etc.

The amendment was agreed to.

The next amendment was, under the head of "Light-houses, beacons, and fog signals," on page 8, after line 4, to insert:

Whitehead light and fog-signal station, Maine: For construction of a keeper's dwelling, \$3,400.

The amendment was agreed to.

The next amendment was, on page 8, after line 7, to insert:

Cape Elizabeth, Me.: For constructing a light ship, with fog signal, near Cape Elizabeth, Me., \$70,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 10, to insert:

Long Island Head light station, Massachusetts: For removing the station to a new site, where it will not be exposed to injury by firing of guns in the new seacoast battery, \$4,500.

The amendment was agreed to.

The next amendment was, on page 8, after line 14, to insert:

Pollock Rip Shoals, Massachusetts: For establishing a light-house and fog signal or light ship at a point north of the bell buoy near the broken part of Pollock Rip Shoals, at the northeastern entrance of Nantucket Shoals, Massachusetts, \$80,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 19, to insert:

Hog Island Shoal light and fog-signal station, Rhode Island: For establishing on or near Hog Island Shoal, Narragansett Bay, Rhode Island, a light and fog-signal station, to take the place of the light vessel now there, \$35,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 24, to insert:

Greens Ledge light and fog-signal station, Connecticut: For establishing a light and fog-signal station on Greens Ledge, Norwalk Harbor, Connecticut, \$60,000.

The amendment was agreed to.

Mr. SULLIVAN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Fairbanks,	Mantle,	Sewell,
Bacon,	Faulkner,	Mason,	Smith,
Bate,	Foraker,	Mitchell,	Spooner,
Berry,	Frye,	Murphy,	Stewart,
Butler,	Gallinger,	Nelson,	Sullivan,
Caffery,	Gear,	Pasco,	Teller,
Carter,	Gorman,	Perkins,	Thurston,
Chandler,	Hanna,	Pettigrew,	Tillman,
Chilton,	Harris,	Platt, Conn.	Turley,
Cockrell,	McBride,	Platt, N. Y.	Warren,
Cullom,	McLaurin,	Rawlins,	Wellington,
Daniel,	Mallory,	Ross,	Wolcott.

The PRESIDENT pro tempore. Forty-eight Senators having answered to their names, there is a quorum present.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 9, after line 2, to insert:

Norwalk Harbor lighted beacons, Connecticut: For establishing lighted beacons at Round Beach, Fitchs Point, White Rock Reef, and Grassy Hammock, Norwalk Harbor, Connecticut, \$600.

The amendment was agreed to.

The next amendment was, on page 9, after line 16, to insert:

Tender for the inspector, Third light-house district: For constructing, equipping, and outfitting, complete for service, a new steam tender for buoyage, supply, and inspection in the Third light-house district, New York, \$35,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 2, to insert:

Salem Creek, New Jersey, light-house: For reestablishing and reconstructing a light-house at or near the mouth of Salem Creek, New Jersey, \$4,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 5, to insert:

Hooper Island and fog-signal station, Maryland: For completing the light

and fog-signal station on the shoals of Hooper Island, east side of Chesapeake Bay, Maryland, \$30,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 9, to insert:

Bloody Point Range, South Carolina: For moving the structures of the front beacon to the side of the rear beacon and moving the front beacon of the abandoned Venus Point Range to make it the front beacon of the Bloody Point Range, \$2,700.

The amendment was agreed to.

The next amendment was, on page 10, after line 14, to insert:

Depot for Sixth light-house district: For establishing a depot for the Sixth light-house district at some suitable point to be determined by the Light-House Board, \$35,000.

The amendment was agreed to.

The next amendment was, at the top of page 11, to insert:

Depot at or near Mobile, Ala.: For establishing a buoy and light-house depot at or near Mobile, Ala., \$12,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 11, to insert:

Point Arguello light and fog-signal station, California: For establishing a light and fog-signal station at or near Point Arguello, seacoast of California, \$35,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 15, to insert:

For constructing a telephone line from the light-house at Table Bluff, Cal., to connect with the general telephone system at Salmon Creek, in Humboldt County, Cal., \$1,500.

The amendment was agreed to.

The next amendment was, on page 13, after line 3, to insert:

For constructing, under the direction of the Light-House Board, telegraph or telephone lines between Glenhaven, Mich., and South Manitou Island, Lake Michigan, \$15,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Light-House Establishment," on page 12, line 20, to increase the appropriation for supplies of light-houses from \$450,000 to \$475,000.

The amendment was agreed to.

The next amendment was, on page 13, line 2, to increase the appropriation for repairs of light-houses from \$600,000 to \$650,000.

The amendment was agreed to.

The next amendment was, on page 13, line 6, to increase the number of light-house and fog-signal keepers and laborers attending other lights appropriated for from 1,350 to 1,500.

The amendment was agreed to.

The next amendment was, on page 13, line 12, to increase the appropriation for expenses of light vessels from \$375,000 to \$400,000.

The amendment was agreed to.

The next amendment was, on page 13, line 20, to increase the appropriation for expenses of fog signals from \$120,000 to \$150,000.

The amendment was agreed to.

The next amendment was, under the subhead "Life-Saving Service," on page 15, after line 2, to insert:

For one superintendent for the coasts of Rhode Island and Fishers Island, to be known as the Third life-saving district, \$1,200.

The amendment was agreed to.

The next amendment was, on page 15, line 6, after the word "the," to strike out "coasts of Rhode Island and" and insert "coast of;" so as to make the clause read:

For one superintendent for the coast of Long Island, \$1,800.

The amendment was agreed to.

The next amendment was, on page 15, after line 7, to strike out: For one assistant superintendent for the coasts of Rhode Island and Long Island, \$1,300.

The amendment was agreed to.

The next amendment was, on page 16, line 9, after the word "dollars," to insert:

The Secretary of the Treasury may change the serial numbers of the several districts as may be necessary to conform to the provisions of this act.

So as to make the clause read:

For one superintendent for the life-saving and lifeboat stations on the coasts of Washington, Oregon, and California, \$1,800; in all, \$21,700. The Secretary of the Treasury may change the serial numbers of the several districts as may be necessary to conform to the provisions of this act.

Mr. ALLISON. I move to amend the amendment of the committee, in line 17, after the word "each," by striking out "and \$3 per day for each occasion of service at other times," and after the word "employment," in line 19, to insert those words.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to amend the amendment on page 16, line 17, after the word "each," by striking out "and \$3 per day for each occasion of service at other times;" and in line 19, after the word "employment," by inserting "and \$3 per day for each occasion of service at other times;" so as to read:

For pay of crews of surfmen employed at the life-saving and lifeboat stations, including the old Chicago station, at the rate of \$90 per month each

during the period of actual employment, and \$3 per day for each occasion of service at other times.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 17, line 10, after the word "including," to insert:

The donation of a Lyle gun and a complete set of beach apparatus used in connection with it to the Imperial Japanese Society for Saving Life from Shipwreck.

And in line 18, to decrease the total appropriation "for pay of crews of surfmen," etc., from \$1,311,192.50 to \$1,288,910.

The amendment was agreed to.

The next amendment was, under the subhead "Revenue-Cutter Service," on page 18, line 24, after the word "dollars," to insert the following proviso:

Provided, That the act of May 16, 1883, relating to anchorage of vessels in the port of New York, is hereby extended to include the waters of Kill von Kull, Newark Bay, Arthur Kill, and Raritan Bay.

The amendment was agreed to.

The next amendment was, on page 19, after line 4, to insert:

For the purpose of repairing and defraying the running expenses of the U. S. S. *Thetis* for a period of six months, said vessel to be used as a revenue cutter, and to perform service for the Department of the Interior in procuring reindeer and transporting them to the coast of Alaska, \$30,000, and the Secretary of the Navy is hereby authorized to transfer said vessel to the Treasury Department temporarily for said purpose.

The amendment was agreed to.

The next amendment was, on page 19, after line 12, to insert:

For the construction of two revenue cutters of the first class, under the direction of the Secretary of the Treasury, for service on the Great Lakes, \$165,000; and the total cost of said revenue cutters, under a contract which is hereby authorized therefor, shall not exceed \$165,000 each. Said cutters, when completed, shall take the places of the revenue cutters *Algonquin* and *Onondaga*, which were ordered to the seaboard as an exigency of the late war.

The amendment was agreed to.

The next amendment was, on page 19, after line 21, to insert:

For the construction of a revenue cutter of the first class, under the direction of the Secretary of the Treasury, for service on the Pacific coast, \$112,500; and the total cost of said revenue cutter, under a contract which is hereby authorized therefor, shall not exceed \$225,000.

The amendment was agreed to.

The next amendment was, on page 20, after line 3, to insert:

For constructing for the customs service a suitable launch for use at and in the vicinity of Astoria, Oreg., \$2,500.

The amendment was agreed to.

The next amendment was, under the subhead "Coast and Geodetic Survey," on page 24, after line 3, to insert:

For tidal indicator, and foundation for its support, to be erected on Alcatraz Island, San Francisco Harbor, \$4,500.

The amendment was agreed to.

The next amendment was, on page 25, line 4, to increase the total appropriation for field expenses of the Coast and Geodetic Survey from \$189,500 to \$194,000.

The amendment was agreed to.

Mr. SULLIVAN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Gallinger,	Mitchell,	Simon,
Allison,	Gear,	Murphy,	Smith,
Berry,	Gorman,	Nelson,	Spooner,
Carter,	Hale,	Pasco,	Sullivan,
Chandler,	Hanna,	Perkins,	Teller,
Chilton,	Hansbrough,	Pettigrew,	Thurston,
Cockrell,	Harris,	Platt, Conn.	Tillman,
Cullom,	Kennedy,	Platt, N. Y.	Warren,
Daniel,	McBride,	Pritchard,	Wellington,
Fairbanks,	McLaurin,	Rawlins,	Wolcott,
Faulkner,	Mallory,	Roach,	
Foraker,	Mantle,	Ross,	
Frye,	Mason,	Sewell,	

The PRESIDENT pro tempore. Forty-nine Senators have responded to their names. A quorum is present. The Secretary will proceed with the reading of the bill.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head "Smithsonian Institution," on page 30, after line 14, to strike out:

Estimates shall be submitted for the fiscal year 1901, and annually thereafter, in detail, for salaries of all officers and employees paid from appropriations under the Smithsonian Institution.

The amendment was agreed to.

The next amendment was, on page 30, line 24, to increase the appropriation for expenses of the system of international exchanges between the United States and foreign countries under the direction of the Smithsonian Institution, etc., from \$21,000 to \$24,000.

The amendment was agreed to.

The next amendment was, on page 33, line 2, to increase the

appropriation for continuing the preservation, exhibition, and increase of the collections from the surveying and exploring expeditions of the Government, etc., from \$165,000 to \$180,000.

The amendment was agreed to.

The next amendment was, on page 32, line 22, before the word "thousand," to strike out "seventy-five" and insert "eighty;" in line 25, after the word "appropriated," to strike out:

Five thousand dollars shall be used for continuing the entrance into the Zoological Park from Woodley Lane and opening driveway into Zoological Park from said entrance along the bank of Rock Creek, and.

On page 33, line 7, after the word "of," to strike out "a strip on the northeasterly side of said road" and insert "land;" and in line 10, after the words "Zoological Park," to insert:

And \$5,000 shall be expended to grade, regulate, and curb the street on the west border of the Zoological Park from Woodley road to Cathedral avenue, as shown on the third section plans (permanent system of highways), and Cathedral avenue from Connecticut avenue to Woodley road: *Provided*, That the full width of the road bordering the park be donated wherever it lies within the bounds of Woodley Park.

So as to make the clause read:

National Zoological Park: For continuing the construction of roads, walks, bridges, water supply, sewerage and drainage; and for grading, planting, and otherwise improving the grounds; erecting and repairing buildings and inclosures; care, subsistence, purchase, and transportation of animals, including salaries or compensation of all necessary employees; the purchase of necessary books and periodicals, and general incidental expenses not otherwise provided for, \$80,000; one half of which sum shall be paid from the revenue of the District of Columbia and the other half from the Treasury of the United States; and of the sum hereby appropriated \$5,000 shall be expended in widening the Adams Mill road entrance to the Zoological Park from the corner of Eighteenth street and Columbia road, by acquiring by purchase or condemnation of land sufficient to widen the same to a width of 100 feet, and such road, so widened, shall form a park way under the control of the Zoological Park; and \$5,000 shall be expended to grade, regulate, and curb the street on the west border of the Zoological Park from Woodley road to Cathedral avenue, as shown on the third section plans (permanent system of highways), and Cathedral avenue from Connecticut avenue to Woodley road: *Provided*, That the full width of the road bordering the park be donated wherever it lies within the bounds of Woodley Park.

The amendment was agreed to.

The reading of the bill was continued to the end of line 20, on page 36.

Mr. SULLIVAN. There appears to be an omission on page 36, if the reading was correct, from line 15 to line 21.

The PRESIDENT pro tempore. The Secretary informs the Chair that it was all read.

Mr. SULLIVAN. It was? I did not hear it, and I was looking at the bill.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Fish Commission," on page 39, before the words "(New Hampshire)," to strike out "Nassau" and insert "Nashua;" so as to make the clause read:

Nashua (N. H.) station: Superintendent, \$1,500; fish-culturist, \$900; two laborers, at \$540 each; in all, \$3,480.

The amendment was agreed to.

The next amendment was, on page 39, after line 23, to insert:

Washington State station: Superintendent, \$1,500; fish-culturist, \$900; two laborers, at \$540 each; in all, \$3,480.

The amendment was agreed to.

The next amendment was, in the appropriation for the Edenton (N. C.) station, on page 40, line 7, after the word "dollars," to insert the following proviso:

*Provided*, That this appropriation shall not be available until said station shall be completed; and the unexpended balance of the appropriation of \$15,000 for the establishment of a fish-cultural station in North Carolina made in the deficiency act approved July 7, 1898, is hereby made available for expenditure during the fiscal year 1900.

The amendment was agreed to.

The next amendment was, on page 42, line 23, to increase the appropriation for propagation of food fishes from \$140,000 to \$175,000.

The amendment was agreed to.

Mr. SULLIVAN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Foraker,	Mantle,	Sewell,
Allison,	Frye,	Mitchell,	Simon,
Berry,	Gallinger,	Murphy,	Smith,
Butler,	Gear,	Nelson,	Spooner,
Carter,	Gorman,	Pasco,	Stewart,
Chandler,	Hanna,	Perkins,	Sullivan,
Chilton,	Hansbrough,	Platt, Conn.	Teller,
Cockrell,	Harris,	Platt, N. Y.	Warren,
Cullom,	Kenney,	Pritchard,	Wellington,
Daniel,	McBride,	Rawlins,	Wolcott,
Fairbanks,	McLaurin,	Ross,	
Faulkner,	Mallory,		

The PRESIDENT pro tempore. Forty-six Senators have answered to their names. A quorum is present.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 43, line 18, to in-

crease the appropriation for statistical inquiry, under the Fish Commission, from \$5,000 to \$8,000.

The amendment was agreed to.

The next amendment was, on page 45, after line 2, to insert:

Reimbursement of Quandt Brewing Company and others: To enable the Secretary of the Treasury, who is hereby directed and required, to pay the following parties amounts paid to the late collector of internal revenue for the Fourteenth district of New York in advance for internal revenue stamps, which stamps were never delivered to said parties, namely: To the Quandt Brewing Company, \$2,343.00; to Ruscher & Co., \$2,925.92; to Taylor Brewing Company, \$416.25; to D. Mayer Brewing Company, \$250; in all, \$5,935.20.

The amendment was agreed to.

The next amendment was on page 49, line 14, to increase the number of distributors of stock under head "Custody of dies, rolls, and plates," under the Treasury Department, from two to three; and in line 15, to increase the appropriation from \$8,000 to \$9,200.

The amendment was agreed to.

The next amendment was, on page 54, line 21, before the word "recording," to insert "making and;" so as to make the clause read:

Lands and other property of the United States: For custody, care, protection, and expenses of sales of lands and other property of the United States, the examination of titles, making and recording of deeds, advertising, and auctioneers' fees, \$400.

The amendment was agreed to.

The next amendment was, on page 54, after line 22, to insert:

Payment to the widow of late Cuban General Calixto Garcia: To pay the widow of the late Cuban General Calixto Garcia the amount forfeited in the United States circuit court for the southern district of New York as bail and paid into the Treasury, \$2,500.

The next amendment was, on page 56, after line 13, to insert:

For necessary repairs and improvements to the steam heating and ventilating apparatus in the Senate wing of the Capitol, including the Supreme Court, under the supervision of the Architect of United States Capitol, \$4,751.

The amendment was agreed to.

The next amendment was, on page 56, after line 18, to insert:

To provide flags for the east and west fronts of the center of the Capitol, to be hoisted daily under the direction of the Capitol police board, \$100, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 56, after line 22, to insert:

For continuing the work of cleaning and repairing works of art in the Capitol, including the repairing of frames, under the direction of the Joint Committee on the Library, \$1,500.

The amendment was agreed to.

The next amendment was, on page 57, after line 2, to insert:

That portion of the rooms and space recently occupied by the Library of Congress in the Capitol building north of a line drawn east and west through the center of the Rotunda shall be used for such purpose as may hereafter be designated by the Senate of the United States; and that portion of such rooms and space south of said line shall be used for such purpose as may hereafter be designated by the House of Representatives.

Mr. ALLISON. I ask that the amendment may be passed over for the time being.

The PRESIDENT pro tempore. The amendment will be passed over.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 57, line 15, to increase the appropriation for improving the Capitol Grounds from \$12,000 to \$16,000.

The amendment was agreed to.

The next amendment was, on page 57, line 23, to increase the appropriation for "Lighting the Capitol and Grounds" from \$24,000 to \$30,000.

The amendment was agreed to.

The next amendment was, on page 58, line 8, to increase the appropriation for repairs and improvements to steam fire engine house and Senate and House stables, etc., from \$500 to \$1,500.

The amendment was agreed to.

The next amendment was, under the subhead "Protection and administration of forest reserves," on page 60, line 1, after the word "dollars," to insert the following further proviso:

*Provided further*, That forest agents, superintendents, supervisors, and all other persons employed in connection with the administration and protection of forest reservations shall enforce the laws of the State or Territory in which said forest reservation is situated, in relation to the protection of fish and game, and shall cause the arrest of all persons violating the same.

*Provided further*, That any person who made actual, bona fide settlement and improvement and established residence thereon in good faith, for the purpose of acquiring a home, upon lands more valuable for agriculture than for any other purpose, within the boundaries of the Black Hills Forest Reservation, in the State of South Dakota, prior to September 19, 1898, may enter, under the provisions of the homestead law, the lands embracing his or her improvements, not to exceed 160 acres; and if the lands are so situated that the entry of a legal subdivision, according to existing law, will not embrace the improvements of such settler or claimant, he or she may make application to the surveyor-general of the State of South Dakota to have said tract surveyed at the expense of the claimant by metes and bounds and a plat made of the same and filed in the local land office, showing the land he desires to enter, not to exceed 160 acres, and thereupon he shall be allowed to enter said land, as per said plat and survey, as a homestead; and the Secretary of the Interior shall make the necessary rules and regulations to carry this act into effect: *Provided*, That in any case where, upon investigation by a special agent of the Interior Department and after due and proper hearing, it shall be established that an entry interfered with the general water supply, or was detrimental in any way to the public interests, or infringed upon the rights and privileges of other citizens, the

Secretary of the Interior shall have authority to cause said entry to be modified or amended or in his discretion to finally cancel the same.

The amendment was agreed to.

The next amendment was, under the subhead "For general expenses of the Geological Survey," on page 68, line 19, to increase the appropriation for topographic surveys in various portions of the United States from \$200,000 to \$225,000.

The amendment was agreed to.

The next amendment was, on page 68, line 22, to increase the appropriation for geological surveys in the various portions of the United States from \$110,000 to \$135,000.

The amendment was agreed to.

The next amendment was, on page 69, line 10, to increase the appropriation for the preparation of the report of the mineral resources of the United States from \$30,000 to \$40,000.

The amendment was agreed to.

The next amendment was, on page 70, line 3, to increase the total appropriation for the United States Geological Survey from \$677,100 to \$747,100.

The amendment was agreed to.

The next amendment was, under the head of "Miscellaneous objects," on page 70, after line 23, to insert:

Patent Office: To enable the Commissioner of Patents, under the direction of the Secretary of the Interior, to have printed and bound at the Government Printing Office an alphabetical list or index of patentees from 1790 to 1873, inclusive, \$16,000: *Provided*, That before this appropriation shall be available for the printing and binding of said index bona fide subscriptions for the same amounting to the sum of \$10,000 shall be made; and the amount received on such subscriptions shall be covered into the Treasury.

Mr. PLATT of Connecticut. The chairman of the committee, I think, will agree to some amendments which I propose to the committee amendment. I will state that this is an amendment which I proposed, and I supposed at that time that the work provided for would not be done at the Government Printing Office. There is an appropriation of \$16,000 in the amendment as it has been reported by the committee; but if the work is to be done at the Government Printing Office, there is no appropriation needed.

In line 24, page 70, I move to strike out the words "To enable;" on page 71, line 1, before the word "to," to insert "is authorized;" in line 4, after the word "inclusive," to strike out "\$16,000;" at the end of the same line, after the word "before," to strike out "this appropriation shall be available for;" in line 7, after the word "be," to strike out "made" and insert "received by the Commissioner of Patents;" and in line 8, after the word "on," to strike out the word "such."

The PRESIDENT pro tempore. The Secretary will read the amendment as proposed to be amended.

The Secretary read as follows:

Patent Office: The Commissioner of Patents, under the direction of the Secretary of the Interior, is authorized to have printed and bound at the Government Printing Office an alphabetical list or index of patentees from 1790 to 1873, inclusive: *Provided*, That before the printing and binding of said index bona fide subscriptions for the same amounting to the sum of \$10,000 shall be received by the Commissioner of Patents, and the amount received on subscriptions shall be covered into the Treasury.

Mr. PLATT of Connecticut. I do not think it will cost the Government anything to enable the work to be done.

Mr. ALLISON. There is no objection to the modification proposed by the Senator from Connecticut.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 71, after line 9, to insert:

Purchase of land records: To enable the Secretary of the Interior to purchase from Albert Douglas, administrator of the estate of Samuel Kendrick, deceased, late of Ohio, certain original records and indexes of lands, surveys, maps, and papers pertaining to lands and locations within the Virginia military districts of Kentucky and Ohio, \$15,000.

The amendment was agreed to.

The next amendment was, on page 71, line 21, after the word "dollars," to insert the following proviso:

*Provided*, That so much thereof as may be necessary shall be expended as follows: The Secretary of War shall appoint three commissioners, one from the Engineer Corps of, and one from the officers of, the Regular Army of the United States, both to act herein without additional compensation; and the third a civil engineer and member of the department of highways of the State of California, who shall be paid herein only his actual expenses.

The duties of said commission shall be to examine, determine the lengths, widths, elevations, grades, conditions, ownership, cost of construction and present values and annual cost of maintenance, rates of toll charged, annual tolls collected, and the length of season open to travel and actually traveled by the public of each the "Big Oak Flat toll road," "the Coulterville toll road," "the Wawona toll road," and the "Tioga road," all in and about the Yosemite National Park, California; and also, so far as applicable, said data with reference to new wagon road by the best attainable new route from said Yosemite Valley to a suitable point in Merced County, and of a second such in Mariposa County, and of a third such to railroad connection in Tuolumne County, and to any other practicable route, and also to a new wagon road connecting said "Tioga road" with a road traveled by wagon in Mono or Inyo County, said State, and also to a wagon road to Hetch Hetchy Valley in said park. Said commission is authorized to do all acts and things necessary to complete said purpose, and shall report to the Secretary of the Interior the results of such examination.

So as to read:

Improvement of Yosemite National Park: For the protection of the Yosemite National Park, and construction of bridges, fencing, and trails, and improvement of roads, other than toll roads, to be expended under the supervision of the Secretary of the Interior, \$4,000: *Provided*, That so much thereof as may be necessary shall be expended as follows, etc.

Mr. ALLISON. On page 72, line 23, I move to strike out the word "a" before the word "complete."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 74, after line 11, to insert:

For central plant for hot water, with boiler, piping, covering, etc., \$6,000.

The amendment was agreed to.

The next amendment was, on page 74, after line 13, to insert:

For renewing plumbing, tiling bathrooms and toilets in two sections of main building, \$5,000.

The amendment was agreed to.

The next amendment was, on page 74, after line 15, to insert:

For fireproofing floors, brick partitions, piazzas, Atkins Hall, \$5,000.

The amendment was agreed to.

The next amendment was, on page 74, line 19, to increase the appropriation for the construction of three cottage buildings for working inmates at the Government Hospital for the Insane, from \$18,000 to \$31,250.

The reading of the bill was continued to line 2, page 76.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Iowa to page 76, line 2. After the words "\$200" in line 2, there is the phrase "in all, \$35,100." That is made an entirely separate clause. There should be a comma there, and then should follow "in all, \$35,100," making it one paragraph.

Mr. ALLISON. It would be better to have a semicolon there.

Mr. GALLINGER. Ought it not to be made a separate paragraph?

Mr. ALLISON. The word "in" ought to begin with a small instead of a capital "I."

Mr. GALLINGER. And made one paragraph.

Mr. ALLISON. And made one paragraph.

The PRESIDENT pro tempore. It ought to continue right along without separating it as a clause by itself.

Mr. ALLISON. Make it a small "i" instead of a capital "I."

The PRESIDENT pro tempore. That will be done.

The reading of the bill was continued. The next amendment was, on page 76, line 20, to increase the appropriation for support of the reindeer station at Port Clarence, Alaska, and for the purchase and introduction of reindeer from Siberia for domestic purposes, from \$12,500 to \$25,000.

The amendment was agreed to.

The next amendment was, on page 76, after line 20, to insert:

Des Moines River lands settlers: To pay the Des Moines River lands settlers, under the provisions of the paragraph in the sundry civil act approved July 1, 1898, under the heading "Des Moines River lands settlers," in addition to the amount already appropriated for said purposes, \$150,000, or so much thereof as may be necessary, the same to be in full of all claims adjusted or in process of adjustment provided for by said act, and no part of the claim shall be paid by the Secretary of the Interior until all the claims heretofore filed are examined, and all claims not presented within sixty days after the passage of this act shall be barred from consideration thereafter: *Provided*, That of the foregoing sum \$3,500, or so much thereof as may be necessary, may be expended in making the examination provided for by said act approved July 1, 1898.

The amendment was agreed to.

The next amendment was, under the subhead "Armories and arsenals," on page 77, line 20, before the word "and," to strike out "printing" and insert "painting;" so as to make the clause read:

For general care, preservation, and improvements; for painting and care and preservation of permanent buildings; for building fences and sewers and grading grounds, \$10,000.

The amendment was agreed to.

The next amendment was, on page 78, after line 2, to insert:

For restoring the power house, machinery, and electric plant at the Rock Island Arsenal, which were destroyed by fire on January 8, 1899, \$9,851.24, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 78, after line 7, to insert:

For new hospital, \$19,500.

The amendment was agreed to.

The next amendment was, on page 78, after line 8, to insert:

For three additional turbine wheels, penstocks, shafting, and machinery at water power, \$21,350.

The amendment was agreed to.

The next amendment was, on page 78, after line 11, to insert:

For powder magazine of 2,000 barrels capacity, \$13,000.

The amendment was agreed to.

The next amendment was, under the subhead "Benicia Arsenal, Benicia, Cal.," on page 78, after line 23, to insert:

For one 30-horsepower gas or gasoline stationary engine installed, \$1,800.

The amendment was agreed to.

The next amendment was, under the subhead "Frankford Arsenal, Philadelphia, Pa.," on page 79, after line 3, to insert:

For repairing wharf and stone wall on Frankford Creek and Dyke, \$5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Springfield Arsenal, Springfield, Mass.," on page 79, after line 13, to insert:

For erecting and fitting up an addition to the milling shop for use as water-closets for workmen, \$2,500.

The amendment was agreed to.

The next amendment was, on page 82, after line 11, to strike out:

One-half of the foregoing sums under "Buildings and grounds in and around Washington" shall be paid from the revenues of the District of Columbia, and the other half from the Treasury of the United States.

Of the whole amount appropriated in the legislative, executive, and judicial appropriation act for the fiscal year 1900 under the title "Public buildings and grounds" the sum of \$22,410 shall be paid from the revenues of the District of Columbia and the remainder from the Treasury of the United States.

Mr. CHILTON. Let that go over. I will not ask for an explanation now. I should like to have an explanation of the amendment in the morning. Let it go over until to-morrow.

Mr. ALLISON. Does the Senator from Texas object to it?

Mr. CHILTON. Yes; I do not see any reason why the expense of the parks here in the city of Washington should not be borne in part by the government of the District of Columbia.

Mr. ALLISON. The amendment may be passed over until to-morrow.

The PRESIDENT pro tempore. The amendment will be passed over.

Mr. ALLISON. Not only will the amendment on page 82, from line 13 to line 23, inclusive, be passed over until to-morrow, at the request of the Senator from Texas, but there are a number of amendments importing the same thing. I ask that they may all be passed over.

The PRESIDENT pro tempore. The amendments will be passed over as they are reached.

The reading of the bill was resumed. The next amendment was, on page 83, line 4, to increase the appropriation for care, repair, and refurnishing of Executive Mansion from \$20,000 to \$36,000.

The amendment was agreed to.

The next amendment was, on page 84, line 9, after the word "hour," to strike out the following proviso:

*Provided further.* That \$3,400 of the foregoing sum shall be paid from the revenues of the District of Columbia and the remainder from the Treasury of the United States.

The PRESIDENT pro tempore. The amendment will be passed over for the present.

The next amendment was, on page 85, line 4, after the word "cents," to strike out:

One half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. GALLINGER. This amendment will also be passed over.

The PRESIDENT pro tempore. This amendment also will be passed over.

The next amendment was, under the subhead "Engineer Department," on page 91, after line 11, to insert:

Improving Yaquina Bay, Oregon: For continuing improvement, \$150,000.

The amendment was agreed to.

The next amendment was, on page 93, line 11, after the word "Illinois," to insert:

Fifty thousand dollars, or so much thereof as may be necessary, for the completion of a levee on the west bank of the Mississippi River from the mouth of Flint Creek, in Des Moines County, Iowa, to the mouth of the Iowa River, in Louisa County, Iowa.

And in line 19, before the word "thousand," to strike out "fifteen" and insert "twenty-five;" so as to read:

For continuing improvement from the mouth of the Missouri River to St. Paul, \$836,000.07: *Provided.* That of this amount \$10,000 shall be expended for removing the sand bar in front of the steamboat landing at Quincy, in the State of Illinois; \$10,000 shall be expended for dredging the channel at Quincy Bay, at Quincy, in the State of Illinois; \$5,000 shall be expended for the repair and maintenance of the natural and artificial banks of the Mississippi River from Warsaw to Quincy, in the State of Illinois; \$5,000 shall be expended for maintaining the harbor at Rock Island, Ill.; \$50,000, or so much thereof as may be necessary, for the completion of a levee on the west bank of the Mississippi River from the mouth of Flint Creek, in Des Moines County, Iowa, to the mouth of the Iowa River, in Louisa County, Iowa; \$10,000 shall be expended to deepen the harbor at Davenport, Iowa, from the Government bridge to the island owned by the city of Davenport, in the Mississippi River; and \$25,000 shall be expended for improving and straightening the channel at and near Clinton, Iowa.

The amendment was agreed to.

The next amendment was, on page 94, line 4, before the word "thousand," to strike out "and thirty" and insert "forty;" and in line 6, after the word "Missouri," to insert:

Forty thousand dollars shall be used for completing revetment work at New Madrid, Mo.; and \$30,000 shall be used in improving the harbor and rectifying the banks at and near Helena, Ark.

So as to make the clause read:

Improving Mississippi River: For continuing improvement of Mississippi River from Head of the Passes to the mouth of the Ohio River, including salaries, clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission, \$2,583,333: *Provided.* That of said sum \$50,000 shall be used in the work of rectifying the bank at and near Greenville Harbor, in Mississippi; \$40,000 shall be used in rectifying the banks at and near the city of Caruthersville, Mo.; \$40,000 shall be used for completing revetment work at New Madrid, Mo.; and \$30,000 shall be used in improving the harbor and rectifying the banks at and near Helena, Ark.

The amendment was agreed to.

The next amendment was, on page 94, line 15, to increase the appropriation for continuing the improvement of the Missouri River from its mouth to Sioux City, Iowa, from \$200,000 to \$300,000; and on page 95, line 2, after the word "dollars," to insert:

Boonville, Mo., \$10,000; and upon the first reach of the river or in renewing and repairing the plant of the Missouri River Commission, \$90,000.

The amendment was agreed to.

The next amendment was, on page 97, after line 13, to insert: Army Medical Museum and Library building: For six iron book stacks in library hall, including iron supports, stairs, and perforated gallery floors and necessary hardwood shelves, \$6,000.

The amendment was agreed to.

The next amendment was, on page 97, line 23, after the word "dollars," to strike out:

One-half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. CHILTON. That is an amendment of the same character as those passed over on my suggestion a little while ago.

The PRESIDENT pro tempore. The amendment will be passed over for the present.

The next amendment was, on page 98, line 3, after the word "dollars," to strike out:

One half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The PRESIDENT pro tempore. The amendment will be passed over.

The next amendment was, on page 99, line 18, after the word "dollars," to insert the following proviso:

*Provided.* That the engineer member appointed from the Corps of Engineers shall be entitled to receive compensation from the date of his appointment, in addition to his regular army pay and allowances, equal to the difference between such annual army pay and allowances and the compensation of the other two members of the commission.

The amendment was agreed to.

The next amendment was, on page 99, after line 24, to insert:

Monument to Sergt. Charles Floyd: To enable the Secretary of War, in cooperation with the Floyd Memorial Association, to cause to be erected over the remains of Sergt. Charles Floyd, a member of the Lewis and Clarke expedition, who died and was buried August 20, 1804, near the present site of Sioux City, Iowa, a fitting monument commemorative of that expedition and of the first soldier to lay down his life within the Louisiana purchase, \$5,000: *Provided.* That the total cost and expense to the United States of erecting said monument shall not exceed \$5,000.

The amendment was agreed to.

The next amendment was, under the subhead "At the Western Branch at Leavenworth, Kans.," on page 103, after line 22, to insert:

For one barrack and furniture for same, \$22,500.

The amendment was agreed to.

The next amendment was, on page 107, line 1, to increase the total appropriation for the support of the National Home for Disabled Volunteer Soldiers at the Western Branch at Leavenworth, Kans., from \$288,000 to \$310,500.

The amendment was agreed to.

The next amendment was, under the subhead "At the Danville Branch, Danville, Ill.," on page 110, line 5, after the word "for," to strike out "four additional barracks;" and in line 11, before the word "thousand," to strike out "three hundred and twenty-five" and insert "one hundred and seventy-one;" so as to make the clause read:

For headquarters, quartermaster and commissary storehouse, officers' quarters, chapel, and all other necessary buildings, and necessary apparatus, equipments, and furniture for all buildings at said branch; also for water-works, mains, and piping; for steam heating, mains, and piping; for fencing, grading, and sewers, \$171,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 110, line 14, to reduce the total appropriation for current expenses, subsistence, etc., at the Danville Branch, Danville, Ill., from \$737,500 to \$583,500.

The amendment was agreed to.

The next amendment was, on page 110, after line 14, to insert:

Hot Springs Branch, Hot Springs, S. Dak.: The Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby authorized to locate, establish, and construct a branch of the National Home, to be used as a sanitarium for disabled volunteer soldiers, within the limits of the town of Hot Springs, in the county of Fall River, in the State of South Dakota, to cost in all for each and every purpose connected with such erection, establishment, and construction, \$100,000, and toward this object there is hereby appropriated the sum of \$50,000.

The amendment was agreed to.

The next amendment was, on page 111, line 15, after the word "dollars," to strike out "one assistant inspector-general, \$3,000,"

and insert "two assistant inspectors-general, at \$2,000 each;" and on page 112, line 4, before the word "hundred," to strike out "forty-two thousand four" and insert "forty-four thousand four;" so as to make the clause read:

For president of the Board of Managers, \$4,000; secretary of the Board of Managers, \$2,000; general treasurer, who shall not be a member of the Board of Managers, \$2,500; one inspector-general, \$2,500; two assistant inspectors-general, at \$2,000 each; clerical services for the offices of the president and general treasurer, \$7,500; messenger service for president's office, \$144; clerical services for managers, \$2,400; agents, \$2,400; for traveling expenses of the Board of Managers, their officers and employees, \$10,500; for outdoor relief, \$1,500; for rent, medical examinations, stationery, telegrams, and other incidental expenses, \$4,000; in all, \$44,444.

The amendment was agreed to.

The next amendment was, on page 112, line 5, to reduce the total appropriation for the support of the National Home for Disabled Volunteer Soldiers from \$3,310,044 to \$3,230,544.

The amendment was agreed to.

The next amendment was, at the top of page 113, to insert:

#### NAVY DEPARTMENT.

Pacific cable: That there shall be constructed by the United States, under the direction of the Secretary of the Navy, for military, naval, and postal purposes, a submarine telegraphic cable and connecting land lines from a Pacific port in the State of California, to be designated by the President, to the city of Honolulu, in the Hawaiian Islands.

That the Secretary of the Navy is hereby authorized, empowered, and directed to detail one or more vessels of the United States for the purpose of making surveys and taking careful necessary soundings in order to determine the most practicable route for said line of cable.

That the construction and laying of such cable or cables shall be under the general control and direction of the Secretary of the Navy, and he is hereby empowered and required, immediately after the passage of this act, to prescribe and cause to be prepared plans and specifications for the construction and laying of said line of telegraphic cable to be constructed and put in operation at the earliest practicable date.

Contracts for the construction and laying of said line of telegraphic cable, and for supplying the necessary instruments and appliances connected therewith, except such work as can be advantageously and efficiently done by the Navy Department, shall be awarded to, and executed by, the lowest responsible bidder or bidders after such notice by advertisement for sealed bids as shall be deemed reasonable and sufficient by the Secretary of the Navy: *Provided*, That in all advertisements for bids, and for all bids for work for, or appliances, and all contracts made for such work and material in connection with said telegraphic cable and necessary appliances, it shall be provided that the wires, cables, insulators, batteries, instruments, and all other materials shall be of the best quality, reasonably adapted in every respect for the highest efficiency.

That when such telegraphic cable is completed the operation of the same shall be under the control of the Postmaster-General, who shall have authority to receive and transmit messages in the interest of commerce and the public, other than United States Government messages, and shall establish a rate of toll therefor, not exceeding 25 cents per word between the designated port in the State of California and Honolulu in the Hawaiian Islands.

The Postmaster-General shall arrange and provide for the transmission of messages from news associations and news agencies to the newspapers of the United States, commonly known as press messages, at a rate not exceeding one-third of the above-named rates for ordinary private messages; and the sum of \$500,000 is hereby appropriated toward the construction of said cable and connecting land lines, as hereinbefore provided; and the total cost of said line shall not exceed \$2,500,000, to be paid for from time to time as appropriations shall be made by Congress.

Mr. ALLISON. I move to amend the amendment, on page 114, line 9, after the word "quality," by inserting "and of American manufacture and;" so as to read:

And all other materials shall be of the best quality and of American manufacture and reasonably adapted in every respect for the highest efficiency.

The amendment to the amendment was agreed to.

Mr. LODGE. I should like to ask the Senator from Iowa whether he does not think it desirable in that amendment to put in some provision as to the time within which the cables are to be laid by the contractors who make them? It seems to me it would be wise that we should require some limit of time in order to surely get the cables laid at the earliest possible moment.

Mr. ALLISON. If the Senator from Massachusetts will turn to that portion of the amendment on page 113, beginning in line 13, he will see that it reads:

That the construction and laying of such cable or cables shall be under the general control and direction of the Secretary of the Navy, and he is hereby empowered and required, immediately after the passage of this act, to prescribe and cause to be prepared plans and specifications for the construction and laying of said line of telegraphic cable, to be constructed and put in operation at the earliest practicable date.

The Secretary of the Navy makes the contract with the people who manufacture the cable. If he executes the power herein authorized, of course he will fix the earliest possible date for its completion. I do not think we can very well be more specific in the bill, as this cable may be laid within nine months, or it may take twelve or fifteen months; but the Secretary of the Navy, having all the facts and the necessary authority, will undoubtedly, under this provision, prescribe the earliest date possible for the completion of the cable. I think the provision is very well guarded.

Mr. LODGE. In the proposition which was made, the alternative proposition to this, which was to allow a company to contract under a subsidy for the entire cable, they were required to agree under heavy bonds to have the cable laid and in working order by the 1st of July, 1901, I think was the date. If they were prepared to do that, I do not see why it would not be well to require that of these other contractors.

Mr. ALLISON. The Secretary of the Navy, who will make this contract, will have all the power necessary to make that requirement of the manufacturers of the cable; and I suppose that the Government in some form, either by using one of its own ships or by hiring a ship, will lay this cable.

The PRESIDENT pro tempore. The question is on the amendment of the committee as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 116, after line 24, to insert:

Traveling and miscellaneous expenses: For traveling and other miscellaneous and emergency expenses authorized and approved by the Attorney-General, the provisions of the first paragraph of section 3043, Revised Statutes, to the contrary notwithstanding, \$10,000.

The amendment was agreed to.

The next amendment was, under the subhead "United States courts," on page 118, line 24, to increase the appropriation for payment of regular assistants to United States district attorneys, who are appointed by the Attorney-General at a fixed annual compensation, from \$151,000 to \$160,000.

The amendment was agreed to.

The next amendment was, on page 119, line 3, after the word "cases," to insert:

Including customs cases, and special assistants to the Attorney-General in special matters, and for the payment of other expenses in connection therewith, to be available until expended.

And in line 6, before the word "thousand," to strike out "sixty" and insert "seventy;" so as to make the clause read:

For payment of assistants to United States district attorneys employed by the Attorney-General to aid district attorneys in special cases, including customs cases, and special assistants to the Attorney-General in special matters, and for the payment of other expenses in connection therewith, to be available until expended, \$70,000.

The amendment was agreed to.

The next amendment was, on page 123, line 16, after the word "bailiffs," to insert "and criers;" in line 17, before the word "in," to insert "and one crier;" and on page 123, line 8, after the word "dollars," to strike out the following proviso:

*Provided*, That the duties heretofore performed by criers shall hereafter be performed by the marshals, their deputies, or the bailiffs.

So as to make the clause read:

For pay of bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York: *Provided*, That all persons employed under section 715 of the Revised Statutes shall be deemed to be in actual attendance when they attend upon the order of the courts: *And provided further*, That no such person shall be employed during vacation; of reasonable expenses for travel and attendance of district judges directed to hold court outside of their districts, not to exceed \$10 per day each, to be paid on written certificates of the judges, and such payments shall be allowed the marshal in the settlement of his accounts with the United States; expenses of judges of the circuit courts of appeals; of meals and lodgings for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court; and of compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court, \$150,000.

The amendment was agreed to.

The next amendment was, on page 123, after line 16, to insert: For the removal of certain circuit court records from the public building at Portsmouth, N. H., to the fireproof vaults in the public building at Concord, N. H., under the direction of the circuit court, \$20.

The amendment was agreed to.

The next amendment was, on page 124, after line 14, to insert:

#### DEPARTMENT OF STATE.

Canadian Commission: The appropriation of \$50,000 made by the deficiency appropriation act approved July 7, 1898, "For the expense on the part of the United States of a joint commission to be appointed for the adjustment of differences between the United States and Great Britain in respect to the Dominion of Canada, including the compensation of the commissioners representing the United States, the pay of expert service for preparation of papers, for the portion of joint expenses chargeable to the United States, for printing and all other incidental expenses, to be disbursed under the direction of the Secretary of State, to remain available during the fiscal year 1899," is hereby continued available during the fiscal year 1900, and said commission is also continued during said fiscal year.

The amendment was agreed to.

Mr. COCKRELL. I ask the Secretary to turn back to page 71, line 16, to an amendment which the committee had not prepared at that time in relation to land warrants, beginning after the clause ending at line 16.

The SECRETARY. At the end of line 16, on page 71, it is proposed to insert:

And the owners or holders of all outstanding military land warrants or parts of such warrants issued or allowed by the State of Virginia for military services performed by the officers and soldiers, seamen, or marines of the Virginia State and Continental lines in the Army or Navy of the Revolution are hereby notified and required to present and surrender them to the Secretary of the Interior within twelve months from the passage of this act for his action under the provisions of the act entitled "An act making further provision for the satisfaction of Virginia land warrants," approved August 31, 1862. And all such warrants or parts of warrants not so present and surrendered to the Secretary of the Interior shall be forever barred and invalid.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of

the Committee on Appropriations was, on page 125, after line 6, to insert:

Paris Exposition: For each and every purpose named in the paragraph in the sundry civil appropriation act approved July 1, 1898, under the heading "Paris Exposition," \$850,000, of which amount not exceeding \$120,000 may be used for clerk hire in the United States and in Paris, and the limit of appropriations provided for in the provisions of said paragraph shall be extended \$400,000, or to \$1,060,000 in all, said appropriation to be available until expended.

For the construction of necessary buildings in connection with said exposition, \$250,000, to be immediately available.

For pay of jurors, \$70,000, to be available until expended.

Mr. ALLISON. I move to amend the amendment on page 125, line 15, after the word "hundred," by inserting "and thirty," so as to make the amount there "\$430,000," and in line 16, before the word "thousand," I move to strike out "fifty" and insert "eighty;" so as to make the total amount "\$1,080,000."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 125, after line 22, to insert:

Lafayette Monument: For the purpose of aiding in defraying the cost of a pedestal, and completing in a suitable manner the work of erecting a monument in the city of Paris to General Lafayette, designed by the Lafayette Memorial Commission, as a feature of the participation of the United States in the Paris Exposition of 1900, the Secretary of the Treasury shall be, and is hereby, authorized to purchase in the market \$25,000 worth of silver bullion, or so much thereof as may be necessary for the purpose herein provided for, from which there shall be coined at the mints of the United States silver dollars of the legal weight and fineness to the number of 50,000 pieces, to be known as the Lafayette dollar, struck in commemoration of the erection of a monument to General Lafayette, in the city of Paris, France, by the youth of the United States, the devices and designs upon which coins shall be prescribed by the Director of the Mint, with the approval of the Secretary of the Treasury, and all provisions of law relative to the coinage and legal tender quality of the present silver dollars shall be applicable to the coins issued under this act, and when so coined, there is hereby appropriated from the Treasury the said fifty thousand of souvenir dollars, and the Secretary of the Treasury is authorized to place the same at the disposal of the Lafayette Memorial Commission, a commission organized under the direction and authority of the Commissioner-General for the United States to the Paris Exposition of 1900.

The amendment was agreed to.

The next amendment was, at the top of page 127, to insert:

Papers of the Continental Congress: For examining the papers of the Continental Congress (1774 to 1789), now in the library of the Department of State, and determining and reporting to Congress which of said papers should be published and the number of printed volumes they would make, the money to be expended under the direction of the Secretary of State, \$5,000.

The amendment was agreed to.

The next amendment was, under the head of "Under legislative," on page 128, line 2, to increase the appropriation for maintenance of the Botanic Garden from \$5,500 to \$6,500.

The amendment was agreed to.

The next amendment was, on page 128, after line 2, to insert:

Industrial Commission: That the limit of expenditure provided in section 4 of the act authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital, approved June 18, 1893, is hereby increased from \$50,000 per annum to \$75,000 per annum; and each member of said commission who is a Senator or member of the House of Representatives shall be allowed traveling expenses incurred in coming to or returning from any and all meetings of said commission, whether regular or called, when Congress is not in session, and said Senators and members of the House of Representatives shall also, when attending such meetings during a recess of Congress, be allowed hotel and other necessary expenses, and all such expenses heretofore incurred by the said members of said commission shall be paid by the Treasury on presentation of the usual vouchers therefor; and said commission is hereby authorized to expend from said appropriation for the purchase of reference books and periodicals an amount not to exceed \$1,500; and on the termination of said commission all such books and periodicals shall be delivered by the commission to the Librarian of Congress and become a part of the Library of Congress.

Mr. ALLISON. I move to amend the amendment on page 128, line 18, by striking out the word "said" before the word "members;" so as to read:

And all such expenses heretofore incurred by the members of said commission shall be paid by the Treasury on presentation of the usual vouchers therefor.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 129, after line 2, to insert:

#### SENATE.

For payment to James S. Morrill, only child of Hon. Justin S. Morrill, late a Senator of the United States from the State of Vermont, \$5,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 129, after line 7, to insert:

To enable the Secretary of the Senate to pay Annie E. Maccubbin, widow of William M. Maccubbin, who was killed while in the discharge of his duties as a painter in the Capitol, October 20, 1898, \$1,500, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 129, after line 12, to insert:

To pay Robert G. Proctor, for compiling and indexing "Tariff acts passed by the Congress of the United States from 1789 to 1897," as authorized and

directed by concurrent resolution which passed the House May 16, 1898, and the Senate May 23, 1898, \$250, to be immediately available.

The amendment was agreed to.

The next amendment was, under the head of "Public printing and binding," on page 130, line 7, after the word "rents," to insert "books of reference;" and in line 10, after the word "dollars," to insert the following proviso:

Provided, That in the expenditure of this appropriation the Public Printer may, in his discretion, pay all printers and bookbinders employed in the Government Printing Office at the rate of 50 cents per hour for time actually employed.

So as to make the clause read:

For the public printing, for the public binding, and for paper for the public printing, including the cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving for both Houses of Congress, the Supreme Court of the United States, the supreme court of the District of Columbia, the Court of Claims, the Library of Congress, the Executive Office, and the Departments, including salaries or compensation of all necessary clerks and employees, for labor (by the day, piece, or contract), and for rents, books of reference, and all the necessary materials which may be needed in the prosecution of the work, \$3,467,000; Provided, That in the expenditure of this appropriation the Public Printer may, in his discretion, pay all printers and bookbinders employed in the Government Printing Office at the rate of 50 cents per hour for time actually employed; and from the said sum hereby appropriated printing and binding shall be done by the Public Printer to the amounts following, respectively, etc.

The amendment was agreed to.

The next amendment was, on page 131, line 24, after the word "binding," to insert "in half Turkey or material not more expensive;" so as to make the clause read:

For the Smithsonian Institution, for printing labels and blanks, and for the "Bulletins" and "Proceedings" of the National Museum, the editions of which shall not be less than 3,000 copies, and binding in half Turkey or material not more expensive scientific books and pamphlets presented to and acquired by the National Museum library, \$17,000.

The amendment was agreed to.

The next amendment was, on page 133, after line 19, to insert:

Government Printing Office building: That there be constructed, upon the land acquired by the United States in square No. 624, in the city of Washington, D. C., under the provisions of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes," approved July 1, 1898, a fire-proof building for the use of the Government Printing Office, at a total cost, including approaches, elevators, lighting, and heating apparatus, not exceeding \$2,000,000.

That the building herein provided for shall be erected under the direction and supervision of the Chief of Engineers of the Army, by contract or hired labor, or both, as may be to the best interests of the United States, and upon plans and specifications to be prepared by him and approved by the Public Printer.

And the said Chief of Engineers is hereby authorized to enter into a contract or contracts for the construction of the whole or of any part of said building and for the removal of the old dwellings and other buildings now standing upon said land, subject to appropriations to be made therefor by Congress, and he shall also have the employment of all persons connected with the work; Provided, however, That the selection and appointment of a competent architect to prepare the plans and specifications for the elevations of said building shall be made by the said Chief of Engineers and the Public Printer jointly.

Toward the construction of said building and for each and every purpose connected therewith, including the cost of all professional and other personal services that the Chief of Engineers of the Army may deem necessary, and for the rent of office rooms in a locality convenient to the work, \$350,000, to be immediately available. This appropriation and all appropriations which may hereafter be made for this purpose shall be expended under the direction and supervision of the said Chief of Engineers.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. PETTIGREW. I offer the amendment which I send to the desk.

Mr. ALLISON. I ask the Senator from South Dakota to withhold his amendment for a moment. I wish to suggest an amendment to come in on page 127, and then the Senator may offer his amendment, and it may be pending. I think I shall then move that the Senate adjourn.

Mr. PETTIGREW. I yield to the Senator.

Mr. ALLISON. On page 127, line 19, after the date "1898," I move to strike out "\$1,200" and insert "\$3,000."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 127, line 19, after the date "1898," it is proposed to strike out "\$1,200" and insert "\$3,000;" so as to make the clause read:

Statement of appropriations: For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives, of the statements showing appropriations made, new offices created, offices the salaries of which have been omitted, increased, or reduced, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills passed during the third session of the Fifty-fifth Congress, as required by the act approved October 19, 1888, \$2,000, to be paid to the persons designated by the chairmen of said committees to do said work.

The amendment was agreed to.

Mr. PETTIGREW. I now offer the amendment which I have sent to the desk.

The SECRETARY. It is proposed to insert, on page 77, after line 13, the following:

That all persons who may have heretofore, or may hereafter, settle upon that portion of the Great Sioux Indian Reservation which was opened up to

settlement under and by virtue of the act of March 2, 1889, entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes." may secure patents for the lands embraced in their entry upon making the payments required in section 21 of said act of March 2, 1889, above referred to, and no other or further payment shall be required of said claimants, whether proof and payment be made after fourteen months or five years from the date of settlement upon said land.

Mr. PETTIGREW. Let the amendment be pending until to-morrow morning.

Mr. ALLISON. I ask that that amendment may go over for the present.

The PRESIDENT pro tempore. The amendment will be printed and go over until to-morrow.

Mr. FORAKER. I offer an amendment to the pending bill, which I ask may be printed and lie over.

The PRESIDENT pro tempore. That order will be made, in the absence of objection.

Mr. SPOONER. I offer an amendment intended to be proposed to the pending sundry civil bill, which I ask to have printed and referred to the Committee on Rules.

The PRESIDENT pro tempore. That order will be made, in the absence of objection.

Mr. ALLISON. I move that when the Senate adjourn to-day it be to meet to-morrow morning at 11 o'clock.

The motion was agreed to.

Mr. HANSBROUGH. I desire to submit a conference report.

Mr. ALLISON. There was an understanding when the appropriation bill was taken up that no other business was to be transacted this evening. If the Senator desires to make the report and have it lie over, I have no objection.

Mr. HANSBROUGH. I can submit the report to-morrow just as well.

Mr. COCKRELL. I hope the Senator will do that, as several Senators inquired, and that was the understanding.

Mr. HANSBROUGH. Very well.

#### HOUSE BILLS REFERRED.

The bill (H. R. 7865) to pay the J. S. Stearns Lumber Company \$379 was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 12184) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation was read twice by its title, and referred to the Committee on the District of Columbia.

The bill (H. R. 11879) to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes," was read twice by its title, and referred to the Committee on Military Affairs.

#### AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. BUTLER submitted an amendment providing that no part of the appropriation of \$2,700,000 shall be expended except in procuring armor of the best obtainable quality, at an average cost not exceeding \$300 a ton of 2,240 pounds, including royalties, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### DEATH OF REPRESENTATIVE HURLEY.

Mr. PLATT of New York. I ask the Chair to lay before the Senate the resolutions of the House of Representatives in relation to the death of Representative HURLEY.

The PRESIDENT pro tempore laid before the Senate the following resolutions of the House of Representatives; which were read:

#### IN THE HOUSE OF REPRESENTATIVES, February 27, 1899.

Resolved, That the House has heard with deep regret and profound sorrow of the death of Hon. DENIS M. HURLEY, late a Representative from the State of New York.

Resolved, That a committee of 11 members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral at Brooklyn, N. Y., and that the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

Resolved, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of this resolution.

Resolved, That the Clerk of the House communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, the House do now adjourn.

Mr. PLATT of New York. Mr. President, I offer the resolutions I send to the desk.

The PRESIDENT pro tempore. The resolutions will be read. The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. DENIS M. HURLEY, late a Representative from the State of New York.

Resolved, That a committee of five Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The resolutions were considered by unanimous consent and unanimously agreed to.

The PRESIDENT pro tempore appointed, under the second resolution, as the committee on the part of the Senate, Mr. WILSON, Mr. WELLINGTON, Mr. SMITH, Mr. HEITFELD, and Mr. PLATT of New York.

Mr. PLATT of New York. Mr. President, I offer an additional resolution, and ask for its adoption.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, as follows:

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The resolution was unanimously agreed to; and (at 9 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 28, 1899, at 11 o'clock a. m.

## HOUSE OF REPRESENTATIVES.

MONDAY, February 27, 1899.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of Saturday last was read and approved.

#### RIGHT OF WAY THROUGH INDIAN RESERVATIONS.

Mr. CURTIS of Kansas. Mr. Speaker, I present a conference report on the bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Without objection, the statement will be read instead of the conference report.

Mr. DOCKERY. I have no objection to that, but I suppose that the gentleman will ask that the conference report be printed in the RECORD.

Mr. CURTIS of Kansas. Yes.

The conference report is as follows:

#### CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian lands, and Indian allotments, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 9, 10, 11, and 12, and agree to the same.

That the Senate recede from its amendment numbered 13.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: After the word "heard," in line 10, strike out the words "Provided further, That when a right of way has been heretofore or shall hereafter be granted, no parallel right of way within 10 miles on either side shall be granted by the Secretary of the Interior, unless in his opinion the public interest will be promoted thereby," and insert in lieu thereof the following:

"Provided further, That where a railroad has heretofore been constructed, or is in actual course of construction, no parallel right of way within 10 miles on either side shall be granted by the Secretary of the Interior, unless in his opinion public interest will be promoted thereby."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with amendments as follows:

In lieu of the words "President of the United States," in line 3, insert the words "Secretary of the Interior."

In lieu of the words "pay double," in line 22, insert the word "deposit."

In lieu of the word "into," in line 23, insert the words "with the;" and the Senate agree to the same.

CHARLES CURTIS,  
JOHN F. LACEY,  
Managers on the part of the House.  
R. F. PETTIGREW,  
O. H. PLATT,  
Managers on the part of the Senate.

#### Statement of the managers on the part of the House.

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill, H. R. 11868, "An act for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes," submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

On Nos. 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, and 13 the House recedes from its disagreement and agrees to the amendments of the Senate.

Senate recedes from its amendment numbered 13.

Amendment numbered 1 extends the right of way to telegraph and telephone companies.

No. 2 simply adds the words "and ability." This amendment requires that in addition to the Secretary of the Interior being satisfied that the company asking for the right is in good faith, he must also be satisfied of its ability to build the road for which the right of way is asked.

No. 4 simply makes the provisions of section 2 apply to the rights of way heretofore granted, when no provisions defining the width of the rights of way are contained in the act granting the same.

Nos. 5 and 7 apply to the lands of the individual Indians and are made necessary by amendment 8, which will be explained in another part of this statement.

No. 6 requires that, in addition to the compensation for the lands taken being fixed by the Secretary of the Interior, the same shall be paid under his direction.

Nos. 9 and 10 are simply changes in the phraseology.

No. 11 requires that one-tenth of the entire line shall be constructed and put in operation in one year, and the entire line shall be completed within three years.

No. 12 provides that the time for completion shall not be extended for a period exceeding two years.

The House recedes from its disagreements to the amendment numbered 3, with an amendment. The Senate provided that in case there was objection to the granting of a right of way that the parties objecting should be afforded a full hearing, and provided that no parallel right of way within 10 miles on either side should be granted by the Secretary unless, in his opinion, the public interest would be promoted thereby. The amendment, as agreed to by the managers of the Senate and House, changes this proviso so as to apply only to roads which have heretofore been constructed or are in the actual course of construction.

No. 8 takes the responsibility of fixing the compensation for lands of individual occupants and allottees out of the hands of the Secretary and provides that if amicable settlement can not be made between the company and occupant or allottee, then the matter shall be submitted to three disinterested referees; and if the three can not agree, then two of them are authorized to make the award, and either party, being dissatisfied with the findings of the referees, shall have the right within sixty days to appeal to the United States courts. The House agrees to this amendment, with amendments requiring the referees to be appointed by the Secretary of the Interior, instead of by the President, and requiring the railroad company to deposit the amount of the award with the court, to abide the judgment thereof, instead of double the amount, as provided in the Senate amendment.

CHARLES CURTIS,  
JOHN F. LACEY,  
Managers on the part of the House.

Mr. DOCKERY. This statement is not signed by all the managers on the part of the House.

Mr. CURTIS of Kansas. No; Mr. LITTLE was called home by sickness, but he concurs in it. I move, Mr. Speaker, the adoption of the report.

The conference report was agreed to.

On motion of Mr. CURTIS of Kansas, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

LEAVE TO PRINT.

Mr. JOHNSON of Indiana. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Indiana will state it.

Mr. JOHNSON of Indiana. Just before the House went into Committee of the Whole on Friday for the consideration of the Army appropriation bill, on motion of the gentleman from New York [Mr. SULZER], leave was given to such members as might participate in the debate in the committee to extend their remarks in the RECORD. I desire to inquire whether or not that leave would permit a member who, during debate in Committee of the Whole, submitted some criticisms on the address of the President recently delivered at the Home Market Club in Boston to incorporate the address of the President into his remarks in the RECORD? There was some difference of opinion about it at the time.

The SPEAKER. The Chair does not quite understand the question, the Chair not being present when the colloquy occurred.

Mr. JOHNSON of Indiana. Just before the House went into Committee of the Whole the gentleman from New York [Mr. SULZER] moved that any gentleman who should participate in the debate should have the right to extend his remarks in the RECORD. This motion carried. While in the committee I took the floor and submitted some remarks in criticism of the address of the President of the United States made at the banquet at the Home Market Club in Boston. When I concluded the question was raised as to my right, under the leave granted by the House, to incorporate the address of the President with my remarks in the RECORD. I desire now to ask whether the permission given by the House before going into Committee of the Whole is broad enough to enable me to avail myself of the privilege of incorporating this address into the remarks which I made?

The SPEAKER. The Chair does not see how he can pass upon that as a parliamentary inquiry. His individual opinion would be, perhaps, that—

Mr. JOHNSON of Indiana. Then I ask unanimous consent of the House at this time to make the incorporation.

Mr. PERKINS. I think that would solve the matter.

Mr. GROSVENOR. Mr. Speaker, this is a matter of a good deal of importance.

The SPEAKER. The Chair does not quite understand the bearing of it.

Mr. GROSVENOR. The bearing of it, Mr. Speaker, is this. It is a matter of importance, and I hope the Chair will give the House the benefit of a final decision upon the question. I am in sympathy with the view taken by the gentleman from Indiana [Mr. JOHNSON]. The question is this: I address the House upon a topic, and thereupon I ask and receive unanimous consent to extend my remarks in the RECORD. It was claimed by the gentleman from

Iowa [Mr. PERKINS] that it must be my remarks, and no illustration of my remarks or any addition to my remarks could go in.

Mr. PERKINS. No, Mr. Speaker; that is not my position.

Mr. GROSVENOR. Very well; that is the question. Perhaps I misunderstood the gentleman from Iowa. The question is simply this: The gentleman from Indiana [Mr. JOHNSON] made a speech in which he commented upon the speech of the President at the Home Market Club in Boston, and now the question is whether, under the order allowing him to extend his remarks, he may publish in full the address of the President.

The SPEAKER. The Chair does not like to pass upon a question of this sort in answer to a parliamentary inquiry, for the reason that he would be usurping the functions of the House. The Chair thinks the difficulty may be solved by the gentleman from Indiana asking unanimous consent of the House. Gentlemen will at once perceive that the House might be entirely willing that certain documents should be printed which had been criticized; but if a general rule were undertaken to be established, then by a little criticism on a book the whole book might be printed, a thing which the House has hitherto desired to avoid, although it has not always been successful.

Mr. JOHNSON of Indiana. Very well, Mr. Speaker; I now ask unanimous consent to incorporate—

The SPEAKER. The gentleman from Indiana asks unanimous consent to print as part of his remarks the speech of the President of the United States to which allusion was made in the gentleman's remarks.

Mr. JOHNSON of Indiana. Together with a brief synopsis of the remarks of the Secretary of the Navy and the Postmaster-General, to which I also alluded in my speech.

The SPEAKER. Is there objection? The Chair hears none.

TAXATION OF LAND IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill (H. R. 13184) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation was read, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of facilitating assessment and taxation of real estate in the District of Columbia, the following system of designating the several parcels of land therein is hereby prescribed, and every designation given in conformity with said system shall be a sufficient description of the parcel of land to which it relates, for all purposes of assessment and collection of taxes and assessments of every kind.

Each square in the city of Washington shall bear a number or other designation that will distinguish it from every other square in said city.

Each lot or parcel of ground in each such square shall bear a number or other designation that will distinguish it from every other lot or parcel of ground in such square.

Each block in each subdivision in said District outside of the limits of the city of Washington shall bear a number that will distinguish it from every other such block.

Each lot or parcel of land in each such block shall bear a number that will distinguish it from every other lot therein.

Each piece or parcel of unsubdivided land in said District shall have a distinctive designation.

As nearly as practicable, in the judgment of the Commissioners, the numbers in each of the aforesaid squares, blocks, or parcels of land requiring to be numbered shall be in a regularly increasing numerical sequence and order, beginning with the lowest number practicable; and, in case of the lots, shall commence at the same relative location in each of the squares, blocks, or parcels of land, and be continued in the same relative order.

It shall be the duty of the said Commissioners to cause a record of the designations of the several aforesaid parcels of land to be made in accordance with the foregoing system in the office of the surveyor of said District; and said Commissioners shall cause the necessary work to be commenced immediately upon the passage of this act; and hereafter it shall be the duty of the surveyor, in giving numbers to blocks or lots of future subdivisions, to be governed by said system.

SEC. 2. That the designation given as hereinbefore prescribed to each of said lots or parcels of land, which they shall respectively bear on the records of the assessor of said District at the time said lots or parcels become subject to sale for arrears of any tax or assessment, shall be the official designation of said lots or parcels of land for the enforcement of the collection of all such arrears of general taxes and assessments for the tax year in which the said designation shall be given, and until such designation be changed pursuant to law.

SEC. 3. That hereafter, before any instrument of conveyance of land in said District shall be recorded in the office of the recorder of deeds, such instrument must bear conspicuously indorsed thereon a certificate from the office of the surveyor of said District, showing that the land so conveyed is named or numbered upon the surveyor's records, as provided in section 1 of this act; and such certificate shall be entered upon the records of the said recorder as a part of the record of the said instrument of conveyance.

SEC. 4. That the Commissioners of the District of Columbia shall cause to be made a daily transcript, and entry on the records of said assessor, of the designations of lots or parcels of land in said District appearing in instruments of conveyance received for record in the office of the recorder of deeds; and the designations of lots or parcels of land in said District transferred by probated wills; and the person or persons whom the Commissioners of said District may designate for the purpose of making such transcript shall for this purpose at all times during office hours have full access to the records of the recorder of deeds and the register of wills of said District; and the assessor shall daily furnish the surveyor with a copy of such transcript.

SEC. 5. That all acts and parts of acts inconsistent herewith are hereby repealed.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

## SUSPENSION OF THE LAWS RELATING TO WAR DEPARTMENT, ETC.

Mr. GRIFFIN. I ask unanimous consent for the present consideration of the bill (H. R. 11879) to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes."

The bill was read, as follows:

*Be it enacted, etc.,* That an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes," approved June 7, 1898, is hereby amended so as to read as follows:

"That the operation of the following provisions of law be, and is hereby, continued suspended for such further time as, in the discretion of the Secretary of War, may be found necessary, or until otherwise provided by Congress, not longer, however, than March 1, 1900, namely:

"First. The provision of the first section of the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1899, and for other purposes,' in the following words:

"Provided, That hereafter no part of this appropriation shall be expended in the purchase for the Army of draft animals until the number on hand shall be reduced to 5,000, and thereafter shall only be expended for the purchase of a number sufficient to keep the supply up to 5,000."

"Second. The provisions of the first section of the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1899, and for other purposes,' in the following words:

"Provided, That hereafter no part of the appropriations for the Quartermaster's Department shall be expended on printing unless the same shall be done by contract, after due notice and competition, except in such cases as the emergency will not admit of the giving notice for competition: *Provided further,* That after advertisement all the supplies for the use of the various departments and posts of the Army and of the branches of the Army service shall hereafter be purchased where the same can be purchased the cheapest in the markets of the United States, quality and cost of transportation and the interest of the Government considered, except that purchases may be made in open market, in the manner common among business men, when the aggregate amount required does not exceed \$30, but every such purchase shall be immediately reported to the Secretary of War."

"And the words:

"Provided, That the number of horses purchased under this appropriation, added to the number on hand, shall not at any time exceed the number of enlisted men and Indian scouts in the mounted service, and that no part of this appropriation shall be paid out for horses not purchased by contract, after competition duly invited by the Quartermaster's Department, and an inspection by such department, all under the direction and authority of the Secretary of War."

"And the words:

"Provided, That no more than \$1,000,000 of the sums appropriated by this act shall be paid out for the services of civilian employees in the Quartermaster's Department, including those heretofore paid out of the funds appropriated for regular supplies, incidental expenses, barracks and quarters, Army transportation, clothing, camp and garrison equipage; that no employee paid therefrom shall receive a salary more than \$150 per month unless the same be specially fixed by law."

"Third. So much of the act approved March 15, 1898, entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1899,' under the heading 'Ordnance Department,' as provides that not more than \$85,000 of the money appropriated for the Ordnance Department in all its branches shall be applied to the payment of civilian clerks in said department."

SEC. 2. That during the time the operation of the foregoing provisions of law shall remain so suspended pursuant to this act materials required by the War Department may, in the discretion of the Secretary of War, be purchased abroad, and shall be admitted free of duty.

SEC. 3. That during the same time the Bureau of Ordnance of the War Department is authorized to purchase without advertisement such ordnance and ordnance stores as are needed for immediate use; and when such ordnance and ordnance stores are to be manufactured, then to make contracts without advertisement for such stores, to be delivered as rapidly as manufactured.

Mr. BAILEY. Mr. Speaker, I desire to examine this bill carefully, and will therefore ask the gentleman from Wisconsin to withhold it for the present. The bill contains so many exceptions and limitations that I think it ought to be examined before it is passed.

Mr. GRIFFIN. This bill is amendatory of an act which we passed last year—

Mr. BAILEY. I know it is, but it seems to continue that amendatory act as to all claims except for the purchase of certain animals and for certain kinds of printing. I do not think the act ought to be continued in time of peace. But I would like to examine the bill.

Mr. GRIFFIN. There is a limitation as to the time during which the suspension shall continue.

Mr. BAILEY. But the war is over and this is now a time of peace. I ask the gentleman to withdraw the bill until I can examine it.

Mr. GRIFFIN. The gentleman's position is tantamount to an objection.

Mr. BAILEY. Well, I do not want to object; but I will, of course, until I can examine the bill, unless the gentleman withdraws it. If it be a proper measure, I certainly would be very far from desiring to object.

Mr. GRIFFIN. Under the circumstances I am not at liberty to withdraw the bill.

The SPEAKER. Objection is made.

Some time subsequently the following took place:

Mr. GRIFFIN. Mr. Speaker, I desire now to call up again for unanimous consent the bill (H. R. 11879) to suspend the operation of certain provisions of law relating to the War Department, as the gentleman from Texas, on examination of the bill, is willing to withdraw the objection.

Mr. BAILEY. Mr. Speaker, on examination of the bill I find that there is a limitation of all extensions up to March 1 of next year, and it only continues the suspension of certain items which I think a necessary provision, and therefore I withdraw the objection to the consideration of the bill.

The SPEAKER. Is there further objection?

There being no further objection, the bill was considered.

The amendment recommended by the Committee on Military Affairs was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. GRIFFIN, a motion to reconsider the last vote was laid on the table.

## J. S. STEARNS LUMBER COMPANY.

On motion of Mr. STEWART of Wisconsin, by unanimous consent, the House proceeded to the consideration of the bill (H. R. 7865) to pay the J. S. Stearns Lumber Company \$379; which was read, as follows:

*Be it enacted, etc.,* That the Treasurer of the United States be, and is hereby, authorized and directed to pay to the J. S. Stearns Lumber Company, of Oshkosh, Ashland County, Wis., the sum of \$379.63, the same being the amount of a certain judgment recovered by the United States against the said J. S. Stearns Lumber Company, it being for the value of timber cut from certain lands in section 35, township 46 north, of range 4 west, Ashland County, Wis., claimed by the United States, and which lands were subsequently determined by the Supreme Court, in the case of the Wisconsin Central Railroad Company against Forsythe, to be owned by the said railroad company, and from which the said timber was removed.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. STEWART of Wisconsin, a motion to reconsider the vote by which the bill was passed was laid on the table.

## CHARLES K. KIRBY AND OTHERS.

On motion of Mr. DE VRIES, by unanimous consent, the House proceeded to the consideration of the bill (S. 4748) for the relief of Charles K. Kirby and Edinger Bros. & Jacobi.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby authorized and directed to ascertain the amount of internal-revenue tax assessed or now due on brandy produced by Charles K. Kirby, under the name and style of Edinger Bros. & Jacobi and Lachman & Jacobi, at distillery No. 263, in the first collection district of California, and destroyed or lost at sea while in transit in bond from said distillery for deposit in a special bonded warehouse; and to remit in favor of the said Charles K. Kirby and Edinger Bros. & Jacobi and the said Lachman & Jacobi so much of the tax on the brandy which he shall ascertain has been so lost or destroyed, as aforesaid, as shall have been assessed against them, respectively.

The bill was ordered to a third reading, read the third time, and passed.

## ORDER OF BUSINESS.

Mr. HULL. I move that the House resolve itself into Committee of the Whole for the further consideration of the Army appropriation bill.

Mr. RICHARDSON. There are some matters on the Speaker's table which should be disposed of, and I hope the gentleman from Iowa [Mr. HULL] will withhold his motion until they can be taken up. There are some bills which should be sent to conference.

Mr. HULL. I have no objection to anything that ought to go to conference.

## CITY AND SUBURBAN RAILWAY.

The SPEAKER laid before the House the joint resolution (S. R. 189) to promote the relocation of certain tracks of the City and Suburban Railway Company, of the District of Columbia.

Mr. RICHARDSON. On this bill the Senate has disagreed to the amendments of the House. I move that the House insist on its amendments and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. BABCOCK, Mr. CURTIS of Iowa, and Mr. RICHARDSON as conferees on the part of the House.

## ARKANSAS NORTHWESTERN RAILWAY COMPANY.

The SPEAKER laid before the House the bill (S. 5513) to amend an act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," and extending the time for constructing and operating the said railway for two years from the 5th day of April, 1899.

Mr. DINSMORE. The House Committee on Indian Affairs has favorably reported a bill identical in its language with this Senate bill. I ask that the Senate bill be put on its passage.

The SPEAKER. Does the gentleman call up the bill by direction of the committee?

Mr. DINSMORE. No, sir.

The SPEAKER. Then the request will require unanimous consent. Is there objection? The Chair hears none.

The bill was read, as follows:

*Be it enacted, etc.,* That section 8 of the act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," enacted March 25, 1896, and in force April 5, 1896, be, and the same is hereby, amended so as to read as follows:

"Sec. 8. That said railway company shall build at least 100 miles of its railway within five years after the passage of this act or the rights herein granted shall be forfeited as to that portion not built. That said railway company shall construct and maintain continually all fences, roads, and highway crossings, and necessary bridges over said railway wherever said roads or highways do now or may hereafter cross said railway's right of way, or may be, by the proper authorities, laid out across the same."

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. DINSMORE, a motion to reconsider the last vote was laid on the table.

#### JUDICIAL DISTRICTS, MISSISSIPPI.

The SPEAKER laid before the House the bill (S. 5450) to attach Claiborne County, Miss., to the western division of the southern judicial district of Mississippi.

The bill was read, as follows:

*Be it enacted, etc.,* That Claiborne County, Miss., be, and it is hereby, embraced in the western division of the southern district of Mississippi, as fixed by the act of Congress describing the western division of the southern district of Mississippi, the court thereof being held at Vicksburg, Mississippi.

SEC. 2. That all process issued to and served upon parties in said county returnable to the United States court at Jackson, Miss., is hereby returnable to the next succeeding term of said court at Vicksburg, Miss., and all causes pending in the Jackson, Miss., court against citizens in said Claiborne County may, upon the order of the judge thereof, be transferred, upon motion, to said Vicksburg court.

Mr. HENDERSON. Mr. Speaker, the Judiciary Committee have instructed me to recommend that the bill be accepted by the House.

The SPEAKER. Without objection, the bill will be considered.

There was no objection.

The bill was ordered to a third reading; and being read the third time, was passed.

On motion of Mr. HENDERSON, a motion to reconsider the last vote was laid on the table.

#### ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I now renew the motion that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. HOPKINS in the chair).

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Inspector-General's Department: For pay of officers in the Inspector-General's Department, \$57,000;

For additional pay to such officers for length of service, to be paid with their current monthly pay, \$11,400;  
In all, \$68,400.

Mr. KNOWLES. I move to strike out the last word.

Mr. Chairman, in the few minutes given me under the rules of the Committee of the Whole, I desire to enter my protest against the unspeakable outrages now being perpetrated in the name of the people of the United States upon the people of the Philippine Islands. Our hitherto stainless sword, which has never been drawn except in the interests of liberty and humanity, has now been bathed in the blood of 10,000 people, whose only crime is a desire to govern themselves. What American citizen with a spark of self-respect, to say nothing of national pride or patriotism, can look upon this spectacle without hiding his head in shame?

Mr. Chairman, I have been astonished at sentiments uttered upon the floor of this House. The Philippine people are struggling in the same cause and for the self-same rights that actuated our forefathers in the Revolution. Every denunciation of the gentleman from Ohio [Mr. GROSVENOR] against Aguinaldo and his followers were simply echoes from the debates in the British Parliament against Washington and his army. British ministers denounced Washington's night attack upon Trenton in almost the same words as those used Saturday last by the gentleman from Ohio in describing the night attack upon our troops at Manila.

The debates in Parliament during the revolutionary struggle show that Pitt, who defended the right of Americans to resist oppression, was denounced by the cuckoos of George III in almost the identical terms as those used on Saturday last by the gentleman from Illinois [Mr. CANNON] against the gentleman from Kansas [Mr. SIMPSON]. Why, Mr. Chairman, if the gentleman from Ohio and the gentleman from Illinois are right, we ought immediately to tear that picture of Washington on your right from its frame and replace it with the picture of George III. If their words be true, then we ought immediately to pass a law making it treason to quote the Declaration of Independence or to read the Constitution of the United States. Washington and his

army fought for the right of self-government against foreign oppressors. The Filipinos are doing the same. Our forefathers declared that taxation without representation was tyranny. Filipinos say the same. Our forefathers declared that all governments derive their just powers from the consent of the governed. Filipinos say the same. But gentlemen upon the other side say that is an old-fashioned document, not applicable to any people whom our robber classes desire to exploit.

Mr. Chairman, we are how doing in the Philippine Islands just what we have cursed Spain for doing for the past hundred years. Spain was always an "expansionist." She used the same soft terms and catchwords to cover up her devilry that our Republican friends are now using to excuse and palliate our aggressions upon the Filipinos. The unspeakable cruelties of Cortez and Pizarro were defended upon the ground that they were carrying the religion of Jesus Christ to the heathen. I have heard pious hypocrites defend our Philippine outrages upon the same grounds. They propose to send the gospel of the meek and lowly Jesus into that country upon cannon balls. They are going to shoot religion into them with Gatling guns. Politicians say they are going to send liberty to the Filipinos. Yes; embalmed liberty of the same variety as the beef they fed our soldiers.

Mr. Chairman, oppression always begets cruelty. We always despise the people whom we oppress. Irresponsible power inevitably leads to tyranny, robbery, and plunder. This has been the history of the world. I have as high an opinion as any man of American character as developed under free institutions and self-government, but I do not want to trust any man, however good, with irresponsible power. It is not safe to do so. France sent Maximilian to rule Mexico on the same pretext that we now desire to rule the Philippines, namely, because the Mexicans were not capable of self-government. We resisted the attempt of France to do just what we now propose to do in the Philippines. Under self-government the Mexicans have made giant strides and rapid development, although their President is a full-blooded Indian and but little white blood is found in the veins of their people. Aguinaldo and his people are in no wise inferior to Diaz and the Mexicans. Prof. Dean Worcester, who has made a special study of the Malay character, says of them:

The Filipino has developed many admirable traits. His self-restraint is remarkable; his family is well ordered; in some instances, at any rate, he shows executive ability of no mean order when called upon to attend to the administration of local affairs in the more important towns. \* \* \* If trouble arises in our dealings with them, I believe there is far more likelihood that it will be the result of our own maladministration than that it will come from inherent and objectionable peculiarities of their character.

If that be true, those people are much more capable of self-government than are the people of some of our own great cities.

Mr. Chairman, I deprecate every drop of blood shed in the Philippine Islands. I deprecate the loss of every American soldier's life there, whether by Filipino weapon or by the burning heat of a tropical climate. I was a soldier myself and participated in every battle in which the Army of the Potomac was engaged from '62 to '65. I know the valor of the American soldier. I know he can accomplish everything but impossibilities, and I believe the conquest of the Philippine Islands is an impossibility. Ten millions of people, with courage and manhood enough to fight for their freedom, in a tropical climate unendurable to the Caucasian race, are invincible to any and all force you can send against them. You may bombard and destroy their towns, but you will never conquer them. Spain has tried it for three hundred years and only succeeded, at enormous expense of life and treasure, in occupying a few seaports under the guns of her navy.

And what will you gain if you do "conquer them by killing half of them," as General Shafter recommends? You will have the eternal hatred of the whole civilized world, just as Spain has. Are we emulous of her reputation? We might have had the lasting friendship of these people and the respect of the whole world. The Filipinos looked to our forces as their liberators from hated Spain. But they now find that they have jumped out of the frying pan into the fire.

Mr. Chairman, gentlemen talk about the "right of sovereignty" over the Philippines which we have bought of Spain. What right was that? The right of a thief to rob and plunder because the thief was stronger than the victim. That is all. And that is the only right we have bought and the only right we can exercise. Spain never had any right except the right of a robber and plunderer, and now we are to take Spain's place at the same business. Indeed, we have outdone Spain at her trade of blood, having killed about 10,000 people—men, women, and children—and burned their towns.

Mr. Chairman, I am glad the Filipinos have the courage and manhood to fight for their liberty. If it was right for our forefathers to fight for their independence, it is right for the Filipinos to do the same. The American people are not oppressors, but organized greed has the Administration by the throat, and upon them jointly must fall the odium of an outraged people.

Mr. HULL. Mr. Chairman, I wish to give notice now that I shall insist strictly upon the point of order in reference to further proceedings on this bill.

The CHAIRMAN. The Chair desires to say that under the rule, where a bill is being considered for debate and amendment under the five-minute rule, debate must apply to the amendment which is pending; and inasmuch as the gentleman from Iowa has invoked a rigid execution of the rule, the Chair will be compelled to sustain the point of order in future.

Mr. SIMPSON. I understand, Mr. Chairman, that under the rule gentlemen have the right to extend their remarks in the RECORD?

Mr. SPALDING. Only those who have participated in the general debate.

The CHAIRMAN. The Chair understands that that order has been made.

The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

#### RETIRED OFFICERS.

For pay of officers on the retired list, and for officers who may be placed thereon during the current year, \$1,272,971.21.

Mr. COX. Mr. Chairman, as a member of the Committee on Military Affairs that prepared this bill, I desire to address myself for a few moments to the bill in its entirety. I do not desire to be bound by any individual or specific amendment, and I do not wish to say a word if I am compelled to restrict myself to a single provision of the bill.

I have heard all of the bill read, from the beginning. I know its provisions from the beginning to the end. I have been industrious, as far as I could be industrious, in the committee in its preparation. I want to make my own record in reference to it and want only two or three minutes for that purpose.

The President of the United States has announced that the policy of the Government in regard to the islands that have come into our possession and with reference to the action of our armed forces in these islands should be left to Congress. Now, as a member of this body, my policy is plain and open, and I have nothing to conceal.

When we declared war with Spain for the emancipation of the suffering Cubans, it was to free those people and that alone; and I can not see why we should shoot down yellow men on the other side of the globe, on these other islands, in the further pursuit of that same policy.

But I announce now—and hope I will be pardoned for consuming any of the time of the House—and I suppose that every member has his own conscience and his own judgment to consult in the matter—I announce that I will never vote a single solitary cent to put a bullet into a man on these islands or shoot down people who are trying to establish their own independence and their own government. Let us get our minds together and work on this question. Let us consider for an instant what is before us, and what we are doing.

What an idea it was the other day when the message came across the ocean from General Otis, a magnificent soldier—I am not criticizing him or the brave men under his command—when he announced that he had had an engagement with these islanders, armed with bows and arrows, and that he had killed and wounded 4,000 or more of these poor, naked, struggling, ignorant people, and I, Mr. Chairman, in view of that message could not, and can not now, understand that it was at all complimentary to our soldiery.

Now, one word and I am through. When this war came, a great struggle was inaugurated in the committee as to how it should be brought about. The President of the United States, when he sent the first bill from the War Department, claimed the power to declare war himself. That was voted down and we got it out of that bill. Now you have got a war. Who has declared it? I know how public sentiment is running. I know how wild we get sometimes, but I want to ask any man under his oath in this Congress, who has declared war against those people who have never done us harm, who have never fired a gun at us until we commenced it? You propose to equip your Army with a large appropriation to shoot down those people. For one, I will never vote a dollar to do it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. That is all the time I wanted.

The Clerk read as follows:

For mileage to officers and contract surgeons, when authorized by law, \$500,000; *Provided*, That the payment and settlement of mileage accounts of officers shall be made according to distances computed over routes established and by mileage tables prepared by the Paymaster-General under the directions of the Secretary of War, and all payments made by paymasters on account of mileage previous to the passage of this act shall be settled in accordance with the mileage distances as above provided; *Provided further*, That actual expenses only shall be paid to officers when traveling to and from our island possessions in the Atlantic and Pacific oceans.

Mr. DOCKERY. I desire to reserve a point of order against the first proviso—

Mr. HULL. There is no use in reserving it. I recognize that it is clearly subject to the point of order.

Mr. DOCKERY. I understand that, but I understand the chairman of the committee is willing in lieu of that proviso to insert the following:

*Provided*, That hereafter the maximum sum to be allowed and paid to any officer of the Army shall be 7 cents per mile, the distance to be computed over the shortest usually traveled route.

Mr. HULL. I would suggest to the gentleman to put in the entire law on mileage, with the word "hereafter" at the beginning of it, so that we can save publishing it all hereafter.

Mr. DOCKERY. I ask the chairman of the committee to put it in such form as will satisfy him.

Mr. HULL. Simply to put in the word "hereafter" and reenact the whole law.

Mr. DOCKERY. I ask the chairman of the committee to offer the amendment.

Mr. HULL. I offer in lieu of the provision in the bill the present statute with the word "hereafter" put in.

The CHAIRMAN. In lieu of the proviso?

Mr. DOCKERY. In lieu of the first proviso.

Mr. HULL. The first proviso goes out and that takes its place.

Mr. DOCKERY. But you retain the second proviso?

Mr. HULL. Yes.

The CHAIRMAN. The Clerk will read.

Mr. HULL. I want the entire law reenacted with the word "hereafter" in it, so that we shall not have to carry it in the appropriation bill every year.

Mr. BARRETT. Let the Clerk read the whole provision.

The Clerk read as follows:

Strike out all after the word "dollars," in line 9, page 11, to and including the word "Provided," in line 16, and insert in lieu thereof the following:

*Provided*, That hereafter the maximum sum to be allowed and paid to any officer of the Army shall be 7 cents per mile, distances to be computed over the shortest usually traveled routes; *Provided further*, That when any officer so traveling shall travel in whole or in part on any railroad on which the troops and supplies of the United States are entitled to be transported free of charge, or over any of the bond-aided Pacific railroads, or over the railroad of any railroad company which is entitled to receive only 50 per cent of the compensation earned by such company for transportation services rendered to the United States, he shall be furnished with a transportation request by the Quartermaster's Department for such travel; and the cost of the transportation so furnished shall be a charge against the officer's mileage account for such travel, to be deducted by the paymaster who pays the account, at rates paid by the general public for travel over such roads; *Provided further*, That officers who, by reason of the decision of the accounting officers of the Treasury, have been compelled to pay from their own means one-half of the cost of their travel fare over railroads known as 50-per-cent railroads, shall be reimbursed the same by the Pay Department, and paymasters against whom disallowances have been made by the accounting officers of the Treasury under such decision shall have the amount so disallowed passed to their credit."

Mr. HEPBURN. I should like to ask the gentleman from Missouri, whose amendment I understand this to be, if there are any of these railroads that are described in that proviso.

Mr. DOCKERY. I yield to the chairman of the committee. I was interested only in placing the maximum provision at 7 cents, and the chairman of the committee suggested the reenactment of the entire law.

Mr. HULL. If there are no such roads it does no harm. This is simply reenacting the law that has been on the statute books for some time. I am not able to say whether there are any such roads or not.

Mr. HEPBURN. I had supposed that since the enactment of that law, the status of several of the roads had been changed by their sale, and, so far as I know, there is not one that those provisions would apply to.

Mr. TAWNEY. In the absence of positive information, would it not be best to allow the provision to stand?

Mr. HEPBURN. I may be wrong about it, and I ask the gentleman from Iowa.

Mr. BARRETT. I can answer the question of the gentleman from Iowa [Mr. HEPBURN].

Mr. HULL. I am not able to say whether there are any roads to which this provision would apply or not. If there are none, the proviso would not have any effect. If there are any left that this would apply to, then it would save the Government that amount on transportation.

Mr. BARRETT. I desire to ask the chairman of the committee a question, and then I propose to answer the question asked by the gentleman from Iowa on my left. I should like to ask the chairman why it was the committee reported this change in the law?

Mr. HULL. The amendment on mileage?

Mr. BARRETT. On mileage.

Mr. HULL. I will simply say it was because the Pay Department informs us that there is a constant contest between the Treasury Department and the Pay Department on the mileage tables, and some party, some officer of the Government, should

be authorized to make up mileage on all of these roads—the nearest-traveled route—so that the officers can have their accounts adjusted.

In many cases now the paymaster will pay an officer over certain lines, it will be allowed by the Paymaster-General, the account will go to the Treasury, and they will figure it on some other line, and, making a discrepancy of some few dollars in the pay, delay settlement. That is the condition reported to us. It does not make a difference of a great deal of money, but causes a great deal of trouble in adjusting the accounts of the paymasters of the United States. Now, as I said in my opening remarks, there was a disposition on the part of the Treasury Department to ask that they might figure it. I care nothing about who figures it so that it can be adjusted in some way, so that travel tables can be prepared under which the pay officers can adjust these accounts with the officers of the Treasury and there would be no contest.

Mr. BARRETT. It is only a small matter in itself compared with other mammoth expenditures, but it only illustrates the manner in which officers have tried to get ahead of the Government; and if the gentleman from Missouri had not offered the amendment, I had it on my desk and purposed offering it myself. Now I want to answer the question of the gentleman on my left, the gentleman from Iowa, by an illustration. The Treasury Department asked the Committee on Military Affairs, through its chairman, not to change this law.

Mr. HULL. Not until after the bill had been reported.

Mr. BARRETT. I am merely stating a fact.

Mr. HULL. No, you are not.

Mr. BARRETT. I make the statement that the Auditor of the Treasury Department having this matter in charge asked the Committee on Military Affairs not to make this legislation.

Mr. HULL. Mr. Chairman, I want the gentleman to be exact when he claims to state a fact, and hope he will be kind enough to state one. The Auditor of the Treasury Department came into the lunch room of the Capitol after the bill had been reported and was almost ready to be taken up and said that he ought to make these tables if anybody did. I made that statement in my opening speech the other day to the House.

Mr. BARRETT. That simply proves what I said, Mr. Chairman.

Now, take a certain case, which will illustrate this proposed change and the motive therefor. The Paymaster-General of the Army computes the distance from Jacksonville, Fla., to Tampa, Fla., over which a great many thousand officers and men traveled last year, at 240 miles. That is over a road called the Plant Line, which seems to be in favor at the War Department.

But there is another road between Jacksonville and Tampa, Fla., a through road, over which there run regular trains, sleeping cars, and all the accessories of a good road, and the distance on that road between Jacksonville and Tampa is 212 miles, a saving of 28 miles. The road that has 212 miles in length is a Government-aided road, and, under the provision just read, is obliged to carry officers for half fare—that is, the Government gets a rebate of half a fare. Now, the officers of the Government, almost without exception, put in their claims for mileage over the 240-mile road, because the Paymaster-General of the Army in making up his figures stated the route was 240 miles long, when, as a matter of fact and common knowledge, it is only 212 miles.

The Auditor of the Treasury, when this matter came to him, urged that these officers should be obliged to travel over the aided road, by which the amount would be reduced from \$16.80 paid them, 240 miles at 7 cents per mile, for every ticket to \$10.84, 212 miles at 7 cents, less the \$4 rebate to the Government—that is to say, under the direction of the War Department every man who traveled last summer from Jacksonville to Tampa cost the Government \$16.80, whereas if he had traveled according to the Treasury Department it would have cost \$10.84. Now, that is a small matter; it does not amount to anything in one sense, and yet the idea of paying, through a device of the War Department, for 212 miles distance to every officer \$6.03 more than it otherwise would have cost shows the necessity of putting this proviso in here, though the War Department proposed it to be changed.

Mr. HEPBURN. I asked a question and the gentleman from Massachusetts volunteered to answer it. He has not answered it yet. I think the gentleman fails to recognize the distinction between bond-aided roads and land-grant-aided roads. I do not understand, and I asked that question to know if it was true. I do not understand that roads aided by land grants are subject to the provision of this proviso—that those roads that were aided by bond issues are the Union Pacific, the Central Pacific—

Mr. SPALDING. The Northern Pacific.

Mr. HEPBURN. Not the Northern Pacific.

Mr. HULL. The Kansas Pacific.

Mr. HEPBURN. The Kansas Pacific and three or four other roads. Now, I may be wrong about it, but I would be glad to have the gentleman answer my question.

Mr. BARRETT. I will answer the question. The proviso reads that when any officer so traveling shall travel in whole or in part

on any railroad on which the troops and supplies of the United States are entitled to be transported free of charge, or over any of the bond-aided Pacific railroads, or over the railroad of any railroad company which is entitled to receive only 50 per cent of the compensation earned by such company—

Mr. HEPBURN. What you are reading refers to the bond-aided railroads.

Mr. BARRETT. The Florida Central Railroad is obliged to carry officers at 50 per cent of the regular fare, but the other, a road called the Plant System, is not a land-grant road, and is not obliged to carry at half rates. Yet by the provision reported by the committee every officer who should travel on Army service between Jacksonville and Tampa would be allowed a mileage over a much longer route, and the Government would not be benefited by the \$4 rebate which the other and shorter route must repay.

Mr. HEPBURN. Does the gentleman say that all the land-grant roads are subject to this provision and compelled to carry at half rates? Is that true?

Mr. BARRETT. I do not enter into that. It is all included in the terms entered into between them and the Government.

Mr. HEPBURN. That is the point of the whole controversy. The gentleman's assault upon the Department is dependent on how he answers that question. If they are required to do that, then there is something in his criticism, but if they are not required to do it, then the gentleman's statement is gratuitous and unfair.

Mr. BARRETT. I have referred to this Florida situation, which is the only one I have looked up.

Mr. HULL. The gentleman's figures show that the road from Jacksonville to Tampa does not carry them at half rate, because if it is a shorter line it would be less than half the amount; that is, there would be a greater difference between them than stated by the gentleman from Massachusetts. The law provides that it shall be figured over the nearest usually traveled route. I know Paymaster-General Stanton, who lately retired, and I do not believe there was a more conscientious, faithful officer ever served the Government; and when the gentleman from Massachusetts says that he entered into a conspiracy—for that is what it means—to swindle the Government of the United States, I say he is making a charge that is untrue, ungenerous, and unfair. He was one of the most faithful of officers.

Mr. BARRETT. Mr. Chairman, I have not charged General Stanton with conspiracy.

Mr. HULL. That is what it amounts to.

Mr. BARRETT (continuing). I have stated what can not be disputed, that, under these tables prepared by the Paymaster-General, Army officers are allowed to draw for 240 miles mileage between these two points. The Treasury Department has refused to allow it on the ground that the shortest usually traveled route is 212 miles.

Mr. STEELE. I want to ask the gentleman from Massachusetts a question.

Mr. BARRETT. Very well.

Mr. STEELE. Is it not a fact that the 240-mile route is one that is usually traveled in making connection between these two points, and that the law says, "the usually traveled route?" Army officers would not go over a little byroad because it was a shorter distance, but they would want to go the usual route where they could make connections.

Mr. BARRETT. I would like to answer the question. The law says, "the shortest usually traveled route." The short route is as much traveled as the other, but the reason given by the Army officers for preferring the longer route, to say nothing of the extra mileage, is because the longer route takes them nearer the hotel in Tampa, which is conducted by the Plant Company, and where they wish to put up while there. My friend from Iowa [Mr. HULL] says my figures are not correct, because if there was only 28 miles difference there would not be \$6 difference in the ticket. He must remember that these officers are allowed 7 cents a mile, and that the ticket only costs them about 3½ cents. They get that in addition to what they pay by either route, between \$6 and \$7 velvet, which they put in their pocket.

Mr. STEELE. They used to be allowed sleeping-car transportation, and, in addition, something for board.

Mr. HULL. Before the law was changed they got 4 cents a mile absolutely; then they got their transportation to where they were to go and sleeping-car fare. Before that law was passed they got 10 cents a mile. Then it was reduced to 8.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BARRETT. I move to strike out the last word. These statements do not affect the facts I have brought out.

Mr. STEELE. It does not show any velvet. [Laughter.]

Mr. BARRETT. It does certainly show velvet. Under the old law they were allowed their hotel expenses as well as transportation. The 7 cents here provided will cover everything of that kind. So that it is not "velvet."

Mr. SHATTUC. Many of us gentlemen here do not understand what the gentleman from Massachusetts [Mr. BARRETT] meant by the word "velvet." What is "velvet?"

Mr. BARRETT. Well, after the 4th of March, when I shall have plenty of leisure, I will try to teach the gentleman. [Laughter.]

Now, sir, the chairman of the committee has already conceded that the old law by which these men were required to travel by the shortest practicable route should be enforced. The object in seeking to have it abrogated was, in my judgment, to take from the accounting officers of the Treasury any supervision over these expenses; and I know for a fact that the Auditor of the Treasury Department came to the Capitol and protested against such a thing being done, basing the protest upon the experience of the Department with claims put in by Army officers for largely fictitious mileage.

Mr. HEPBURN. I should like to ask the gentleman from Massachusetts a question. He has just stated that after the 4th of March he expects to have ample leisure. Are we to understand from that remark that he regards the position of Librarian of Congress as a sinecure?

Mr. BARRETT. Mr. Chairman, I suppose now I must rise to a "personal explanation." Several times during the last few days friends of mine both in the House and Senate, meeting me in the corridor or elsewhere, have congratulated me on having been appointed to a position which they have said is worth five or six thousand dollars a year—the position of Librarian of Congress.

As a matter of fact, several months ago, before the war with Spain was concluded, I wrote a letter to my constituents declining to be a candidate for renomination for Congress on the ground that my private business interests were so large as to require my attention. I desire now to say to my friend from Iowa that the position of Librarian of Congress would have no charm for me. If I desired to be in Washington I should certainly have sought to remain here as a member of Congress. But the distinguished gentleman who has been appointed Librarian, and who seems not to have impressed his personality on my friend from Iowa, is Hon. SAMUEL J. BARROWS, a Representative in this House from another district of Massachusetts—not "your humble servant."

Mr. HEPBURN. I can only express my regret at the statement made by the gentleman from Massachusetts. [Laughter.]

The question being taken on the amendment of Mr. HULL, it was agreed to.

The Clerk read as follows:

For 400 contract surgeons, \$720,000.

Mr. MITCHELL. I move to amend by inserting, after the paragraph just read, the following:

For two months' extra pay to the enlisted men who served in the Astor Battery and who have been honorably discharged therefrom, \$2,534.40.

Mr. HULL. Mr. Chairman, I shall raise no point of order on this amendment, because this battery stands in a peculiar position. This battery was organized by Mr. Astor, and all the expenses of its organization and equipment were paid by him. The only way it could be taken into the Army was as part of the regular force, it not having been provided for in the volunteer act. When these men were mustered out they had been to Manila and had served there. As all the other troops on their return home from Manila are to be allowed sixty days' extra pay, I can see no reason why these enlisted men should not have the same allowance.

Mr. MITCHELL. I desire to print in the RECORD, as a portion of my remarks, the following letters:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, February 24, 1899.

SIR: The Astor Battery was presented to the United States by Mr. John Jacob Astor, and was manned by the assignment to it of three officers of the Regular Army, and by a complement of men who were enlisted in the regular service for a period of three years. These men, having been enlisted in the regular service, do not come within the rule applied to volunteer organizations from the States, and were mustered out of service without furlough; being regular soldiers, they do not come within the provisions of the act approved January 12, 1899, granting gratuity of extra pay to officers and men belonging to volunteer organizations mustered out of service.

Very respectfully,

H. C. CORBIN, Adjutant-General.

Hon. JOHN MURRAY MITCHELL,  
United States House of Representatives.

WAR DEPARTMENT, PAYMASTER-GENERAL'S OFFICE,  
Washington, February 24, 1899.

SIR: The following is a statement of the amount which would be necessary to pay two months' extra pay to the noncommissioned officers and privates of the Astor Battery, lately mustered out of the service:

8 sergeants, at \$43.20 each.....	\$345.60
6 corporals, at \$36 each.....	216.00
2 musicians, at \$31.20 each.....	62.40
72 privates, at \$31.20 each.....	2,246.40

Total..... 2,854.40

Very respectfully,

A. B. CAREY,  
Paymaster-General, United States Army.

Hon. J. M. MITCHELL,  
House of Representatives.

The amendment was agreed to.

The Clerk read as follows:

#### SUBSISTENCE OF THE ARMY.

Purchase of subsistence supplies: For issue as rations to troops, civil employees when entitled thereto, hospital matrons and nurses, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), estimated for the fiscal year ending June 30, 1900, on the basis of 62,761,750 rations; for sales to officers and enlisted men of the Army; for authorized issues of canteens; of toilet articles, barbers' laundry, and tailors' materials, for use of general prisoners confined at military posts without pay or allowances, and recruits at recruiting stations; of matches for lighting public fires and lights at posts and stations and in the field; of flour used for paste in target practice; of salt and vinegar for public animals; of issues to Indians visiting military posts, and to Indians employed with the Army, without pay, as guides and scouts.

For payments for meals for recruiting parties and recruits; for hot coffee, canned beef, and baked beans for troops traveling, when it is impracticable to cook their rations; for scales, weights, measures, utensils, tools, stationery, blank books and forms, printing, advertising, commercial newspapers, use of telephone, office furniture; for temporary buildings, cellars, and other means of protecting subsistence supplies (when not provided by the Quartermaster's Department); for commissary chests complete, and for renewal of their outfits; for field desks of commissaries; for extra pay to enlisted men employed on extra duty in the Subsistence Department for periods of not less than ten days, at rates fixed by law; for compensation of civilians employed in the Subsistence Department, and for other necessary expenses incident to the purchase, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; for the payment of the regulation allowances for commutation in lieu of rations to enlisted men on furlough, to ordnance sergeants on duty at ungarrisoned posts, to enlisted men stationed at places where rations in kind can not be economically issued, to enlisted men traveling on detached duty when it is impracticable to carry rations of any kind, to enlisted men selected to contest for places or prizes in department and army rifle competitions while traveling to and from places of contest; to be expended under the direction of the Secretary of War, \$8,700,871.00.

Mr. DOCKERY. Mr. Chairman, I move to strike out the last word, for the purpose of making an inquiry of the chairman, and it is the last inquiry I shall make in respect to this bill. The existing law, as I understand, limits the appropriation in this paragraph to \$100,000 for compensation of civilians employed in the Subsistence Department. I call attention also to the fact that in the appropriation in this bill for barracks and quarters the usual limitation upon the amount to be paid to civilian employees is stricken out. Again, in the appropriation, on page 22, for the Medical and Hospital Department, I find that the usual proviso that not exceeding \$40,000 shall be expended for pay of civilian employees has been stricken out. I observe further that in the appropriation, on page 25, for manufacture, repairing, procuring, and issuing arms at the National Armory the proviso limiting the amount to be paid to civilian employees to \$65,000 has been stricken out.

In all of these cases I observe that the usual restrictions to which I have referred have been stricken out. Will the gentleman please explain why this has been done?

Mr. HULL. I will state to the gentleman in a word. The committee were not able to give the exact amounts to which we ought to fix the limit. The circumstances surrounding the preparation of the bill have been unusual—

Mr. DOCKERY. I understand that.

Mr. HULL. And we thought it better to send it over to the other body in this form and let them figure out the amount and put it in, if it is possible for them to do so.

All of the amounts are necessarily considerably increased over the regular army appropriation bills heretofore. It will be largely more than for any preceding year in recent times, although the Army is being reduced gradually. But it would be impossible to get at the exact sum that would be satisfactory or needed to meet the requirements of the Government. This statement, I think, will explain why the bill is not explicit in some of these provisions and in some other particulars.

Mr. DOCKERY. Then the gentleman, as I understand, expects that there will be some limitation placed upon the amounts after the bill reaches the other body.

Mr. HULL. Yes. It is impossible, of course, the gentleman will understand, to make the bill on the lines on which we have heretofore made it. Many provisions must be made in the bill now to meet contingencies that might arise—

Mr. DOCKERY. I fully realize the embarrassment that the committee has labored under.

Mr. HULL. And of course we had to make the bill to meet the provisions as they are now existing.

Mr. DOCKERY (continuing). I know that the conditions are unusual and very difficult to deal with.

Now, let me ask the gentleman another question, and I shall not again interrupt the progress of the bill. If the so-called "compromise bill" becomes a law, would it not involve a very considerable increase in the expenditures over that provided here and a large deficiency?

Mr. HULL. There is no doubt of that.

Mr. DOCKERY. Can the gentleman give any idea as to the probable deficiency which will result if the bill passes in its present form and if Congress shall adopt the compromise measure?

Mr. HULL. I can give the gentleman an idea, but only an idea, not having the exact figures.

In the first place, Mr. Chairman, there is an increase of a number

of regiments. The officers provided for in the Regular Army are the same as in the House bill, but they cut down 5 regiments of infantry; they cut out about 2 regiments of cavalry and 6 regiments of artillery. But the increase is in the regiments of infantry, from 25 to 55; in other words, there is an increase of 30 in the regiments of infantry.

Mr. DOCKERY. I did not mean to ask the gentleman to go into details, but to give in a general way the probable increase. I do not desire to delay the passage of the bill for details, but only ask an approximate estimate as to the amount of increase involved.

Mr. HULL. Oh, it will run into several millions of dollars.

Mr. DOCKERY. Twenty millions?

Mr. HULL. I think, not so much as that. There will be an increase, of course, in the number of men, and large increases practically all along the line.

Mr. DOCKERY. I withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Subsistence supplies to be issued to inhabitants of the island of Cuba who are destitute and in imminent danger of perishing unless they receive the same, \$100,000.

Total for Subsistence Department, \$9,752,621.00.

Mr. HULL. Mr. Chairman, I move to insert an amendment here. The Commissary Department has made a request that we insert in the bill the words which have been heretofore carried on appropriation bills, but which have been omitted from this bill. I ask, therefore, to insert at the bottom of page 14, after line 24, the words I send to the desk.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Add, after line 24, the words "to be disbursed and accounted for as subsistence of the Army, and for that purpose they are constituted one fund."

Mr. UNDERWOOD. Why should this amendment be adopted if it is already the law?

Mr. HULL. Because we left it out of this bill. It is the law of the last appropriation bill.

The CHAIRMAN. If there be no objection, the amendment will be considered as agreed to.

There was no objection.

The Clerk, proceeding with the reading of the bill, read as follows:

#### QUARTERMASTER'S DEPARTMENT.

Regular supplies: Regular supplies of the Quartermaster's Department, including their care and protection, consisting of stoves and heating apparatus required for heating offices, hospitals, barracks, and quarters, and recruiting stations; also ranges and stoves, and appliances for cooking and serving food, and repair and maintenance of such heating and cooking appliances; of fuel and lights for enlisted men, including recruits, guards, hospitals, storehouses, and offices, and for sale to officers; for post bakeries; for the necessary furniture, text-books, paper, and equipment for the post schools and libraries; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; of forage in kind for the horses, mules, and oxen of the Quartermaster's Department at the several posts and stations and with the armies in the field, and for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry and scouts as may be mounted, and for the authorized number of officers' horses, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the Quartermaster's Department; certificates for discharged soldiers, blank forms for the Pay and Quartermaster's Departments, and for printing department orders and reports, \$7,200,000.

Mr. BARRETT. Mr. Chairman, I move to strike out the last word.

In previous appropriation bills for the support of the Army provision was made that contracts for supplies for the use of the departments of the Army, for the various branches of the service, should be purchased, after public advertisement, at the cheapest rates in the markets of the United States, quality and cost of transportation and the interest of the Government being considered. I observe that that provision is left out of the pending bill, and I would like to ask the gentleman from Iowa in charge of the bill why that very fair and proper provision has been omitted?

Mr. HULL. We have, as the gentleman knows, a general law now providing how the supplies shall be purchased under present conditions.

May I ask the gentleman what provision he specially refers to?

Mr. BARRETT. I am referring to the last Army appropriation bill, which provided that these supplies should be purchased in the manner that I have stated, which is inserted in the bill at the end of the paragraph providing for the expenditures of the Quartermaster-General's Department.

Mr. HULL. This matter is now governed by the general law under which we are operating at present and under which the committee prepared the present bill.

Mr. BARRETT. Now, Mr. Chairman, if the gentleman from Iowa will look on page 5 of the bill of last year he will find the proviso in it, and I should like to know why it was omitted from this bill. And in order to bring the matter before the House, I move to amend this section by adding the words which I send to the desk, which I take from last year's law.

The CHAIRMAN. The Clerk will report the amendment. Mr. BARRETT. To be added at the bottom of page 15. The Clerk read as follows:

At the end of page 15 insert the following:

"Provided, That hereafter no part of the appropriations for the Quartermaster's Department shall be expended on printing unless the same shall be done by contract, after due notice and competition, except in such cases as the emergency will not admit of the giving notice for competition: *Provided further*, That when practicable after advertisement all the supplies for the use of the various departments and posts of the Army and of the branches of the Army service shall hereafter be purchased where the same can be purchased the cheapest, in the markets of the United States, quality and cost of transportation and the interest of the Government considered, except that purchases may be made in open market, in the manner common among business men, when the aggregate amount required does not exceed \$20, but every such purchase shall be immediately reported to the Secretary of War."

Mr. HULL. The reason for leaving that out will be very plain when I state that this morning we passed a bill further suspending the law which this amendment would reenact.

When the war commenced, we passed a bill suspending this provision in the appropriation bill for the present fiscal year. This morning we passed a bill extending that suspension for still another year after this; and to put this amendment in here would simply amend the bill we passed this morning and render it nugatory. In other words, Congress has suspended these provisions to a certain time, and this morning we passed another bill extending that suspension for another year, which would carry it beyond this fiscal year that we are now legislating for. It was left out of this appropriation bill for the reason that the statement of the War Department and the action of Congress made it an absurdity to put it in the bill.

Mr. BARRETT. I expected the gentleman from Iowa to make that reply, and I suppose it will be conclusive with the committee, but I want to say that the need to which the gentleman refers has now disappeared. The Army of the United States is not now outside of the United States, except a small portion of it in Cuba, and I have drawn this amendment so as to cover that by inserting the words "when practicable." We are not now at war with anyone. The conditions under which last year's bill was necessary have disappeared. I do not think the gentleman from Iowa will undertake to say to this committee—certainly he would not if he had in his possession the facts that I have—that the result of this suspension of these very proper restrictions upon making contracts has been to the credit of the Government or to the satisfaction of the business men of the United States.

We had a little experience in New England last summer in the way in which these contracts were awarded. The business men of New England who tried in fair and open competition to get a chance at some of these vast expenditures found that by one kind of hocus-pocus and another they were prevented from doing so. Gentlemen understand that now, when peace is declared and the ordinary rules that govern the purchase of Army supplies can be well resorted to, there is no further reason for this suspension of the law. It is impossible to understand why, now that supplies can be obtained in the ordinary way, there should be any reason for preventing the open competition of business men who desire to obtain these contracts. I say that the bogie of the war has disappeared; that there is no war; that there is no soldier of the United States who is not within our limits, except the few in Cuba, and that there is no more reason for suspending this very wise provision on account of the insurrection in the Philippines than there would have been if there had been an insurrection of the Indians in Dakota.

I think, Mr. Chairman, unless some other reason can be given than that we are in a state of war, which we are not, that it would be just as well to let the merchants and manufacturers of the United States compete on open terms for these contracts; that they should be awarded to the lowest bidders after advertisement, and that the goods and supplies should be manufactured in the United States. I ask that the amendment be carried in this bill, unless there is some better reason to be given than the statement that we are in a state of war, and that therefore the ordinary rules and restrictions which we put on those purchases must be done away with.

Mr. HULL. Mr. Chairman, the gentleman's modification by putting in the words "when practicable" would not meet the case, for this reason: Our troops in Manila may need something very badly. If the words "when practicable" are inserted, it would simply mean that the Secretary of War must pass on every individual purchase, and the determination of the question, whether it was practicable or not, would be delayed until he had acted upon it. This provision is in absolute opposition to the bill unanimously passed this morning, even the gentleman from Massachusetts [Mr. BARRETT] not raising his voice against it, and it would render nugatory that action on all the money appropriated in this bill for the Quartermaster's Department. Take, for instance, the purchase of horses for the Philippines. They may need some very quickly to mount scouts. They would have to submit a requisition, and it would have to be passed upon here before it could be

acted upon there. It seems to me that the mere statement of the effect of this amendment is sufficient to justify this committee in voting it down.

Mr. BARRETT. The gentleman from Iowa illustrates how business is generally done in this House. I was sitting in my seat—

Mr. HAY. I make the point of order that debate is exhausted.

The CHAIRMAN. The gentleman from Virginia has raised the point of order that debate on this amendment is exhausted.

Mr. BARRETT. I move to strike out the last word. I was sitting in my seat when the bill referred to was passed this morning. I could not hear what was being done. I asked a gentleman what was the nature of the bill before the House. He said he did not know anything about it, but the fact that the gentleman from Wisconsin [Mr. GRIFFIN] presented it was an assurance that it was all right; and knowing the gentleman from Wisconsin to be an honest and upright man, I kept silence without knowing.

In response to the statement of the chairman of the committee in charge of the bill that the rule provided for in this amendment can not be put into force, I will state that as a matter of fact 90 per cent of the money spent for supplies will be spent in the United States. 90 per cent of the manufactured articles will be manufactured in the United States, and 90 per cent will be called for and the contracts made months before they are turned over to the Government. If honesty and fair dealing alone are desired, the old provisions regarding army contracts may properly be resumed. The people in my section of country, who have had bitter experience with the way this thing has been working for the last year, and have found themselves time and time again enchained out of Government contracts on this ground of "emergency," can not understand why all these millions shall not hereafter be expended, as they have been in previous years expended, after open advertising and competitive bids.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Massachusetts.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Incidental expenses; Postage; cost of telegrams on official business received and sent by officers of the Army; extra pay to soldiers employed on extra duty, under the direction of the Quartermaster's Department, in the erection of barracks, quarters, and storehouses, in the construction of roads, and other constant labor for periods of not less than ten days, and as clerks for post quartermasters at military posts, and for prison overseers at posts designated by the War Department for the confinement of general prisoners; for expenses of express to and from frontier posts and armies in the field, of escorts to paymasters and other disbursing officers and to trains where military escorts can not be furnished; expenses of the internment of officers killed in action or who die when on duty in the field, or at military posts or on the frontiers, or when traveling under orders, and of noncommissioned officers and soldiers; and that in all cases where they would have been lawful claims against the Government, reimbursement may be made of expenses heretofore or hereafter incurred by individuals of burial and transportation of remains of officers, including acting assistant surgeons, not to exceed what is now allowed in the cases of officers, and for the reimbursement in the cases of enlisted men of what is now allowed in their cases, may be made out of the proper funds appropriated by this act, and that the disbursing officers shall be credited with such reimbursements heretofore made; authorized office furniture; hire of laborers in the Quartermaster's Department, including the hire of interpreters, spies, or guides for the Army; compensation of clerks and other employees to the officers of the Quartermaster's Department, and incidental expenses of recruiting; for the apprehension, securing, and delivering of deserters, and the expenses incident to their pursuit, and no greater sum than \$50 for each deserter shall, in the discretion of the Secretary of War, be paid to any officer or citizen for such services and expenses; for a donation of \$5 to each dishonorably discharged prisoner upon his release from confinement, under court-martial sentence, involving dishonorable discharge; for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be mounted, the authorized number of officers' horses, and for the trains, to wit: Hire of veterinary surgeons, purchase of medicines for horses and mules, picket ropes, blacksmiths' tools and materials, horseshoes and blacksmiths' tools for the cavalry service, and for the shoeing of horses and mules, and such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other department, \$2,400,000.

Mr. HAY. Mr. Chairman, on page 16, line 23, I move to strike out the word "made" and insert the word "paid."

Mr. HULL. I did not catch that amendment—on page 16?

Mr. HAY. Page 16, line 23, strike out the word "made" and insert the word "paid."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 23, page 16, strike out the word "made" where it appears before the word "out" and insert the word "paid;" so that it shall read, "may be paid out."

Mr. HULL. That is right. That is a typographical error.

The amendment was agreed to.

The Clerk read as follows:

Transportation of the Army and its supplies: Transportation of the Army, including baggage of the troops when moving either by land or water, and including also the transportation of recruits and recruiting parties heretofore paid from the appropriation for "Expenses for recruiting;" of supplies to the militia furnished by the War Department; of the necessary agents and employees; of clothing, camp and garrison equipage, and other quartermaster's stores, from army depots or places of purchase or delivery to the several posts and army depots, and from those depots to the troops in the field;

of horse equipments and subsistence stores from the places of purchase, and from the places of delivery under contract to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and forrages; the purchase and hire of draft and pack animals and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other seagoing vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters and other employees; extra-duty pay of enlisted men driving teams, repairing means of transportation, and employed as trainmasters, and in opening roads and building wharves; transportation of funds of the Army; the expenses of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific oceans; for procuring water, and introducing the same to buildings, at such posts as from their situation require it to be brought from a distance, and for the disposal of sewage and drainage, and for constructing roads and wharves; for the payment of army transportation lawfully due such land-grant railroads as have not received aid in Government bonds (to be adjusted in accordance with the decisions of the Supreme Court in cases decided under such land-grant acts), but in no case shall more than 50 per cent of full amount of service be paid: *Provided*, That such compensation shall be computed upon the basis of the tariff or lower special rates for like transportation performed for the public at large, and shall be accepted as in full for all demands for such service: *Provided further*, That in expending the money appropriated by this act a railroad company which has not received aid in bonds of the United States, and which obtained a grant of public land to aid in the construction of its railroad on condition that such railroad should be a post route and military road, subject to the use of the United States for postal, military, naval, and other Government services, and also subject to such regulations as Congress may impose restricting the charge for such Government transportation, having claims against the United States for transportation of troops and munitions of war and military supplies and property over such aided railroads, shall be paid out of the moneys appropriated by the foregoing provision only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision, such rate not to exceed 50 per cent of the compensation for such Government transportation as shall at the time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be paid shall be accepted as in full for all demands for such service, \$17,500,000.

Mr. TODD. Mr. Chairman, I offer the following amendment:

After the word "service," in line 3, page 21, strike out "\$17,500,000" and insert "\$10,000,000."

Mr. Chairman, now that the war with Spain is over, the appropriation for transportation in this bill, like that in the one last passed, is very extravagant. It will be recalled that last year we appropriated \$44,000,000 for military transportation. I called attention at the time to the fact that this was three times more than could be legitimately expended.

I would thank the chairman of the committee if he will be kind enough to state to the House what amount of the \$44,000,000 for transportation already appropriated during the past year has been expended.

Mr. HULL. I do not know. I understand what was necessary, but did not go into what they had done. But I will state to the gentleman that this is for transportation service on the two oceans and the Gulf, which would amount to about \$3,000,000; and it would not be safe to cut this amount down below that provided.

Mr. TODD. I wish to state that the railroads have largely withdrawn the special rates, and the Joint Traffic Association have refused to continue the rate which they agreed to give us at the commencement of the war. I have in my hand a letter from the Pennsylvania Railroad Company, under date December 21, 1898, directed to the Commissary-General of the United States Army, in which the Pennsylvania Railroad Company claimed that simply because the Government did not give formally in writing an acceptance of the rates given by the Joint Traffic Association, they were not bound by those rates; and when the Government sent in its check in payment at the rates offered by the railroad, and understood as agreed to, the Pennsylvania Railroad Company refused to accept the check, saying that it was not correct, and the Administration, I am sorry to say, acquiesced in this view, and allowed them and the Joint Traffic Association rates far above what Congress supposed we were paying.

It should also be noted that not only was the rate advanced, but the advance was dated back to cover over six months' business already transacted. It will thus be seen that, excepting where large numbers of troops have been transported in a single body, the full tariff rates have been charged since June 3, 1898, soon after the opening of active hostilities.

The following is the correspondence on this subject:

PENNSYLVANIA COMPANY,  
OFFICE OF AUDITOR OF PASSENGER RECEIPTS,  
Pittsburg, Pa., December 21, 1898.

DEAR SIR: Referring to yours of the 10th instant, in which we are informed that, effective June 3, 1898, transportation accounts due our companies will be adjusted on the basis of 1½ cents per mile, in accordance with certain alleged authority contained in a circular issued by the Joint Traffic Association, we beg to say that your conclusions, we think, are wrong, principally for the reason that the Joint Traffic Association General Circular No. 26, to which you refer, simply fixed a minimum rate at which members of that association might transport soldiers between points under the jurisdiction of said association, and did not in any manner apply to business between any other points, and we will be glad to have for our information a copy of the communication from the Joint Traffic Association to the War Department tendering rate of 1½ cents per mile, and also a copy of the Government's acceptance of such rate, if such documents exist.

Originally there seems to have been a sort of an understanding that the Government would be willing to pay 1½ cents per mile without question on all business, but, as you must be aware, such proposition was not carried out; in fact, the transportation lines of the country were compelled to submit proposals for the transportation of troops each and every time there was a fairly large body to move, and receive comparatively little for the service. In view of the foregoing we are not authorized to accept less than regular tariff rates upon all business for which bids were not tendered and accepted covering a less rate, except in cases where our party rates apply for 10 or more passengers traveling on a solid ticket.

It is therefore requested that you cause to be prepared, in lieu of the vouchers already forwarded, proper vouchers to conform to the rates that have been furnished you, or in the event of your desiring to pursue the question further, to take up the same direct with Mr. E. A. Ford, general passenger agent of these lines.

An early reply as to your proposed further action will be appreciated, and in the meantime we will hold, subject to your orders, the vouchers which we have received from you erroneously based on 1½ cents per mile.

Yours, truly,

Col. T. E. TRUE,  
Quartermaster, U. S. A., Washington, D. C.

J. P. FARLEY,  
Auditor Passenger Receipts.

This letter bears the following indorsements:

[First indorsement.]

DEPOT QUARTERMASTER'S OFFICE,  
Washington, D. C., December 25, 1898.

Respectfully submitted to the Quartermaster-General of the Army.  
The Pennsylvania Railroad Company has advised this office that dating from May 10, 1898, that company will accept a uniform rate of 1½ cents per mile per capita for United States Government transportation over its lines, to apply on local business as well as proportions of through rates from points on foreign lines, this rate to cover transportation of one or more passengers. The Baltimore and Ohio and Chesapeake and Ohio railroad companies have advised this office that from and after December 9, 1898, they will accept a uniform rate of 1½ cents per mile for all transportation between New York, Washington, Cincinnati, St. Louis, Chicago, and intermediate stations on its lines, such rates to apply as proportions of through rates beyond the territory named.

It was proposed to the Pennsylvania Company and Pittsburg, Cincinnati, Chicago and St. Louis Railway Company to make settlement of accounts for all passenger-transportation service rendered since June 3, 1898, embracing east-bound business from Chicago, St. Louis, etc., to points on the Pennsylvania Railroad system, at same rate as that charged by the Pennsylvania Railroad Company, which proposition is declined in the within letter, and settlement is claimed at full regular rate, unless in parties of ten or more, when party rate will govern.

Instructions are therefore respectfully requested as to the settlement with the Pennsylvania Company at regular rates, and to the Baltimore and Ohio and Chesapeake and Ohio Railway for service previous to December 9, 1898, on the same basis.

T. E. TRUE,  
Lieutenant-Colonel and Quartermaster, U. S. A., Depot Quartermaster.

[Second indorsement.]

WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,  
Washington, December 30, 1898.

Respectfully returned, by direction of the Quartermaster-General, to the depot quartermaster, Washington, D. C.

Paragraph 785, adopted by the Central Passenger Association at its meeting October 12, 1898, reads as follows:

"An interpretation of Joint Traffic Association general circular No. 26 having been requested by certain United States Army quartermasters, it is hereby declared by the lines of the association that the terms of said circular were never intended to apply on movements of individual soldiers, but that the 1½ cent per mile rate was intended to and does only apply to its movement of regiments, battalions, or other large detachments traveling as regular military organizations."

In view of this interpretation of circular No. 26, in the absence of any special agreement to the contrary, settlement will be made at the tariff rates charged the public less deductions on account of land grant for all individual transportation or in parties of less than ten on one transportation request.

This will not affect any of the lines that have agreed to accept the conditions recommended by Mr. Blanchard in circular No. 26.

CHAS. BIRD,  
Colonel and Quartermaster, United States Volunteers.

SOME MORE FRAUDS ON THE GOVERNMENT.

I find also that inferior cars, contrary to the quality and size contracted for, were furnished the Government by the railroads, and then a double charge was made for the required service. I quote the following from one of the letters from the War Department to the Pennsylvania Railroad Company as an illustration:

SIR: I inclose herewith an account in favor of your company, in amount \$337, in settlement for transportation of one car horses and one car excess baggage, transported from Arlington, Va., to Chattanooga, Tenn., in connection with movement of Fifth Regiment Maryland Volunteers; these vouchers to take the place of those for \$454, which are herewith returned for cancellation.

It seems that 12 horses were transported with the regiment, which should only require the use of one car; therefore I am not authorized to pay for use of two cars.

I inclose copy of proposal of your company for the movement of the Fifth Maryland Volunteers, in which it is stated that first-class stock cars were to be provided for transportation of horses; also copy of a letter from Col. R. H. Coale, commanding the regiment, in which he states that the extra car was not furnished by his direct instructions, but was furnished by your company on account of the very inferior car originally supplied.

M. RIEBENACK, Esq.,  
Auditor Passenger Receipts, Pennsylvania Railroad Company,  
Philadelphia, Pa.

I find also that some railroads attempt to charge full first-class fare for troops, even when in bodies above ten, where the general public are entitled to a reduction. Here is an illustration where

the certificate of the commanding officer was necessary to secure fair treatment.

DECEMBER 12, 1898.

SIR: I inclose herewith copy of transportation request No. 94497, issued by you August 13, 1898, for transportation of J. M. Trueblood, 8 recruits, and 2 recruiting officers from Lynchburg, S. C., to Columbia, S. C.

The number of passengers in this case being over ten should be settled for at party rate, which is less than the regular rate, but the rules provide that such parties should travel all on one ticket.

The railroad company claim that the tickets in this case were furnished two or three at a time, and therefore should be paid at the full tariff rate which is charged for less than ten.

Will you please inform me the reason why these men should not have traveled together on one ticket, returning this letter with your reply indorsed thereon.

Very respectfully,

T. E. TRUE,

Lieutenant-Colonel and Quartermaster, U. S. A., Depot Quartermaster.

Lieut. HENRY T. THOMPSON,

Second South Carolina Volunteers.

(Through Adjutant-General United States Army.)

[First indorsement.]

CAMP ONWARD, SAVANNAH, GA., December 20, 1898.

Respectfully returned to Lieut. Col. T. E. True, quartermaster, United States Army, with the statement that the railroad company is mistaken. I was present and saw 11 tickets purchased all at the same time, and the party of 11 persons accompanied me all the way from Lynchburg to Columbia. Respectfully submitted.

HENRY T. THOMPSON,

Lieutenant-Colonel, Second South Carolina Volunteer Infantry.

LIEUTENANT-COLONEL AND QUARTERMASTER, U. S. A.

SOME OTHER EXTRAVAGANT CHARGES—\$2,500 FREIGHT ON TWO CANNON.

I find that on a shipment of two cannon made October 26, 1898, \$2,500 freight was charged, and in addition a charge of \$185 above the contract rate. This shipment would require four large cars, or about one-eighth of a train, and the freight on these alone would four times pay for an entire train. I submit the following letter:

DEPOT QUARTERMASTER'S OFFICE,  
Washington, D. C., January 4, 1899.

SIR: Inclosed herewith find duplicate bill of lading, No. 500, dated October 26, 1898, from Tampa, Fla., to Key West, for transportation of two guns, 233.340 pounds; shipment en route from Highland Beach to Fort Taylor. The bill of lading bears notation in tariff column as follows, "\$2,500" for the shipment, inclusive of unloading from cars at Tampa, Fla., and delivery at Fort Taylor. I also attach correspondence from the depot quartermaster at Tampa, and E. J. Blair, first lieutenant, Third Texas Volunteers. You will note that Mr. Blair states that \$185 was paid by your order for the cost of transfer of property on barge and scow to Fort Taylor.

Will you please advise, with return of all inclosures, if the rate of \$2,500 noted on bill of lading does not include all charges to be paid by the United States Government for the delivery of guns at Fort Taylor?

Very respectfully,

DEPOT QUARTERMASTER, UNITED STATES ARMY,  
New York.

While on this subject of railroad transportation I desire to refer to the fact that whenever I have had the honor to address Congress or to offer amendments for the protection of the public from the avarice of trusts, gentlemen on the opposite side, who are the agents and attorneys of these trusts, have endeavored by disorder, ridicule, or sneers to prevent a fair hearing; and "points of order" would be raised, it being well understood that whatever is opposed to the onward march of the trusts is subject to a "point of order." I always have considered it an honor to be opposed by such influences, and believe that he whose work here has not earned the antagonism of the opposition has not merited the approval of his conscience or the public.

An instance of this occurred when the postal appropriation bill was before us on January 20, when I moved to recommit the bill with an amendment striking out an appropriation for "rental" of postal cars of \$4,204,500, which had been granted in addition to rates most extravagant. This was ruled out by the Speaker as "out of order," in clear violation of the rules of Congress and every recognized rule of parliamentary law. (See CONGRESSIONAL RECORD, January 20, 1899, pages 948-949.) In the discussion I quoted from the "Committee on 1-cent letter postage of the National Board of Trade," who in their last annual report say that "if we would only pay a fair compensation to the railroads for transportation of mails we could have 1-cent letter rates, without any deficit, whereas we now have a deficit at the 2-cent rate." The arguments and the high authorities which I quoted exasperated the railroads, and their friends, by a strict party vote, succeeded in eliminating part of my remarks from the current permanent RECORD, which I now again submit, leaving the nation to pass verdict.

The following was struck out:

"Mr. TODD. I ask unanimous consent that my amendment may be considered, and desire to call attention to what appears to me a monstrous fraud upon the people.

"As this bill now stands you are appropriating \$4,204,500 in this clause for absolutely nothing! Why should we pay even a single dollar for the "rental" of cars, when the evidence from the highest authorities shows that we are already paying the railroads for

transportation of mails ten times as high a rate as the express companies pay for a similar service? And when we recall the sworn evidence before investigating committees of the fraudulent "padding" of the mails by the railroads during the month when they are weighed, it will be seen that, by doubling the actual weight during special weighing days, the railroads are already receiving from the Government twenty times as high compensation as they get from express companies on the same trains.

"As statements of this nature seem incredible in a civilized country, I refer to the sworn evidence before a Senate investigating committee (Senate Document No. 177, Fifty-fourth Congress, second session, entitled 'Weighing the mails upon the Seaboard Air Line'). Extracts from this can be found on pages 2991, 2992, volume 31, of CONGRESSIONAL RECORD, part 3, March 19, 1898.

"I also again call attention to the official report of the National Board of Trade, composed of the foremost business men of the country, who, after referring to the extravagant rates which the railroads receive for transportation (see CONGRESSIONAL RECORD of yesterday, page 917), say:

Whereas the Department now pays, in addition to the above rates, an extra charge averaging \$3,250 each year for the use of each special mail car, notwithstanding the fact that these cars cost only from \$2,500 to \$4,000 each to construct, and notwithstanding the fact that the additional cost to the railroads in using these cars over the ordinary apartment cars, which they otherwise would use, consists mainly in hauling a slightly heavier weight:

Resolved, That the National Board of Trade, without desiring to cast any reflection upon the great railroad interests of the country, believe that the above facts demonstrate that the existing law, which fixes the average rate of hauling mail matter at \$40 per ton per 100 miles, requires radical modification, and they respectfully petition Congress to accurately ascertain how many times greater is the actual cost to the railroads of hauling a ton of mail matter than the cost of hauling a ton of miscellaneous freight, and then to revise the rate upon such a basis as will be equitable to both the Government and the railroads, the effect of which would be to largely decrease the deficit and bring us nearer to our desired end of securing improved service and 1-cent letter postage, believing that if the savings thereby effected are not sufficient to give us, in the near future, general 1-cent letter postage, they might warrant the immediate adoption of 1-cent local letter postage.

"Mr. Speaker, we have 730 special postal cars, for the 'rental' of which we are asked to pay this vast sum annually, which makes an average annual rental of \$5,745 per car, which the National Board of Trade say cost but \$2,500 to \$4,000, according to size, etc., to build, while the life of a car is over ten years.

"Mr. Speaker, this appropriation is too monstrous to need further comment, and I trust my amendment may be adopted."

#### SHAM DISCUSSIONS.

Another method by which dishonest appropriations are often passed is by centering interest in the discussion upon supposed conditions which are contrary to fact. Thus, only recently, the honorable chairman of the Committee on Naval Affairs lead the fight for extravagant and increased rates for armor for our battle ships under the pretense and assumption that the Krupp process was to be used; that it cost more; that it was better; that the process was a secret one. The lengthy debate which he succeeded in getting the House into, to the exclusion of more legitimate debate, was a sham in fact, at least.

Having secured from the Patent Office complete specifications of the Krupp (German) as well as the Harvey (American), I was able to clearly show that every one of his contentions was without foundation. The honorable gentleman from Maine (Mr. BOUTWELL), not being able to meet my facts, sought to ridicule them by referring in a sarcastic manner to the gentleman from Michigan as the "gentleman from somewhere." His remarks, owing to the confusion, I did not hear at the time or I should have replied; I now desire to thank him for his candor in admitting that the gentleman from Michigan is from "somewhere," but would suggest to him that I am not to blame because the gentleman from Maine is "nowhere." [Laughter.]

Mr. Chairman, when speaking recently in this House upon the tendency toward imperialism in our country, I referred to the fact that all of our great political parties were originally founded on patriotic principles, and quoted some statements interesting to me, of Judge Albert Williams, of Ionia, Mich., now 93 years of age, the sole surviving member of the famous "committee of sixteen," who drafted the platform of the convention where the Republican party was born and christened July 6, 1854, "under the oaks" at Jackson, Mich. I then stated I would print as an appendix to my remarks a brief history of this memorable occasion, as written by Judge Williams, being Chapter X of Fox's History of Political Parties. Being prevented from doing so at the time and having received urgent calls for it recently, I submit it herewith as a chapter in history that should be preserved and accessible to all.

I wish to call attention to the fact that this platform demanded that the rights of the people should be protected by the enactment of a general railroad law, equitable to all, also holding that the God-given rights of life, liberty, and the pursuit of happiness were not to be circumscribed by time, nationality, or race. I have already called attention to the fact that Judge Williams has, during the last two years, actively opposed the Republican party, his

"prodigal son," as he expressed it, since "it went to St. Louis to take the gold cure."

The following is the history:

#### CHAPTER X.—ADVENT OF THE REPUBLICAN PARTY—ITS CAUSE, WHAT IT HAS ACCOMPLISHED—EFFECT UPON THE NATION.

The advent of the Republican party upon the nation's stage was a long stride in the interest of civilization. No other one, from that identified with "the manger" to this "under the oaks," equals it in the respect indicated. That at Philadelphia, July 4, 1776, was in the interest of nationality, but that at Jackson, July 6, 1854, was in the interest of individuality. Hence the former contented itself with sundering foreign bonds, but the latter in sundering personal bonds, these being the most galling of all bonds. And, therefore, it was that the consummation of the former relieved no man from his shackles, but that the latter struck them from all. And to day, as we survey our nation, we see it, not as in its first few decades, half free and half slave, but all free and equal before God and before Government, each feeling his feet secure on the pedestal made therefor by the great Creator of all. And that—what a stride in civilization! Who can describe it? What brush paint it? What mind comprehend it? Verily, we can but look upon and wonder at it, and look and wonder still, and especially those yet alive who, so as to express it, came out of that land of bondage and passed through the Red Sea of conflict into this broad one of promise.

And what led up to it? What schooled men for it? What hastened it? Let us see. It is the nature of wrong to be ever aggressive and ever busy in its accursed work, never voluntarily yielding an advantage gained. And this was ever instinctively true of the slave power in this country, till it was finally crushed out forever. Its history proves it. Slavery, early planted in our soil, had grown with the growth and strengthened with the strength of the people. Aroused-eyed and wickedly unscrupulous and grasping, it quickly saw and promptly improved every vantage ground, till it became so strong and emboldened it seized the reins of government, fashioned public affairs, and seated liberty in a corner. As is ever true of the rise of wrongs, its whole pathway was marked with intimidation, dishonor, and crime. It gained recognition in the colonies. It secured toleration in the Constitution. It acquired vast foreign territories to be cursed by its cloven feet, some of them by purchase and others by war on a sister republic. It struck down the right of petition to Congress.

It robbed the mails of antislavery papers and letters. It prevented free speech and muzzled the press. It entered the pulpit and dictated as to how the gospel should be preached. It made it unsafe for Northern people to visit its Territories, it often brutally treating some of them and murdering still others. It caned Sumner in the Capitol of the nation. It made frequent attempts to buy or steal Cuba. It used our ships of war to return to bondage its fugitive slaves. It enacted the compromise measures of 1850, including the infamous fugitive-slave law. It compelled all great political parties to kneel at its altar and do it homage. It avowed its purpose to revive the infamous African slave trade. It secured the admission of Missouri as a slave State into the Union on the solemn compromise that no more slaves should be admitted, embracing any Territory north of latitude 36° 30'. This compromise, by the passage of the Kansas-Nebraska act, it criminally repealed May 30, 1854, and thereby opened those Territories to slavery. These aggressions constituted a long train of abuses and the excitement, pending the passage of this last act, was intense throughout the country, and the news of its passage was received with feelings too deep and solemn for utterance or clamor, strong men meeting and passing one another as though they had heard instead that the dead body of Liberty was lying in state in the national Capitol.

It was this last perfidy that filled the Northern cup of humiliation and forbearance to overflowing, the slave power then assuming to be "monarch of all." Tame submission or absolute resistance was the alternative. The freemen of Michigan, rising above all former party ties, chose the latter, for the time for decision and action had come. Therefore a call for a mass convention, to assemble at Jackson, Mich., July 6, 1854, at 1 o'clock p. m., was extensively circulated in the State and signed by more than 10,000 electors, the convention to be composed of "all our fellow-citizens, without reference to former political associations, who think the time has arrived for union at the North to protect liberty from being overthrown and dethroned," and "to take such measures as shall be thought best to concentrate the popular sentiment of this State against the aggressions of the slave power."

The time came; the convention assembled, numbering some 5,000 freemen; it was called to order at the city hall; the call was read and the convention temporarily organized by calling Judge Levi Baxter, of Hillsdale, to the chair and appointing Jeremiah Van Rensselaer, of Detroit, secretary. A committee, composed of two from each Congressional district, was appointed by the chair to select permanent officers of the convention, viz: Samuel Barstow, Wayne; C. H. Van Clee, Washtenaw; L. F. Christy, Monroe; G. W. Burchard, Hillsdale; Lovell Moore, Kent; James W. Hill, Calhoun; Henry W. Lord, Oakland, and Newell Avery, St. Clair.

The city hall being wholly inadequate to contain the convention, it adjourned to a beautiful oak grove adjacent to Jackson.

Then, on motion, a committee of sixteen, composed of four from each Congressional district, was chosen to draw up and report to the convention a platform of principles for their action, consisting of:

First district, Jacob M. Howard, Wayne; Austin Blair, Jackson; Donald McIntyre, Washtenaw, and John Hillsden, Wayne.

Second district, Charles Noble, Monroe; Alfred H. Metcalf, St. Joseph; John W. Turner, Branch, and Levi Baxter, Hillsdale.

Third district, Marsh Giddings, Kalamazoo; Erastus Hussey, Calhoun, Albert Williams, Ionia, and John McKinney, Van Buren.

Fourth district, Charles Draper, J. E. Simmonds, Z. B. Knight, each Oakland, and M. L. Higgins, Genesee.

While the committee on platform was absent, which was some considerable time, the convention was addressed by Hon. K. S. Bingham, Hon. Z. Chandler, Gen. William T. Howell, Rev. C. C. Foote, Rev. James McBride, Rev. A. St. Clair, Rev. Mr. Foster, and Lewis Clarke, the latter then being a fugitive slave, whose appearance upon the stand created great excitement. He was white as most men, had an honest, open countenance, and was said to be the original George Harris of Uncle Tom's Cabin.

The committee on platform withdrew from convention to a point some 15 or 20 rods from it in a south or southerly direction, in the same grove. The day was beautiful, and that temple of nature was then decked in all its most fascinating attire, as if in anticipation and approval of the pure and noble work then and there to be done. Mr. Howard was at once elected chairman, and soon thereafter submitted an elaborate draft of a platform, written by him. Then came suggestions of names from several members of the committee, that of "Republican" (with no prefix or suffix, as several were proposed) being finally heartily adopted.

The committee fully and keenly realized that a great and grave responsibility rested upon them and deliberated accordingly. So much time did they

take therefor that several gentlemen from the convention called to learn when they would be ready to report, Hon. Mr. Chandler and Joseph Warren, editor and part owner of Detroit Tribune, being of them.

Finally, and late in the afternoon, the platform and name being agreed upon, the committee, through their chairman, Mr. Howard, made their report to the convention, he reading it with much spirit and emphasis, it being received with much enthusiasm and adopted with thunderous tone; and, verily, in the light of subsequent events, how does that platform read to-day, but as the encouraging and lofty inspiration of holy prophecy? Read it. Immediately thereafter the platform and action thereon by the convention being eminently satisfactory to the committee of sixteen, appointed at the Kalamazoo Free Democratic Mass Convention, June 21, of that year, with all due authority for such purpose, came upon the stage and, through their chairman, Hon. I. P. Christy, withdrew their organization and State ticket made at Jackson February 22 preceding, which withdrawal, it being avowedly done in the interest of this Jackson convention, was received with rapturous delight and applause.

The committee on nominations held its meeting in the court-house early in the evening, and they taking considerable time, the convention, among other things, listened to speeches made by Hon. Austin Blair, H. K. Clarke, esq., Hon. I. P. Christy, Dr. Curtis, and Mr. Steele, at which time the committee on nominations came in with its report, the convention excitedly rising to its feet to hear it, and when heard adopting it with cheers and shouts and all kinds of demonstrations of approbation, satisfaction, and joy, the ticket being as follows:

Governor, Kinsley S. Bingham, Livingstone; Lieutenant-governor, George A. Coe, Branch; secretary of state, John McKinney, Van Buren; state treasurer, Silas M. Holmes, Wayne; attorney-general, Jacob N. Howard, Wayne; auditor-general, Whitney Jones, Ingham; commissioner of land office, Seymour B. Treadwell, Jackson; superintendent of public instruction, Ira Mayhew, Monroe; member of board of education, John B. Kellogg, Allegan (to fill vacancy); Hiram M. Miller, Saginaw, Messrs. Bingham, Holmes, and Treadwell having been on the Free Democratic ticket that was withdrawn, as stated, for the same offices, respectively.

The business of the convention being thus completed, it then being well toward midnight, it adjourned without day, its action, as indicated, wholly marked out by themselves in all respects, being characterized by originality, perfect harmony, purity of motives, honorable conduct, admirable courage, devotion to the right, lofty patriotism, and hatred of all wrong, the convention thereby commending itself with such force to the electors of other States of similar views and purposes that they became an example to them, both as to platform and name, which they, in one State after another, rapidly and earnestly adopted, they all, two years later, largely under Michigan's lead, rising into a national Republican party of grand proportions as well.

But no history of the Jackson convention would be complete did it not give Joseph Warren, of Detroit, as compared with others there, superlative credit for it; he working long and vigilantly to induce it; all correspondence with Mr. Greeley being carried on by him, though only some four letters passed between them. He, as did Mr. Greeley, knew the Whig party had survived its usefulness, and should now, under some new name and organization, and united again with others, be put to some important and patriotic work again. The great opportunity had come, and wisely was it improved. And may Joseph Warren's name ever shine brightly amidst those of his immortal contemporaries.

Indeed, for the State, nation, and themselves, as well as for the highest height of civilization, they builded at Jackson on that memorable day better than they knew, and to-day the great American people are fortunately basking in the fruition of the work then and there begun, each, so to express it, his own lord and master, with none to molest or make afraid, slavery being wiped out forever and the Union saved. But of those immortal builders, assembled there "under the oaks" more than forty years ago, nearly all are now gone hence; but, nevertheless, we may rest assured that their shades will ever look down and watch over the State and nation they loved and served so well, while the great Republican party, standing strong and grand, has none to fear, unless it be God and enemies within.

PLATFORM OF REPUBLICAN PRINCIPLES AS ADOPTED AT JACKSON, MICH., JULY 6, 1854.

The committee on resolutions, through the chair, Hon. Jacob M. Howard, reported the following:

The freemen of Michigan assembled in convention in pursuance of a spontaneous call, emanating from various parts of the State, to consider upon the measures which duty demands of us as citizens of a free State to take in reference to late acts of Congress on the subject of slavery and its anticipated farther extension, do

Resolved, That the institution of slavery, except in punishment of crime, is a great moral, social, and political evil; that it was so regarded by the fathers of the Republic, the founders and best friends of the Union, by the heroes and sages of the Revolution who contemplated and intended its gradual and peaceful extinction, as an element hostile to the liberties for which they toiled; that its history in the United States, the experience of men best acquainted with its workings, the dispassionate confession of those who are interested in it; its tendency to relax the vigor of industry and enterprise inherent in the white man; the very surface of the earth where it subsists; the vices and immoralities which are its natural growth; the stringent police, often wanting in humanity and speaking to the sentiments of every generous heart, which it demands; the danger it has already wrought, and the future danger which it portends to the security of the Union and our constitutional liberties—all incontestably prove it to be such evil. Surely that institution is not to be strengthened or encouraged, against which Washington, the calmest and wisest of our nation, bore unequivocal testimony; to which Jefferson, filled with a love of liberty, exclaimed: "Can the liberties of a nation be ever thought secure when we have removed their only firm basis, a conviction in the minds of the people that their liberties are the gift of God."

Resolved, That slavery is a violation of the rights of man as man; that the law of nature, which is the law of liberty, gives to no man rights superior to those of another; that God and nature have secured to each individual the inalienable right of equality, any violation of which must be the result of superior force; and that slavery, therefore, is perpetual war upon its victims; that whether we regard the institution as first originating in captures made in war, or the subjection of the debtor as the slave of his creditor, or the forcible seizure and sale of children by their parents or subjects by their king, and whether it be viewed in this country as a "necessary evil" or otherwise, we find it to be, like imprisonment for debt, but a relic of barbarism as well as an element of weakness in the midst of the state, inviting the attack of external enemies, and ceaseless cause of internal apprehension and alarm. Such are the lessons taught us, not only by the histories of other commonwealths, but by that of our own beloved country.

Resolved, That in view of the necessity of battling for the first principles of the republican government and against the schemes of aristocracy the most revolting and oppressive with which the earth was ever cursed or more

debased, we will cooperate and be known as Republicans until after the contest be determined.

Resolved, That we earnestly recommend the calling of a general convention of the free States, and such of the slave-holding States, or portions thereof, as may desire to be there represented, with a view to the adoption of other more extended and effectual measures in resistance to the encroachments of slavery; and that a committee of five persons be appointed to correspond with our friends in other States on the subject.

Resolved, That in our opinion the commercial wants require the enactment of a general railroad law, which, while it shall secure the investment and encourage the enterprise of stockholders, shall also guard and protect the rights of the public and of individuals, and that the preparation of such a measure requires the first talents of the State.

After reading this patriotic declaration of principles, is it to be wondered at that those who founded the Republican party, seeing that corporate greed had seized its control for the purpose of destroying its splendid early history, should be forced to find another political home where they could still serve the cause of human liberty?

I am reminded in this history that all great political parties have been formed by a union, or, as it is popularly called, a "fusion," of various parties or elements holding like views on great questions. The Republican party was born of "fusion" with the "Free Democratic" party born at Kalamazoo, Mich., a few months preceding. Jefferson was twice elected President on a "Democratic-Republican" ticket. Neither the Republican party in 1854 nor the Democratic-Republican party in 1796 were successful in their first campaign, but in the year 1800, in their second campaign, the Democratic-Republicans won.

In the evolution of great principles as applied to nations history repeats itself. In 1896 three great political parties formed a political union to restore Democratic-Republican principles in our Republic. A splendid battle was fought by the champions of human liberty, under the great leader William J. Bryan, against corporate greed, but we lost, as did Jefferson just a century before.

Now, we look for the bright fulfillment of the promise of the past and the completion of the cycle of the century, when, in the year 1900, liberty, truth, and justice may again be triumphant, and history shall inscribe the names of our four greatest Presidents, Washington, Jefferson, Lincoln, and Bryan! [Applause.]

Mr. MAXWELL. I move that the gentleman's time be extended five minutes.

Mr. HULL. I object.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. TODD].

The question was taken, and the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

Construction and repair of hospitals: For construction and repair of hospitals at military posts already established and occupied, including the extra duty pay of enlisted men employed on the same, and including also all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Ark., except quarters for the officers, \$50,000.

Mr. MARSH. Mr. Chairman, I send to the desk an amendment to the last clause, which I am authorized to do by instructions from the Military Affairs Committee.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 32, page 21, strike out the word "fifty" and insert the word "seventy-five."

At the end of line 23, add the following: "Provided, That \$25,000 of the foregoing amount be expended in the construction of an addition to the Army and Navy Hospital at Hot Springs, Ark., making thereby a new ward to accommodate fifty beds."

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

For purchase and repair of instruments, to be issued to officers of the Corps of Engineers and to officers detailed and on duty as acting engineer officers, for use on public works and surveys, \$3,000.

Mr. HULL. Mr. Chairman, I send to the Clerk's desk an amendment to follow this as a separate paragraph.

The Clerk read as follows:

For pontoon trains, trenching tools, instruments, and drawing materials, \$25,000; surveys and surveyor draftsmen, photographers and clerks, engineer officers on the staff of division, corps, and department commanders, \$35,000.

Mr. HULL. Mr. Chairman, I am authorized by the committee to offer this amendment, and it is in response to a request from the Chief of Engineers, submitted February 16 and indorsed by the Secretary of War, saying that these supplemental estimates were submitted to Congress on the 26th ultimo, and they were not before the committee.

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

Library of the United States Engineer School: For purchase and binding of professional works of recent date treating of military and civil engineering and kindred scientific subjects, \$500.

Total for Engineer Department, \$10,000.

Mr. HULL. Mr. Chairman, the "ten" should be stricken out in line 17 and "sixty" inserted, because we have added \$50,000 to the Engineer Department.

The amendment was agreed to.

Mr. SULZER. Mr. Chairman, I offer the following amendment,

to come in immediately after the last paragraph on page 23, and I ask the Clerk to report the same.

The CHAIRMAN. The Clerk will report the amendment.

The amendment was read, as follows:

Add after the last paragraph on page 23 the following:

"That the number of major-generals in the United States Army is hereby increased to four."

That the President is hereby authorized to fill the original vacancy created by this act in the grade of major-general by the appointment of a volunteer officer who held the rank of major-general of volunteers and participated in the action against the enemy at Santiago de Cuba, but who did not hold a commission in the Regular Army of the United States: *Provided*, That upon the death, resignation, or retirement of said major-general so appointed by the President under and by authority of this act the number of major-generals in the Army shall not exceed the number now or hereafter provided by law.

Mr. HAY rose.

Mr. HULL. I raise the point of order, Mr. Chairman.

Mr. SULZER. Before the point of order is raised, I desire to say a word. I shall be very brief, and I trust the gentleman from Iowa [Mr. HULL] will listen to what I say.

The CHAIRMAN. One moment. Complaint has been made to the Chair frequently this morning that there has been so much confusion that gentlemen interested in this bill can not proceed with it. The Chair trusts that all gentlemen desiring to engage in conversation will retire to the cloakroom.

Mr. SULZER. This amendment, Mr. Chairman, simply increases the number of major-generals by one, and the place so created is intended for that grand old soldier, Gen. JOSEPH WHEELER. It is only intended as a fitting recognition of his gallant services. When he dies the office will cease to exist. It will die with him.

Mr. HULL. Mr. Chairman, I made the point of order.

Mr. SULZER. Mr. Chairman, I have the floor. I hope the gentleman will not interrupt me. I hope he will not be so ungallant and so unpatriotic as to insist on the technical point of order.

Mr. HULL. But a point of order takes anybody off the floor.

Mr. SULZER. That depends on the Chairman.

Mr. HAY. Mr. Chairman, I desire to state that I rose for the purpose of reserving a point of order.

The CHAIRMAN. The Chair will state to the gentleman from Virginia [Mr. HAY] that the gentleman in charge of the bill made the point of order. This is a question which the Chair does not care to hear debate upon.

Mr. SULZER. But, Mr. Chairman, I desire to be heard for a few minutes. I hope the Chair will hear both sides before deciding the point of order.

The CHAIRMAN. The Chair does not desire to hear any debate.

Mr. SULZER. Then, Mr. Chairman, I desire to debate the point of order. I have a right to do that. It is only fair that you permit me to do so. Perhaps the Chair might not decide against me after the Chair hears what I have to say.

I believe nine-tenths of the American people know that General WHEELER was the real hero at Santiago. I believe they wish to see his ambition gratified in being made a major-general in the Regular Army. General WHEELER would rather hold that office than his seat in Congress. Let us gratify his ardent wish.

The CHAIRMAN. The Chair desires to say to the gentleman from New York that this amendment is clearly out of order, and the Chair has so ruled. The Clerk will read.

Mr. SULZER. Does the Chair deny me the right to be heard on the point of order?

The CHAIRMAN. The Chair does. [Laughter.]

Mr. SULZER. That is characteristic of the Chair. I simply desired to make a comparison between—

The CHAIRMAN. The gentleman is not in order.

Mr. SULZER. I will just so soon as I can get in order.

The Clerk read as follows:

#### ORDNANCE DEPARTMENT.

Ordinance service: For current expenses of the ordinance service required to defray the current expenses at the arsenals; of receiving stores and issuing arms and other ordinance supplies; of police and office duties; of rents, tolls, fuel, and lights; of stationery and office furniture; of tools and instruments for use; incidental expenses of the ordinance service and those attending practical trials and tests of ordinance, small arms, and other ordinance supplies, including payment for mechanical labor in the office of the Chief of Ordinance, \$225,000.

Mr. SULZER. Mr. Chairman, I offered that amendment—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SULZER. I move to strike out the last word. Mr. Chairman, I offered that amendment in all sincerity and in all seriousness. It is similar to the one which was offered the other day to the naval appropriation bill by the gentleman from Massachusetts [Mr. Moody] in regard to Admiral Dewey. I am glad that no Democrat then objected to making the gallant Dewey an admiral. I thought no Republican would object to making WHEELER a major-general.

Mr. HULL. I have given notice already that I would raise a point of order on all debate not affecting this bill. I know what my friend wants to say, and I am reluctant to interrupt him; but he must know that he is out of order.

Mr. SULZER. I have the floor, and I trust the gentleman will not abridge my right to say a few words for the hero of Santiago—Gen. JOSEPH WHEELER. He will get along a great deal faster with his bill if he gives me an opportunity to speak a moment. I am a member of the committee, and I know when I am out of order just as well as he does.

Mr. HULL. I must insist on my point of order against my friend, as I will against every other man who undertakes to indulge in debate which is not in order.

The CHAIRMAN. The gentleman from New York of course understands well—

Mr. SULZER. I think I am in order. I will try to confine myself to the provision of the bill under consideration. I think I have a right to say a few words in regard to my amendment. If you will leave me alone for a few moments, you will get along faster.

Mr. GAINES. What is the point of order?

The CHAIRMAN. The point of order is that the gentleman was not confining himself to the amendment which he offered, which was to strike out the last word.

Mr. SULZER. Mr. Chairman, I was very glad, as I was saying a few moments ago, that no Democrat on our side of the House raised the point of order against the amendment making Admiral Dewey a full-fledged American admiral. He deserved it, and I think he ought to get it. So I think Gen. JOSEPH WHEELER should be made a major-general in the Regular Army. He deserves it.

The CHAIRMAN. The gentleman from New York—

Mr. SULZER. Mr. Chairman, I desire now—

The CHAIRMAN. The gentleman from New York will please obey the rules of the committee.

Mr. SULZER. I am endeavoring to do that. I will get along all right if you will not interrupt me.

A MEMBER. You are pretty unsuccessful.

Mr. SULZER. But how can I obey the rules when the gentleman from Iowa gets up every moment and tries to take me off my feet and the Chair is doing all he possibly can to help the gentleman from Iowa? [Laughter.]

The CHAIRMAN. The gentleman from New York is out of order.

Mr. SULZER. I regret that anyone here should object to making General WHEELER a major-general. No soldier in the Spanish-American war did more or deserves more than he. My amendment should be adopted unanimously.

The CHAIRMAN. The Chair desires to state to the gentleman—

Mr. SULZER. I am very glad, however, that the objection does not come from a Democrat, but from the gentleman from Iowa. We will have some more to say on this subject at some future time.

The CHAIRMAN. The Chair desires to state to the gentleman from New York that, having repeatedly called the gentleman's attention to the rules, the Chair must ask the aid of the Sergeant-at-Arms if the gentleman does not obey them.

Mr. SULZER. Mr. Chairman, I shall not transgress the rules any more than the gentleman in the chair. Now, in regard to this section I desire to say—

Mr. HENDERSON. Regular order.

Mr. SULZER. I am discussing this section. This is no time for the gentleman from Iowa [Mr. HENDERSON] to put in his oar by calling "Regular order!" This section is subject to the same point of order as the chairman of the committee made against my amendment. I want to say that this bill from beginning to end is full of inconsistencies. I can point out in almost every section of the bill provisions that are subject to a point of order. The bill is full of new legislation. In fact, we are legislating in the air. What is the use of making appropriations for the Army before we know what kind of an army we are going to have?

The CHAIRMAN. The gentleman will confine himself to the amendment that is under consideration.

Mr. SULZER. I am confining myself to it. I know you do not care to hear one talk like that, but I am telling the truth about it. I now make the point of order that the section under consideration contains new legislation, and, under Rule XXI, should be stricken out.

This bill from beginning to end is entirely contrary to the rules of this House; and no one knows it better than the chairman. He is getting it through; and we are not objecting. But when one of us endeavors to amend the bill by putting in a provision that will do justice to one of the greatest heroes of the Republic—Gen. JOSEPH WHEELER—the chairman of the committee, forsooth, objects. How petty it all seems. But let me say to the gentleman from Iowa the Senate will do justice to his bill and to General WHEELER, just as it is now doing heroic justice to the gentleman's Army bill. When it comes back, he will not know it.

The CHAIRMAN. The gentleman will confine himself to his point of order.

Mr. SULZER. Now, I object to this provision because it is new legislation, and I make that point of order.

Mr. HULL. Now let the Chair rule on the point of order raised by the gentleman from New York. I call for a ruling.

The CHAIRMAN. The point of order raised by the gentleman from New York is overruled.

The Clerk read as follows:

Ordnance, ordnance stores, and supplies: For manufacture of metallic ammunition for small arms and ammunition for reloading cartridges, including the cost of targets and material for target practice, ammunition for burials at the National Home for Disabled Volunteer Soldiers and its several branches, including National Soldiers' Home in Washington, D. C., and marksmen's medals and insignia for all arms of the service, including machinery, tools, and fixtures for their manufacture at the arsenals, \$500,000.

Mr. STEELE. Mr. Chairman, I desire to offer the amendment I send to the desk.

The Clerk read as follows:

Insert, after line 14, page 24, the words:

"Provided, That the Chief of Ordnance is authorized to issue such obsolete or condemned ordnance as may be needed for ornamental purposes for the Homes for Disabled Volunteers, the Homes to pay the expense of transportation and other expenses necessary."

Mr. UNDERWOOD. Mr. Chairman, reserving the point of order, I would like to ask if there is not already a provision of law which authorizes this to be done?

Mr. STEELE. There is a provision of law that has reference alone to the guns which have been condemned. But there are some old gun carriages that have been condemned and are obsolete that are being broken up and thrown into the scrap heap at the armories. It is claimed at the Ordnance Department that they may not issue the carriages under the law, but they may issue guns.

I ask a vote on the amendment.

The amendment was considered, and agreed to.

The Clerk read as follows:

For overhauling, cleaning, and preserving new ordnance on hand at the arsenals and depots, \$50,000.

Mr. SULZER. Mr. Chairman, I move to strike out the last word for the purpose of asking an explanation from the chairman of the committee with reference to this particular paragraph.

Mr. HULL. What is the point the gentleman makes?

Mr. SULZER. I would like to know as to the amount appropriated here. It seems to be extravagant. I make a point of order against it.

Mr. HULL. This simply provides a fund for the overhauling, cleaning, and the care of guns.

Mr. SULZER. How much was appropriated last year for this purpose?

Mr. HULL. Not so much as this. But the gentleman must remember that we have a great addition to our guns now.

Mr. SULZER. If my memory serves me right, it was not nearly so much last year. Can the gentleman state about what the appropriation was in the last appropriation bill?

Mr. HULL. I can not state exactly. My recollection is about \$10,000, though I would have to look into the matter.

Mr. SULZER. And this appropriates \$50,000? Quite a little difference, and a decided bit of new legislation.

Mr. HULL. Yes. If the gentleman thinks it is too much, of course he can offer an amendment to reduce it.

Mr. SULZER. I do think it is too much, and the gentleman seems to be wholly unable to justify it.

I move to strike out the words "fifty thousand," and insert "twenty-five thousand" instead. I think that is enough for this purpose at this time, especially when we do not seem to have money for other purposes a great deal more important and necessary.

Mr. HULL. I hope it will not be adopted. We need the full amount.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from New York.

The Clerk read as follows:

Strike out in line 25, on page 24, the word "fifty" and insert "twenty-five;" so that it will read "twenty-five thousand dollars."

Mr. HULL. I would only say, in answer to the remarks of the gentleman from New York, that the Department of Ordnance thinks it will be necessary to make this appropriation, and that the full amount is needed. That is the information we received in response to inquiries addressed to the Department.

Mr. SULZER. If the appropriations were left to the several Departments of the Government on their estimates, there would not be a dollar left in the Treasury. They would take every dollar they could get if we followed their estimates.

To-day they want \$50,000 to clean old guns with brass mountings. Last year they only asked for five or ten thousand dollars. Next year they will ask for \$300,000. In my judgment \$25,000 is ample. It is all that is needed this year, and I hope the amendment will prevail.

Mr. HAY. Mr. Chairman, I only wish to say that I was present

at the hearings on this particular item of the bill, and I think the \$50,000 appropriated is only a reasonable sum. I am, as much as anybody, for economical appropriations; but it seems to me that enough ought to be provided for the various Departments of the Government to carry on properly the work that they have in hand. I believe the amount appropriated here is not more than sufficient.

The question being taken on the amendment proposed by Mr. SULZER, it was rejected.

Mr. STEELE. Mr. Chairman, I ask unanimous consent to recur to the paragraph to which I offered an amendment a few moments ago for the purpose of inserting after the word "ordnance" the additional words "gun carriages and ordnance stores."

The CHAIRMAN. Is there objection to recurring to the paragraph suggested by the gentleman from Indiana?

There was no objection.

The amendment proposed by Mr. STEELE was adopted.

The Clerk read as follows:

For the purchase of machinery, tools, fixtures, and for the installation of plant, for the manufacture of small arms at the armory shops, Rock Island Arsenal, available until expended, \$350,000.

Mr. GILLET of Massachusetts. Mr. Chairman, I should like to ask the chairman of the Committee on Military Affairs what effect that appropriation for Rock Island is to have upon the manufacture of arms at Springfield?

Mr. HULL. No effect at all. It is expected to run the Springfield Arsenal at its full capacity.

Mr. GAINES. I did not hear the reply of the gentleman from Iowa.

Mr. HULL. The gentleman from Massachusetts [Mr. GILLET] asked what effect this would have on the armory at Springfield, and I say it will have no effect at all; that we expect to run the armory at Springfield at its full capacity. We have given the armory at Springfield \$400,000 more than we ever gave it before, so that it can run to its full capacity, day and night.

Mr. GAINES. Now, will the gentleman give us the reason why he thinks the Government of the United States should begin the manufacture of arms at Rock Island? I know he has some good reason, and I should like to have it.

Mr. HULL. Mr. Chairman, it has been urged by the War Department for a good many years. Some years ago Congress appropriated money to put up buildings at Rock Island for the purpose of manufacturing small arms; but before the war broke out, with the Army at 25,000 men and with Congress believing that we never would have a war, we were going along at a very moderate pace in the manufacture of arms. Even at Springfield we were not running to the full capacity, having only one shift of men, as I remember.

Now, with the different States clamoring for the arming of the State guards or militia with the best arm that is made, in the place of an obsolete weapon, the committee believe that we should manufacture them in sufficient quantities, not only to supply the Regular Army, but gradually to arm the State troops with the best arm that can be had, so that when they go into active service, they shall be familiar with the gun that they ought to use in order to be on an equality with the soldiers opposing them.

Mr. GAINES. Why does the gentleman urge that the Government of the United States as such should manufacture these arms, instead of getting them from private individuals?

Mr. HULL. Why, Mr. Chairman, the policy of the Government has been settled for a great many years, not only to manufacture our small arms, but to manufacture our cannon, and we get better guns at less than what they would cost us if we had to buy them.

Mr. GAINES. Mr. Chairman, a point of order that the committee is in disorder. I could not hear the gentleman's last answer, and I desire to hear it.

The CHAIRMAN. The committee will be in order.

Mr. HULL. I say the policy of the Government has been settled for a great many years, not only to make our small arms, but to manufacture our cannon as well, and we have had better results from it than you could possibly have by going into the market and depending on private concerns to make the gun. The Government has adopted what is called the Krag-Jørgensen and renamed it the United States service rifle. The patents belong to the Government, and we can manufacture them for much less than we could buy them from private individuals, and we make a better gun, both as to the small arms and as to the cannon.

Mr. GRIFFIN. And they are absolutely uniform.

Mr. HULL. And as my friend suggests, they are absolutely uniform.

Mr. GAINES. You are satisfied of the wisdom of that policy?

Mr. HULL. I am satisfied of it.

Mr. GAINES. Now, let me suggest to the gentleman, before he leaves the floor, that I should like to have him give me his reasons, if he has any, if the Government can manufacture its own guns cheaper and better than private individuals have done it, why it

is that the Government of the United States should not erect an armor-plate plant and make its own armor plate?

Mr. HULL. There is no parallel between the two, and I do not wish to take the time of the committee to discuss that matter. It is not before us.

Mr. GAINES. Is not armor plate a war supply?

Mr. HULL. The gentleman has a right to his opinion on that subject, as has every other man. This matter of the manufacture of small arms and cannon is the settled policy of the Government, and that is all that is before the committee.

Mr. GAINES. You have such good judgment about matters of that kind that I wanted to get your judgment on the other matter.

Mr. HULL. I thank the gentleman.

Mr. GAINES. I want to say that I heartily indorse the proposition as suggested.

Mr. GILLET of Massachusetts. I would like to ask the gentleman a little further question. As I remember, it was stated that \$75,000 would double the plant at Springfield. Now, how much is it expected that you can turn out with this \$350,000 at Rock Island?

Mr. HULL. Mr. Chairman, the proposition was to appropriate \$150,000 for buildings at Springfield. The buildings would give room for machinery enough to double the capacity, but it was thought at that time that the machinery would cost more than the buildings. So that the appropriation would not double the capacity at Springfield. It would only provide buildings in which this machinery could be placed for doubling the capacity.

Mr. GILLET of Massachusetts. I think the gentleman is mistaken in that.

Mr. HULL. I think it is estimated that it costs in the neighborhood of \$2,000 a gun to put up the machinery as the first cost of making those guns; so that \$150,000 for the buildings and machinery would not have done what was intended, as claimed by the gentleman from Massachusetts.

Mr. GILLET of Massachusetts. How much of an output was this \$350,000 for machinery expected to provide at Rock Island?

Mr. MARSH. About 175 guns a day.

Mr. HULL. It is nothing for buildings, but all for machinery. Now, to proceed; I desire to offer an amendment.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MERCER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the following titles:

- H. R. 10714. An act granting a pension to John S. Draper;
- H. R. 3803. An act granting an increase of pension to Elam Allen;
- H. R. 10933. An act granting a pension to Sarah A. Kizer;
- H. R. 10355. An act granting an increase of pension to Catharine C. Goodrich;
- H. R. 10285. An act granting an increase of pension to Mazie V. Sullivan;
- H. R. 10605. An act to increase the pension of Annie Cusack;
- H. R. 10417. An act granting a pension to James H. Nichols;
- H. R. 8610. An act granting a pension to Minnie B. Titus;
- H. R. 9415. An act granting an increase of pension to Henry Bullen;
- H. R. 247. An act granting an increase of pension to John Doeblor;
- H. R. 9569. An act granting an increase of pension to Timothy A. Allen;
- H. R. 9344. An act granting an increase of pension to John Begley;
- H. R. 8578. An act granting an increase of pension to George W. Reisinger;
- H. R. 11296. An act granting a pension to Annie M. Rowe;
- H. R. 855. An act granting an increase of pension to James R. Zearing;
- H. R. 12026. An act to increase the pension of Thomas Crinigan;
- H. R. 8568. An act granting an increase of pension to Mrs. Susan Stedman;
- H. R. 10860. An act granting a pension to Mianda A. Sanford;
- H. R. 12077. An act granting an increase of pension to Charles N. Smiley;
- H. R. 7657. An act granting an increase of pension to James E. Searl;
- H. R. 6913. An act granting an increase of pension to Charlotte B. Cozzens;
- H. R. 635. An act increasing the pension of Howard L. James;
- H. R. 8749. An act granting a pension to James J. Marcher;
- H. R. 123. An act granting a pension to William F. Bolan;
- H. R. 9455. An act granting an increase of pension to Richard Atkinson;
- H. R. 10490. An act granting a pension to Nelly V. Crosby;
- H. R. 12093. An act granting a pension to Mary A. Kennedy;

H. R. 10738. An act granting an increase of pension to Beeri Serviss;

H. R. 2293. An act granting an increase of pension to Andrew J. Snowden;

H. R. 9843. An act granting a pension to America Easton;

H. R. 10803. An act granting an increase of pension to James Porter;

H. R. 10056. An act increasing the pension of James Webb;

H. R. 7046. An act granting an increase of pension to Arba Capron;

H. R. 10385. An act granting a pension to George Brown;

H. R. 4880. An act granting a pension to Jonathan Scott;

H. R. 3123. An act granting an increase of pension to Frank S. Devo;

H. R. 5497. An act to provide for terms of the circuit and district courts of the western judicial district of the State of Texas to be held at the city of Laredo, and for other purposes;

H. R. 3155. An act granting a pension to Kitty Ann Patterson;

H. R. 3271. An act to increase the pension of Mrs. Rebecca S. Foster;

H. R. 4249. An act granting a pension to Samuel B. Koontz; and H. R. 6876. An act to increase the pension of George Alexander.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House was requested:

H. R. 8626. An act to punish the impersonation of weighmasters in the District of Columbia;

H. R. 5326. An act for the relief of Thomas Hickey;

H. R. 9760. An act to redeem outstanding certificates issued by the board of public works of the District of Columbia held by W. D. Williams;

H. R. 7271. An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes, approved May 18, 1896;

H. R. 3567. An act to remove the charge of desertion against Gardner Dodge;

H. R. 8694. An act to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes; and

H. R. 2524. An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

- S. 896. An act granting a pension to Mary J. Hill;
- S. 1071. An act granting a pension to Abigail R. Ellet;
- S. 1209. An act granting an increase of pension to Maj. John H. Gearke;
- S. 1245. An act granting an increase of pension to George W. Emery;
- S. 1378. An act granting a pension to William F. Gowdy;
- S. 1619. An act granting a pension to Michael Lannon;
- S. 1976. An act granting an increase of pension to Annie E. Ruff;
- S. 2217. An act to increase the pension of Aaron B. Page;
- S. 2235. An act granting an increase of pension to Henry Hatch;
- S. 2335. An act granting an increase of pension to Charles Edson;
- S. 3136. An act granting an increase of pension to William O. Torry;
- S. 3325. An act granting a pension to Maria S. Whitney;
- S. 4483. An act granting an increase of pension to John H. Crandall; and
- S. 4681. An act granting an increase of pension to Joseph F. Mollere.

The message also announced that the Senate had passed with amendment the bill (H. R. 3293) authorizing the Secretary of the Treasury to purchase a site for a new depot for the Sixth light-house district and erect the necessary buildings, asked a conference with the House of Representatives on the bill and amendment, and had appointed Mr. McMILLAN, Mr. McBRIDE, and Mr. PASCO as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendment the bill (H. R. 631) to confirm title to lots 13 and 14, in square 959, in Washington, D. C., asked a conference with the House of Representatives on the bill and amendment, and had appointed Mr. KENNEY, Mr. PRITCHARD, and Mr. PROCTOR as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 11597) to extend S street in the District of Columbia, and for other purposes, asked a conference with the House of Representatives on the bill and amendments, and had appointed Mr. McMILLAN, Mr. HANSBROUGH, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 11629) for the extension of Pennsylvania avenue SE. to the District line, asked a conference with the House of Representatives on the bill and amendments, and had

appointed Mr. McMILLAN, Mr. HANSBROUGH, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House of Representatives was requested:

- S. 3672. An act granting a pension to Capt. Oscar Taylor;
- S. 4098. An act granting an increase of pension to Isaac H. Linn;
- S. 4730. An act to increase the pension of Levi Moser;
- S. 3291. An act to increase the pension of James C. Carlton;
- S. 4097. An act granting a pension to Elizabeth Wisler;
- S. 4006. An act for the relief of Joseph B. Presdee;
- S. 3216. An act granting a pension to David Carroll;
- S. 4919. An act granting a pension to Henry H. Lewis;
- S. 4916. An act granting a pension to Mary B. Christopher;
- S. 5415. An act granting a pension to Frederick Auer;
- S. 2654. An act granting a pension to Lydia F. Wiley;
- S. R. 48. Joint resolution granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann;
- S. 5374. For the relief of Christiana Dengler;
- S. 3331. An act to correct the military record of Joseph T. Vincent;
- S. R. 220. Joint resolution to authorize the President to appoint Jonathan Brooks as assistant paymaster in the Navy;
- S. R. 243. Joint resolution authorizing foreign exhibitors at the commercial exposition to be held in Philadelphia, Pa., in 1899 to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Treasury.
- S. 5289. An act to provide a site for a building for the Washington Public Library;
- S. R. 225. Joint resolution relative to the Greater America Exposition to be held in Omaha, Nebr., in the year 1899;
- S. R. 247. Joint resolution for the relief of ex-Naval Cadet George H. Mather;
- S. 5474. An act granting a pension to Ellen Harden;
- S. 2022. An act for the relief of Louis Miller;
- S. 3151. An act for the relief of John G. Rose;
- S. 5463. An act to authorize certain persons who intermarried with Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded;
- S. 3370. An act granting a pension to Benjamin F. Trapp, of South Omaha, in the State of Nebraska;
- S. 2991. An act granting an increase of pension to Oliver J. Leyon;
- S. 3187. An act for the relief of the widow and heirs of Samuel Kramer;
- S. 4437. An act granting a pension to B. H. Randall;
- S. 4817. An act for the relief of the New York, New Haven and Hartford Railroad Company;
- S. 4805. An act to increase the pension of Annie B. Goodrich; and
- S. 5585. An act granting an increase of pension to Orphia W. Reynolds.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

- H. R. 11266. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900; and
- H. R. 11217. An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes.

The message also announced that the Senate had passed without amendment resolutions of the following titles:

*Resolved by the House of Representatives (the Senate concurring), That the Public Printer be, and is hereby, authorized and directed to print for distribution by the Department of State 5,000 copies of Commercial Relations, 1898, and (in separate form) 10,000 copies of the Review of the World's Commerce, etc., being part of said Commercial Relations.*

Also:

*Resolved by the House of Representatives (the Senate concurring), That there be printed 12,000 additional copies of the Statistical Abstract of the United States for the year 1898, prepared by the Bureau of Statistics, Treasury Department; 3,000 copies for the Senate, 6,000 for the House of Representatives, and 3,000 for the Bureau of Statistics, Treasury Department.*

Also:

*Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in cloth, for the use of the Director of the Mint, 3,000 extra copies of the Report on the Production of Gold and Silver for the calendar year 1897.*

The message also announced that the Senate had passed the following resolutions:

*Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 4338) granting an increase of pension to Elizabeth V. Litsenberg, and amendment.*

Also:

*Resolved, That the Secretary be directed to request the House of Representatives to furnish the Senate a duplicate engrossed copy of its amendment to the Senate bill 104, to increase the pension of Lucretia C. Waring, and a copy of its message insisting on its amendment to said bill, the same having been mislaid or lost.*

The message also announced that the Senate had passed without amendment the joint resolution (H. Res. 339) authorizing the President to appoint Osborne W. Deignan a naval cadet at Annapolis.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11865) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, Indian allotments, and for other purposes.

#### ARMY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Insert, end of line 23, page 25, the following:

"For restoring the power house, machinery, and electric plant at the Rock Island Arsenal, which were destroyed by fire January 3, 1890, to be immediately available, \$9,851.24."

Mr. SULZER. I reserve all points of order.

Mr. HULL. I only want to say, if the point of order is reserved, that the power house at the Rock Island Arsenal burned a few weeks ago, and it is absolutely important that it should be rebuilt. It is believed that this amount will erect the building with brick face and no wooden framework about it, and it will not be so liable to be destroyed again.

Mr. SULZER. I know about Rock Island, and I withdraw the point of order.

The amendment was agreed to.

Mr. FITZGERALD. Mr. Chairman, I wish to submit this amendment.

The Clerk read as follows:

That all enlisted men of the Regular Army who enlisted subsequent to the declaration of war, for the war only, and hereafter mustered out of the service, who have served honestly and faithfully beyond the limits of the United States, shall be paid two months' extra pay when mustered out and discharged from the service; and all enlisted men in the Regular Army who enlisted subsequent to the declaration of war, for the war only, and hereafter mustered out of the service, who have served honestly and faithfully within the limits of the United States, shall be paid one month's extra pay when mustered out and discharged from the service, from any money in the Treasury not otherwise appropriated, said money to be immediately available.

Mr. HAY. I reserve the point of order on that amendment.

Mr. GAINES. I would like to ask the gentleman a question. Why do you draw a distinction between the volunteers serving in the United States and the volunteers who served out of the United States and the Regular Army within the United States?

Mr. FITZGERALD. I make no such distinction. The law already provides for the volunteers who served in and out of the United States. This applies to those men who enlisted in the Regular Army for the war. The men serving in the different State militias have already been provided for by law.

Mr. GAINES. I must say that as I understood the amendment it was that the volunteer who had served out of the United States was to get two months' extra pay if he had conducted himself with proper deportment, and that the regular who had served out of the United States and conducted himself properly one month's pay extra, but that the volunteer who had not served outside of the United States but had been confined to the United States was to get one month, and the regular within the limits was to get a month's extra.

Mr. FITZGERALD. I think the gentleman misunderstood the provision.

Mr. GAINES. I listened particularly, and I hope I am not mistaken, because I do not like to see this discrimination made.

Mr. FITZGERALD. The law passed in regard to volunteers provides that those who served outside of the United States shall receive two months' additional pay, and those within the United States one additional month. I have asked that the same provision be inserted in the bill in regard to the Regular Army.

Mr. GAINES. I think I understood the amendment perfectly, but I hope I am mistaken.

Mr. FITZGERALD. For information, I hope that the amendment may be again read.

Mr. GAINES. I would like the amendment reported to the committee, and I ask for order, Mr. Chairman.

The CHAIRMAN. The committee will be in order.

The amendment was again read.

Mr. GAINES. Now, I understand that the volunteer who has not served outside of the United States gets no extra pay, however honorably he may have served the country.

Mr. HULL. If the gentleman from Tennessee will listen a moment, I will explain the matter to him. We passed a bill in January last giving the volunteer soldiers exactly this pay. Before that bill passed, the War Department furloughed those volunteer

soldiers, who had served outside of the United States, for sixty days, and on reassembling discharged them; and those who had served inside of the United States were furloughed for thirty days. We passed this act to give these volunteers this extra pay, so that they could be paid their extra month and go home and stay, and not compel them to come back. That was the provision for the volunteers. This is a copy of that bill, except the word "only," and that was written in so that it would not apply to the whole regular establishment; so that it would only apply to those enlisted for the war.

Mr. GAINES. This puts them all on an equality?

Mr. HULL. It puts the men who went into the Regular Army on the same footing as the volunteers.

Mr. GAINES. All I want is equality of payment.

Mr. HULL. It makes an equality of payment between the two.

Mr. BRUCKER. Mr. Chairman, I offer the following amendment as a substitute.

The CHAIRMAN. The point of order is made against the amendment by the gentleman from Virginia [Mr. HAY].

Mr. HAY. I reserved the point of order.

Mr. BRUCKER. I offer this as an amendment subject to the point of order.

The CHAIRMAN. The Chair will dispose of the point of order first.

Mr. HAY. I simply reserved the point of order, Mr. Chairman.

The CHAIRMAN. But the Chair must dispose of it.

Mr. HAY. I withdraw the point of order.

The CHAIRMAN. The gentleman from Michigan offers an amendment to the amendment in the form of a substitute, which the Clerk will report.

The Clerk read as follows:

That all men who enlisted in the Regular Army subsequent to the declaration of war with Spain and prior to the ratification of the treaty of peace by the United States Senate, and who served faithfully and honestly beyond the United States, shall be entitled to two months' extra pay on muster out and discharge from the service. And all men who enlisted in the Regular Army subsequent to said declaration of war, prior to the ratification of the treaty of peace, as above mentioned, and who served faithfully and honestly within the limits of the United States, shall be paid one month's extra pay on muster out and discharge from the service, from any money in the Treasury not otherwise appropriated.

Mr. BRUCKER. The distinction between the amendment offered by myself and the amendment offered by the gentleman from Massachusetts [Mr. FITZGERALD] is this: The amendment offered by the gentleman from Massachusetts does not limit the time of enlistment subsequent to the declaration of war with Spain and prior to the ratification of the treaty of peace by the United States Senate. I think that distinction ought to be made, and ought to be incorporated in any amendment adopted. I think that these men who volunteered in the Regular Army subsequent to the declaration of war, and prior to the ratification of the treaty of peace, ought to be provided for in this way by this additional two months' pay for those who served beyond the United States, and one month's pay for those who served within the limits of the United States. The distinction limiting the time of enlistment between the declaration of war and the ratification of the peace treaty ought to be observed in giving this additional pay to these men.

Mr. HULL. Mr. Chairman, if I caught the reading of the amendment correctly, the gentleman's amendment applies to the entire Regular Army. I do not understand him to confine it to those who enlisted for the war. Does the gentleman's amendment limit it to those who enlisted after the declaration of war and before the treaty of peace?

Mr. BRUCKER. Yes.

Mr. HULL. There has been probably 10,000 regulars enlisted for three years between those two dates.

Mr. BRUCKER. I do not think any distinction ought to be drawn.

Mr. HULL. The men who enlisted for three years went into it for a business.

Mr. BRUCKER. I think the gentleman will not contend that those who enlisted after the declaration of the war with Spain enlisted to make war their business.

Mr. HULL. I undertake to say that when they enlisted for three years—

Mr. BRUCKER. I think the presumption as far as this amendment is concerned ought to apply to all men who enlisted subsequent to the declaration of war; the presumption should be that they enlisted for that war and not for the purpose of making war their business.

Mr. HULL. The men that enlisted for the war enlisted under a specific contract with the Government entered into with the recruiting officer. I know as a matter of fact that a large number of men outside of those that enlisted for the war have enlisted in the Regular Army for the full term of three years with the expectation of remaining in the Army.

Mr. BRUCKER. How are you going to ascertain, how are you

going to determine, what men enlisted for the war and those who did not enlist for the war?

Mr. HULL. The terms of the enlistment specify that absolutely.

Mr. BRUCKER. With that understanding I accept the amendment or suggestion offered by the chairman of the committee.

Mr. BAILEY. One moment. I want to ask the gentleman from Iowa how it could be that any recruiting officer could enlist men except according to law. We passed a law that the increase in the Army should be mustered out at the end of the war, and therefore no recruiting officer could enlist for three years.

Mr. HULL. One-third of the old Army goes out in a little while. They have been anticipating their going out because up to this time there has been no necessity for a reduction.

Mr. BAILEY. But still the recruiting officer must be governed by the law. No man had a right to enlist men in the Army of the United States except under the law that we passed, and that law provides that every man enlisted under it must be mustered out at the end of the war.

Mr. MARSH. The gentleman from Texas will allow me to say that our legislation of last spring provided for enlistments in the Regular Army to the number of 26,610, and any number of men in excess of that could only be enlisted for two years or during the war. Only the vacancies in that number, 26,610, could be filled out from time to time with three years' men.

Mr. BAILEY. Just as if we had never passed any other law. I understand that perfectly well. The men who enlisted as part of the 26,610 did not enlist under the law of last spring, but under the old law.

Mr. HULL. They enlisted after the declaration of war.

Mr. BAILEY. But not under the law which we then passed.

Mr. HULL. They enlisted after the declaration of war. Now, the amendment provides for sixty days' extra pay when the three years' term of enlistment of these regulars expires. Does not the gentleman want to do that?

Mr. BAILEY. I am not speaking about the question of pay; but I do not desire that any recruiting officer of the Government shall undertake to enlist men beyond the term now authorized by law.

Mr. HULL. I am perfectly willing to give all these men the extra pay here proposed if it is so desired, but want the committee to understand what is being done.

Mr. FITZGERALD. I send to the desk an amendment which is designed to take care of those men who have been already mustered out—an amendment to the amendment of the gentleman from Michigan.

The CHAIRMAN. The Clerk will read the amendment to the amendment.

The Clerk read as follows:

After the word "service," in line 3, insert "or who have been already mustered out."

In line 10, after the word "out," insert "or who have already been mustered out."

Mr. BRUCKER. I accept that.

Mr. HULL. Mr. Chairman, I yielded my point of order with the understanding that the amendment was to go through as offered. We are getting on dangerous ground; we are "skating on thin ice" when we undertake to hunt up every man who has been mustered out and give him this extra pay. I would have insisted absolutely on my point of order if I had known that such an amendment as this was going to be offered.

Mr. FITZGERALD. If the gentleman from Iowa who is chairman of the Committee on Military Affairs will listen for a moment, I think I will convince him that I am not acting in bad faith in the matter of the amendment I have just proposed to the amendment originally offered by me. The gentleman from Iowa states that his objection to this last amendment arises from the fact that it will include men who received their discharges from the Army through solicitations on the part of members of Congress and various other influences. While I do not deny that these men would receive the benefit of this provision, and am certainly willing that they should, because in a great number of instances where individual discharges have been made, the cause of such discharges were such as to commend themselves to the judgment of the War Department as well as the members of Congress who asked for them.

The last amendment that I have proposed will reach a large class of very deserving men. The chairman of the Committee on Military Affairs must be aware of the fact that the War Department issued orders within two or three weeks authorizing the discharge of all the men in the regular service who were then within the United States and who had enlisted in the Army for the war. All these men served faithfully, withstood all the dangers and horrors of the campaign, and, in my judgment, are at least equally deserving with the volunteers in the State regiments who will receive this two months' additional pay. A great many of these boys came from my own city; and I might add here that I think

Massachusetts furnished more men, either if you consider the number of men enlisted as members of the volunteer State regiments or those who enlisted in the Regular Army from that State, than any other State in the Union.

First, as volunteer State troops she sent to the front the First Regiment of Heavy Artillery, and the Second, Fifth, Sixth, Eighth, and Ninth Regiments of Infantry, every one of which, except the First Heavy Artillery and the Fifth Regiment of Infantry, served the flag either in Cuba or Porto Rico. It is a well-established fact that most of the members of the Seventh United States Infantry and a great many of the members of the Seventeenth United States Infantry and of the Second Heavy Artillery were recruited in the city of Boston, and hundreds of young men from that city and State enlisted in other regiments in the regular service. It was only last week that almost a hundred brave fellows who were members of the Seventh United States Infantry returned to Boston after being mustered out, not because their discharges were solicited by their parents or friends and obtained through the efforts of members of Congress, but they were mustered out of the United States service through an order issued by the War Department through the regular channels.

As I have stated before, thousands of soldiers have been mustered out within the last two weeks through the express orders of the Secretary of War, and not through influence exerted by the friends of these young men with the Administration. This is the class of men whom I propose to incorporate in the last amendment, and I feel certain the chairman of the Committee on Military Affairs, when he realizes the fact that this amendment is not added to my original amendment, will be willing that this large and deserving class of men shall receive the benefits of the provision of legislation proposed by me.

I know when I drew up my original amendment and presented it to the chairman of the Committee on Military Affairs, so that no opposition would be offered to its consideration, that this last provision was not incorporated in the amendment, but I have sufficient confidence in his fairness to feel that he recognizes the justice and equity of this last proposition and that he will accept it. If he shall insist on his objection and make a point of order against the original amendment which I have introduced, which will cut off all chance of doing justice to the men who are now in the service, rather than have this meritorious provision defeated I will withdraw the amendment and trust to being able to bring about this legislation in some other way, either by special bill or by asking some member of the Senate to thus amend the bill when it reaches that body.

Mr. HULL. Every member of this House, I presume, has had men discharged from the Regular Army who had not served long enough to pay the Government for enlisting them—men who did not complete the term of their enlistment at all. Probably every man in this House (if other members have had the same experience that I have had) has been obliged to go to the War Department in answer to the urgent request of parents at home to get their boys discharged. Now, why should we vote a gratuity to men who have not lived up to the terms of their enlistment? The amendment does not provide that those who are to receive this extra pay shall have been mustered out on account of sickness or disability; it is broad enough to cover the cases of those who have been discharged from the service upon the request of their parents at home. Why should such men receive thirty or sixty days' extra pay?

My friend from Massachusetts will allow me to say that he is not acting in good faith in this matter. If I had anticipated such an amendment as this was to be offered, I would have raised my point of order and stuck to it.

The gentleman from Massachusetts [Mr. FITZGERALD] submitted an amendment which was clearly subject to a point of order. I raised a point of order, but after some discussion with him I withdrew it upon the understanding that under its terms these regulars would be mustered out upon the same conditions as the volunteers. At different places within the last four weeks the regiments of regulars have been called up in line, and the men were given the option to be discharged if they were not willing to continue in the service, and in many regiments a large number have been mustered out. Under this amendment you give every one of those men who enlisted in the Regular Army and were thus discharged thirty or sixty days' extra pay, which you have not given to the volunteers and which you can not justly give to these others.

Mr. BAILEY. Is it not true that we passed through the House a bill giving the volunteers sixty days' extra pay?

Mr. HULL. Just the same as the amendment of the gentleman from Massachusetts proposes in this case.

Mr. BAILEY. Now, is it not true that the War Department has held that those men who were mustered out prior, we will say, to the 12th day of January—

Mr. HULL. As organizations.

Mr. BAILEY. The 12th day of January, I think, was the date—were not entitled to the sixty days' extra pay, while those mustered out after the 12th day of January were so entitled? Is that true?

Mr. HULL. It is true; and let me tell the gentleman why. When the first regiments were mustered out in my State, they were taken to Des Moines. They were then given furlough for thirty days. They had not been out of the country. The same is true of all other States under like circumstances. The volunteer troops in this way prior to January 12 got their extra pay. The Government has agreed to pay their transportation home; and those who volunteered and did not go out of the country were paid the extra sum, as I have already stated, while those who went beyond the confines of the United States got the extra allowance of sixty days' pay.

Now, the War Department said that this was a very expensive method of dealing with the question. If Congress passes an act authorizing thirty days' extra pay to those who have not been out of the country and sixty days' extra pay for those who have been out of the country, the Department stated it will save expense and enable them to deal with the question on a very much better basis than that which then prevailed.

Mr. BAILEY. I remember very well, Mr. Chairman, the arguments made at the time in answer to the inquiry which was made by myself as to this very point, and the gentleman from Iowa, as I understand it, says, as a matter of fact, that the volunteers mustered out prior to the passage of this bill would be paid the sums fixed in the bill.

Mr. HULL. They were paid thirty and sixty days extra, according to the circumstances, as I have stated.

Mr. BAILEY. That was true as to regiments and organizations. But was that true as to individuals?

Mr. HULL. No; only as to organizations. The men that I got out of the volunteer service, and that you got out of it, did not get this additional pay.

Mr. BAILEY. I was not able, at all events, to get two regiments out at one time.

Mr. HULL. Well, you got some out.

A MEMBER. Would the gentleman from Iowa accept an amendment providing for those who were mustered out not members of a regimental organization?

Mr. HULL. I would if it could be accomplished without harm. But the gentleman must know that there is danger in such a provision.

Mr. FITZGERALD. I will withdraw the amendment to the amendment, rather than have it meet the objection of the point of order of the gentleman from Iowa, and let the vote be taken upon the first question.

The CHAIRMAN. Is there objection to withdrawing the amendment to the amendment proposed by the gentleman from Massachusetts?

There was no objection.

Mr. BRUCKER. Now, Mr. Chairman, to meet the objection of the gentleman from Iowa, I move as an amendment to the amendment what I send to the desk.

The Clerk read as follows:

Insert the words "That all men who enlisted to serve during the war with Spain, in the Regular Army," etc.

Mr. BRUCKER. This, it will be seen, covers the objection that has been made by merely inserting the words "to serve during the war with Spain" in the amendment which has been read.

Mr. HULL. I shall have to make the point of order on the amendment, Mr. Chairman. This does not cure the defect which I have pointed out.

Mr. BRUCKER. My amendment covers exactly the objection which has been raised by the gentleman from Iowa. I ask for the reading of the amendment again as modified.

The Clerk read as follows:

That all men who enlisted to serve during the war with Spain in the Regular Army subsequent to the declaration of war with Spain and prior to the ratification of the treaty of peace by the United States Senate, and who served faithfully and honestly beyond the United States, shall be entitled to two months' extra pay on muster out and discharge from service. And all men who enlisted to serve during the war with Spain in the Regular Army subsequent to said declaration of war, and prior to the ratification of the treaty of peace, as above mentioned, and who served faithfully and honestly within the limits of the United States, shall be paid one month's extra pay on muster out and discharge from service, from any money in the Treasury not otherwise appropriated.

Mr. BRUCKER. It will be seen that I have inserted a further modification of the amendment, by adding the words "who served during the war with Spain."

Mr. HULL. I hope that will be voted down.

The CHAIRMAN. The question is on agreeing to the amendment to the substitute, proposed by the gentleman from Michigan. The amendment was rejected.

The question recurred on the substitute for the amendment. The substitute was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Massachusetts [Mr. FITZGERALD].

Mr. TAWNEY. Let it be read.

The amendment was again reported.

Mr. LINNEY. I would like to suggest to the gentleman from Iowa a modification of the pending proposition.

The bill does not embrace the most meritorious class of men who served during the war. I think it should be so modified as to embrace all men who died after a service of three months, for instance, and that the extra pay shall be paid to their widows or families. I offer that amendment.

Mr. HULL. I should be compelled, Mr. Chairman, to object to that, for the reason that we are now pensioning the widows and families of those who died in the service.

Mr. LINNEY. But this recognizes the services of these men, and provides a special fund out of which their families would be paid something.

Mr. HULL. This is already covered by the general pension laws of the country.

Mr. Chairman, I do not know how you are going to pay that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. LINNEY] to the amendment offered by the gentleman from Massachusetts [Mr. FITZGERALD].

The amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Massachusetts [Mr. FITZGERALD].

Mr. GROSVENOR. I should like to have that amendment reported again.

The CHAIRMAN. Without objection, the Clerk will re-report the amendment.

The amendment was again read.

Mr. HULL. That is an exact copy of what we passed for the volunteers, with the exception that we have inserted the word "only," so that it can apply to those regulars who enlisted for the war only.

The amendment was agreed to.

On motion of Mr. HULL, the committee rose; and the Speaker having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900, and had directed him to report the same back to the House with sundry amendments, and with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. HULL. Mr. Speaker, I move the previous question on the amendments and on the bill to its final passage.

The previous question was ordered.

The amendments reported from the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. HULL, a motion to reconsider the last vote was laid on the table.

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to print in the RECORD some remarks which I did not have an opportunity to make on the general principles of this bill.

The SPEAKER. The gentleman from South Dakota asks permission to print remarks in the RECORD. Is there objection?

There was no objection.

OSBORNE W. DEIGNAN.

Mr. HAGER. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 339.

The joint resolution was read, as follows:

That the President of the United States be, and he is hereby, authorized to appoint Osman Deignan, of Stuart, Iowa, a cadet in the Naval Academy, notwithstanding the fact that said Osman Deignan is past the age when he could be admitted as a cadet at Annapolis.

The following amendments, recommended by the Committee on Naval Affairs, were read:

In lines 4 and 6 strike out "Osman Deignan" and insert "Osborne W. Deignan."

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I should like to ask from what committee is this reported?

Mr. HAGER. It is unanimously reported from the Committee on Naval Affairs.

[Mr. UNDERWOOD addressed the House. See Appendix.]

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The amendments recommended by the Committee on Naval Affairs were agreed to.

The joint resolution as amended was ordered to be engrossed

and read a third time; and was accordingly read the third time, and passed.

By unanimous consent the title was amended so as to read: "Joint resolution authorizing the President of the United States to appoint Osborne W. Deignan a naval cadet at Annapolis."

On motion of Mr. HAGER, a motion to reconsider the vote by which the bill passed was laid on the table.

Mr. HAGER. I ask unanimous consent to print in the RECORD some remarks on this joint resolution.

Mr. UNDERWOOD. I ask the same privilege.

Mr. HANDY. What remarks are they?

Mr. HAGER. On this joint resolution authorizing the President to appoint Osborne W. Deignan a cadet at the Annapolis Naval Academy.

Mr. HANDY. Remarks just made?

Mr. HAGER. No; I have not made any.

The SPEAKER. The gentleman from Iowa asks unanimous consent to print some remarks in the RECORD. Is there objection?

There was no objection.

Mr. UNDERWOOD. I make the same request.

The SPEAKER. The gentleman from Alabama submits the same request. Is there objection?

There was no objection.

#### PUBLIC BUILDINGS.

Mr. HENDERSON. Mr. Speaker, I present a privileged report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules, having had under consideration House resolution No. 410, report the following as a substitute, with a recommendation that it do pass:

Resolved, That Tuesday, the 28th day of February, immediately after the reading of the Journal, be set apart for the consideration in the House of bills reported by the Committee on Public Buildings and Grounds, as follows:

First. Such bills as relate to first-class post-offices, to custom-houses, and to court-houses as have heretofore been reported from the Committee of the Whole.

Second. Such bills as the Committee on Public Buildings and Grounds shall indicate; the session of the House not to continue later than 6 o'clock p. m. of said day.

Mr. HENDERSON. Mr. Speaker, I will explain briefly the effect of the rule, and I hope attention will be given to it.

Mr. DOCKERY. I hope the gentleman will give a little time to this side. I should like to have five minutes.

Mr. HENDERSON. It will be seen by the reading of the resolution that this gives to-morrow until 6 o'clock for the consideration of all bills heretofore favorably recommended from the Committee of the Whole House on the state of the Union to the House, and that they will be limited to consider, first, those bills that pertain to first-class post-offices, to those having custom-houses, and to Federal courts; and after these are considered by the House, the Committee on Public Buildings and Grounds will designate the bills to be considered.

Mr. BARTLETT. May I ask the gentleman one question?

Mr. HENDERSON (continuing). And the session must terminate at 6 o'clock.

Mr. BARTLETT. Do I understand the privileged report made by the gentleman from Iowa to be that bills which have been reported with reference to building or adding to buildings already in existence where there are first-class post-offices and United States court rooms and custom-houses to be made or built are to be first considered?

Mr. HENDERSON. That is correct. Did the gentleman from Missouri desire to be heard?

Mr. RIDGELY. I desire to ask the gentleman one question.

Mr. HENDERSON. I yield to the gentleman for a question.

Mr. RIDGELY. You said that after certain bills have been disposed of it was for the committee to determine what other bills are to be considered. Do you mean the Committee of the Whole House or the Committee on Public Buildings and Grounds?

Mr. HENDERSON. The Committee on Public Buildings and Grounds are after that to make the designation. How much time does the gentleman from Missouri desire?

Mr. DOCKERY. I would like five minutes; possibly I may get through in less time.

Mr. MADDOX. I would like to ask the gentleman a question.

Mr. DOCKERY. The gentleman from Georgia desires to ask the gentleman a question.

Mr. MADDOX. Is it contemplated to take up any bills except those reported by the Committee of the Whole?

Mr. HENDERSON. Those that have been recommended by the Committee of the Whole House on the state of the Union to the House—

Mr. MADDOX. None others?

Mr. HENDERSON. The rule limits the discussion to those in the first instance. After the other bills reported from the Committee of the Whole House on the state of the Union the matter of designating is left to the Committee on Public Buildings and Grounds. Now I yield five minutes to the gentleman from Missouri.

Mr. SHAFROTH. I want to ask the gentleman a question. If the gentleman pleases, I would like to know whether the Committee on Rules considered the possibility of taking up the second-class post-offices after the first-class post-offices were through, and then, after the second-class post-offices were disposed of, the third-class post-offices?

Mr. HENDERSON. We did not consider that as a distinctive proposition. I will say that this rule is brought in after consultation with gentlemen on the Committee on Public Buildings and Grounds and others, and we thought that under this rule, unless a proper class of buildings were brought in, the committee would not make much headway. Now I yield five minutes to the gentleman from Missouri.

Mr. LACEY. I would like to ask the gentleman a question for information about the rule.

Mr. HENDERSON. I yield to my colleague for a question.

Mr. LACEY. The rule, as I understand, is that first-class post-offices and those having custom-houses and court-houses are first to be considered?

Mr. HENDERSON. Yes, sir.

Mr. LACEY. And then comes, after that, such as are designated by the committee?

Mr. HENDERSON. The Committee on Public Buildings and Grounds.

Mr. LACEY. I understood your statement a moment ago to be the designation should be by the Committee on Public Buildings and Grounds, and that the designation of the committee applied to those that had not gone through the Committee of the Whole.

Mr. HENDERSON. This whole rule is limited to bills that have already had the favorable stamp of the Committee of the Whole House on the state of the Union. That is right.

Mr. DALZELL. No.

Mr. HENDERSON. I yield to the gentleman from Missouri [Mr. DOCKERY].

Mr. LOUD. I desire to ask the gentleman a question which I think he ought to yield to.

Mr. POWERS. I desire to ask the gentleman a question.

Mr. LOUD. I would like to ask the gentleman if the Committee on Rules has contemplated the fact that Congress must adjourn on next Saturday at 12 o'clock, and that only Wednesday, Thursday, and Friday remain to this House to do all the business that yet remains to be completed?

Mr. HENDERSON. I refer that question to the gentleman from California.

Mr. LOUD. I ask the gentleman if they had contemplated that question?

Mr. HENDERSON. The question of the end of Congress has certainly been contemplated, as the gentleman well knows.

Mr. HEPBURN. Will my colleague yield to me for a question?

Mr. HENDERSON. I yield.

Mr. HEPBURN. Would you be willing to strike out the limitation fixing the time for the consideration at 6 o'clock? For this reason, that that very thing invites opposition and invites factious opposition. If it is known that at a fixed time the House must adjourn, it encourages gentlemen who want to pursue the same tactics that were pursued here the other day to do that, whereas if it was without anything of limitation and the House had the power to continue its session, the gentleman from Missouri and other distinguished gentlemen might be discouraged from any further attempts in that particular method to prevent legislation.

Mr. DOCKERY. I admit that it would be discouraging if the House were to continue into a night session, as we doubtless would.

Mr. HENDERSON. Mr. Speaker, before yielding to the gentleman from Missouri, I want to make one correction. My understanding was that the second proviso, like the first, limited the Committee on Public Buildings and Grounds to calling up bills reported from the Committee of the Whole House on the state of the Union. I want to say that I am in error. It gives them discretion to call up any bill they choose after the first class is disposed of. The first one must come from those recommended by the Committee of the Whole House on the state of the Union, as before stated. That class consists of first-class post-offices, those having post-office buildings, custom-houses, or court-houses. Now, I will make another effort to yield to the gentlemen from Missouri [Mr. DOCKERY].

Mr. DOCKERY. I would like the attention of the House for a few minutes. I am opposed to this rule because I am opposed to a number of the bills considered by the Committee of the Whole House; but the reasons conclusive to my mind, and which induce me to oppose the rule, are, first, the condition of the public business in the closing days of the session, and second, the condition of the public Treasury. Let me say to gentlemen in charge of this resolution that the proposition is now to pass the fortification appropriation bill under a suspension of the rules, notwithstanding this rule gives to-morrow to the Committee on Public Buildings. The proper consideration of the great appropriation bills is

to be imperiled by this rule. In other words, if the House devotes the entire day to this order, it necessarily encroaches upon the time that ought to be given to appropriation bills, and in that view it is objectionable. But the overshadowing reason why I am opposed to the rule is because the condition of the public Treasury does not warrant the imposition of \$11,000,000 additional liability for public buildings. I desire to state in a few words the condition of the National Treasury.

The appropriation bills already reported to the House at the present session amount to \$477,036,317.60. Four of these bills have become laws, and although slight increases have been made on each bill by the Senate, I do not take them into account in this estimate.

Mr. SIMPSON. You refer to appropriation bills?

Mr. DOCKERY. Yes; to increases on appropriation bills. The permanent appropriations are \$128,678,220. The bills already reported to the House, together with the permanent appropriations, aggregate \$605,714,537.60. Then, in addition to that, a separate appropriation has been made of \$20,000,000 to meet the requirements of the treaty of peace with Spain. An omnibus claim bill is already substantially agreed to by the conferees, and it is an open secret all around here that this omnibus claim bill will carry about \$3,000,000.

Mr. LOUD. Is that all?

Mr. DOCKERY. Yes; and it is enough. In addition to that, the deficiency bill, already agreed upon by the Committee on Appropriations, will be reported to the House, and amounts to about \$20,000,000. So that, Mr. Speaker, the total appropriations for the session aggregate \$648,714,537.60, as nearly as we can estimate at this time.

Not only this, Mr. Speaker, but if the compromise Army reorganization bill becomes a law, and it certainly will, in my opinion, it will add at least \$20,000,000 more to the amount provided in the Army appropriation bill to maintain the Army. Then \$2,000,000 additional will certainly be added to the river and harbor bill as a result of a conference on the Senate amendments thereto.

In addition to that, the Senate has already added \$4,000,000 to the sundry civil bill, and of this addition the House will certainly have to agree in conference to not less than \$2,000,000.

This is not all, Mr. Speaker. The Navy personnel bill is pending in conference, and will become a law before Saturday next, and that carries \$2,100,000 additional. In addition to that, the miscellaneous appropriations, at a low estimate, will amount to \$2,000,000, including \$1,000,000 carried by the census bill. So that the grand total of all the items to which I have referred aggregates \$676,814,537.60.

If to this aggregate you add \$115,000,000 for the Nicaragua Canal, we have a total of \$791,814,537.60, and even that does not include the indefinite appropriation carried by the first section of what is known as the Hepburn canal bill. Not only that, Mr. Speaker, but this total, amounting to \$791,814,537.60 for the session, is exclusive of the amount necessary to meet the claims of our citizens in the island of Cuba, and \$25,000,000 of those have already been submitted to our State Department for adjudication. Nor does it include the liability carried by what is known as the Payne subsidy bill; but it is probable that that bill will not be considered at this session. But to the seven hundred and ninety-one millions of liabilities on the Treasury to which I have adverted you now propose to add eleven millions more for public buildings, thus making the stupendous aggregate of the liabilities of this session of more than \$800,000,000.

At the last session there was appropriated \$893,231,615.55. So that if we add \$800,000,000 (and it will not be less than that) as the sum of the appropriations of this session, we shall have the appalling aggregate of \$1,693,231,615.55 as the total liabilities imposed upon the Treasury by this single Congress.

I know that a part of this liability grows out of the war with Spain; and if I knew the amount of that liability, I would state it in determining the proper charge that should be made on that account against this Congress. But I do not at this time know what that liability is. Let me say, however, that whether particular appropriations be right or wrong, the total amount of the appropriations reaches the mighty aggregate of \$1,700,000,000.

I suggest, therefore, Mr. Speaker, to the management of this House whether, with this staggering liability, the House can afford at this time, even for meritorious bills, to give even one day for the consideration of public-building measures. There must be a halt somewhere. You and I may agree as to many of these appropriations. I do agree as to the propriety of every dollar that has been appropriated to support our Army and Navy and to meet the obligations made necessary by ratification of the Paris treaty. But have we not reached the time, Mr. Speaker, when economy should be observed? If I can not get the ear of the House, I can at least challenge the attention of the country to the riotous total of the appropriations of this Congress. [Applause.]

[Here the hammer fell.]

Mr. HENDERSON. I yield to the gentleman from Vermont [Mr. POWERS] for a question.

Mr. POWERS. I desire to ask whether under the order now proposed bills which have not been reported from the Committee of the Whole will come up for consideration to-morrow?

Mr. HENDERSON. Those will come up after the first class of bills have been disposed of. That matter will be within the discretion of the Committee on Public Buildings and Grounds.

Mr. POWERS. The gentleman stated that the bills which had "the stamp of the Committee of the Whole" would be considered.

Mr. HENDERSON. That remark applied to the first class of bills, not to the second class.

Mr. POWERS. The gentleman might have corrected that remark and said, "the stamp of the Committee of the Whole."

Mr. HENDERSON. If the gentleman has been waiting to get in his wit, I have not the time to yield to him for that purpose.

Mr. POWERS. There are some dozen of bills which have not been reported from the committee, and I am interested in one of them. If that one could come up, I should feel altogether differently toward this proposition from what I would otherwise.

Mr. HENDERSON. I can not make any different statement from what I have made. I have permitted the gentleman to make a speech under the guise of a question.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is now on the adoption of the resolution.

The question being taken,

The SPEAKER. The yeas seem to have it.

Mr. DOCKERY. I call for a division.

The question being again taken, there were—yeas 93, noes 32.

Mr. MADDOX. I call for the yeas and nays.

The yeas and nays were not ordered (only 20 voting in favor thereof).

So the resolution was adopted.

#### RETURN OF BILLS, ETC., TO THE SENATE.

The SPEAKER laid before the House the following resolution of the Senate:

*Resolved*, That the Secretary be directed to request the House of Representatives to furnish the Senate a duplicate engrossed copy of its amendment to Senate bill 104, to increase the pension of Lucretia C. Waring, and a copy of its message insisting on its amendment to said bill (the same having been mislaid or lost).

The SPEAKER. Without objection, this request of the Senate will be agreed to.

There was no objection.

The SPEAKER also laid before the House the following resolution of the Senate:

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg, and amendment.

The SPEAKER. Without objection, this request of the Senate will be considered as granted.

There was no objection.

#### CIVIL GOVERNMENT OF ALASKA.

Mr. KNOX. I ask unanimous consent that Senate bill 3729, now upon the Calendar, be considered at the present time by the House as in Committee of the Whole on the state of the Union.

The Clerk proceeded to read the bill (S. 3729) making further provision for a civil government for Alaska.

The SPEAKER (before the reading was concluded). This is a long bill, and as the House can understand its nature from what has been read, the Chair, if there be no objection, will put the question on its consideration now.

Mr. LOUD. I should like to ask the gentleman from Massachusetts [Mr. KNOX] how many districts and how many judges this bill provides for?

Mr. KNOX. Three.

Mr. LOUD. Then I shall object to the bill, if I have that power.

Mr. KNOX. I suggest to the gentleman that if an amendment reducing the number to two be desired, it can be offered. In the committee we took the best accessible evidence, and it appeared desirable the number should be three, as best meeting the needs of the people of that whole Territory. But if the gentleman desires to offer an amendment reducing this number to two, it certainly will receive careful consideration.

Mr. LOUD. I believe I have the power to defeat the bill now. I question whether I would have that power if I permitted it to be considered, unless the gentleman himself will propose and advocate such an amendment as has been indicated.

Mr. KNOX. It is absolutely essential that something should be done in connection with the matter—

Mr. LOW. There is no doubt about that.

Mr. KNOX (continuing). For the reason that there is but one court in Alaska, and that is located at Sitka, which is almost inaccessible to many parts of the Territory. I will state frankly to gentlemen that after a careful and thorough investigation of the matter I am satisfied that the provisions of the bill should be adopted.

Mr. MOON. Mr. Speaker, I object to the consideration of the bill at this time.

The SPEAKER. Objection is made, and the matter is not before the House.

#### AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, I desire to submit a conference report on the Agricultural appropriation bill.

The SPEAKER. The report will be read.

The Clerk proceeded to read the conference report on the bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900, and for other purposes.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to dispense with the reading of the conference report and read instead the statement prepared by the House conferees, which covers all of the points of difference between the two Houses.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The statement of the House conferees was read, as follows:

The amount as passed the House for said bill was \$3,696,322, and the amount as agreed upon by the conferees is \$3,726,022, being a net increase over the House bill of \$29,700, these increases being as follows:

Office of Secretary: Increase in salary of private secretary, \$250. This is to equalize the salaries of all private secretaries to Cabinet officers.

Bureau of Animal Industry: Increases in salaries allowed to chiefs of divisions, \$750. These small increases in salaries of several chiefs of scientific divisions have been frequently recommended by the Agricultural Committee of the House, but always stricken out on point of order. We believe these increases justifiable.

Division of Entomology: One additional assistant entomologist, \$1,200. Made necessary by the increased work of the division, and strongly recommended by the Secretary of Agriculture.

Division of Vegetable Pathology (lump sum), \$6,000. Granted by House conferees, at the special request of the Secretary of Agriculture, to enable him to investigate diseases known as "little peach" and the blight of Sea Island cotton and watermelons.

Division of Chemistry (lump sum), \$2,500. Made necessary by the proposed investigation (provided by this Agricultural appropriation bill) of adulterated imported articles dangerous to health.

Division of Agrostology (lump sum), \$2,000, to enable the Secretary of Agriculture to make certain experiments in agrostology in the arid regions.

Irrigation investigations (lump sum), \$15,000, allowed at the earnest request of the Senators representing the arid regions of the West and the Secretary of Agriculture, whose statement in regard to same is appended hereto.

Library (lump sum), \$1,000, allowed at the request of the Secretary of Agriculture.

Tea culture (new), \$1,000, allowed to enable the Secretary of Agriculture to make special experiments in regard to curing tea grown in South Carolina.

Amendment 31, as agreed to by the House conferees, restores the following clause, which was stricken out in the House on a point of order:

"That hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered in the Department of Agriculture when the aggregate amount involved does not exceed the sum of \$50."

All other amendments are not material in any way, being merely corrections of totals, typographical errors, punctuation, etc.

#### IRRIGATION INVESTIGATIONS.

The friends of the development of irrigation as applied in agriculture in the vast region west of the Missouri River secured from Congress at its last session an appropriation of \$10,000 for the current fiscal year, to be expended under the direction of the Secretary of Agriculture "for the purpose of collecting from agricultural colleges, agricultural experiment stations, and other sources, including the employment of practical agents, valuable information and data on the subject of irrigation, and publishing the same in bulletin form."

With a view to securing economy in the general administration of this fund it was decided not to create a separate division for this work. As by the terms of the act the work was largely to be done in cooperation with the agricultural colleges and experiment stations, its general supervision was intrusted to the Director of the Office of Experiment Stations. Special effort has been made to secure the services of experts who have had not only scientific training, but also practical experience in irrigation as conducted in the great West.

With a view to formulating plans of work along the most useful lines, a conference of experiment station officers and irrigation engineers was held at Denver last summer under the direction of the Director of the Office of Experiment Stations. The problems of irrigation were earnestly and freely discussed at this conference and the needs of the farmer for information on irrigation subjects were carefully considered. As a result of the expert advice which the Department thus received, it has been determined to confine the work on irrigation at present to two general lines: (1) The collation and publication of information regarding the laws and institutions of the irrigated region in their relation to agriculture, and (2) the publication of available information regarding the use of irrigation waters in agriculture, as determined by actual experience of farmers and experimental investigations, and the encouragement of further investigations in this line by the experiment stations.

Arrangements have already been made for the preparation of several bulletins by competent experts, and it is hoped that during the present fiscal year considerable useful information will be published and distributed by the Department. It is obvious that the present appropriation will enable the Department to go only a little way in the accomplishment of the work which is urgently demanded by the growing agricultural interests of the irrigated region. I heartily concur with the opinion set forth in the report of the Director of the Office of Experiment Stations, that Congress should

establish a settled policy regarding the work of this Department on irrigation, and that if it is deemed wise to continue such work under my direction appropriations shall be made which will enable the Department to plan irrigation investigations on a comparatively large scale and continue them through a series of years. Some of the reasons which seem to make it very desirable that investigations on irrigation should be systematically pursued by this Department are set forth in the report above referred to, and I ask that careful consideration be given to the arguments there made in support of this proposition.

It is clear that a crisis has been reached in the life of the communities in which agriculture is dependent upon irrigation for its success. The laws and institutions relating to irrigation, which have grown up in these communities, have in many ways proved so inadequate and unsatisfactory that there is a widespread feeling that radical and immediate action is demanded for their reformation. Unfortunately, the accurate information on which alone intelligent reforms can be based is almost wholly lacking. As the problems which confront these communities are, in a general way, the same, and in many particulars affect the national as well as local interests, it is highly appropriate that the National Government should undertake investigations to aid in the solution of the problems of irrigation. As many of these problems are directly connected with those in other agricultural lines in which this Department and the experiment stations are working, it is my judgment that this Department should be put in a position to efficiently organize and conduct important investigations in this line.

As already stated, the investigations of the Department may properly follow two general lines: First, a careful study should be made of the laws and institutions of the irrigated region with special reference to their improvement. The objects of this work will be (1) to aid courts and administrative officers in the adjudication of claims respecting water rights; (2) to bring out the defects in existing laws and methods of administration, and to furnish impartial and adequate information on which wiser and more equitable legislation and court decisions may be based; and (3) to assist farmers in the acquirement of water rights and to protect their interests in the appropriation and use of water for irrigation. The other branch of work which the Department should take up is the carrying on of thorough original investigations along a number of different lines. The agricultural experiment stations in the irrigated regions have already shown the way in which such investigations should be conducted. Their means have, however, been too limited to enable them to make more than a beginning of the work in this direction.

One fundamental investigation which should be immediately undertaken relates to the correct determination of the practice of successful farmers in the use of water for irrigation with different soils and crops. At present such information is almost wholly lacking. The collation of such information in sufficient amount to warrant the conclusions on which agricultural practices, laws, and judicial and administrative proceedings may properly be based is in itself a large task.

The data thus obtained would be of great value not only for practical purposes, but also as a guide to investigations by the experiment stations and other agencies. When once the actual amounts of water used by farmers in the irrigated regions have been determined, investigations should be undertaken to find out what is the minimum of water required by different soils and crops, in order that we may know to what extent the available water supply of the irrigated region may be utilized in the development of its agriculture.

There are numerous other irrigation investigations which the Department and the experiment stations might well undertake; such are those which relate to the most economical methods for the application of water to crops, the utilization of the rainfall as affecting the need for irrigation waters, the problems of seepage and drainage, the effect of irrigation water on the growth and productivity of plants of different kinds, the prevention of the accumulation of alkali in the surface soils, and the reclamation of the alkali lands.

I believe that the importance and variety of the work demanded in the interests of irrigation in this country will justify a large increase in the appropriation for irrigation investigations by the Department. I hope that at the coming session of Congress a well-defined policy regarding the work of the Department on this subject will be definitely adopted.

Mr. LIVINGSTON. What is the increase in the salary of the private secretary?

Mr. WADSWORTH. Two hundred and fifty dollars.

Mr. LIVINGSTON. What is the total increase?

Mr. WADSWORTH. Two thousand two hundred and fifty dollars. This is putting the salary on just the same footing as the salary allowed to the secretaries of Cabinet officers. Some of them have been reduced; but this increases the total amount \$2,250.

I ask the previous question on the adoption of the report.

The previous question was ordered, under the operation of which the report was agreed to.

On motion of Mr. WADSWORTH, a motion to reconsider the last vote was laid on the table.

#### INVESTIGATION OF LEPROSY.

Mr. CORLISS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2904) for the investigation of leprosy.

The SPEAKER. The bill will be read subject to the right of objection.

The bill was read, as follows:

*Be it enacted, etc.*, That the Supervising Surgeon-General of the Marine-Hospital Service, under the direction of the Secretary of the Treasury, shall appoint a commission of medical officers of the Marine-Hospital Service to investigate the origin and prevalence of leprosy in the United States, and to report upon what legislation is necessary for the prevention of the spread of this disease; the expenses of this investigation, not exceeding the sum of \$5,000, to be paid from the fund for preventing the spread of epidemic diseases.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOCKERY. Reserving the right to object, I would like to have some information, or explanation, in regard to this matter.

Mr. CORLISS. Mr. Speaker, I can make a very brief explanation that I think will satisfy the House.

It is estimated that there are from 200 to 300 cases of leprosy in the United States, and this is an effort to locate those cases, to find where the afflicted people are living, and make regulations, suitable regulations, for their care in conformity with the best interest of the public at large.

Mr. DOCKERY. I suppose this relates to our new possessions in Hawaii and elsewhere?

Mr. CORLISS. No—

Mr. LIVINGSTON. Has there been a report of a committee on this subject?

Mr. CORLISS. The Committee on Interstate and Foreign Commerce have acted upon the matter.

Mr. LIVINGSTON. Was this recommended by the Department?

Mr. CORLISS. It has been recommended by the Department and by the Committee—

Mr. LIVINGSTON. And has been adopted by the House Committee on Commerce?

Mr. CORLISS. Yes; and a similar bill has been prepared by the committee and is on the Calendar.

Mr. LIVINGSTON. Then you propose this bill as a substitute for the House bill?

Mr. CORLISS. We ask to take up the Senate bill and lay aside the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. DOCKERY. I simply desire to say that this is no doubt a proper precaution, which is made necessary by the acquisition of Hawaii and some other undesirable possessions. [Laughter.]

The bill was ordered to a third reading; and it was accordingly read the third time.

The question recurred on the passage of the bill.

Mr. CORLISS. The gentleman from Ohio [Mr. GROSVENOR] requests a few minutes, and I yield to him.

Mr. GROSVENOR. I only want to call the attention of the country to the statement made by the gentleman from Missouri [Mr. DOCKERY].

Two years ago a report was made to the State board of health of Ohio that there were in the county of Perry, in a small village, some cases that the local physician believed to be cases of leprosy. The matter was carried before the convention of the State board, and a thorough investigation was made of the whole history of the cases. There were two young girls, some 20 years old, perhaps, found to be afflicted with leprosy. Since that time a very careful tracing of the history of the cases has been made, and it has been discovered that a soldier serving in the South, who went there sound and well at the beginning of the war, brought this disease back and communicated it in the way of which I have spoken.

Mr. LIVINGSTON. I suppose the yellow fever came in the same way.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. CORLISS, a motion to reconsider the last vote was laid on the table.

#### FORTIFICATIONS APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I move to suspend the rules and pass the substitute for the bill H. R. 12086. And I give notice now that I will ask unanimous consent that two hours and a half be given for discussion, the time to be equally divided.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

Substitute for the bill (H. R. 12086) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance, for trial and service, and for other purposes.

*Be it enacted, etc.*, That the sums of money herein provided for be, and the same are hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available until expended, namely:

#### FORTIFICATIONS AND OTHER WORKS OF DEFENSE.

For construction of gun and mortar batteries, \$1,000,000.  
That the Secretary of the Treasury is hereby authorized and directed to transfer to the War Department, for purposes of the public defense, the present light-house reservation at Admiralty Head, on Admiralty Inlet, in the State of Washington, in exchange for a suitable and sufficient portion of the military reservation at that point, to be mutually agreed upon between the said Secretary of the Treasury and the Secretary of War, which said portion of the military reservation, together with the necessary right of way to permit of access to the same, the Secretary of War is hereby authorized and directed to transfer to the Treasury Department for light-house purposes; and the Secretary of War is further authorized and directed to remove the light-house and other buildings and structures pertaining to the light-house station from their present location and to erect and establish them complete and ready for service on the new site to be selected therefor.

as herein provided, or to erect new buildings and structures in lieu of those which can not be so moved, as may be found necessary in accordance with plans and details to be mutually agreed upon by the Secretary of the Treasury and the Secretary of War, the cost thereof, not exceeding \$8,000, to be defrayed from funds appropriated for gun and mortar batteries.

For the procurement of land, or right pertaining thereto, needed for the site, location, construction, or prosecution of works for fortifications and coast defense, \$300,000.

For the protection, preservation, and repair of fortifications for which there may be no special appropriation available, \$100,000.

For preparation of plans for fortifications, \$5,000.

For construction of sea walls and embankments, \$2,500.

For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal seaports, needful casemates, cable galleries, etc., to render it possible to operate submarine mines, and continuing torpedo experiments, \$50,000.

#### ARMAMENT OF FORTIFICATIONS.

For finishing and assembling coast-defense guns of 8-inch, 10-inch, and 12-inch caliber, and one type 16-inch gun at the Army Gun Factory, \$255,000.

For oil-tempered and annealed steel for high-power coast-defense guns of 8-inch, 10-inch, and 12-inch caliber, \$335,000: *Provided*, That no contract for oil-tempered and annealed steel for high-power coast-defense guns and mortars shall be made at a price exceeding 22 cents per pound: *Provided*, That in the discretion of the Secretary of War a portion of this money may be used for the purchase of material for steel-wire seacoast guns.

For construction of one 18-inch Gathmann gun, \$85,000.

For powder and projectiles for test of 18-inch Gathmann gun, \$10,000.

For purchase or manufacture of carriages for coast-defense guns of 8, 10, and 12 inch calibers, \$199,500.

For purchase or manufacture of steel breech-loading mortars of 12-inch caliber, \$368,000.

For purchase or manufacture of carriages for steel breech-loading coast-defense mortars of 12-inch caliber, \$171,300.

For powders and projectiles for a reserve supply for armament of fortifications, \$710,000.

For rapid-fire guns, including their mounts and ammunition, \$163,000.

For coast-defense guns of 8, 10, and 12 inch caliber, manufactured by contract under the provisions of the fortifications acts approved August 18, 1890, and February 24, 1891, \$327,162.

For necessary expenses, other than for powder for projectiles, incident to the test and inspection of the twenty-five 8-inch, fifty 10-inch, and twenty-five 12-inch guns provided under the fortifications acts of August 18, 1890, and February 24, 1891, and as provided for by said act of February 24, 1891, \$5,000.

For powders and projectiles for the proof of coast-defense guns of 8-inch, 10-inch, and 12 inch caliber, \$21,000.

For powder and projectiles for the proof of 12-inch breech-loading mortars, \$25,200.

For purchase and erection of armor plates for testing armor-piercing shot, \$25,000.

For armament chests for siege and seacoast cannon, \$10,000.

For machine guns of caliber .30, army model, including metallic carriages, with limbers and protective shields complete for same, \$100,000.

For amount required to complete the payment for ten Sims-Dudley dynamite guns ordered by the Chief of Ordnance under instructions from the Secretary of War dated June 27, 1898, \$5,500.

For range finders for coast defense, \$20,000.

For implements and equipments for service, and for care and preservation of seacoast armament mounted or in process of being mounted in seacoast batteries, \$60,000.

For carriages for steel field guns, \$178,000.

For sights for cannon, \$20,000.

For fuses and primers for cannon, \$35,000.

For inspecting instruments, gauges, and templates for the manufacture of cannon and projectiles, \$3,000.

For the services of a chemist in investigating properties of smokeless powders and high explosives, with a view to improving same for adoption in service, \$1,500.

#### PROVING GROUND, SANDY HOOK, NEW JERSEY.

For current expenses and maintenance of the ordnance proving ground, Sandy Hook, New Jersey, including expenses incident to the transportation of men and material there for general repairs and alteration and accessories incidental to testing and proving ordnance, including hire of assistants for the Ordnance Board, skilled mechanical labor, purchase of instruments and other supplies, building and repairing butts and targets, clearing and grading ranges, \$57,000.

For the necessary expenses of officers while temporarily employed on ordnance duties at the proving ground and absent from their proper stations, at the rate of \$2.50 per diem while so employed, and the compensation of draftsmen while employed in the Army Ordnance Bureau on ordnance construction, \$16,000.

For repairs of railroad tracks connecting the proving ground with the Central Railroad of New Jersey, \$3,000.

#### WATERVILLE ARSENAL, WEST TROY, N. Y.

For purchase and erection of two dynamos for electric-lighting plant, \$1,400.

#### BOARD OF ORDNANCE AND FORTIFICATION.

To enable the board to make all needful and proper purchases, experiments, and tests to ascertain, with a view to their utilization by the Government, the most effective guns, small arms, cartridges, projectiles, fuses, explosives, torpedoes, armor plates, and other implements and engines of war, and to purchase or cause to be manufactured, under authority of the Secretary of War, such guns, carriages, armor plates, and other war material as may, in the judgment of the board, be necessary in the proper discharge of the duty devolved upon it by the act approved September 22, 1898; to pay the salary of the civilian member of the Board of Ordnance and Fortification provided by the act of February 24, 1891, and for the necessary traveling expenses of said member when traveling on duty as contemplated in said act; for the payment of the necessary expenses of the board, including a per diem allowance to each officer detailed to serve thereon, when employed on duty away from his permanent station, of \$2.50 a day; and for the test of experimental guns, carriages, and other devices procured in accordance with the recommendation of the Board of Ordnance and Fortification, \$100,000: *Provided*, That before any moneys shall be expended in the construction or test of any gun, gun carriage, ammunition, or implements under the supervision of the said board, the board shall be satisfied, after due inquiry, that the Government of the United States has a lawful right to use the inventions involved

in the construction of such gun, gun carriage, ammunition, or implements, or that the construction or test is made at the request of a person either having such lawful right or authorized to convey the same to the Government.

That all material purchased under the foregoing provisions of this act shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases in limited quantities abroad, which material shall be admitted free of duty.

The SPEAKER. The gentleman from Indiana moves to suspend the rules and pass the bill which has been reported to the House. Is a second demanded?

Mr. BELL. Mr. Speaker, I demand a second.

Mr. HEMENWAY. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a second be considered as ordered. Is there objection? There was no objection.

Mr. HEMENWAY. Now, Mr. Speaker, I ask unanimous consent that this bill be discussed until half past 5 o'clock, and that we then vote on the motion to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the bill be discussed until half past 5.

Mr. DOCKERY. If that much time is required.

The SPEAKER. If that much time is required. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Indiana will be in control of one hour and twenty-five minutes, and the gentleman from Colorado [Mr. BELL] in control of an equal amount of time on the other side.

Mr. HEMENWAY. Mr. Speaker, the substitute submitted to the House is the same as House bill No. 12086, which has been printed for several days, with some amendments, which I desire to explain to the House.

This bill is drawn with the intention of working the gun factory owned by the Government eight hours each day, and we have provided a sufficient appropriation for labor and a sufficient amount for gun forgings, and so forth, to supply the forgings and pay for the labor. The original bill has been amended on page 3, lines 15 and 16, by striking out \$315,896 and inserting \$255,000; and in line 19 by striking out \$369,500 and inserting \$535,000, and after line 25, inserting \$65,000 to pay for one 18-inch Gathmann gun, and \$10,000 for powder and projectiles; on page 5, in lines 13 and 14, by striking out the words "model of 1890," the model of 1890 being obsolete and the Government not desiring to buy that model. On page 5, in line 16, is a provision for amount required to complete the payment for ten dynamite guns, ordered by the Chief of Ordnance under the instructions of the Secretary of War, \$5,500.

Line 16 of the original bill is so changed in the substitute that the total appropriation is increased from \$27,000 to \$37,000, this being to defray the expenses of giving to the Ordnance Department a boat of their own to run between Sandy Hook and New York City.

A complete statement of the amounts appropriated by the bill is made in the report which follows, except changes made as mentioned, which increase the total of the bill \$165,104.

The Committee on Appropriations, in presenting the accompanying bill making appropriations for fortifications and other works of defense, and for the armament thereof for the procurement of heavy ordnance for trial and service, and for other purposes, submit the following in explanation thereof:

The estimates on which the bill is based will be found in the Book of Estimates for the fiscal year 1900, pages 202-207, and aggregate \$12,151,898, of which sum there is recommended in the accompanying bill appropriations amounting \$4,744,798.

During the Forty-ninth Congress (fiscal years 1887 and 1888) no appropriations were made on account of fortifications, their maintenance or armament, and for the twelve fiscal years 1875 to 1886, inclusive, the appropriation by Congress on this account averaged only \$540,750 per annum, and only \$463,500 per annum for the fourteen years, including 1887 and 1888, for which two later fiscal years no specific appropriations were made, as stated.

The bill reported herewith contains appropriations in continuance of the policy adopted by the Fiftyth Congress in the passage of the acts approved September 22, 1898, and March 2, 1899, and by the Fifty-first, Fifty-second, Fifty-third, Fifty-fourth, and Fifty-fifth Congresses in acts approved August 18, 1890, February 24, 1891, July 23, 1892, February 18, 1893, August 1, 1894, March 2, 1895, June 6, 1896, March 3, 1897, and May 7, 1898.

The appropriations by said acts for the eleven fiscal years 1889-1899 aggregate \$48,761,747.50, or an average of \$4,432,886.13 per annum.

Of the whole sum, \$48,761,747.50, appropriated by the fortification acts covering the eleven fiscal years 1889-1899, the sum of \$26,272,523 was appropriated in the three fortification acts enacted by the last and present Congress.

The fortification appropriation act enacted at the last session of the present Congress appropriated \$9,377,494. Subsequent to its enactment sums aggregating \$3,674,896 were provided in deficiency appropriation acts for fortifications and the armament thereof, and the further sum of \$12,865,840.60 was allotted for the same objects from the general appropriation of \$50,000,000 made for the national defense in the act of March 9, 1898, making, in all, \$30,918,222.60 available for fortifications and the armament thereof under appropriations made at the last session of the present Congress.

The total appropriations made for fortifications and other works of defense since 1888, and since the recommendations of the "Endicott board" of 1885, including the appropriations made in deficiency acts at the last session and allotments made from the national defense fund, amount to \$70,302,486.10.

The scheme of seacoast fortifications contemplated by the Endicott board and which has been followed by Congress in the appropriations made since 1888, it is now estimated will cost in the aggregate \$112,167,367, of which sum

there has been already provided \$42,982,211.83, the Engineer Department having received \$10,154,661.83 and the Ordnance Department \$23,827,560.

The difference between the sum \$42,982,211.83 already provided toward the scheme of the Endicott board and the sum total of appropriations, \$70,312,489.10, for fortifications since 1888 is represented in expenditures for erecting and equipping the gun factory at Watervliet, the gun-carriage factory at Watertown, the Ordnance and Fortification Board, purchase of land for fortification sites, torpedoes for harbor defense, providing ammunition for service and for tests, manufacture of field guns, and for sundry other objects incident to providing and maintaining a system of seacoast defenses.

The following shows the aggregate amount appropriated under each natural subdivision of the accompanying bill, namely:

Gun and mortar batteries.....	\$1,000,000
Sites for fortifications.....	300,000
Preservation and repair of fortifications.....	100,000
Plans for fortifications.....	5,000
Sea walls and embankments.....	2,500
Torpedoes for harbor defense.....	50,000
Armament of fortifications.....	3,139,888
Proving ground, Sandy Hook, N. J.....	46,000
Watervliet Arsenal, N. Y.....	1,400
Ordnance and Fortification Board.....	100,000
<b>Total.....</b>	<b>4,744,798</b>

## APPENDIX.

## ALLOTMENTS, ENGINEER AND ORDNANCE DEPARTMENTS, NATIONAL DEFENSE APPROPRIATION.

WAR DEPARTMENT, Washington, February 6, 1899.

SIR: Complying with the request contained in your letter of 26th ultimo for information as to the amounts allotted, respectively, to the Engineer and Ordnance departments from the \$50,000,000 national defense appropriation, together with a detailed statement of the expenditures of said allotments, I have the honor to transmit herewith reports from the Chief of Engineers, dated January 30, 1899, and the Chief of Ordnance, just received, containing, it is thought, the information requested.

Very respectfully,

B. A. ALGER,  
Secretary of War.

Hon. J. A. HEMENWAY,  
Chairman Subcommittee on Appropriations,  
House of Representatives.

OFFICE OF THE CHIEF OF ENGINEERS,  
UNITED STATES ARMY,  
Washington, January 30, 1899.

Hon. R. A. ALGER, Secretary of War.

SIR: Replying to letter to the Secretary of War of Hon. J. A. HEMENWAY, chairman of the House subcommittee in charge of the fortification appropriation bill, dated January 28, 1899, requesting certain information relative to the expenditure of the amounts allotted to the Engineer and Ordnance departments, respectively, from the appropriation for "national defense," act of March 9, 1898, which letter was referred to the Chief of Engineers and the Chief of Ordnance for report, I have the honor to submit the following information as to the disposition of the amounts allotted to the Engineer Department.

The following is a statement of the various Presidential allotments:

1. March 17, 1898, for emplacements for 14 12-inch, 18 10-inch, 20 8-inch guns, and for rapid-fire guns.....	\$2,725,000
2. March 17, 1898, for torpedo defense, including search lights, cable tanks, cables, mines, junction boxes, switches, dynamos, etc.....	250,000
3. March 31, 1898, for emplacements for 14 4.72-inch rapid-fire guns at specified points.....	90,000
4. March 31, 1898, for emergency purposes, for preparing temporary defenses at exposed points, and for torpedo service.....	60,000
5. April 2, 1898, for temporary batteries for old and new guns at specified points and for contingencies for further emergencies.....	150,000
6. April 2, 1898, for torpedo defenses of the country.....	1,150,000
7. April 16, 1898, for temporary batteries and installing and making serviceable old armament at specified points.....	65,000
8. April 21, 1898, for planting torpedoes.....	150,000
9. April 21, 1898, for emplacements for 8 6-inch rapid-fire guns at specified points.....	50,000
10. April 23, 1898, for emplacements for 17 12-inch and 21 8-inch B. L. rifles on barbette mounts.....	932,000
11. April 23, 1898, for cleaning ditches and moat of Fort Delaware, Del.....	6,000
12. May 23, 1898, for supplies for engineer depot at Manila.....	35,000
13. Allotted to officer in charge of public buildings and grounds for departmental telegraph service.....	7,000
<b>Total.....</b>	<b>5,670,000</b>
May 4, 1898, withdrawn by Secretary of War.....	\$10,000
September 24, 1898, withdrawn by Secretary of War.....	75,000
<b>Total.....</b>	<b>5,855,000</b>

Not allotments..... 5,585,000

The President subsequently authorized the expenditure of \$13,824.95, from allotments Nos. 1, 5, and 6, for equipment of engineer troops, and of \$1,000, from allotment No. 6, for civilian assistants to engineer officers on the staff of department commanders.

The following summary of expenditures shows the purposes to which the foregoing allotments were applied:

Gun and mortar batteries.....	\$4,005,471.75
Procurement of land.....	0.00
Preparation of plans.....	0.00
Construction of sea walls and embankments.....	0.00
Submarine mines and appliances to operate them, needful casemates, cable galleries, etc., to operate submarine mines.....	1,402,949.46
Cleaning out ditches and moat, Fort Delaware.....	6,000.00
Equipment of engineer troops.....	48,824.95
Civilian assistants to engineer officers, etc.....	366.00
Departmental telegraph service.....	7,000.00
Balance unallotted:	
Battery construction.....	13,753.84
Submarine mine defense.....	70,000.00
Civilian assistants, etc.....	634.00
<b>Total accounted for.....</b>	<b>5,585,000.00</b>

The funds allotted for construction of gun and mortar batteries have been applied to the erection of permanent emplacements for 31 12-inch guns, 18 10-inch guns, 41 8-inch guns, and 46 rapid-fire guns, at 26 different harbors. These emplacements have been completed in all essential details, and much of the armament installed for service.

In addition to the above permanent batteries, temporary defenses were erected at 25 different harbors, involving the mounting of 79 old-type seacoast and modern siege guns, strengthening parapets and magazines of existing old-type batteries, cleaning and overhauling existing old-type armament, and sundry minor emergency work.

The funds allotted for torpedo defenses have been applied to the purchase of a vast amount of material, including over 400 miles of cable, over 100 tons of explosive, 1,650 new mine cases, 44 search lights, etc., and to planting and maintaining over 1,500 mines at 25 different harbors.

Detailed statements of the expenditures of the allotments for gun and mortar batteries and for submarine mine defense are given on the accompanying lists, marked sheets A and B, respectively. These statements are of a confidential nature, and should not under any circumstances be published.

Very respectfully, your obedient servant,

JOHN M. WILSON,

Brigadier-General, Chief of Engineers, U. S. Army.

Hon. R. A. ALGER,  
Secretary of War.

Statement showing amounts allotted to the Ordnance Department, United States Army, from the \$50,000,000 for the national defense, and expenditures under heads similar to those enumerated in the last fortification appropriation act.

[Prepared by request of Mr. HEMENWAY, chairman subcommittee on Appropriations, House of Representatives.]

Expended for—	Amount allotted.	Amount expended.	Amount returned to President.
Field ammunition.....	\$48,356.00	\$48,356.00	.....
Cast-iron mortar shells.....	15,000.00	15,000.00	.....
Projectiles for seacoast guns and mortars.....	715,000.00	715,000.00	.....
Ammunition, etc., for siege cannon.....	115,000.00	115,000.00	.....
Field ammunition.....	157,400.00	157,400.00	.....
Steel projectiles for seacoast guns and mortars.....	943,000.00	923,000.00	\$20,000.00
Projectiles for siege cannon.....	25,000.00	25,000.00	.....
Powder for seacoast guns and mortars.....	200,000.00	200,000.00	.....
Powder for seacoast guns.....	315,000.00	315,000.00	.....
Powder and fuses for siege cannon.....	50,000.00	50,000.00	.....
Scott telescopic sights.....	21,250.00	21,000.00	250.00
Sights for field guns.....	3,300.00	3,300.00	.....
Brackets for telescopic sights.....	7,000.00	7,000.00	.....
3.2-inch field cannon and carriages, equipment, etc.....	436,000.00	387,750.00	48,250.00
Armor plates for testing projectiles.....	25,000.00	25,000.00	.....
12-inch barbette carriage.....	10,000.00	10,000.00	.....
12-inch disappearing carriage.....	14,000.00	14,000.00	.....
10-inch disappearing carriage.....	142,500.00	142,500.00	.....
Seacoast carriages.....	93,000.00	93,000.00	.....
10-inch seacoast gun carriages.....	597,460.00	597,460.00	.....
Seacoast guns from Bethlehem Iron Co., under contract November 7, 1891.....	261,445.00	261,445.00	.....
4.7-inch R. F. guns with mounts and ammunition.....	60,000.00	60,000.00	.....
6-inch R. F. guns with mounts and ammunition.....	205,000.00	205,000.00	.....
Seacoast guns from Bethlehem Iron Co., under contract November 7, 1891.....	120,000.00	120,000.00	.....
4.7-inch R. F. guns with mounts and ammunition.....	232,000.00	232,000.00	.....
6-inch R. F. guns with mounts and ammunition.....	244,700.00	244,700.00	.....
6 and 15 pounder R. F. guns with mounts and ammunition.....	294,000.00	92,000.00	202,000.00
5 and 6 inch R. F. guns with mounts and ammunition.....	240,000.00	240,000.00	.....
5 and 6 inch Brown segmental R. F. guns with mounts.....	30,000.00	30,000.00	.....
Armament chests.....	740,000.00	740,000.00	.....
Detonating fuses.....	1,050,180.00	532,929.00	517,251.00
Base percussion fuses.....	506,000.00	506,000.00	.....
Primers.....	20,000.00	20,000.00	.....
Cannon primers, fuses, and cartridge bags.....	36,000.00	36,000.00	.....
	6,000.00	6,000.00	.....
	5,000.00	5,000.00	.....
	65,000.00	65,000.00	.....
<b>Total.....</b>	<b>8,008,591.00</b>	<b>7,280,840.00</b>	<b>727,751.00</b>

## REVISED ESTIMATES, ORDNANCE.

OFFICE OF THE CHIEF OF ORDNANCE,  
UNITED STATES ARMY,  
Washington, February 7, 1899.

SIR: Agreeably with your verbal request, I have the honor to submit herewith a tabular statement showing reductions in the estimates submitted by the Ordnance Department for armament of fortifications, to correspond with the reduced engineer estimates of \$3,000,000, \$2,000,000, and \$1,000,000, respectively.

Respectfully,

CHAS. S. SMITH,

Major, Ordnance Department, U. S. A.

Hon. J. A. HEMENWAY,  
Chairman Subcommittee on Fortifications Bill,  
House of Representatives.

## ARMAMENT OF FORTIFICATIONS.

Reductions in estimates submitted by the Ordnance Department to correspond with reduced engineer estimates.

Item.	Engineer estimates.		
	\$5,000,000.	\$2,000,000.	\$1,000,000.
Carriages for 8, 10, and 12 inch guns:			
16 12-inch disappearing carriages.....	\$601,000		
4 10-inch disappearing carriages.....			
8 8-inch disappearing carriages.....			
10 12-inch disappearing carriages.....			
3 10-inch disappearing carriages.....			
5 8-inch disappearing carriages.....		\$442,500	
5 12-inch disappearing carriages.....			
3 8-inch disappearing carriages.....			\$199,500
12-inch mortars:			
72 mortars.....	828,000		
56 mortars.....		644,000	
32 mortars.....			368,000
12-inch mortar carriages:			
73 carriages.....	384,200		
56 carriages.....		299,600	
32 carriages.....			171,200
R. F. guns and their mounts:			
55 6-inch.....	567,000		
20 6-inch.....		325,000	
10 6-inch.....			163,000

CHAS. S. SMITH,

Major, Ordnance Department, United States Army.  
OFFICE OF THE CHIEF OF ORDNANCE,  
Washington, February 7, 1899.

## UNEXPENDED BALANCES UNDER APPROPRIATIONS CONTROLLED BY THE BOARD OF ORDNANCE AND FORTIFICATION.

OFFICE OF THE CHIEF OF ORDNANCE,  
UNITED STATES ARMY,  
Washington, February 8, 1899.

SIR: In reply to your verbal inquiry of this morning I have the honor to inclose herewith a statement made from the records of this office, showing the unexpended balances under appropriations controlled by the Board of Ordnance and Fortification.

Respectfully,

CHAS. S. SMITH,

Major, Ordnance Department, United States Army.

Hon. J. A. HEMENWAY,  
Chairman Subcommittee on Fortifications Bill,  
House of Representatives.

## Statement of unexpended balances under appropriations controlled by the Board of Ordnance and Fortifications.

## APPROPRIATIONS.

	Balance.
For the completion of the guns now under fabrication by the Ordnance Department, and for testing the same, etc.....	\$3,631.73
For examining, testing, and experimenting with pneumatic or other dynamite guns, gun carriages, aerial torpedoes, dynamite shells and ammunition, and batteries for coast defense.....	2,360.87
For all needful and proper purchases, investigations, experiments, and tests, etc., by the Board of Ordnance and Fortification.....	7,336.84
For finishing and assembling of 8-inch, 10-inch, and 12-inch steel seacoast guns (under contract).....	5,413.28
To enable the Board of Ordnance and Fortification to purchase abroad, for experimental purposes, such articles of foreign manufacture as are not produced in this country.....	79.38
For pneumatic gun carriages, segmental guns, and high explosives.....	906.78
For movable submarine torpedoes.....	14,775.00
To enable the board to make all needful and proper purchases, experiments, and tests to ascertain, with a view to their utilization by the Government, the most effective guns, small arms, cartridges, projectiles, fuses, explosives, torpedoes, armor plates, and other implements and engines of war, and to purchase or cause to be manufactured, under authority of the Secretary of War, such guns, carriages, armor plates, and other war material as may, in the judgment of the board, be necessary in the proper discharge of the duty devolved upon it by the act approved September 22, 1888; to pay the salary of the civilian member of the Board of Ordnance and Fortification provided by the act of February 24, 1891, and for the necessary traveling expenses of said member when traveling on duty as contemplated in said act; for the payment of the necessary expenses of the board, including a per diem allowance to each officer detailed to serve thereon when employed on duty away from his permanent station, of \$2.50 a day; and for the test of experimental guns, carriages, and other devices procured in accordance with the recommendation of the Board of Ordnance and Fortification.....	96,640.67
Total.....	131,234.55

## EXPENDITURE OF FUNDS FOR USE OF BOARD OF ORDNANCE AND FORTIFICATION.

OFFICE OF THE CHIEF OF ORDNANCE,  
UNITED STATES ARMY,  
Washington, February 8, 1899.

SIR: Referring to your question of this morning touching the amendment on page 18 of the fortifications bill, in italics, relative to the mode of making expenditures of the funds appropriated for the use of the Board of Ordnance and Fortification, and which is to the effect that the expenditures shall not only be made by the several bureaus of the War Department having jurisdiction of the same, but also by the board itself, as may be approved by the Secretary of War, I have the honor to state that the act of September 22, 1888, organizing the Board of Ordnance and Fortification, provides that "the

expenditure shall be made by the several bureaus of the War Department having jurisdiction of the same under existing law," and since 1888 the appropriations made for the uses of the Board of Ordnance and Fortification have been placed on the books of this office and disbursed by the disbursing officers of this Department, as required by law.

To change the method of disbursing the funds as proposed would be new legislation and would change existing law.

Respectfully,

CHAS. S. SMITH,

Major, Ordnance Department, U. S. A.

Hon. J. A. HEMENWAY,  
Chairman Subcommittee on Fortifications Bill,  
House of Representatives.

APPROPRIATIONS MADE UNDER RECOMMENDATIONS OF ENDICOTT BOARD.  
HOUSE OF REPRESENTATIVES, February 8, 1899.

Hon. J. A. HEMENWAY, chairman of fortification subcommittee, requests that Secretary will cause to be furnished him by to-morrow, if practicable, a statement which will show the total amount that has been appropriated since and including 1888 for fortifications in the line of the recommendations of the Endicott board; how much of said amount has been for the Engineer Department and how much for the Ordnance Department, said sums to include amounts appropriated in deficiency acts at the last session, and allotments from the national-defense fund; also how much it is now contemplated the whole scheme of seacoast defenses is to cost under the Endicott board recommendations as modified to date.

J. C. COURTS, Clerk.

JOHN TWEDDALE,

Chief Clerk, War Department.

WAR DEPARTMENT, February 8, 1899.

Furnishes official copy of telegram, dated House of Representatives, February 8, 1899, from J. C. Courts, clerk, specifying the information desired to-morrow, if practicable, by the chairman of the fortification subcommittee, House of Representatives.

[Second indorsement.]

OFFICE CHIEF OF ENGINEERS, UNITED STATES ARMY.

February 9, 1899.

Respectfully returned to the Secretary of War with memorandum giving the information called for, so far as it applies to the Engineer Department.

JOHN M. WILSON,

Brigadier-General, Chief of Engineers, United States Army.

[Third indorsement.]

WAR DEPARTMENT, February 9, 1899.

Respectfully transmitted to Hon J. A. HEMENWAY, chairman subcommittee on Appropriations, House of Representatives, in response to his request of 8th instant.

R. A. ALGER, Secretary of War.

## MEMORANDUM.

The estimated cost of the work of the Engineer Department for completing the entire system of seacoast defenses under the scheme of the Endicott board as modified to date is about \$30,000,000. This estimate covers the cost of all land batteries, exclusive of armament, and the cost of the needed torpedo appliances, but not the cost of land required as sites for seacoast defenses, for which the Endicott board made no recommendations or estimates. The estimated cost of the sites required for seacoast defenses is about \$3,500,000.

The subjoined table shows the total appropriations from 1888 to date, including the allotments from the national-defense fund, for fortifications in the line of the recommendations of the Endicott board, so far as they pertain to the Engineer Department:

Act.	For gun and mortar batteries.	Torpedo defenses.
Sept. 22, 1888.....		\$140,081.08
Mar. 2, 1889.....		500,000.00
Aug. 18, 1890.....	\$1,221,000.00	200,000.00
Feb. 24, 1891.....	750,000.00	100,000.00
July 23, 1892.....	500,000.00	
Aug. 1, 1894.....	500,000.00	
Mar. 2, 1895.....	500,000.00	40,000.00
June 6, 1896.....	2,400,000.00	100,000.00
Mar. 3, 1897.....	3,841,333.00	150,000.00
Mar. 9, 1898 (national defense).....	3,880,325.83	1,152,949.48
May 4, 1898.....		50,000.00
May 7, 1898.....	3,000,000.00	150,000.00
July 7, 1898.....	* 2,562,000.00	† 600,000.00
Total.....	19,154,661.83	3,183,030.54

\* Omitting \$150,000 for San Francisco dynamite battery and \$150,000 for installing range and position finders, neither of which were estimated for by Endicott board.

† Omitting \$50,000 for supplies for operating electric-light plants during the war with Spain.

The total appropriations for purchase of sites for seacoast defenses aggregate \$2,925,000.

OFFICE OF THE CHIEF OF ORDNANCE,  
UNITED STATES ARMY,  
Washington, February 8, 1899.

SIR: In response to your request of even date, I have the honor to forward herewith for the information of your committee a statement showing the total amount of funds that have been appropriated, since and including 1888, for armament of fortifications in the line of the recommendations of the Endicott board. This statement includes the amounts appropriated in deficiency acts at the last session and allotments from the national-defense fund, and shows what additional appropriations will be necessary to complete the whole scheme of seacoast defenses under the scheme of the Endicott board as modified to date, and the total cost.

Respectfully,

CHAS. S. SMITH,

Major, Ordnance Department, United States Army.

Hon. J. A. HEMENWAY,  
Chairman Subcommittee on Fortifications Bill,  
House of Representatives.

Statement showing amount appropriated, including allotments from the appropriations for national defense, since and including 1899, for armament of fortifications, under the Ordnance Department, United States Army, in line of the project of the Endicott board, as modified to date.

[Appropriated to January 8, 1899.]

For—	Amount.	Amount remaining to be appropriated to complete the project.	Total appropriated and to be appropriated.
Steel forgings for seacoast-defense guns of 8, 10, 12, and 16 inch caliber .....	\$0, 283, 201		
Finishing and assembling 8, 10, 12, and 16 inch guns at the Army Gun Factory .....	1, 733, 700		
Finishing and assembling 8-inch guns under contract .....	64, 000		
Rapid-fire guns with their mounts, etc. ....	695, 725		
4.7-inch rapid-fire guns with mounts and ammunition (Elswick, from Armstrong Co.) ..	344, 000		
Nordenfeldt 4.7-inch rapid-fire guns with mounts and ammunition ..	244, 700		
6-inch rapid-fire guns with their mounts, etc. (from Vickers Sons & Maxim G. & A. Co.) ..	240, 000	\$10, 482, 957	\$23, 482, 768
4-inch rapid-fire guns with their mounts (Driggs-Schroeder pattern) ..	30, 000		
6-pounder and 15-pounder rapid-fire guns with their mounts and ammunition ..	740, 000		
5 and 6 inch rapid-fire guns with their mounts ..	532, 029		
5 and 6 inch Brown segmental wire rapid-fire guns with their mounts ..	506, 000		
8, 10, and 12 inch guns, under contract with the Bethlehem Iron Co. ....	1, 411, 998		
Seacoast guns from Bethlehem Iron Co., under contract of Nov. 7, 1891 ..	120, 000		
Alteration of 15-inch barbette carriages to adapt them to present service ..	421, 000		
Carriages for seacoast guns, 8, 10, 12, and 16 inch calibers ..	3, 473, 000		
12-inch barbette carriages ..	14, 000	5, 962, 750	11, 230, 155
12-inch disappearing carriages ..	142, 500		
10-inch disappearing carriages ..	93, 000		
8, 10, and 12 inch seacoast gun carriages ..	1, 123, 905		
12-inch breech-loading rifled mortars, cast-iron, hooped with steel ..	650, 000		
12-inch breech-loading rifled mortars, steel ..	2, 805, 680	8, 012, 000	11, 527, 680
Carriages for 12-inch B. L. rifled mortars ..	1, 807, 684	3, 012, 000	5, 800, 684
Total .....	23, 827, 500	25, 500, 707	52, 107, 267

\* These funds allotted from national defense.

It was not my intention to make any remarks upon this bill further than answer such questions as members saw fit to ask as to its provisions, but in view of the fact that certain members upon the floor of the House and certain newspapers have charged the Committee on Appropriations with cheeseparing, and with being responsible for the unprotected (as they supposed) condition of our coast during the recent war with Spain, I submit the following statement showing the amounts appropriated since 1889. The amounts prior to that date and since 1875 only averaged \$540,750 per annum.

Fortification appropriations, 1839-1899.

Fiftieth Congress, Democratic House:	
1889 .....	\$3, 972, 000.00
1890 .....	1, 533, 594.00
Total .....	5, 505, 594.00
Fifty-first Congress, Republican House:	
1891 .....	4, 222, 935.00
1892 .....	3, 774, 803.00
Total .....	8, 007, 738.00
Fifty-second and Fifty-third Congresses, Democratic Houses:	
1893 .....	2, 734, 276.00
1894 .....	2, 210, 053.00
Total .....	4, 944, 331.00
1895 .....	2, 427, 004.00
1896 .....	1, 904, 557.50
Total .....	4, 331, 561.50
Fifty-fourth and Fifty-fifth Congresses, Republican Houses:	
1897 .....	7, 377, 838.00
1898 .....	9, 517, 141.00
Total .....	16, 895, 029.00
1899 .....	30, 918, 232.60
1900 .....	4, 908, 902.00
Total .....	35, 828, 134.60
RECAPITULATION.	
Fiftieth, Fifty-second, and Fifty-third Congresses, Democratic Houses ..	\$14, 481, 486.50
Fifty-first, Fifty-fourth, and Fifty-fifth Congresses, Republican Houses ..	60, 730, 901.60
Total .....	75, 202, 388.10

You will notice from above statement that the Committee on Appropriations in the Fifty-fourth and Fifty-fifth Congresses have appropriated \$52,723,163, or one-half the amount originally estimated in the Endicott report necessary to complete the coast fortifications for the whole of our seacoast. It must then be evident to members and to newspapers who have criticised the committee now in charge that they have done so without knowledge of the facts.

It is true that when war was declared our coast was not properly defended, but within a very short time thereafter we had 444 heavy guns and mortars mounted at the different ports, and within 10 days after the order was given by General Wilson 25 ports were protected by submarine mines. In my opinion great credit is due the Chief of Engineers and Chief of Ordnance and the officers under them for their prompt and rapid work.

While our seacoast defense is not complete, it certainly would have proved very disastrous to any war vessel trying to enter any of our principal ports in the face of our guns and over the submarine mines; and if since the Endicott plan was adopted each Congress had appropriated one-half the amount appropriated by either the Fifty-fourth or Fifty-fifth Congress our system of coast defenses would be complete. The following statement shows the number of guns and mortars that will be completed and emplaced when existing appropriations, not including the amount in this bill, have been expended:

Emplacements, guns, and carriages, under existing appropriations, completed or to be completed by June 30, 1899.

Mortars .....	312
12-inch .....	80
10-inch .....	118
8-inch .....	91
6-inch .....	62
5-inch .....	32
Rapid-fire .....	172
Total .....	867

Mr. HEMENWAY. I now yield twenty minutes to the gentleman from Indiana [Mr. FARIS].

Mr. FARIS. Mr. Speaker, on last Friday my ready and restless colleague [Mr. JOHNSON] appeared on this floor, as he has done occasionally during the present Congress, and read, in time yielded to him by a Democratic member, a carefully prepared speech on his view of the Philippine Islands, in which he bitterly assailed the President of the United States on account of the latter's recent address before the Home Market Club, of Boston. After the reading of my friend's philippic, in a colloquy with our colleague [Mr. LANDIS], he essayed to break the latter's stinging rebuke in repartee by contemptuously challenging the latter to contribute an argument to the question in debate, as if none could be made to answer that just delivered by himself.

It can not be overlooked that the performances of my colleague in his attacks upon the Chief Executive during the present session of Congress have attracted general attention in the State of Indiana. While there are thousands of our best people, both in and out of the Sixth Indiana district, who know my colleague's characteristics sufficiently not to care whether he is answered, yet there are other thousands who feel that his wanton fulminations should not go unheeded, and from Republican workers in Indiana it is asked, "Why don't some Indiana man answer?" and in their name and as one having faith in the President's high purposes, I accept the challenge so offensively hurled at our colleague and shall, if I can, puncture the baubles and show up the shortsightedness of my versatile colleague's argument.

I regret that my friend's speech has been withheld from the CONGRESSIONAL RECORD (at least I have not found it there), thus depriving me of its exact text and requiring an examination from memory and the newspaper reports.

Mr. Speaker, it is presumable that in my undertaking I may seem to reflect on my colleague personally. A decade of fair friendship with him is recalled to rebut such a presumption.

I would not add one feather to the unpleasant memories which I believe will bear upon him sooner or later because of his unjustifiable and wanton abuse of our great President, whose election was promoted by the good men of Indiana who have highly honored both him and me. He having indulged in such abuse, he inevitably invites such response as may fall within the limits of proper debate, and my purpose is to utter nothing not fairly evoked from the remarkable statements of my colleague. Sir, it should have been left to the Democratic side of this Chamber to muddy the waters about the Philippine problem now in our politics.

It should have been theirs exclusively to declare a want of confidence in the present Executive, as has been done in this debate, and extract some issue, if they could, to bolster and restore to respectable status the foundered and floundering fortunes of a once cohesive party. My honorable colleague has attempted to justify his vituperation against the President by claiming to occupy an elevated political plane on which he can support or condemn his party according to his agreement or disagreement with its policies. But his party has in no authoritative manner declared a

policy as to the Philippines. Then why this contribution to Democratic comfort by assailing the Chief Executive as a falsifier and a criminal?

Mr. Speaker, I have noticed that when a man in public life becomes so enamored of his own conceptions and views, and exalts himself so immeasurably above his party, he usually retires shorn of the respect of his former political associates and laden with the contempt of his political opponents; and such high plane above party, though I will not charge it in this case, is usually mounted from the lower plane of disappointed hopes at an Administration "pie counter."

Now, Mr. Speaker, what is the occasion of my friend's distress? What is the measure of the President's offending? Let me condense my colleague's speech and set forth the points of his indictment, which I think can be fairly done under four paragraphs:

First. That the Chief Executive was the guest of honor at a banquet given by the Home Market Club, amid a profusion of flowers and music, overhung with pictures of Washington, Lincoln, and McKinley above the inscription of "Liberators;" that certain members of his Cabinet were there, and being introduced indulged in expressions of loyalty to their chief and praise of his Administration; that a great applauding assemblage of Massachusetts people looked down upon the festal gathering, and that in the midst of such gorgeous appointments and auspices, in the language of my friend, "the President does not appear to have been at all abashed." [Laughter.]

My colleague does not inform us that this was the only occasion wherein a President of the United States sat in the midst of festivities and within the sound of some adulation about himself without incontinently scampering away, and hence I am unable to embalm the fact in to-day's CONGRESSIONAL RECORD. I presume that the portrayal of that banquet scene was seriously designed by its author as a piece of word painting which furnished him the opportunity to lampoon certain Cabinet officials; for be it never forgotten that my colleague "goes the whole hog" when he starts in.

He is like the man in the story who swore he "hated a mule and hated everybody who didn't hate a mule." [Laughter.]

Second. The President's address, to quote my colleague, "was nothing more or less than a carefully devised and studious misstatement of the issue." Lend me your ears, my countrymen, for here is the milk in this cocoanut. I repeat "misstatement of the issue between the Chief Executive and those of his own party who are opposed to his wretched policy in the Philippines," and that he does not announce a policy in relation to those islands, but will await action by Congress.

The burden of my colleague's contention is couched herein by his assault upon the President about an "issue" between the latter and certain dissenting Republicans. In the same breath the President is pilloried about a "wretched policy" and an "issue," and in the next he is damned for not announcing a policy. You pay your money and take your choice. Now you see it and now you do not. It may be unfortunate that the President has not taken some of Aguinaldo's Congressional supporters into his confidence.

To hear them talk one might think their wisdom could settle this whole business before breakfast. There was work in the war with Spain that could thus be done. Dewey's gunners could destroy a Spanish squadron before breakfast, be it recorded to the praise of our Navy, but the evolution of a people and a government takes time. Who made an issue between the President and his assailants? The creation of issues presupposes two parties at least treating together.

The trouble with my colleague's utterances, and which makes them clash with every cool and conservative speech, is that he in the beginning started on the utterly false idea that this Government had entered upon a campaign of subjugation and forcible annexation of the Philippine Archipelago to the United States. Such an idea was never justified by the facts. Such a proposition was the creation of the extremist, the chaser of phantoms, the mind that speculates in ideals and loses the practical and real. The high duty of the President is to execute the laws of the land. This he is now doing through a military occupation of the Philippines, as Commander in Chief of the Army and Navy, under the Constitution of the United States.

He could not do any less and maintain the honor and dignity of the nation. He awaits action by Congress, and in due time it will be taken. But it will not be taken until Congress possesses information for wise and intelligent legislation that will comport with the greatness of our beloved country. The Home Market speech did not please the President's enemies, but it pleased his friends, and they are legion. As the guest of the club, he took occasion to address his countrymen, which he did with dignity and wisdom in words of fervid patriotism that found responsive echoes from the firesides of the Union.

Third. That the President's first impression was to hold only a coaling station in the Philippines, which would have been proper

and legitimate, but that he "committed a fatal error" in listening to the opinion of Admiral Dewey, the peace commissioners, the people who greeted him on his Western trip last autumn, and that he actually changed his mind (mirabile dictu!), and the treaty with Spain secured the Philippines to us on payment of \$20,000,000.

Mr. Speaker, it seems to me that if holding the Philippines as a result of the war with Spain is wrong, the holding of a coaling station by the same means would have been equally wrong. The only difference would be in the degree of the wrong. Be this as it may, the President changed his mind, and this was grievous. My colleague would have had him say to Dewey, "You struck a pretty hard blow at Manila and contributed much to reducing the enemy, but you have no sense in determining the results of the war. My mind is fixed on them."

He would have had him say to the distinguished gentlemen who went to Paris as our peace commissioners, "It is true that you were chosen to this duty by reason of great learning and experience in public affairs, and were charged with conserving the best interests of the United States in making the treaty, and that you have devoted weeks of labor that you might execute your trust intelligently, yet my mind was made up about this treaty from the beginning, and it can not be changed."

My colleague would have had the President say to the waiting thousands who hung upon his words in the trip through the great West, "I see your devotion to the flag that enriches the breeze at every home; I see in your faces that you are proud of the result of the war; I hear from your lips that the full measure of our victory shall be registered in the treaty. But I have come out from Washington to tell you that neither the judgment of Admiral Dewey, the advice of the peace commissioners, nor the opinions and sentiments of the throngs of my fellow-citizens who greet me can have any avail. A coaling station in the Philippines we will have—no more. My mind can not change."

Then would my clever colleague have bounded into this Chamber with glad acclaim praising the greatness and wisdom of the President of the United States? If so, what would the other millions have thought of both of them? Mr. Speaker, the blindest man is he who will not see. The assertion of the authority of this Government and the purpose to maintain it in the Philippines is clear as day to him that looks. The methods of acquiring territory by nations are by right of discovery, by purchase, and by conquest.

Our forces entered those islands just as logically and legitimately as a result of the war as they entered Cuba and Porto Rico, and by the same right of conquest is each held. War is a substantive thing, with its main purpose and its collateral incidents. The main purpose is to weaken and subdue the enemy. She may be overcome by destroying her army and navy or by capturing her territory that supports them. In a sense, when a nation goes to war she mortgages her resources and her domain to the god of battle to abide the conflict and be foreclosed to the victor as the conflict rages.

If she wins, the incumbrance vanishes through her victory; if she loses, foreclosure is complete with the triumph of the adversary. Recall our civil war to illustrate. The great contention was a preserved or a broken Union. In the beginning little, if any, thought was given to the abolition of slavery, but the resources of both sides were under the mortgage, and the horizon widened with the march of time and armies. The South lost her property in human chattels as well as she lost in the main contention.

Spain confronted us in war last April. The great question was the liberation from her dominion of the unhappy island of Cuba. This self-imposed task was undertaken by the United States from a feeling of humanity toward a downtrodden people. No thought was given to other Spanish possessions. Not half the people of this nation knew of the Philippines as a part of her domain. But they were under the mortgage. By the matchless prowess of Dewey's fleet in Manila Harbor was the first decree in the foreclosure process entered. Others followed, until the treaty at Paris barred Spain's right to redeem.

Yes; we will pay the unfortunate Kingdom of Spain \$20,000,000. We need not have done it, but, thank God, a better civilization, that knows equity and disposes generously toward a fallen foe, has grown up in this favored hemisphere. The day of "might makes right" does not dawn to the people of the United States. The authority of this nation is exercised and will be maintained in the Philippines. How long it will remain is for the future to determine. But the croakers and the harping critics may well take notice that it will remain until law and order shall be established, and that it never will be withdrawn at the behest of any other power in this round world.

Fourth. That the whole business between the United States and the Philippines is wrong; that the capitalists of this country are at the bottom and behind our acquiring the islands, and our Army and Navy, to quote my colleague, "is to conquer and hold the Filipinos in subjection" as a prey for their greed.

Mr. Speaker, this proposition is a fitting creation of my colleague for the necessities of his argument. Facts are wanting to support his sordid suggestion against the capitalists of the country, and his charge is at variance with the truth. His ipse dixit will hardly carry conviction.

Had he a little longer service in this Chamber I doubt not he might soon give us another deliverance on our participation in the Spanish war being the result solely of a conspiracy among the capitalists of this country, and neither the Government nor the people know what they have been doing. I look upon this last ebullition of my honorable colleague as about the final step leading from the party that has generously fostered him. I shall not be surprised to see him next year marching in the Bryan columns of 16 to 1 without nausea and with head erect pouring forth his torrential vocabulary against the party that has trusted him, and against most every other form of political respectability in the United States. But the nation will survive and so will the Republican party.

Sir, I have no patience with an ultraism that injures and discredits. To charge that the Army and Navy of this Government are to be used to subvert liberty is not only to forget our history, but the charge touches close to the borderland of treason. Every genuine American sentiment pulsates for the universal reign of liberty among the peoples of the earth. He who reads any other sentiment in the President's Home Market speech does so to his own discredit and to his lasting shame.

But, Mr. Speaker, conditions in the Philippines are now beyond the question of the right or wrong in our military or naval forces being there. I wish that Admiral Dewey had sailed away from Manila after he destroyed the Spanish squadron, leaving our acquisition of the archipelago, if we wanted it, to be accomplished at a later day; but he did not, and his remaining binds the United States to his support. The question now is, Do we favor the rebellious Filipinos or the soldiers there under the Stars and Stripes? In this there is no middle ground. Our forces are there by authority of the sovereign people to do and to die to establish the authority of the flag above them.

Who says those brave Americans should be withdrawn until their mission is accomplished? When order is established and the sovereignty of this nation is recognized by the Filipinos it will be time to consider their future relations with us. That their contact with our civilization will elevate them and promote their every interest I have no doubt. Our soldier boys have shed their blood and died there. This fact begets hope, for every battlefield baptized by American blood, whether in this hemisphere or that, betokens a richer liberty.

With our soldiers falling in efforts to bring peace and establish a better civilization, the words that would embarrass or impede the triumph of our arms should be muffled in the throats that would speak them. While the right of free speech is a boon of our liberties, the wanton abuse of that right is reprehensible in the extreme. And at the bar of public opinion and in the arena of politics woe be unto the Democraldos and the Johnsonaldos who aid and abet the enemy by assaults on the President in this sore emergency. Rather should our salutation be "The Stars and Stripes forever." [Applause.]

Mr. Speaker, the dawn and the full day will come and break. It will witness the silence of the shortsighted, the extremist, the croaker, and at the same time the Filipino will bless the hand that led him out into the light. The same three portraits will hang together on the walls of the Home Market Club and elsewhere, and the name of McKinley will be illustrious as the liberator of a race. [Loud applause.]

During the delivery of the foregoing remarks the time of Mr. FARIS expired.

Mr. JOHNSON of Indiana. Mr. Speaker, I ask unanimous consent to extend my friend's time, if that can be allowed under the rules.

Mr. HEMENWAY. I yield the gentleman five minutes more.

Mr. FARIS resumed and concluded his remarks.

Mr. HEMENWAY. I hope that the gentleman from Colorado will now consume some of his time.

Mr. BELL. I yield to the gentleman from Missouri.

Mr. DOCKERY. Mr. Speaker, the demands upon my time, incident to duties connected with the Committee on Appropriations, have been so exacting that I have been unable to give to the Hanna-Payne ocean subsidy scheme that careful examination to which it is entitled by reason of its importance.

The policy of the measure, however, is a familiar one, and I must content myself, on account of limited time, with a restatement, principally, of the views I expressed when the proposition to give subsidies to certain steamship lines was last under consideration.

The provisions of the bill, which, to quote its title, is designed "to promote the commerce, increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use, when necessary," involves a return to the

policy of this country which was discarded, after an impartial and exhaustive test, prior to the civil war.

The Louisiana purchase added a new empire to the Republic, out of which we have carved thirteen States and two Territories—an immense domain of inexhaustible fertility and of manifold and varied production, consequent upon its vast climatic range. Its acquisition greatly enlarged the scope of our splendid commercial possibilities.

When Jefferson effected the Louisiana purchase, Napoleon exultantly prophesied that it would give his hereditary enemy, England, a maritime rival in the United States, which would in time wrest from England the supremacy of the seas. That prophecy was amply warranted by our commercial and maritime promise, and was rapidly accomplishing its fulfillment when, in 1855, the sails of the American mercantile navy were seen upon every sea and in every seaport mart of the world. At that time three-fourths of our commerce was carried under the American flag. Then we were indeed formidable rivals of England, for, as Mr. Webster declared—

We had a commerce which left no sea unexplored; navies which took no law from superior force.

That period, however, Mr. Speaker, was the culmination of our maritime expansion and development. Dating from that auspicious period to the present, our merchant navy has steadily declined. Though our foreign commerce, despite the restrictions which have been imposed by unwise trade regulations and protective tariffs, has more than trebled, yet our flag is now almost a stranger upon the ocean highways, only about 11 per cent of our foreign commerce being carried in American bottoms.

The Republic, under the ensign of protection, is degraded to an inferior rank upon the high seas; and Congress should make an exhaustive examination of the causes which have led to this decline, so that by wise legislation we may recover the old-time prestige of our merchant navy. In this examination partisanship should be subordinated to patriotism, for in my opinion, with the aid of proper legislation it is in our power now to enter upon a marvelous era of commercial expansion, in which the United States will become the dominating power among the nations of earth.

#### CAUSES OF DECLINE.

I fully concur with the minority of the committee in their statement, so far as it goes, of the causes that produced the decadence of our mercantile navy. I quote from their report as follows:

When the change came from wooden sailing ships to iron and steel steamships, our shipbuilders were at a disadvantage, because steel and iron cost more here than in Great Britain. Englishmen and Scotchmen began to build the cheapest and best ships. When we built the cheapest and best ships, Great Britain repealed her navigation laws and opened her trade to free ships, and enabled her shipowners to buy American-built ships and thus to keep on the sea. When the tables were turned on us, we stupidly continued our barbarous old navigation laws, and doomed our great shipping interests to destruction.

Mr. Speaker, in my opinion this is in part the correct explanation of the decline which began in 1855, since which time England has wrested from us the carrying trade of the world.

So long as wooden vessels alone were employed in commerce, our inexhaustible stores of cheap material for shipbuilding enabled us to maintain unchallenged supremacy in the construction of ocean vessels. When, however, iron and steel supplanted wood for construction, and steam was substituted for sails as the motive power, England secured an advantage which for a time did not seem to be realized by our own people.

Following this advantage came the civil war, during which England established her great shipyards and further intrenched her supremacy. The result is that the difference of cost in the construction and equipment between an English vessel and an American vessel ranges all the way from \$25,000 to \$125,000 or more in favor of the English vessel.

Again, Mr. Speaker, another apparent cause of our decline is a difference of 25 per cent or more in operating expenses in favor of English vessels; and yet another cause is to be found in the subsidies enjoyed by the mercantile steamers of many foreign nations.

These several causes, associated as they are with the business of constructing and operating ships for ocean commerce, practically forbid the construction of American vessels.

Still another cause of the decline, not directly connected with the ocean carrying trade, was the diversion of American capital and enterprise from maritime business to the wonderful field of the great West. The smoke of our civil conflict had scarcely cleared from the skies before the great Northwest entered upon a period of wonderful development. Great cities, beautiful towns, and thriving villages were built up; railway systems spanned our rivers, pierced our mountains, and traversed our prairies; everywhere there was a demand both for capital and labor. Under these conditions it is not surprising that the young men of New England and the coast line of our country should have turned

their attention to the great Northwest rather than sought their fortunes upon the ocean, as had previously been their custom.

These conditions, however, are now in great measure inoperative. The present railroad mileage is ample for our needs for at least twenty years. Our public domain, excepting here and there an Indian reservation, has been opened to settlement and occupation. The great West no longer offers the inducements it did during the period immediately succeeding the civil war. Hence there no longer exists this hindrance to the restoration of our flag to the seas. The time is at hand when the young men of our coast territory must again find employment upon the ocean.

Before passing to a brief glance at the legislation which, in my judgment, is essential to a restoration of our merchant marine, I desire to advert to the fact that our maritime decline began during a period of large subsidies, which proved powerless to arrest it. The United States gave large gratuities to a number of ocean lines from 1850 to 1858. But these lavish contributions from the Treasury were impotent to maintain the supremacy of wooden sailing vessels against iron steamers constructed by the enterprise and genius of the English people. Therefore, this Government, after full and impartial experiment, wisely abandoned that policy, and by the act of June 14, 1858, authorized sea postage to foreign vessels in the carriage of mails, and both sea and inland postage to American vessels. This was the only discrimination made by the law during a long period of years, and until the recent mail subsidy granted by Congress.

#### HOW TO RESTORE OUR MERCHANT NAVY.

Mr. Speaker, in considering the effect of the protective policy upon the fortunes of our merchant marine, we must recognize the existence of two fundamental propositions—first, that the cost of constructing and operating ships must be such as to enable them to carry products as cheaply and with as great dispatch as competing lines, and second, that there must be commerce both for the outward and the returning voyage.

The tariff, heretofore, has not only operated to increase enormously the construction cost of ships, and incidentally their operating expenses, but also to limit or prevent the return cargo. There can be no profitable ocean carrying trade unless the ocean carrier is able to command a cargo both ways. It would be just as reasonable to expect a railway line to realize satisfactory dividends to stockholders while commanding freight only one way as to expect a line of ocean steamers to do a profitable business with a cargo for the outward voyage only. Therefore, the policy of commercial exclusion which has been maintained by the Republican party is at war with the interest of our ocean carrying trade. Under the theory of protection as supplemented by subsidies, the Republican party has tried to sell to every nation while practically refusing to buy from any. It has attempted, under the protective theory, the impossible feat of controlling at the same time the home market and the commerce of the outside world.

The purpose of protection, as graphically stated by the present Chief Executive, "is to check imports of such articles as are produced by our people." The accomplishment of this purpose inevitably limits the cargo of the ocean liner for the return voyage, and the subsidy proposed by this bill, amounting in twenty years to not less than \$165,000,000, and perhaps \$300,000,000, must be paid by the people as a mere gratuity to compensate for the lack of a return cargo.

Mr. Speaker, having made a cursory analysis of some of the causes which, in my opinion, have driven our flag from the pathways of ocean traffic, it becomes material to suggest remedial legislation that will be competent and effective.

Lavish subsidies to ocean steamships would, indubitably, maintain such lines in the absence of remunerative business. That is to say, the Government can, at the expense of the taxpayers, enter into such an unprofitable partnership, and thus keep our flag afloat; but it can not thus permanently build up profitable lines of ocean transportation. There must be cargoes both ways, and, in the absence of the ability to command such freight, the moment that subsidies are withdrawn, the lines of ocean transportation decline. This has been practically the experience of all nations.

I will now cite some of the remedial legislation I submitted to the House in a former debate upon the principle underlying ocean subsidies. The fundamental proposition already laid down—that if we would compete successfully for ocean commerce, we must be able to carry it as cheaply and with as great dispatch as our competitors—seems to me necessarily to force the conclusion that there should be a repeal of all laws which impose taxes of any sort, tonnage dues, consular fees, and other burdens of such character as add to the operating expenses of the vessel, as well as the repeal of the tariff tax upon every kind of material entering into or required in its construction. Indeed, sir, if we are properly to reembark upon this competitive field, it is essential also that we permit our shipowners to purchase their ships wherever they may elect, with a view to securing as favorable terms as their competitors. I by no means ignore the importance of developing

the shipbuilding industry of our own country. But, sir, this will come in its proper time. If we reestablish our carrying trade, the primary effect will be to occasion a demand for repairing, and shipbuilding will soon follow as a natural sequence.

So far as the interests of commerce, as such, are involved, the restatement of the proposition—that if we would develop our commerce we must sell as cheaply as other nations do—involves of necessity a reduction of tariff burdens to the utmost extent compatible with the needs of government.

I need not amplify the remedial measures suggested in behalf either of shipbuilding or of commerce; for the analyses of the causes which have led to the decline of the one and retarded the growth of the other have almost suggested, without such amplification, to the mind of every gentleman on this floor, the remedies to which I have just adverted.

Mr. Speaker, the opposing theories of commercial exclusion and freedom of trade have contested for supremacy at many periods in the world's history, but always with an ultimate result in favor of unhampered commerce. Let us return, then, to that propitious policy under which our merchant navy, freighted with an abundant and increasing commerce, formerly explored every sea and cast anchor in every harbor. Divested of artificial impositions and freed from hurtful restraints, our merchant marine can then renew and reassert its strength and importance upon the great deep. Sir, the world's Klondike wealth of commerce will yet be ours, if we but catch the spirit of commercial expansion now inviting us to mightier conquests and larger fields of endeavor. I yield fifteen minutes to my colleague [Mr. COCHRAN of Missouri].

[Mr. COCHRAN of Missouri addressed the House. See Appendix.]

Mr. COCHRAN of Missouri. Mr. Speaker, I ask leave to extend my remarks.

The SPEAKER. The gentleman asks leave to extend his remarks in the RECORD. Is there objection? The Chair hears none.

Mr. DOCKERY. I now yield ten minutes to my colleague [Mr. VANDIVER].

Mr. VANDIVER. Mr. Speaker, I number myself among those whose motto is, "My country, may she ever be right; but right or wrong, my country!" So long as the brave soldiers of my country are contending with a foreign foe I shall do what is in my power to sustain them. I shall do what is in my power, too, as soon as I think it advisable, to have them withdraw from a conflict which I think is unworthy of them.

Mr. Speaker, one year ago, we, on this side of the Chamber, were struggling to drive the Administration into a war for the liberation of enslaved humanity. To-day, many of us, with the same patriotic and humanitarian purpose, are seeking to drag the Administration out of a war which has degenerated into a barbarous extermination of an inferior race.

I remember, sir, that after the inauguration of the present Administration it took more than twelve months for this patriotic and humanitarian impulse among the people to produce an effective impression on the Government. The oppression, the suffering and distress of the reconcentrados in Cuba was the most fruitful theme for public indignation until the tide of sentiment throughout the land rose so high that the party in power here could no longer resist it, and open revolt in the party ranks seemed to threaten them with lasting ruin. In other words, sir, nothing was done for the relief or assistance of the Cuban patriots, although your party had declared for it in your platform, until the force of public sentiment threatened to drive the party out of power.

And now, sir, having found, in the pursuit of a foreign war, the means for promotion of party favorites and the fulfillment of personal pledges to political friends, as well as a safe and sure ground for appealing to that patriotic sentiment which, though often misguided, is always reliable, the President after ending the war with Spain declares war against the helpless victims of Spain's tyranny.

War was commenced to extend the blessings of freedom. It is now waged to crush the spirit of freedom.

But I venture to prophesy that within another twelve months that same noble sentiment of sympathy for the oppressed, that same sense of even-handed justice which constantly rules the counsels of free men, will again assert itself with such force and potency that your war of aggression and extermination of a helpless people will be brought to an end, like the other war commenced, with a threat of political extermination for the Republican party in this country.

What has changed the policy of this war? Is it the land grabbers' greed? Or is it the bloodthirsty spirit of the lion's whelp after once tasting blood? When war was first declared, this country formally announced to the world that we were not entering upon a war of aggression; that territorial aggrandizement was not our purpose; but that we were setting before the nations of

the world the first example in history of a great and powerful government reaching out its mighty arm for the protection and assistance of a weak and helpless neighbor, who had become the victim of tyrannical and despotic power. The President himself announced to the world that "forcible annexation would be criminal aggression," and was not to be thought of; and accordingly he seemed to entertain no purpose of annexing the Philippine Islands until after the Paris commission had met to form a treaty of peace. Then his mind seemed to undergo a radical change.

He suddenly demanded the cession of the Philippine Islands from Spain, not for the use and benefit of the natives of these Islands, as had been done for Cuba, but for territorial expansion of the United States; and from that day to this the Army and Navy of the United States, which had been put at his command for the defense of liberty and right, for the protection of person and property, have been used as the mighty engines of destruction for those unfortunate half-civilized people whom the accidents of war have placed at our mercy. Spain was cruelly crushing the life out of Cuba in a vain endeavor to uphold the majesty of the throne. To-day, the great Republic of America, heir of all the ages, repository of freedom for all climes and countries, the much-boasted final home of liberty, is crushing the very spirit of liberty, which has dared not raise its front in that far-off wilderness of the eastern seas.

In the name of Liberty! In the name of God and Humanity! instead of trying to carry republican civilization into those islands, as one gentleman on this floor has suggested, "with a sword in one hand and a Bible in the other;" instead of trying to shoot Christian civilization into heathendom at the mouth of the cannon; instead of a bloody and heartless campaign for the glory of conquest and upholding the majesty of McKinley imperialism, let us offer to those people the assistance of a great Republic on the opposite side of the globe, the sympathy of a great and free people beyond the seas who cherish the memory of a time when their forefathers pledged their lives, their fortunes, and their sacred honor for the maintenance of that sublime doctrine, "that all government derives its just powers from the consent of the governed."

Let us proclaim to them that our pride in the noble achievements of our ancestors waxes warm as we see their example illustrated, and the very words of their declaration of independence followed by those who, in a distant part of the world, are now struggling to establish and maintain the sublime principle of self-government. Let us rejoice that the Declaration of American Independence has at last penetrated the dark recesses of heathendom, and so long as they profess adherence to the doctrine of our own Constitution and its bill of rights let us not dare deny to them that precious boon of civil and religious liberty which we would fight to maintain for ourselves.

Mr. Speaker, I have heard much about the glory of our victories, and in so far as those victories have been won over Spanish forces I have rejoiced with others; but where is the glory when a great stalwart giant kicks a helpless child into the gutter? The victories of Dewey at Manila, of Schley at Santiago, and Wheeler at San Juan stimulated the pride of patriotic American hearts because they were victories for American principle and the divine right of manhood. But the recent victories over the Philippine insurgents have aroused no such enthusiasm in the American breast. Why? Because they feel that they were not victories for freedom, and seemed to indicate only that the Filipinos have had a change of masters.

If President McKinley had given those people hearty assurance that we were not intending to rob them of their country and their government, we would not now be compelled to shoot them down. They were our friends, and would have continued to be so if the President had assured them that he would not rob them of their personal and political rights. And hence, sir, I believe that the blood of our soldiers and that of the Philippine insurgents, now being shed in those unhappy islands, is justly chargeable to this wild craze of the Administration for forcible annexation of the islands, which the President himself in the beginning of the war had declared to be "criminal aggression." I confess, sir, that while I have the highest admiration for the courage and discipline of our soldiers and sailors who are braving the dangers of disease lurking in every breath of air they breathe, and the bullets of treacherous foes in ambush, in execution of orders of their superior officers, that I deplore the fact that they must sacrifice their lives in so unworthy a cause.

And, sir, while I have always cherished a high respect for the Christian religion and its representatives, believing it to be the great uplifting moral agency of the world, I have a most profound contempt for the sentiment of these would-be missionaries who would christianize the heathen by trampling upon all their rights and shooting religion into them with Gatling guns. If Christianity has to be propagated by the sword, and gain a foothold by imitating the followers of Mohammed, whose custom it

was to offer conquered people only a choice between the Koran and the sword, then Ingersoll should have a bishop's mitre.

But, Mr. Speaker, aside from the rights or the interests of the people of the Philippine Islands, I am opposed to annexing them to the United States from the standpoint of our own interests. I see no good to come to us, but only evil. We hear a new doctrine preached by these expansionists which they would not have dared to proclaim twelve months ago. They tell us that the Declaration of Independence and the bill of rights in the Constitution itself have no application to the people of conquered territory.

They tell us that we own the Philippine Islands by right of conquest; that we can do with them what we wish; that the right of life, liberty, and the pursuit of happiness, the right of trial by jury, the habeas corpus—all those inestimable privileges which we have cherished as the inalienable rights of man were not intended for conquered subjects, and can only be extended to them when, in our own good time, we may deem it expedient to bestow them. We are told that the American flag waves over the Philippine Islands, and we are asked, "Whom shall it pull down?" In reply I say, "Whom shall pull down the Constitution?" The American flag is the emblem of free government. May its folds never wave over enslaved subjects or conquered provinces where the Constitution has no meaning. May it never become the emblem of tyranny and oppression. May its stars be stars of hope, and not of hatred, for those over whom it waves. [Applause.]

I say, sir, that I look at the whole question from the standpoint of American interests and the destiny of this Republic. You can not maintain a constitutional government at home and an unconstitutional government abroad. Deny self-government to any people over whom our flag floats and you have taken one long step toward denying it to all. No republic in the history of the world has ever long succeeded in administering constitutional government at home and monarchical government for its colonies. An empire means an emperor as well as a territory, and I believe, sir, that the great statesman from Massachusetts [Mr. HOAR] was right when he declared some weeks ago:

My opinion is that if the United States acquire the Philippine Islands to govern them as a subject or vassal state, the destruction of the American Republic will date from the Administration of William McKinley.

Now, Mr. Speaker, I wish to call attention again to the increasing expenses of the Government and the condition of the Treasury, and ask whether or not we can afford this investment in the Philippine Islands from a financial standpoint; and in this connection I think it would be profitable to observe the figures which tell the story of our increasing extravagance, and especially the story of the reckless and riotous extravagance of this Republican Congress.

In opening the debate on the sundry civil bill the gentleman from Illinois [Mr. CANNON], the distinguished chairman of the Committee on Appropriations, very cautiously, but significantly, sounded the alarm to his party associates. He tells us that the estimates of the Secretary of the Treasury, showing a probable deficit of \$112,000,000, are entirely too low; that the deficit will reach \$159,000,000, not counting the \$20,000,000 to be paid to Spain, and that when this is added in the deficiency will reach \$179,000,000, and confidently asserts that this amount is rather under than above what we will actually witness.

It is indeed refreshing to hear a Republican even in the faintest manner suggest any necessity for economy in public expenditures. But no suggestion of economy seems to find favor with the Republican Administration, and the gentleman from Illinois labors in vain when he undertakes to restrain his associates from lavish and extravagant appropriation of public funds. He tells us now that the Secretary of the Treasury estimates the total expenditures of the Government for the next fiscal year, on a peace footing, at \$641,000,000, exclusive of all war expenses and a number of other items necessarily omitted from his estimates; or that altogether the total expenditures for next year will reach the enormous sum of \$700,000,000, which will be the largest sum of money ever appropriated for the government of this country, or any other country, in time of peace.

It is no answer to this to say that the business and population of the country are increasing, and hence the Government expenses must be greater, because the increase in Government expenses has greatly exceeded the increase of population and business. By all the rules of economic business a large institution should be run at proportionately less expense than a small one. But Republican extravagance has reversed that law of economics, and our Government becomes more expensive to the individual, as well as to the community, in proportion as it grows larger.

For many years before the civil war the total expenses of the Government only amounted to about \$3 per capita of the population, and for many years after the civil war and after the disbanding of the armies, notwithstanding the heavy appropriations for pensions and interest on the public debt, still the total expenses of the Government amounted to less than \$5 per capita of the popu-

lation until the "Reed Congress," which ran it up to nearly \$6 per capita, and now McKinley's Administration and another "Reed Congress" have run it up to more than \$7 per capita, and we are deliberately informed by the members of the Appropriations Committee that for the next year the appropriations called for will aggregate \$700,000,000, on the supposition that we are at peace with the world, which amount, divided among the 75,000,000 people, makes \$9.33 per head for every man, woman, and child in the country. And this means, remember, for every man who has a wife and three children, a total tax for the General Government amounting to five times this sum, which is \$46.65, to say nothing of State, county, and municipal taxation.

Then do you think it strange that the people groan under this burden? I tell you there must come a time of reckoning. If we refuse to call a halt now, the time will come when the stubborn protest of a tax-ridden people will be heard in this Chamber, and will be respected.

The distinguished chairman of the Appropriations Committee also tells us that he sees no hope for the reduction of taxes during the next two years. We must continue to lick stamps, and pay high prices for sugar and coffee.

I tell him, in reply, that I think the relief will come soon after the two years are out; for I hope and believe that on the 4th of March, 1901, a new Administration will come into power, commissioned by the people to celebrate the one hundredth anniversary of the inauguration of that stalwart old champion of Democracy Thomas Jefferson, whose honesty and simplicity laid the foundation of a party whose constant watchword from that time to this has been economic administration of public affairs.

And as the beginning of the nineteenth century witnessed the triumph of a great national reform party, so the opening of the twentieth century will usher in again a great national reform movement, with a Democratic Congress at one end of Pennsylvania avenue and that great champion of Democracy, that worthy successor to Thomas Jefferson, Wm. J. Bryan, at the other end. Then, and not till then may the people hope to get relief.

In proof of Democratic economy and Republican extravagance I submit the following table, showing that every time a Republican Congress has come into power there has been a large increase in the expenses of the Government, and every time a Democratic House has been elected by the people it has carried out the pledge of retrenchment and reform. These figures show the actual appropriations made by every Congress since 1875.

Total appropriations of Republican and Democratic Congresses.  
[Always made for the year in advance.]

For year ending June 30—	Congress.	Session.	Politics.	Total appropriations
1875	Forty-third	First	Republican	\$325,666,791
1876	do	Second	do	328,123,199
1877	Forty-fourth	First	Democratic	290,591,138
				28,537,061
Reduction of expenses by Democrats.				
1878	Forty-fourth	Second	Democratic	296,066,694
1879	Forty-fifth	First	do	352,407,775
1880	do	Second	do	372,019,629
1881	Forty-sixth	First	do	361,672,204
1882	do	Second	do	365,965,479
1883	Forty-seventh	First	Republican	422,137,073
1884	do	Second	do	554,297,875
1885	Forty-eighth	First	Democratic	318,829,489
				35,408,386
Reduction of expenses by Democrats.				
1886	Forty-eighth	Second	do	299,439,918
1887	Forty-ninth	First	do	367,340,971
1888	do	Second	do	359,011,523
1889	Fiftieth	First	do	422,635,343
1890	do	Second	do	395,337,516
1891	Fifty-first	First	Republican	463,398,510
1892	do	Second	do	525,019,672
1893	Fifty-second	First	Democratic	507,609,188
				17,418,484
Reduction of expenses by Democrats.				
1894	Fifty-second	Second	Democratic	519,504,369
1895	Fifty-third	First regular	do	492,230,685
1896	do	Second	do	497,008,520
1897	Fifty-fourth	First	Republican	519,446,810
1898	do	Second	do	528,512,789
1899	Fifty-fifth	First regular	do	592,527,991
1900	do	Second regular	Republican (proximo).	675,000,000

For purpose of comparison these figures will be still more striking and instructive if we add together the appropriations of both sessions of each Congress and get the total amount appropriated by each separate Congress; or still greater will be the contrast if we leave out of account the amounts appropriated for payment on

the public debt and standing contracts of the Government, and give only the appropriations which are under the control of each separate Congress.

For instance, the Forty-third Congress was Republican, and the total appropriations of both sessions amounted to \$653,974,900  
And the Forty-fourth Congress was Democratic, and its total appropriations of both sessions amounted to 595,597,832

Showing a difference, or Democratic saving of 58,377,158

Forty-seventh Congress, Republican, total appropriations 776,434,948  
Forty-eighth Congress, Democratic, total appropriations 655,269,407

Reduction or Democratic saving 121,165,541

The Forty-ninth and the Fiftieth Congresses were both Democratic.  
Total appropriations Fiftieth Congress, Democratic 817,963,859  
Total appropriations Fifty-first Congress, Republican 988,417,183

Republican increase 170,453,323

Again, the Fifty-third Congress was Democratic and the total appropriations amounted to \$889,239,205, and its successor, the Fifty-fourth Congress, was Republican, and the appropriations rose to \$1,047,959,599, which shows a Republican increase of \$58,720,394.

Finally, the total appropriations of the present or Fifty-fifth Congress, also Republican, can not yet be stated with absolute accuracy, but will nearly reach the enormous sum \$1,000,000,000, which means another Republican increase of nearly \$600,000,000, and after taking out all money appropriated for war expenses there will remain a net increase of more than a hundred millions of dollars in the regular expenses of the Government.

In a whole quarter of a century you will observe but one increase of expenses made by a Democratic Congress, and that was forced upon Congress and the country by the reckless and extravagant legislation of the previous Republican Congress.

Now, Mr. Speaker, as the chairman of the Committee on Appropriations, the distinguished gentleman from Illinois [Mr. CANNON], tells us that we have now appropriated for next year's expenses of the Government \$179,000,000 more than the total revenues of the Government will yield, or, in other words, that a deficit of that enormous amount will be staring us in the face, I wish to ask if you think, in view of these facts, we can afford at this time to make this investment of \$20,000,000 in Philippine Malays and "yellow belles" at \$2 per head and \$150,000,000 per year for an Army and Navy to protect them and keep them in order. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. VANDIVER. Mr. Speaker, I desire to ask permission to extend my remarks in the RECORD to put in some statistical matter and other documents in connection with what I have said.

There was no objection.

Mr. BOTKIN. Mr. Speaker, without having thoroughly investigated the pending bill, I assume that its provisions are wise and necessary. I always favor the appropriation of every dollar essential to the highest efficiency of the public service. But, sir, I stand appalled in the face of the figures presented this morning by the distinguished gentleman from Missouri [Mr. DOCKERY] showing the colossal sum of money already appropriated during this term. These astounding figures warrant the assertion that the Fifty-fifth Congress is long on legislation increasing the expenditures of the people and short on legislation tending to increase their ability to meet these enormous obligations.

Availing myself of the liberties already accorded to others in this debate, I desire at this time to submit a few remarks which, while not bearing directly upon the pending bill, are nevertheless upon questions of vital interest to the masses of the American people.

To close observers of political movements it is perfectly apparent that a persistent effort is being made by a subsidized press and a class of designing politicians, unwittingly aided by some of the best men of the country, to divert the attention of the masses from political or governmental affairs.

School-teachers are to keep out of active politics for the reason that they serve people of all political creeds. The average business man must be nonpartisan for similar reasons. Wage-earners must serve the interests of their employer by keeping their mouths shut on politics altogether, or by wearing the badge of the employer's party and shouting for his candidate. Of course the farmer must stay at home and work a little longer and harder,

economize a little more closely, make no complaint at falling prices and shrinking values, and leave the management of politics to the lawyer, banker, and ward heeler at the county seat. And with a holy show of undying interest in religion, these minions of organized greed demand that the clergy shall attend strictly to their business of preaching the gospel and refrain from "bedraggling their clerical robes in the muddy pool of politics."

In short, the good people of this country are to understand that there is a governing class, composed of a few leading bankers, a few big corporation attorneys, and a few of the chief organizers and promoters of trusts, and that under this system politics are so corrupt that decent men must stand aloof. The masses are to passively submit to being governed by these corrupt elements without an effort at purification. And all this for the general good.

Some go so far as to make a distinction between the citizen's political interests and his commercial, industrial, and social interests. They would have us believe that the thing we call government is some great Mogul, separate and distinct from the masses of the people, bearing relation only to their political interests and affecting in no way their business interests, except that it absorbs a portion of their products and earnings to support itself in its mysterious if not exalted realm, in return for which support it graciously proposes to assume the entire management of their dirty politics, leaving them nothing to do but to toil and sweat on the farm and in the mine, in the factory and shop, and in the busy marts of trade.

One of the most advanced and frankest writers of this school, in a pamphlet recently issued, said:

Government is the organized instrument of a people in their political capacity only and for the accomplishment of political purposes. Trade is not a political act or matter. The properties it exchanges are not owned by political bodies, but by private persons; they are not exchanged by governments, but by the citizens of governments; and the ownership and exchange of properties, whether material substances or valuable services, by the citizens of a government are not by virtue of their political relationship nor in their capacity as citizens, whether under one political form or another, but by virtue of the purely natural, economic, mutual relations of persons, each of whom has something the others need and needs something the others have.

Against this un-American theory I invoke the Declaration of Independence, the Constitution of the United States, and the accepted teachings of the fathers for more than a hundred years.

#### THE PURPOSE OF GOVERNMENT.

##### The Declaration of Independence says:

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

Here is an expression of the highest wisdom as to the purpose of republican government. According to the American idea, "all men are created equal." Not equal in body and mind, but as to rights. "They are endowed by their Creator with certain inalienable rights," rights that can not be alienated or separated without violence to the purposes of the Creator, except when forfeited by crime. Among these rights "are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men."

Here, then, is the purpose of government—shall I say the only purpose of government?—to secure to all men their God-given rights. If all men were free from selfishness and obedient to the Golden Rule; if we were angelic in our natures, so that no one could be induced to live by preying upon others, there would be little need of government. The very language of this great instrument—"to secure these rights"—is an assumption that the strong will seek to live off the weak, that the wise will endeavor to overreach the foolish, and that the one prime purpose of government is to protect the weak and foolish against the encroachments and oppression of the strong and wise.

"Whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." Here the doctrine is taught that the people—not part, but all the people—make and unmake government; that the people who make the government are greater than the government they make; that the government is for the people and not the people for the government; that it is the function of government, the creature, to serve the people, the creator; that the people have the right to alter or abolish their government when in their judgment it ceases to fill its mission, which is to secure to them their rights and effect their safety and happiness. Theoretically, then, republican government is an instrument made and used by the people for purposes of their own protection, development, and happiness.

This is in harmony with the Divine plan. The world is for man, not man for the world.

And God said, Let us make man in our image, after our likeness; and let them have dominion over the fish of the sea, and over the fowl of the air, and over the cattle, and over all the earth, and over every creeping thing that creepeth upon the earth. (Genesis, i, 26.)  
Thou madest him to have dominion over the works of thy hands; thou hast put all things under his feet." (Psalm, viii, 6.)

It is not the purpose of God or of republican government for any man to be a serf, but rather that every man, no matter what may be his intellectual or social status, shall be a sovereign. The principles of God's government and of our Government are outraged when any man enjoys any measure of right or privilege not accorded to the humblest law-abiding citizen.

That the people have built this Government for themselves is set forth in the preamble to the Constitution:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of North America.

The doctrine that this is a people's government was taught by George Washington. In his Farewell Address he said:

You have, in a common cause, fought and triumphed together. The independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and success.

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a constitution of government better calculated than your former for an intimate union and for the efficacious management of your common concerns. This government, the offspring of your own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support.

Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

In discussing the necessity for a flexible government which the people could alter to meet the requirements of their changing conditions and needs, Thomas Jefferson said:

Let us, as our sister States have done, avail ourselves of our reason and experience to correct the crude essays of our first and unexperienced, although wise, virtuous, well-meaning, councils. And, lastly, let us provide in our Constitution for its revision at stated periods. What these periods should be nature herself indicates. By the European tables of mortality, of the adults living at any one moment of time a majority will be dead in about nineteen years. At the end of that period, then, a new majority is come into place, or, in other words, a new generation. Each generation is as independent of the one preceding as that was of all which had gone before.

It has, then, like them, a right to choose for itself the form of government it believes most promotive of its own happiness; consequently, to accommodate to the circumstances in which it finds itself, that received from its predecessors; and it is for the peace and good of mankind that a solemn opportunity of doing this every nineteen or twenty years should be provided by the Constitution, so that it may be handed on, with periodical repairs, from generation to generation, to the end of time, if anything human can so long endure. If this avenue be shut to the call of suzerainty it will make itself heard through that of force, and we shall go on, as other nations are doing, in the endless circle of oppression, rebellion, reformation, and oppression, rebellion, reformation again, and so on forever.

In strict accord with these statements of fundamental principles by the founders of this Republic is the closing sentence of the great Lincoln's famous Gettysburg speech, an utterance which shows him to have been equal to the greatest and best, and marked him as the patron saint of liberty, loving men to the end of time:

A government of the people, by the people, and for the people shall not perish from the earth.

"Of the people" because they originated it and are the governed, "by the people" because they are the governors, "for the people" because the Government exists solely for their benefit.

#### MALADMINISTRATION OF GOVERNMENT.

For the purpose of diverting the attention of the toiling masses from the political field, and thus protecting public officials against the "petitions of the rabble," the mouthpieces of organized capital and greed in this country vociferously declare that "you can not legislate value into anything," and that "for the Government in its legislative, its judicial, or its executive branch, one or all, to be used to promote any private business interest would be rank paternalism, which can not for one moment be tolerated in a republic."

While these designing politicians thus attempt to mislead the people as to the relation of the Government to every human interest, the hired lobbyists of the corporations and trusts are working every State legislature and the National Congress, as well as the executive and judicial departments, for every possible concession and advantage to these favored classes. Nor is this an entirely new thing in our Government. On November 17, 1877, during the extra session of the Forty-fifth Congress, the Hon.

Dudley C. Haskell, one of the Representatives from Kansas, in a speech in this Chamber, discussing the repeal of section 3 of the resumption act, said:

We ask that Wall street, the Rothschilds, and the Barings shall no longer have the entire control of our financial legislation. And when I charge that our legislation has been in the interest of the capitalist and the dealer in money, I charge that which I can prove from the record, and I challenge successful contradiction.

On February 15, 1878, the Hon. John J. Ingalls, of Kansas, in a notable speech in the United States Senate, sounded the alarm thus:

We can not disguise the truth that we are on the verge of an impending revolution. The old issues are dead. The people are arraying themselves upon one side or the other of a portentous contest. On one side is capital, formidably entrenched in privilege, arrogant from continued triumph, conservative, tenacious of old theories, demanding new concessions, enriched by domestic levy and foreign commerce, and struggling to adjust all values to its own standard. On the other is labor, asking for employment, striving to develop domestic industry, battling with the forces of nature, and subduing the wilderness; labor, starving and sullen in cities, resolutely determined to overthrow a system under which the rich are growing richer and the poor are growing poorer; a system which gives to a Vanderbilt the possession of wealth beyond the dreams of avarice and condemns the poor to a poverty which has no refuge from starvation but the prison and the grave. Our demands for relief, for justice, have been met with indifference or disdain. The laborers of the country asking for employment are treated like impudent mendicants begging for bread.

Here is the just charge that legislative bodies have conferred special privileges upon capital to the extent that it is "formidably entrenched" in those privileges, and has become "arrogant from continued triumph." And yet it is ever "demanding new concessions," and has at last adjusted "all values to its own standard." While from a few years prior to the date of this speech until now the capitalistic class has been manipulating the machinery of this Government in their own interest, values have been shrinking, and the condition of the producers and wage-earners of the country has been growing worse and worse, relieved only by occasional temporary spurts of prosperity. In other words, under the existing system, which defeats the legitimate purpose of our Government and makes it a class government, "the rich are growing richer and the poor are growing poorer."

On January 14, 1891, Senator Ingalls delivered a most impressive speech, the opening sentence of which was:

Mr. President, two portentous perils threaten the safety if they do not endanger the existence of the Republic.

Referring to the second of these perils, he said:

The other evil, Mr. President, the second to which I adverted as threatening the safety if it does not endanger the existence of the Republic, is the tyranny of combined, concentrated, centralized, and incorporated capital. And the people are considering this great problem now. The conscience of the nation is shocked at the injustice of modern society. The moral sentiment of mankind has been aroused at the unequal distribution of wealth, at the unequal diffusion of the burdens, the benefits, and the privileges of society.

In the body of this same speech the Senator discussed the influence of capital upon legislation in the following style:

There is, Mr. President, a deep-seated conviction among the people, which I fully share, that the demonization of silver in 1873 was one element of a great conspiracy to deliver the fiscal system of this country over to those by whom it has, in my opinion, finally been captured. I see no proof of the assertion that the demonization act of 1873 was fraudulently or corruptly procured, but from the statements that have been made it is impossible to avoid the conviction that it was part of a deliberate plan and conspiracy, formed by those who have been called speculators, to still further increase the value of the standard by which their accumulations were to be measured. The attention of the people was not called to the subject. It is one of the anomalies and phenomena of legislation.

That bill was pending in its various stages for four years in both Houses of Congress. It passed both bodies by decided majorities. It was read and reread and reprinted 13 times, as appears by the records. It was commented upon in newspapers; it was the subject of discussion in financial bodies all over the country, and yet we have the concurrent testimony of every Senator and every member of the House of Representatives who was present during the time that the legislation was pending and proceeding that he knew nothing whatever about the demonization of silver and the destruction of the coinage of the silver dollar. The Senator from Nevada (Mr. STEWART), who knows so many things, felt called upon to make a speech of an hour's duration to show that he knew nothing whatever about it. I have heard other members declaim and with one consent make excuse that they knew nothing about it.

As I say, it is one of the phenomena and anomalies of legislation, and I have no other explanation to make than this: I believe that both Houses of Congress and the President of the United States must have been hypnotized. So great was the power of capital, so profound was the impulse, so persistent was the determination that the promoters of this scheme succeeded by the operation of mind power and will force in capturing and bewildering the intelligence of men of all parties, of members of both Houses of Congress, and the members of the Cabinet and the President of the United States.

And yet, Mr. President, it can not be doubted that the statements that these gentlemen make are true. There is no doubt of the sincerity or the candor of those who have testified upon this matter; and it is incredible (I am glad it occurred before I was a member of this body) that a change in our financial system that deprived one of the money metals of its debt-paying power, that changed the whole financial system of the country and to a certain extent the entire fiscal methods of the whole world, could have been engineered through the Senate and the House of Representatives and the Cabinet of the President and secured Executive approval without a single human being knowing anything whatever about it. In an age of miracles, Mr. President, wonders never cease.

Capital has lost none of its hypnotic power. Through the press and through its representatives in both Houses of Congress it has convinced multitudes of people that real and universal and per-

manent prosperity has returned to this country as the fruitage of the McKinley Administration, the Dingley tariff law, and the gold standard. Many farmers conscientiously believed that the high price of wheat in 1897 was due to these causes. If the new Administration and tariff law advanced the price of wheat so soon, what strange influence reduced the price of the crop of 1898 to the old "hard times" standard? Were not the Republican party, the new tariff, and the gold standard still in charge of affairs? And did not they have the assistance of war, which always stimulates prices?

But it is claimed that "the time was when the man was seeking the job, but now the job is seeking the man." It is quite evident that more men are employed in this country to-day than two years ago, but that there is a vast army of honest and industrious men still in enforced idleness will not be denied by any sincere and well-informed man in his quiet and thoughtful moments.

The shortage of foreign crops made an unusual demand for our surplus wheat crop of 1897. Good prices resulted. This enabled the wheat grower to pay part or all of his debts and to purchase long-needed supplies for his family. This increased the circulation, enlarged the trade of the local merchant, and made new demand upon the wholesale merchant and the manufacturer, necessitating the employment of additional men along the line. Next came the war. An army had to be organized, clothed, fed, equipped. Munitions of war of all kinds were needed. All this largely increased the demands upon manufacturers and led to the employment of many men. In addition to this, a large number of idle men found employment as soldiers, while others who held positions in civil life enlisted, leaving their jobs to be filled by men from the army of the unemployed.

There is positively no ground for believing that in the absence of foreign crop failures and war the McKinley Administration, the new tariff, and the gold standard would have materially changed the financial and industrial conditions of this country. The new tariff might or might not have increased the revenues of the Treasury, but if, unaided by the potent influences already mentioned, it had failed to distribute among a considerable portion of our population large sums of money through increased prices of farm products there could have been no stimulation of mercantile and manufacturing interests, and therefore no employment of additional laborers. The people are learning that a full public Treasury does not necessarily imply plethoric pocket-books among the masses, or a condition of general prosperity.

A favorite method by which certain politicians seek to prove general prosperity is to parade the stock market. It is true that as a result of the war this branch of industry (?) has been greatly stimulated. It is also true that through the determined opposition of the Republican party in Congress to an income-tax law, backed by what millions of people believe to have been a partisan decision of the Supreme Court, the few men who have made almost a billion of dollars on the stimulated stock market, and therefore have gathered most of the fruits of war, have been relieved of their just share of the expense of the war, the necessary tax having been levied upon the consumption of the people.

The "popular loan" is also pointed to as an additional evidence of general prosperity. It is claimed that the people bought the bonds, proving that they have plenty of money. In a speech delivered in this Chamber on April 23, 1898, I had the honor to say:

No one knows better than the gentleman that the banks and speculators will get the bonds. They, and not the people, are demanding an issue of bonds. In a recent conversation with a prominent Eastern banker he asked me if I thought the bond provision of the pending bill would pass both Houses. My reply was, "I am afraid it will." "Well," said he, "we bankers want it to pass, for we have piles of money we wish to invest in bonds." "But," I remarked, "it is stated that this is to be a popular loan—that the people are to take the bonds." "Oh, well," said he, "the banks have the money and will get the bonds."

That the advocates of this loan are not sincere in calling it a popular one is evident from an interview had yesterday in New York with the Hon. Lyman J. Gage, Secretary of the Treasury, and published in this morning's Washington Post. It is as follows:

NEW YORK, April 27.

Secretary of the Treasury Gage is in this city to-day. During the morning he was in conference with Assistant Treasurer Jordan I. N. Seligman, James Speyer, and other leading financiers, and in the afternoon with representatives of the leading banks.

Secretary Gage, after the conference, said he thought it wise while in this city to hear what the leading financiers might have to say concerning the present condition of things and the outlook.

He was also desirous, he said, of getting their views on the financial measures now before Congress. "All the gentlemen present at the conference," continued Mr. Gage, "expressed a kindly interest in the popular features of the contemplated measures, and, so far as was necessary and proper, offered their cooperation in making the bond issue a popular loan."

The Secretary said he was not in favor of raising any issue at the present time calculated to cause discontent among those holding opposite political views. The bills pending should be adopted on their merits.

ALL SIDE ISSUES TO BE SUNK.

"There were no differences of opinion on this point," continued Mr. Gage. "All side issues are to be sunk, and all hands will get together and help sustain the credit and dignity of the country."

The money stringency was incidentally discussed according to Mr. Gage, and nothing definite was decided on in the matter of placing our bonds in the European markets. It was admitted by Mr. Gage that some of the financiers

thought the rate of interest on the new bonds ought not to be less than 3½ per cent, but most of them, he said, were satisfied with a 3 per cent bond.

Several questions will naturally possess the minds of thinking people who read this interview.

1. Why was Mr. Gage consorting with the Wall street gang yesterday, if this is to be a popular loan?

2. Why was he so anxious to get the views of "leading financiers" on the "financial measures now pending before Congress," if the people are to buy the proposed bonds and Congress is to appropriate the proceeds to carry on the war?

3. Why did those financiers express such "a kindly interest in the popular features of the contemplated measures and offer their cooperation in making the bond issue a popular loan"? Is it possible that the officials at Washington and the American people can not enter into negotiations without consulting Wall street and inviting its cooperation?

4. Why should any of the Wall street patriots object to the rate of interest proposed, since the people and not the aforesaid patriotic financiers are the interested parties?

On July 20, 1898, "The American Banker," in an editorial on "The Government loan," said:

Assistant Secretary Vanderlip, who is said to have taken extraordinary precautions against accepting subscriptions which seemed on the surface to come from individuals but which were suspected of being part of a large offering, now admits that of the \$30,000,000 supposed to have been subscribed by individuals perhaps not more than half are really what they purport to be. But when we consider how active and all-pervading the canvass for irresponsible names has been, we are inclined strongly to question Mr. Vanderlip's estimate.

Little money has been withdrawn from the savings banks by depositors who intended to buy bonds. This at least appears to be the general testimony of savings-bank officers. The fact that the banks pay 3½ and 4 per cent for deposits, while the loan yields but 3 per cent, renders it decidedly improbable that many savings-bank depositors have subscribed for the bonds. Since our people are not given to hoarding money to any large extent, it is from this class that subscriptions should have come if the loan was to be in fact a popular one. Nothing has transpired, therefore, since what we said last week about the absurdity of regarding this as a popular loan to modify the conclusion that the loan has completely failed to realize the hopes of those who hoped to prevent the banks and other financial interests from getting the bulk of the bonds.

Observe, too, that the part which "the people" have played in the negotiation of this loan will not give much comfort to the demagogues. There has been much talk of late about dealing directly with the people and ignoring the "bloated bondholders" and Wall street "sharks."

Congress resounded with such talk and the press overflowed with it. But, as a matter of fact, thousands of "the people" appeared to be ready to sell their names to agents of these despised interests at 50 cents to \$1 per head. Thousands thus went hand in hand with the various syndicates without betraying any distrust or horror of persons whom it has become a common habit to hold up to public execration.

The Financial Chronicle, discussing the same point, said:

The simple truth is that Congress offered a loan below its market value and the shrewd and thrifty among our population were wise enough to "chip in" and take it. Some of these bidders live near Wall street and pretty much all of them have affiliations with Wall street.

The fact that banks are full of money and begging people to take it at low rates is urged as an evidence of prosperity. On the contrary, it is proof that a few men have the money of the country and the many who need it can not get it because of a lack of securities.

Also that the men who possess the money refuse to invest in property because of the shrinkage of values for a number of years, and they will not invest in business enterprises because they know there is not sufficient money in the pockets of the masses to support an increased volume of business. This congestion of the blood of commerce in the centers indicates either a stagnation of business or that a vast amount of business is being done on the credit system, which presages failures and panic.

The papers a few weeks ago reported 15,000 destitute families, or about 75,000 individuals, in the city of New York. Similar conditions are reported in the cities and towns in all parts of the country. At the same time the banks of New York and the leading banks all over the country are fairly bursting with money. But how does that fact help the hundreds of thousands of starving and freezing victims of this vicious system of congestion or concentration?

Distribution of the medium of exchange among the masses by a proper monetary system, and not its centralization in the hands of the classes by a vicious system of legislative favoritism, produces what we call "good times." When, by reason of remunerative employment and good prices for products under a system of legislation for all the people, they shall have plenty of money to liquidate their debts and pay cash for needed supplies, then, and not till then, can it be truthfully said that we have general and permanent prosperity.

Great activity is witnessed among the trusts. More trusts were organized, involving greater capital, in 1898 than in any previous year. Thus organized capital is rapidly obtaining a monopoly of output for the purpose of reducing expenses and increasing prices. This means higher prices for the consumer, greater profits for the capitalists thus organized, and an increase in the army of the unemployed.

Members have recently received numerous copies of the leading papers of this country containing marked editorials against the newly formed paper trust. Many of these papers have in the past been the apologists of trusts and the trust-breeding tariff, and had no word of censure for the practice of watering stocks so prevalent in this country. But now a trust has been formed for the

expressed purpose of reducing the expenses and increasing the profits of a few paper manufacturers.

In order to accomplish these results we are told that many men have been discharged from employment, and that the stock of the new concern has been highly watered. For the purpose of earning dividends on this watered stock the price of paper has been raised from five to ten dollars per ton. So long as only the people were pinched by trusts and watered stocks these great papers were silent, but now that they are in the toils they are sounding the alarm.

The Chicago Record of February 1, 1899, contained the following editorial:

#### HOW TO BREAK ONE TRUST.

The Record has contended that most, if not all, injurious trusts owe their power for evil to special privileges of one sort or another conferred by Government, and that the proper way to break the power of such trusts is to withdraw the special privileges rather than to enact laws directly forbidding the formation and maintenance of trusts and combinations. An illustration in point is the print-paper trust, the power of which can be effectually broken by simply removing the duty on paper and materials entering into the manufacture of paper, none of which duties is needed for purposes of legitimate protection.

The Dingley law placed a protective duty on paper and pulp. Soon after the passage of that act the print-paper trust was formed and prices were raised to consumers. The increase amounted to about \$2,000,000 a year, which is very aptly termed a "tax on intelligence" of that amount. The rise in the price of paper has very materially increased the cost of manufacturing newspapers. That the increased price is not necessary, but represents simply that much more profit to the trust, is shown by the fact that the trust sells paper in England, Australia, and Japan in successful competition with Canadian, German, and Swedish manufacturers. Were it not for the special privilege accorded it in the form of a protective tariff the trust would not have been able to raise prices within the United States, to the detriment of consumers.

When complaint is made of trusts the existence of which are inimical to the public welfare undoubtedly the print-paper trust should be included in the category. It is not necessary, however, in order to draw the fangs of that trust to pass a law forbidding combinations. Probably such a law, if enacted, would not seriously interfere with it so long as the special privilege on which its existence depends is not disturbed. The only sure, effective, and sensible way to break the print-paper trust is to take away its special privilege—the duty on paper and pulp. It is the veriest nonsense to indulge in general denunciation of trusts and to talk of prohibiting them by law, when the remedy is as simple as it is in this case and involves merely the withdrawal of a special privilege conferred by law.

The weekly edition of the Springfield (Mass.) Republican of February 10, 1899, contained the following editorial:

#### PROTECTION FOR EXTORTION.

Trusts can be organized in free-trade England, but they can not practice extortion in defiance of foreign competition. They are still held within the bounds of moderation by the force of active competition, whether it has been suppressed in the home market or not. But not so the trust in the United States. A paper combination could be organized here under free trade in pulp and paper, but it could not quite so readily advance prices \$5 to \$10 a ton as it has. It could not quite so readily water its capitalization 300 to 400 per cent in the certainty of being able for some time to earn handsome dividends on the whole inflated mass. It could not quite so easily undertake to put old and out-of-date machinery on a paying basis through the sheer force of monopoly.

Practically all of the American trusts are thus favored by the tariff laws of the nation and made instruments of extortion and oppression by the representatives of the people, where otherwise they would be comparatively harmless. "The old argument over again" is as sound as ever. Our tariff in the present epidemic of trust-building is a tariff to protect trust extortion and to deliver the people, bound, into the hands of the extortioners. We are not to lose sight of that fact. The paper trust is entrenched behind the laws of Congress to make the consumers of paper pay dividends on watered capital and worn-out machinery, and that is true of practically every one of the scores of trusts now operating in nearly every product which is of common use among the people.

The New York Commercial in its issue of February 9, 1899, in a discussion of the future of the sugar trust, said:

What is wanted is more capital, new and special legislation, and more extraordinary privileges. What is also wanted is a new sugar tariff. All this requires time.

Rumor has it that President McKinley's views regarding the Dingley tariff have undergone a sudden change. Whatever the nature of that change may be, the people of the United States can rest assured that the sugar trust will have something to do with the framing of another sugar schedule.

All well-informed people know that the sugar trust had much to do with the framing of the sugar schedule in the last tariff act.

In its issue of February 8, 1899, this same paper sounded a note of warning as follows:

#### CONSOLIDATION AND PRICES.

A recent special dispatch to the New York News Bureau stated that the consolidation of the different steel and wire plants into the American Steel and Wire Company had resulted in the dismissal of 200 traveling salesmen, and that through this there would be a saving to the consolidated company from salaries, commissions, and traveling expenses alone of \$1,000,000 a year. It was also stated that the company was endeavoring to dispose of various warehouses over the country now no longer needed.

These facts serve to illustrate once more what has so often been pointed out, viz., that consolidation means economy, and that through combination the cost of production is lowered. That the lowered cost of production does not necessarily mean lower prices to the consumer is made very apparent by the fact that since the consolidation of various interests into the American Steel and Wire Company the price of wire nails has been advanced.

The question may well be asked, as indeed it often has been, What benefit accrues to the general public from the economic saving which results from industrial combination? And the answer must be that, as a rule, the public gains nothing, but that those in control of the combinations reap all the advantages. The public is well aware of this fact, and the result of such knowledge has been the present general hostility toward industrial combinations and the extended efforts to suppress them.

I have thus shown the maladministration of this Government under the power of organized capital. It is plain that a few men and organizations have manipulated the machinery of Government in their own interest and to the impoverishment of the masses of the people who perform the labor and create the wealth of the country. It is also plain that activity in stocks, bonds, banks, and trusts is not a guaranty that the masses for whom theoretically this Government exists are properly sheltered, clothed, and fed.

#### PROTECTION FAILS TO PROTECT.

There are many wise and good people who believe a protective tariff is the sovereign remedy for all industrial ills. It is not my present purpose to discuss this subject at great length. I only desire to show that a protective tariff is not a sufficient panacea for the industrial ills from which countless thousands of our people have been for years and are now suffering.

The title of the McKinley tariff law is "An act to reduce the revenue and equalize duties on imports, and for other purposes." The Dingley tariff law is entitled "An act to provide revenue for the Government and to encourage the industries of the United States." Thus a protective tariff is designed by its champions to reduce revenue at one period, and at another to provide revenue. How well it provides revenue may be known upon reflection that notwithstanding the bond sale and the great revenue-producing war tax, our expenses for the fiscal year beginning last July and coming as far down as February 27, 1899, were \$98,477,183.41 in excess of our receipts.

But what of the effect of a protective tariff upon the industries of the United States? In his letter of acceptance, under date of August 26, 1896, William McKinley, referring to the depression of 1893, said:

What a startling and sudden change within the short period of eight months, from December, 1892, to August, 1893. What had occurred? A change of Administration; all branches of the Government had been intrusted to the Democratic party, which was committed against the protective policy that had prevailed uninterruptedly for more than thirty-two years, and brought unexampled prosperity to the country.

It is true that from the time the first Republican tariff was enacted in 1861 to August, 1894, when the McKinley law was superseded by the Wilson-Gorman law, this country was every minute under a protective tariff policy. During that period this country did not, as I shall show, enjoy that measure of uninterrupted prosperity which the intelligence and industry of the people and the vast material resources of the country would seem to warrant. That we have had occasional periods of prosperity under this tariff policy will not be denied. That we have had alternate periods of great depression and numerous disastrous panics will be admitted by all. That the general tendency of prices and values has been downward for the past twenty-five years is patent to every unbiased student of economic conditions.

Among the results of this general fall of prices and shrinkage of values are the congestion of money to the centers, the passing of land and other properties from the people to the speculators and the consequent development of a system of landlordism and tenantry, the increase of the army of the unemployed and the resultant growing seriousness of the conflict between labor and capital. I would not say that all these conditions have been caused by the protective tariff, but I will say that protection has failed to prevent the development of these conditions. And if it can not prevent it certainly can not cure.

In his inaugural address delivered on March 5, 1877, President Hayes said:

With respect to the financial condition of the country, I shall not attempt an extended history of the embarrassment and prostration which we have suffered during the past three years. The depression in all our various commercial and manufacturing interests throughout the country, which began in September, 1873, still continues.

This is the testimony of a Republican President given at a time when there could have been no possible motive for the distortion of facts. It is highly interesting, if not positively curious, because it shows the "embarrassment" and "prostration" and "depression in all our various commercial and manufacturing interests throughout the country," and because it dates the beginning of our sorrows back to the exact time of the demonetization of silver and the actual establishment of the gold standard.

I again cite that eminent authority, the Hon. John J. Ingalls, an extract of whose speech of February 15, 1878, I have already quoted, in which he portrays the rising conflict between labor and capital and condemns a "system under which the rich are growing richer and the poor are growing poorer." And all this under a protective tariff. In the month of April, 1890, William McKinley, chairman of the Committee on Ways and Means, submitted to the House his report on the proposed tariff bill, which afterwards became a law and has ever since borne his name. In that report, on page 2, he says:

That country is the least prosperous where low prices and low wages prevail. One of the chief complaints now prevalent among our farmers is that they can get no price for their crops at all commensurate to the labor and

capital invested in their production. Those who differ from us must believe that even further agricultural depression is desirable, for no other consequence can result from their economic theories. They advocate cheap prices as the chief object of the industrial policy they commend to the country. This means permanently low prices for agricultural products as well as for manufactured goods.

Your committee have not sought by the proposed legislation to further cut down prices at the expense of our own prosperity, but to provide with certainty against that increasing competition from other countries whose conditions our people are unwilling to adopt. We have not believed that our people, already suffering from low prices, can or will be satisfied with legislation which will result in lower prices. No country ever suffered when prices were fairly remunerative in every field of labor, and it has been the purpose of the committee to so adjust duties upon competing foreign products as to save our people from ruinous competition abroad.

On page 16 of the same report Mr. McKinley said:

The committee have given months of investigation to the existing conditions of agriculture and matters connected therewith. This great industry is foremost in magnitude and importance in our country. Its success and prosperity are vital to the nation. No prosperity is possible to other industries if agriculture languish. In so far as the fostering care of government can be helpful, it must be faithfully and forcefully exerted to build up and strengthen agriculture.

That there is widespread depression in this industry to-day can not be doubted. Every remedy within the scope of practical legislation known to your committee has been recommended in the proposed measure to meet the urgent requirements of the situation.

Here is the highest authority in this land, the acknowledged Napoleon of protection, giving his voluntary and official testimony to the fact that our agricultural interests were suffering from low prices, and "that there is wide spread depression in this industry to day can not be doubted." And he declares that "the fostering care of Government \* \* \* must be faithfully and forcefully exerted to build up and strengthen agriculture." And this after Benjamin Harrison had been President thirteen months and the policy of protection had been in uninterrupted and active operation for twenty-nine years. The remedy proposed by Mr. McKinley and his party at that time was not an increase of the circulation in the bloodless forms of agriculture and labor, but rather a deeper incision by the tariff lance for the purpose of drawing still more blood through indirect taxation.

Senator Ingalls delivered a speech in the other end of this building on January 14, 1891, in which he said:

Nor is this all, Mr. President. The hostility between the employers and the employed in this country is becoming vindictive and permanently malignant. Labor and capital are in two hostile camps to-day. Lockouts and strikes and labor difficulties have become practically the normal condition of our system, and it is estimated that during the year that has just closed, in consequence of these disorders, in consequence of this hostility and this warfare, the actual loss in labor, in wages, in the destruction of perishable commodities by the interruption of railway traffic, has not been less than \$300,000,000. \* \* \*

A financial system under which more than one-half of the enormous wealth of the country, derived from the bounty of nature and the labor of all, is owned by a little more than 30,000 people, while 1,600,000 American citizens, able and willing to toil, are homeless tramps, starving for bread, requires readjustment.

A social system which offers to tender, virtuous, and dependent women the alternative between prostitution and suicide as an escape from beggary is organized crime, for which some day unrelenting justice will demand atonement and expiation.

Mr. President, the man who loves his country and the man who studies her history will search in vain for any natural cause for this appalling condition. The earth has not forgotten to yield her increase. There has been no general failure of harvests. We have had benignant skies and the early and the latter rain. Neither famine nor pestilence has decimated our population nor wasted its energies. Immigration is flowing in from every land and we are in the lusty prime of national youth and strength, with unexampled resources and every stimulus to their development; but, sir, the great body of the American people are engaged to-day in studying these problems that I have suggested in this morning hour. They are disheartened with misfortunes. They are weary with unrequited toil. They are tired of the exactions of the speculator. \* \* \*

Such, sir, is the verdict which I read in the elections from which we have just emerged—a verdict that was unexpected by the leaders of both parties and which surprised alike the victors and the vanquished. It was a spontaneous, unpremeditated protest of the people against existing conditions.

Mr. President, it may be cause, it may be coincidence, it may be effect, it may be post hoc or it may be propter hoc, but it is historically true that this great blight that has fallen upon our industries, this paralysis that has overtaken our financial system, coincided in point of time with the diminution of the circulating medium of the country.

The public debt was declared to be payable in coin, and then the money power of silver was destroyed. The value of property diminished in proportion, wages fell, and the value of everything was depreciated except debts and gold. The mortgage, the bond, the coupon, and the tax have retained immortal youth and vigor. They have not depreciated. The debt remains, but the capacity to pay has been destroyed. The accumulation of years disappears under the hammer of the sheriff, and the debtor is homeless, while the creditor obtains the security for his debt for a fraction of what it was actually worth when the debt was contracted.

It should be borne in mind that this speech was delivered after thirty years of uninterrupted protective-tariff policy, several months after the enactment of the McKinley law, and within a few weeks of the middle of the Harrison Administration; and yet according to this high authority labor was unemployed, virtuous womanhood was driven to beggary, while depression, paralysis, and blight had settled upon all our industries.

The year 1892 is pointed out as the year of crowning prosperity in the history of our country. I admit, sir, that this was a year of comparatively "good times," but I call attention to the fact

that during this year some of the greatest labor strikes in our history occurred, notably that at Homestead, Pa.

The year 1893 was one of most disastrous panic. In his letter of acceptance, already quoted, Mr. McKinley attributed the great industrial and financial depression of that year to a change of administration. It must be remembered, however, that his own pet tariff law was still in operation and continued to be until the autumn of 1894. It is thus shown that protection is not a bulwark against financial panics and industrial paralysis.

I shall not discuss the recent past or the present further than to call attention to the numerous and bloody conflicts between labor and capital since the present Administration was inaugurated. And these under the new and matured tariff law framed and enacted by the Republican party, aided by a popular war which resulted in at least the temporary improvement of our economic conditions.

Quarterly statements of failures for twenty-four years and average of liabilities.

Years.	First quarter.			Second quarter.			Third quarter.			Fourth quarter.			Total for the year.		
	No. of failures.	Amount of liabilities.	Average liabilities.	No. of failures.	Amount of liabilities.	Average liabilities.	No. of failures.	Amount of liabilities.	Average liabilities.	No. of failures.	Amount of liabilities.	Average liabilities.	No. of failures.	Amount of liabilities.	Average liabilities.
1875	1,982	\$43,173,000	\$21,782	1,582	\$33,667,000	\$21,295	1,771	\$54,328,000	\$30,678	2,405	\$70,888,000	\$29,475	7,740	\$201,060,333	\$25,900
1876	2,806	64,044,000	22,830	1,794	43,771,000	24,398	2,450	47,857,371	19,535	2,042	34,844,893	17,064	8,082	191,117,786	21,020
1877	2,969	54,538,074	19,010	1,880	45,088,097	23,972	1,816	42,846,083	23,318	2,307	48,717,080	21,117	8,872	190,660,036	21,491
1878	3,355	82,078,826	24,464	2,470	48,753,940	19,738	2,853	66,378,363	23,238	1,800	37,172,001	20,651	10,478	234,383,132	22,399
1879	2,524	43,112,065	17,081	1,534	22,666,725	14,776	1,262	15,275,550	12,104	1,338	17,094,113	12,775	6,458	98,149,053	14,741
1880	1,432	12,777,074	8,922	1,065	20,111,689	18,884	979	12,121,422	12,381	1,259	20,741,815	16,474	4,735	65,782,000	13,886
1881	1,761	24,447,250	13,900	1,105	16,499,395	14,931	1,024	10,112,395	9,875	1,692	30,086,922	17,000	5,582	81,155,932	14,530
1882	2,127	33,338,271	15,670	1,470	17,242,649	11,722	1,300	18,942,893	14,571	1,841	32,023,751	17,394	6,738	101,547,564	15,076
1883	2,821	38,372,643	13,602	1,816	27,816,391	15,317	1,803	52,072,884	28,881	2,744	54,612,254	19,902	9,184	172,874,172	18,823
1884	3,296	40,186,978	12,193	2,214	84,204,304	37,998	2,346	56,627,821	24,138	3,112	45,324,324	14,547	10,968	226,343,427	20,632
1885	3,658	46,121,051	12,608	2,346	28,601,304	12,091	2,173	23,874,391	10,988	2,460	25,623,575	10,416	10,637	124,220,321	11,678
1886	3,203	29,681,726	9,266	1,953	20,752,734	15,746	1,932	27,227,630	14,090	2,746	36,982,029	13,467	9,834	114,644,119	11,651
1887	3,007	32,161,762	10,695	1,955	22,976,330	12,061	1,938	73,022,556	37,674	2,784	39,400,296	14,152	9,634	167,560,944	17,332
1888	2,948	38,884,789	13,190	2,241	29,229,370	13,043	2,361	22,114,254	9,366	3,129	33,601,560	10,738	10,679	123,829,973	11,595
1889	3,311	42,972,516	12,970	2,292	22,856,337	9,972	2,273	39,227,045	17,235	3,003	43,728,439	14,561	10,882	148,784,337	13,672
1890	3,223	37,852,068	11,747	2,162	27,466,416	12,704	2,196	35,452,436	16,144	3,326	39,085,144	20,784	10,907	189,856,964	17,406
1891	3,545	42,167,631	11,894	2,529	50,248,636	19,868	2,754	44,302,494	16,086	3,445	53,149,877	15,423	12,273	189,868,638	15,471
1892	3,384	30,284,349	11,009	2,119	22,089,331	10,449	1,984	18,659,235	9,405	2,867	33,111,252	11,549	10,344	114,044,167	11,025
1893	3,202	47,338,300	14,784	3,199	121,541,239	37,984	4,015	82,469,821	20,402	4,826	95,430,329	19,770	15,242	346,779,889	22,751
1894	4,304	64,137,333	14,900	2,734	37,598,973	13,751	2,868	29,411,196	10,028	3,979	41,848,354	10,172	13,885	172,992,856	12,458
1895	3,802	47,813,683	12,577	2,855	41,026,261	14,370	2,782	32,167,179	11,528	3,748	52,188,737	13,924	13,197	173,196,090	13,124
1896	4,031	57,425,135	14,246	2,935	40,444,547	13,504	3,757	73,285,349	19,507	4,305	54,941,803	12,762	15,088	226,096,834	14,992
1897	3,932	48,007,911	12,209	2,889	43,884,876	15,121	2,851	25,601,188	8,886	3,649	37,038,086	10,150	13,351	154,332,071	11,559
1898	3,687	32,946,565	8,936	3,031	34,498,074	11,381	2,540	25,104,778	9,886	2,928	38,113,482	13,017	12,186	130,662,899	10,722

A study of this table will disclose the reason for the frequent changes of Administration in recent years. In every Presidential campaign the politicians shouted "tariff," but the people, seeing that protection did not protect and that business conditions grew steadily worse, and not fully understanding causes and remedies, adopted the plan of "turning the rascals out" every four years. It will be seen that the number and liabilities of failures increased from 1875 to 1878. To satisfy the clamor of the people during this period the Bland-Allison act was passed, removing in a measure the embargo which had been placed upon silver and increasing the circulating medium of the country. A very marked improvement of industrial and financial conditions immediately followed this legislation, as will be seen in the table.

These improved conditions continued about four years. In 1883 a new Republican tariff law was enacted. That very year marked a large increase in the number and liabilities of business failures. During the next year the country touched high-water mark in this respect, and the people in their distress defeated the Republican party under the leadership of the most eminent and popular statesman of the time, and elected a comparatively obscure and untried man to the Presidency. This election was followed by a temporary improvement of condition, but before the next Presidential election occurred the number and liabilities of the failures had so increased that the people reversed their former verdict and elected a Republican President. No improvement followed this election so far as business failures were concerned, and accordingly the people changed Administrations again. The highest point ever reached in the history of this country in the number and liabilities of business failures was that reached in 1893 under the Cleveland Administration, which had just been inaugurated, and the McKinley tariff law, which had been in operation three years.

#### CURRENCY AND BANKING REFORM THE NEED OF THE HOUR.

All agree in demanding a reform of our present currency and banking system. The distinguished gentleman from Massachusetts [Mr. WALKER], the present chairman of the House Banking and Currency Committee, in a letter to the Boston Herald of October 11, 1897, charged that our national-bank act is directly responsible for the annual loss of \$50,000,000 to \$75,000,000 to the people; that it was the cause of the great panic of 1893; that "it is crushing the very life out of business and agriculture" through excessive interest, and that before 1900 a storm cloud will arise

Of the future no man can speak with accuracy, but the Hon. JOSEPH H. WALKER, of Massachusetts, chairman of the Banking and Currency Committee of the House, in a printed speech of February 14, 1899, on "United States Treasury and Banking and Currency Problems," gives on the title page the following note of warning:

We have the worst financial system in the world. Doubt, fear, and panic inherent in it. Panic of 1893 sure to be repeated.

Whether this prediction ever comes true or not, here is one of the wisest and most prominent of New England Republicans who believes that Republican protective tariff can not secure permanent national prosperity under our present financial system.

I now invite a most careful study of the accompanying table, taken from Dun's Review of January 7, 1899. It is proper to say that this publication is admitted by all to be the very highest and most trustworthy authority in such matters.

and develop into a storm that will sweep with the besom of destruction the party that dallies with this question. The same gentleman, in his speech in this Chamber on February 14, 1899, said:

Up to 1893 it was the fashion to pronounce the financial and banking system of the United States the best the sun ever shone upon.

To-day there is scarcely a man in the country who has any interest in questions pertaining to economics, if there is even one, who is not demanding its immediate reform.

Hon. James H. Eckels, ex-Comptroller of the Currency, in answer to a question by the chairman, said to the Banking and Currency Committee: "Yes; the United States has the worst financial and currency system of any leading nation."

Upon the above being read to Hon. Charles S. Fairchild, ex-Secretary of the Treasury, and his opinion asked, he replied: "I think it is the worst," and Secretary Gage concurred in Mr. Fairchild's statement.

In fact, all writers on finance, banking, and currency are a unit in condemning our system, those of Europe declaring that there is not a dollar of "true bank currency" or really sound currency in the United States.

In his inaugural address President McKinley said:

Our financial system needs some revision; our money is all good now, but its value must not further be threatened. It should all be put upon an enduring basis, not subject to easy attack, nor its stability to doubt or dispute. The several forms of our paper money offer, in my judgment, a constant embarrassment to the Government and imperil a safe balance in the Treasury.

In his special message to Congress on the last day of its extraordinary session, July 24, 1897, the President said:

Another question of very great importance is that of the establishment of our currency and banking system on a better basis. \* \* \*

The sentiment of the country is strongly in favor of early action by Congress in this direction, to revise our currency laws and remove them from partisan contention. A notable assembly of business men, with delegates from twenty-nine States and Territories, was held at Indianapolis in January of this year. The financial situation commanded their earnest attention, and after a two days' session the convention recommended to Congress the appointment of a monetary commission. I commend this report to the consideration of Congress. \* \* \* This subject should receive the attention of Congress at its special session. It ought not to be postponed until the regular session.

It will thus be seen that the President was insistent upon the immediate reform of our currency and banking system on the lines suggested by the Indianapolis convention. In his annual messages of December, 1897, and December, 1898, he renewed this urgent request. We are therefore no longer to hear the old threadbare campaign slogan, "the best currency and banking system the world ever saw," a system that stands as a monument to the folly of that party which must bear the responsibility for all national legislation from 1861 to the present time, except during

Cleveland's second reign, when the only change made in our fiscal system was the result of a combination between the Republican leaders in Congress and Grover Cleveland.

While all men agree that a speedy change in our monetary system is essential to the well being of not to the life of our Republic, we honestly differ as to the nature of the reform needed. Broadly considered, we are divided into two classes: those who believe in the gold standard and affirm that the Government should go entirely out of the banking business, and those who believe in bimetallism and demand that the banks shall go entirely out of the governing business. Men hold these different views with variations as to details, according as they view the subject from the standpoint of the interests of bankers and speculators or from the standpoint of the interests of the whole people. Being with the people, I take the latter view.

It is in perfect accord with our selfish human nature for every man to attempt the control of legislation in the interest of his own business.

That bankers and money speculators have done and are doing this should surprise no man with sufficient brains to feed and clothe himself. That these classes have secured a great advantage over the producers and laborers of this country in this respect may not prove greater selfishness in the classes than in the masses in this respect; but it does unquestionably prove that the classes have been wiser than the masses to see their opportunities, and being comparatively few in number and living in close touch with each other in a few of the great centers, it has been easy for them to combine their money and their influence for the control of Congress and the State legislatures. On the other hand, the great masses have been widely scattered, and, being busy with daily toil, have had neither the time nor the disposition to study the relation of politics to their material, moral, and intellectual well being.

The first organized effort at currency and banking reform in recent years that attracted national attention was that of the noted convention of bankers held in Baltimore October 11, 1894, which promulgated what is known as the "Baltimore plan." This proposed the repeal of the law requiring a deposit of bonds to secure bank notes, that the banks should issue the national currency against their assets, that "the banks issuing circulation shall deposit and maintain with the Treasurer of the United States a redemption fund equal to 5 per centum of their average outstanding circulation, as provided for under the existing law." It also provides that "the notes of insolvent banks shall be redeemed by the Treasurer of the United States out of the guaranty fund, if it shall be sufficient, and if not sufficient, then out of any money in the Treasury, the same to be reimbursed to the Treasury out of the guaranty fund when replenished, either from the assets of the failed banks or from the tax aforesaid."

Such a storm of indignant protest arose from the people against the proposition to turn the issue and control of the currency over to the banks that the bankers quietly retired to await the further effort of politicians to bring public sentiment into subjection to this proposed plan. No man in the Middle, Western, and Southern States dared to advocate such a policy during the campaign of 1896. But as soon as the election of Mr. McKinley was an assured fact the bankers and speculators came into the open and began a determined effort to secure the adoption of their pet schemes by the new Administration.

Within less than a week after the election of 1896 the Chicago Record interviewed a number of the leading bankers of that city. While they differed somewhat in minor matters, they were in substantial agreement as to the main proposition. They demanded the funding of all Government paper currency into gold bonds to be used by the banks as a basis of their credit, or notes which should circulate as the sole currency of the country. The following from John J. Mitchell, president of the Illinois Trust and Savings Bank, will indicate the drift of these interviews:

My opinion, briefly, is this: Congress should retire all the greenbacks and silver certificates and, to prevent a contraction of the currency, issue long-term 2 per cent gold bonds, allowing the banks to issue currency against them at par. This would do away with the reserve fund and take the Government out of the banking business entirely. Then Congress should make a sufficient tariff to run the Government. The banks can issue currency as it becomes necessary. This will give us an elastic currency.

An elastic currency is one which expands and contracts under some controlling influence. Its expansion means rising prices, its contraction means falling prices. The bankers desire the sole authority to "issue currency as it becomes necessary," they to decide when it is necessary. Thus when they or their friends desire to invest their surplus funds in property, they can contract the currency and reduce prices and values. After the investments are made they turn the screw another way, expanding the currency, when the property can be sold on an advanced market.

Had these sentiments been uttered two weeks prior to the election they would have turned the tide of public sentiment and support from that party which to-day stands for a banker's cur-

rency to that party which stands for a people's currency. This the bankers know, and therefore wisely held their peace until the election of their friends was an assured fact.

Following this was the Indianapolis convention, the President's messages, the public utterances of the President and his Secretary of the Treasury, the Gage bill, the McCleary bill, and the Hill bill, which last is now pending in Congress, all with one accord demanding the permanent establishment of the gold standard, making gold the only legal-tender money, the retirement of all forms of Government paper money, and the turning over to the national banks the sole authority to issue and control the volume of our currency. The lamented Garfield is reported to have said:

Whoever controls the volume of currency is absolutely master of the industry and commerce of the country.

This the bankers and their immediate friends know, hence their inordinate desire to gain control of the volume of currency. My faith in the intelligence of the people leads me to believe that they also can see this point, and, seeing it, will arise in their might and overthrow that party which is now bending all its energies to force them and their industry and commerce into absolute and perpetual bondage to the greed and power of organized wealth.

I now affirm that high prices make "good times" and that low prices make "hard times." But low prices mean a dear dollar, while high prices mean a cheap dollar. For illustration, when wheat commands but 50 cents a bushel the dollar is twice as dear, or has twice the purchasing power, as when wheat commands a dollar a bushel. The same principle holds good when applied to the relation between the dollar and all other commodities and property and between the dollar and labor. In other words, the dollar is dear when it requires much of labor and its products to procure it and cheap when it requires little of labor and its products to procure it. The American people must choose between the dear dollar and low prices on the one hand and a cheaper dollar and higher prices on the other.

In opening the campaign in Ohio on August 15, 1896, in a speech which was published by the Republican National Committee and scattered broadcast over the nation as a campaign document, the Hon. John Sherman said:

Of all the evils which a government can inflict none can be greater than cheap money, whether of coin or paper. That dollar is the best dollar that buys the largest quantity of food and clothing.

Mr. Sherman describes that dollar which is best for the comparatively few men in this nation who own the dollar. But what of the masses who have not dollars but who have labor and its products they wish to exchange for dollars with which to pay their crushing debts?

If I had a large income of dollars from gilt-edged and remunerative securities, or as an ample and permanent salary, or from any other unfailing source, and had no heart of sympathy for oppressed humanity, I should want the dollar so dear, so great in purchasing power, that my money would buy the largest possible measure of labor and its products. I should want my dollar to buy four bushels of the farmer's wheat, ten bushels of his corn, five bushels of his potatoes, fifteen pounds of his butter, twenty dozen of his eggs, a ton of his hay. I should want ten of my dollars to buy a suit of clothes which now costs me fifty dollars. I should want twenty-five of my dollars to buy a buggy which would now cost \$100. If I desired the services of a laboring man, I should want one of my dollars to buy four days of labor. It will be seen that if the farmer must sell his produce and the manufacturer his wares at these low prices it follows that they would be forced to pay correspondingly low wages to labor. But this is John Sherman's idea and his party's idea of the best dollar, the dollar "that buys the largest quantity of food and clothing." Does any man of sense believe that such a dollar as this can ever produce general prosperity?

What this country needs is cheaper money and higher prices. Not that one kind of money should be cheaper than another kind, but that all money must have less purchasing power than it now possesses. We have heard much of fifty-cent dollars, but there are no such dollars. Every dollar has a hundred cents, whether stamped on 25.8 grains of gold, or on 412.5 grains of silver, or on a few cents' worth of copper, or on a fraction of one cent's worth of paper. One of these dollars will buy as large a quantity of the necessities of life, pay as much tax, and liquidate as much debt in the ordinary transactions of our country as any other dollar.

But it is claimed that the price of a day's labor, of a bushel of corn, or a pound of cotton will command as much manufactured goods or property to-day as formerly, when these prices were double what they are now. Admitting this to be in a measure true it must be remembered that the enormous debts of this country, both public and private, were contracted at a time when not more than one-half the labor and its products would have been required to pay it as would be required to-day. On the 1st of March, 1860, the national debt was \$2,827,868,950.46. At the

prices then prevailing it would have required to pay that debt the quantities named of each of the following staple products:

Wheat.....	bushels.....	1,486,842,105
Flour.....	barrels.....	302,791,698
Cotton.....	pounds.....	5,887,416,629
Mess pork.....	barrels.....	92,576,313
Sugar.....	pounds.....	25,233,348,314
Wool.....	pounds.....	5,339,188,679
Beef.....	cwt.....	181,967,213
Bar iron.....	pounds.....	41,851,851,151
Superior farming lands as above (approximately).....	acres.....	37,093,693

In July, 1896, the public debt, interest bearing and noninterest bearing, in round numbers, was \$1,225,000,000, or less than one-half what it was in March, 1896, and yet so low were the prices of the staple products of this country in 1896, the products with which the people, in the last analysis, must pay their public and private debts, that it would have required twice the quantity of these products to pay the reduced debt in the last-named year as the entire debt thirty years before. The following table shows the quantity of each of the staple products named required to pay the debt in 1896:

Wheat.....	bushels.....	2,443,636,636
Flour.....	barrels.....	413,538,461
Cotton.....	pounds.....	17,929,000,000
Mess pork.....	barrels.....	215,040,000
Sugar.....	pounds.....	41,353,846,154
Wool.....	hundred weight.....	8,960,000,000
Beef.....	do.....	179,200,000
Bar iron.....	pounds.....	45,948,717,417
Superior farming lands as above (approximately).....	acres.....	38,400,000

During the six years beginning in 1862 the Government sold bonds to the amount of \$2,490,975,700. The amount received by the Government for those bonds, in round numbers, was \$1,400,000,000. The principal of these bonds was payable in the lawful money of the country and the interest in coin. The credit-strengthening act of 1869 and the refunding act following made the principal payable in coin. The Government, which originally received \$1,400,000,000 for its bonds, had up to 1893 paid back to the bondholders in principal \$1,756,000,000, being \$356,000,000 more than was at first received. It had paid as interest on the debt \$2,538,000,000, or nearly twice the total amount received. As premium on bonds bought in it had paid \$58,000,000, making a total of \$4,352,000,000. Thus the people have in twenty-five years paid more than four and a quarter billions of dollars on a debt which was originally but a little more than two billions of dollars, and for which they actually received in the beginning only a little more than one and a quarter billions of dollars. And they still owed in 1893 on that same debt close to one billion of dollars.

It will thus be seen that the prices and values of the people's holdings diminished in proportion as the value of the bonds increased. In other words, the debt-paying power of the people diminished as the purchasing power of the debt increased. These conditions resulted from legislation in the interest of the debt holders of the nation and against the interests of the debt payers of the nation. Whatever diminishes the value of the people's property and the prices of their products lessens their ability to pay their private debts as well as their public debts; hence the loss of homes and of property and the utter financial ruin of countless thousands of American citizens in the past quarter of a century, the utter hopeless indebtedness of other countless thousands of the present, the dire distress of the laboring classes during this period, and its inevitable fruitage of strife and bitterness and blood.

Abraham Lincoln once said that the greatest crime a government can commit against the people is to contract a public debt, and then by a system of currency contraction lessen their ability to pay the debt. This is precisely what our Government has done. Lincoln, it will be noticed, held that currency contraction does reduce the people's ability to pay.

That the contraction of the currency results in falling prices and shrinking values is universally held by political economists. John Stuart Mill said:

The value of money, other things being the same, varies inversely as its quantity, every increase of quantity lowering the value and every diminution raising it in a ratio exactly equivalent.

Ricardo has also said:

That commodities rise or fall in proportion to the increase or diminution of money I assume as a fact that is incontrovertible.

Hugh McCulloch, Secretary of the Treasury, in his report of 1867, on page 8, says:

Money being an unprofitable article to hold, very little is withheld from active use, and in proportion to its increase prices advance; on the other hand, a reduction of it reduces prices.

On page 9 of same report he says:

The excess or deficiency of money in a country is always pretty accurately indicated by the condition of its industry and trade. In all countries there is just as much money needed as will encourage enterprise, give employment to labor, and furnish the means for the ready exchange of property.

On page 10 he says:

The prices of most kinds of property in the United States advanced near

three fold during the war, but this advance was mainly the result of the increase of the circulating medium. \* \* \* The purchasing power of the money in circulation was diminished in the ratio that its volume was increased.

In a great speech in the Senate on January 14, 1891, the lamented Preston B. Plumb said:

Now, there has been something said about the dollar, and I am repeating what I said sometime ago to the effect that a dollar has been created by law dishonest, oppressive, and, having been created, we are now besought to maintain it, and to measure not only wheat and corn and oats and cattle but silver by it, when the fact is that the silver which the Senator speaks of as having depreciated, and the 412.5 grains of silver which he says is worth less than a dollar, will, as merchandise at its present merchandise value, exchange for more wheat and oats and cattle and hogs and clothing and land and all other things that people use in all quarters of the world than it ever would before.

Now which dollar is dishonest? the dollar which has maintained a parity with all other productions or the dollar which by the arts of legislation has been elevated above all other things and has thus become valuable beyond all other things and has become the thing in which the creditors of the world have sought and have secured to have measured the things that are coming to them? There, Mr. President, is the point of this controversy. I see no reason why a dollar should be so constituted by law as to buy more than it would, without the aid of the law, have done before, and for the law to do that thing is to do a dishonest thing against the men who produce other things than dollars.

In his reply to Mr. Cleveland, at the Lincoln banquet of the Ohio Republican League at Toledo, Ohio, February 12, 1891, William McKinley said:

The gentleman who is now so insistent for cheap necessities of life, while in office and clothed with authority, was unwilling that sugar, an article of prime necessity to every household, should come untaxed to the American people, when it was known that it was an annual burden upon them of \$60,000,000. He stood then as the uncompromising friend of dear sugar for the masses. During all his years at the head of the Government he was dishonoring one of our precious metals, one of our own great products. He endeavored even before his inauguration to office to stop the coinage of silver dollars, and afterwards and to the close of his Administration persistently used his power to that end.

He was determined to contract the circulating medium and demonetize one of the coins of commerce, limit the volume of money among the people, make money scarce and therefore dear. He would have increased the value of money and diminished the value of everything else—money the master; everything else its servant. He was not thinking of "the poor" then. He had left "their side." He was not "standing forth in their defense." Cheap costs, cheap labor, and dear money; the sponsor and promoter of those, professing to stand guard over the welfare of the poor and lowly! Was there ever more glaring inconsistency or reckless assumption?

I call special attention to the words, "He was determined to contract the circulating medium and demonetize one of the coins of commerce, limit the volume of money among the people, make money scarce and therefore dear. He would have increased the value of money and diminished the value of everything else—money the master, everything else its servant." This is the strongest possible support of my contention that the contraction of the currency increases the value of money and diminishes the value of everything else.

Mr. McKinley, who was in 1891 the friend of the debtor class, has at length become the friend of the creditor class. In his messages he has recommended the retirement of the Government paper currency, amounting in round numbers to \$346,000,000, through gold redemption, these notes to remain in the Treasury out of circulation except when paid out for gold. This would convert them into mere gold certificates, and would contract the currency by \$346,000,000. This scheme is not in the interest of the "plain people" because this contraction of the currency would still further diminish their debt-paying power. It would directly benefit the speculators and creditor class for the reason that they, and not the "plain people," would present the Treasury notes and secure the gold. In this way they hope to secure the gold of the country which, under pending Republican legislation, will be made the only legal-tender money, thus placing at their mercy all the people and their labor and products.

In his speech at the banquet of the Manufacturers' Association, in New York City, on January 27, 1893, President McKinley said:

Nothing should ever tempt us—nothing ever will tempt us—to scale down the sacred debt of the nation through a legal technicality. Whatever may be the language of the contract, the United States will discharge all of its obligations in the currency recognized as the best throughout the civilized world at the times of payment.

Here is a bold announcement of his purpose and the purpose of his party to violate a contract. Such a proposition by certain other people would be denounced as anarchy. Made by Mr. McKinley and indorsed by his party, it is the loftiest patriotism. I hold that every creditor, public or private, should be paid in the exact number of dollars and the exact kind of dollars defined in the contract. Not only that, but he should be paid in dollars possessing exactly the same purchasing power that dollars possessed when the contract was made. This is strict and eternal justice to both parties. To be paid in a less number of dollars or in dollars of less purchasing power would defraud the creditor of his just rights.

To exact from the debtor payment in more dollars than stipulated in the contract, or in dollars possessing greater purchasing power than when the debt was contracted, would be to rob the debtor. The honest dollar is not gold, silver, copper, or paper; it

is that dollar which through the years in public and private transactions maintains an unchanging purchasing power over the labor and products of the people and over all the property of the country. I therefore insist that the volume of money should be increased, to the end that its value or purchasing power may be diminished and the value of labor, products, and property may be increased, so that something like the old relation between them and money may be restored. This would be strict justice to the creditor and the debtor.

As a long step toward this happy condition, I urge that silver be restored to an equal position with gold in the coinage and legal-tender laws of the country. To prove that this would have the desired effect I cite the fact that Republican orators throughout the country during the campaign of 1896 rung the changes on the declaration that free coinage of silver would flood the country with cheap money, and that therefore the prices of all things to be purchased would be advanced. Wage-earners and pensioners were appealed to upon this point with tremendous emphasis. Advance in the prices of labor and its products was held up as a calamity to be avoided.

A year later, when under the influence of foreign crop failures the price of our wheat was doubled, these same Republican orators on the floor of Congress, on the lecture platform, and through the newspapers, pointed to these high prices as the evidence of restored prosperity, claiming them as the first fruits of the new tariff law. Admitting for a moment, what is not true, that the new tariff caused the advance in the price of wheat, how does it come that dollar wheat was prosperity in 1897, while dollar wheat would have been a calamity under free coinage of silver in 1896? Would not the one reduce the purchasing power of the wage and the pension as much as the other? I have already said that high prices produced "good times." During "good times" labor is employed at remunerative wages and the old soldiers do not need half the pensions they need during "hard times."

Instead of adopting the method proposed by the present Administration for destroying that bogymen "the endless chain," I would have the people elect to the Presidency a man who holds sacred existing law and contracts, and who would give the Treasury portfolio to a law-abiding man. Such a Secretary would pay coin, both gold and silver, in redemption of all outstanding obligations. This would double the amount of our redemption money, stimulate the silver industry in this country, largely remove the embargo now resting upon the white metal, deter the holders of greenbacks from demanding their redemption or from hoarding them for possible future raids upon the Treasury, and thus insure the increase of the money in actual circulation.

The most obstinate fight that is being made by the creditor class is against the existing ratio of 16 to 1. For this and other reasons I urge the perpetuation of this ratio.

The war debt was payable in the lawful money of the country. Ostensibly for the benefit of the public credit, but really to satisfy the greed of the debt holders, the so-called credit strengthening act was passed in 1869, making the debt payable in coin. The refunding act of July 14, 1870, providing for the refunding of the national debt, authorized the Secretary of the Treasury to issue bonds in the sum of about \$1,500,000,000, "redeemable in coin of the present standard value." Those bonds contained the following statement:

This bond is issued in accordance with the provisions of an act of Congress entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, amended by an act approved January 29, 1871, and is redeemable at the Treasury of the United States \* \* \* in coin of the standard value of the United States on said July 14, 1870.

At the time of the passage of this refunding act the standard coin of this country was a gold dollar of 25.8 grains of gold and a silver dollar of 412.5 grains of silver. Under this law we have issued all the bonds thus far put upon the market.

On April 21, 1877, John Sherman, then Secretary of the Treasury, addressed to his colleague in the Cabinet, Attorney-General Devens, the following inquiry:

Can I stipulate in the body of the 4 per cent bonds about to be issued that they shall be redeemable in coin of the present standard value; that is, the standard value at the date of their issue, or must it be the date of the law?

To this the Attorney-General replied:

The act provides for the issue of bonds "redeemable in coin of the present standard value." The word "present" undoubtedly refers as a matter of date to the time when the act was passed, and not to the time when the bonds were thereafter issued. It contemplated that a long period would elapse before it would finally be carried into effect, and that changes in the coinage of the country might occur during that period.

In January, 1878, the following resolution, introduced by Stanley Matthews, John Sherman's successor in the Senate, was adopted by overwhelming majorities in both Houses of Congress:

Be it resolved, \* \* \* That all the bonds of the United States issued or authorized to be issued under the said acts of Congress (credit-strengthening act of 1869 and the refunding act of 1870), hereinbefore recited, are payable, principal and interest, at the option of the Government of the United States, in silver dollars of the coinage of the United States, containing 412.5 grains each of

standard silver; and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith nor in derogation of the rights of the public creditor.

That this is now the law, that it determined the original contract between the bondholders and the people, and that under this law that contract is still binding, is evident from the fact that the pending bill, known as the Hill bill, which is the expression of the Republican party of to-day upon this question, contains the following explicit provision to repeal this law and make all bonds payable in gold:

That all obligations of the United States for the payment of money now existing or hereafter to be entered into shall, unless hereafter otherwise expressly stipulated, be deemed and held to be payable in gold coin of the United States, as defined in the standard aforesaid.

Thus in 1869 the bondholders gained an advantage over the people by securing through legislation the conversion of their bonds then payable in the lawful money of the country into coin bonds. They scored another advantage over the people in 1873 when they demonetized silver in the sense of closing the mints against it and of destroying its legal-tender quality except in sums of \$5 and less. The effect of this legislation, as could be shown by a long line of eminent Republican authority if time permitted, was to start silver on its career of diminishing bullion value. This furnished a basis for the demand for a change in the ratio.

The scarecrow of a "fifty-cent dollar" has been held up with telling effect upon thoughtless people. The proposition that if we are to coin silver we must put a hundred cents' worth of silver into the dollar has proven a successful bait with which to catch suckers. Might as well talk of putting a hundred cents' worth of paper into a paper dollar.

But this demand for an increase in the quantity of silver in the dollar has been urged, not because it would increase the debt-paying and purchasing power of that dollar in the ordinary affairs of life, but because it would change the ratio. It would define the quantity of silver in the dollar to be other than 412.5 grains, and thus take the silver dollar entirely out of the contract now existing between the bondholders and the people. It would make it impossible for any Secretary of the Treasury hereafter to pay the coin obligations of this Government in other than gold coin for the reason that there would be no silver dollars of 412.5 grains.

With silver fully restored and made equal with gold in our coinage and legal-tender laws at the existing ratio of 16 to 1, and with the paper currency of the country issued solely by the people under the constitutional provisions of the Government in such volume as may be required by the laboring, producing, and business interests of the country, without any regard for the wishes and schemes of speculators, this country will have taken a long stride toward permanent prosperity.

#### THE ABOLITION OF TRUSTS DEMANDED.

The great corporations and trusts of this country are organized for the purpose of monopolizing the volume of business, of reducing expenses, and of increasing the profits. Without going into detail, I will simply mention that probably the chief method by which they increase their revenues is their practice of watering stocks and then levying upon the people such tariffs as will secure sufficient money to pay handsome dividends on this fictitious capital. Under this system the people are paying exorbitant transportation rates, both passenger and freight, and also exorbitant prices for all articles placed upon the market by trusts. By such methods the wealth of the country is rapidly being concentrated in the hands of a few men. Should these gigantic concentrators of wealth be permitted to continue their operations, no matter how generally money might be diffused among the people by currency reform or by any other method, creating general prosperity, it will only be a question of time when this "life blood of commerce" will be congested to the centers, leaving the extremities in a state of paralysis.

The greatest of all trusts is the banking or money trust. This trust controls that which fixes the price on labor and property and products. In order to destroy this trust and give a deathblow to the whole brood of bloodsuckers, I would, in addition to reforms already suggested, establish Government postal savings banks. Under the present national banking system and under all the proposed reforms of that system by its friends its circulation is secured by the Government, making the holders of the notes of insolvent banks perfectly good. There is no provision, and so far as I know none proposed, by which the depositors in insolvent banks are secured. Millions of people have lost all or part of their possessions through their confidence in "the best banking system the world ever saw." Under the postal savings bank system every dollar will be good, as now, and every depositor will be absolutely secure.

On July 8, 1897, I had the honor to introduce a postal savings bank bill in this Congress. That bill provided, among other things, that 20 per cent of the people's deposits should constitute a reserve fund out of which deposits should be paid on demand,

and that 80 per cent should be turned into the Government Treasury and be used by the Government in paying its current expenses; and in the event that the deposits should ever be in excess of the expenditures, the surplus should be devoted to the liquidation of the public debt. Thus the money of the people, which, under the present banking system, is deposited in the banks and then loaned back to the people at high rates of interest, would be employed to defray the expenses of the people's Government, thereby relieving the people from the present heavy burdens of taxation. This the present bankers would oppose, for the reason that it would destroy a most fruitful source of their profits.

The bill also provides that certificates of deposits held by the people shall be endowed with the currency function, with suitable safeguards. Thus the man who deposits \$100 with the Government receives from the Government a certificate or token of credit to that amount. As this certificate or token of credit will be received at its face value on presentation at any postal-savings bank in the nation, it will readily pass current for debts, taxes, and in all the ordinary transactions of business.

If it be objected that the people should not be permitted to thus use their credits, I reply that under this system every dollar of credit thus used would be based upon a dollar of good money deposited with the Government. This is in pleasing contrast with the almost reckless use of credits by the national banks. The entire volume of money issued by national banks, or rather by the Government for the banks, is credit money. In other words, the banks are doing business on their credit. Their credit is still further employed in the use of checks and drafts. Besides this, they loan the people's deposits down almost, and too often quite, to the breaking point.

But why should it be thought a crime for the people to claim for their own use this proposed credit system, at once so secure and so beneficial to all their interests, since the reckless and speculative credit system now in vogue has been enjoyed for a quarter of a century by a few pampered pets of class legislation, resulting in the centralization of enormous wealth with the classes and the consequent impoverishment of the masses?

Confident of the integrity of my motives, sensible of my inability to adequately discuss these great questions, I have tried to show that the people have permitted the classes to gain control of this greatest Government on earth, and have indicated the method by which I believe the people should restore it to themselves and make it in fact what it now is in theory, "a Government of the people, by the people, and for the people."

I will yield back the balance of my time.

Mr. HEMENWAY. I yield to the gentleman from Ohio [Mr. GROSVENOR] forty minutes.

Mr. GROSVENOR. Mr. Speaker, I do not rise to deliver flippant commentaries upon any of the speeches that have been made on the other side of this House, nor do I come here to-day to challenge any man's honesty, loyalty, or faithfulness to duty.

During the last three or four days a series of attacks upon the Administration have been made here, based upon allegations of facts which I will attempt to show have no existence. I shall state exactly what I understand to be the position taken by gentlemen on the other side of the House, without more especially particularizing. I understand their position to have been this, and to be this now:

First, in point of time, that there was some sort of an alliance, as it was put by one gentleman, sought for and accepted by the United States with one Aguinaldo; that we took the benefit of his discharge of duty under the alliance, and then have been in some way unfaithful to him. Then, as was repeated by the gentleman who last but one addressed the House, that the Army of the United States has been used as an aggressive force to destroy the liberty of the people from whom we lifted the yoke of Spain.

In addition to that, charges have been repeatedly made that there has been a delay in the matter of a statement of policy by the United States, in one instance at least, for the purpose of selling the franchises in the Philippine Islands to speculators, in the friendship and interest of the dominant forces of the United States Government.

Furthermore, the claim is constantly made, made with endless iteration, that the President of the United States has been faulty, and lacking in duty because he has not announced, first to the Filipinos, as they are called, and secondly to the world at large and to his own people at home, a policy for the future disposition of the Philippine Islands.

I will attempt in the brief period which has been allotted to me to show, first, that there has not been one American shot fired aggressively against any Filipino. I will show beyond all cavil and dispute that there was never any alliance or any connection or any suggestion binding either in morals or in law between Aguinaldo or anybody else in the Philippine Islands and the United States Government, and I shall not be turned aside and I shall not belittle my opinion of the judgment of the House by talking about an alliance, a treaty made by a consul of the Government of the

United States, nor will anybody who has any respect for himself as a lawyer or an intelligent citizen do so.

Mr. COCHRAN of Missouri. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Missouri?

Mr. GROSVENOR. Well, if you will not use up my time, my friend.

Mr. COCHRAN of Missouri. Do you deny that an insurgent army, estimated variously at from 10,000 to 20,000—

Mr. GROSVENOR. Now, the gentleman has interrupted me to make a speech.

Mr. COCHRAN of Missouri. No; I want to ask a question.

Mr. GROSVENOR. I will not be interrupted by the gentleman from Missouri in that way. I most respectfully attempted to ask him a question the other day and he brushed me aside with absolute contempt.

Mr. COCHRAN of Missouri. That was in a brief debate, it was not when I was making an elaborate effort.

Mr. GROSVENOR. I will talk about the gentleman's army. I think it is a good deal like the size of another army which was about 250 until \$3,000,000 was sent, and now I think it is about 30,000. You can fool nobody, my friend, with that sort of talk.

I will undertake to show that there was never any alliance, and further than that I will show by the official records which I have here in my hand—I will not make the statement that there is such a thing, but I will give the records to the country—that not only was there never any alliance or combination or obligations sought or entered into or accepted with Aguinaldo, but that upon each attempt and solicitation that he made he was ruthlessly driven out of the court by the proclamation of the President and the orders of the men executing his commands.

Mr. COCHRAN of Missouri. Was not that after Manila surrendered?

Mr. GROSVENOR. After Manila, no; long before Manila surrendered. I am going to give my friend a little history this evening.

Mr. FITZGERALD. After Dewey's victory?

Mr. SETTLE. After the 1st of May?

Mr. GROSVENOR. Why, my friend, it could not have been before. The President of the United States did not know the exact spot where the fleet of the Spaniards was until he got word of its destruction.

Mr. SETTLE. It was after the 1st of May.

Mr. FITZGERALD. Those men assisted Dewey in the consummation of that victory.

Mr. GROSVENOR. Now, let us go on and take these things in their order, and see how completely and perfectly this structure will rise from the foundation which I have laid, until it will be absolutely unassailable in its completion.

The attack upon the Spanish fleet was made on the morning of the 1st day of May. In a very few hours that fleet was destroyed. Somewhere in the neighborhood of the 7th to the 9th of May full information had been received by the President and the Navy Department of that victory of Dewey's in Manila Harbor.

At that time Aguinaldo was at some British possession, having taken refuge from the troubles that had surrounded him, and nobody in the United States had ever heard that there was such a man until after the destruction of the fleet. The President of the United States sent a letter of congratulation dated at Washington, May 26, 1898. At that time Aguinaldo was down somewhere in a British possession. He made his escape from there by virtue of an accommodation extended to him by an American consul upon the dispatch boat McCulloch, and arrived at Manila about the 19th day of June.

Mr. VANDIVER. I do not desire to interrupt the gentleman. Did he not come by invitation of Dewey?

Mr. GROSVENOR. No more, my friend, than you did.

Mr. VANDIVER. Did not Dewey send a dispatch requesting him to come?

Mr. GROSVENOR. A request was sent to Dewey to let him come, and Dewey said "let him come."

This was the first order signed by the President of the United States in any wise affecting the situation at Manila:

WASHINGTON, May 26, 1898.

DEWEY (Care of American Consul),  
Hongkong:

You must exercise discretion most fully in all matters, and be governed according to circumstances which you know and we can not know. You have our confidence entirely. It is desirable, as far as possible, and consistent for your success and safety, not to have political alliances with the insurgents or any faction in the islands that would incur liability to maintain their cause in the future.

LONG.

Mr. GAINES. What date was that?

Mr. GROSVENOR. Let me go on. I will not be disturbed by the ringing voice of the gentleman from Tennessee.

In order that there may be no mistake about this, now comes a

telegram from a gentleman, whom, I think, probably, after the demonstrations that have been made in this House will at least be regarded as a man telling the truth, and not lying officially:

HONGKONG, June 6, 1898 (from Cavite, June 5).

Now, the President's telegram was dated May 26. He answered it June 3.

SECRETARY OF NAVY, Washington:

Receipt of telegram of May 26 is acknowledged, and I thank the Department for the expression of confidence. Have acted according to the spirit of Department's instructions therein from beginning, and I have entered into no alliance with the insurgents or with any faction. This squadron can reduce the defenses of Manila at any moment, but it is considered useless until the arrival of sufficient United States forces to retain possession.

DEWEY.

[Loud applause.]

Now we have got to the 3d day of June, and we have the first order of the President forbidding any alliance, and the declaration of Dewey that up to that time he had formed no alliance. Now let us go forward. There has been a great deal said here about some consul having in some way or other entered into a conspiracy or alliance, or something of that sort. Now, I am not going to stand alone upon that which I might well stand upon. I know the attempt at this late date to prove an alliance through any action of a United States consul would not receive the consideration of any intelligent man for one moment, and I do not need to stand upon that.

I hold in my hand the official dispatches from Williams, from Wildman, and from Pratt. I can not read the whole of it; there is very much said here about the rumors that have reached in various directions in regard to the matter. I find this, dated the 15th day of June, following immediately Williams's dispatch to Mr. Day:

At a conference with General Aguinaldo, the head of the movement, I was told that they had now above 4,500 Mauser rifles taken from the Spaniards, and had also abundant ammunition.

Now, that answers the whole of this story we have heard about their having furnished Aguinaldo with arms.

Mr. COCHRAN of Missouri. Do you say that Dewey did not furnish them with arms?

Mr. GROSVENOR. No; they took arms. I admit that he permitted him—he being on the shore and Dewey being on board of ship, there being no forces of the country there—he permitted him to take from the Spanish arms in the arsenal at Cavite a certain number of guns and amount of ammunition.

Mr. COCHRAN of Missouri. These had been captured by our Government.

Mr. GROSVENOR. No, they had not. They never had put a foot on shore. There is the trouble my friend is laboring under. We never sent one armed man on shore until long after this.

Now, on the 16th day of June, from Williams to Day.

For future advantage, I am maintaining cordial relations with General Aguinaldo, having stipulated submissiveness to our forces when treating for their return here.

There is the utmost Williams has said up to that date, that he was keeping himself in touch, he, Aguinaldo, promising to become submissive to the power of the United States Government.

Mr. COCHRAN of Missouri. Was not that placing his arms at the disposal of the United States?

Mr. GROSVENOR. Now, do not interrupt me; I did not interrupt you. On the 4th day of August reports had permeated this country that something had been done through some American consul looking to an agreement between these parties, and the Secretary of State sent this:

I have to acknowledge the receipt of your special dispatch of 16th of June, which I have just read, a copy of which has been sent to the Secretary of War and the Navy. Your course, while maintaining amicable relations with the insurgents in abstaining from any of the so-called provisional governments, is approved.

We have come to the 4th of August with an absolute prohibition up to that date to have anything to do with Aguinaldo so far as to make any agreement or stipulation with him.

Mr. GAINES. Does not the gentleman know—

Mr. GROSVENOR. Why does the gentleman from Tennessee want to puncture my speech? He gets into the RECORD often enough as it is, and that is about the only way he ever does get in. [Laughter.]

Now, Mr. Secretary Day, on the 15th of December, sends the following.

Directly I shall go back and read telegrams covering a great deal more. This is directed to Mr. Wildman:

I have to acknowledge the receipt of your dispatch of November 3, in which you announce the arrival of Agoncillo—

That is the recent late departed who was torn away from the embraces that he was enjoying here with the Aguinaldo party in this country, and who fled away to Canada some time during the night and later on went out of the country where he understood he was an enemy of the country and was liable to arrest and

imprisonment and to be shot for the perpetration of crimes against this Government.

Whom you describe as a foreign agent and high commissioner of the new republic of the Philippines, and who holds full power to negotiate and conclude treaties with foreign powers. Agoncillo offers an alliance.

Recollect he is offering an alliance here on the 15th of December. My friends have been thinking that there was an alliance formed with him way back in June or May—they didn't know when—but here, on the 15th of November, Agoncillo is representing himself, just as he represented and held out and was embraced here in the city of Washington—representing that he had power to make treaties for an alliance, and he goes on to tell what he can do.

You may briefly advise Mr. Agoncillo, in case he should call upon you, that the Government of the United States does not negotiate such treaties, and it is not possible to forward the desired arms and ammunition.

There we have him up to the 15th of December. Bluffed out three or four times, he is attempting to get into some sort of an alliance under which he could pretend what is now being claimed on this floor.

I come forward now to a series of papers, dated the 14th of May, by all the leading officials of the Filipinos—and their names I will give in full in my remarks—each one of which gives the character of his relation to the Filipino people, each one of which surrenders and begs that Dewey, through the President, shall come and take possession of the government, which they are ready to yield to the people of the United States.

MR. WILDMAN TO MR. DAY.

No. 42.]

CONSULATE OF THE UNITED STATES,  
Hongkong, May 6, 1898.

SIR: Supplementary to my cable of this date, I have the honor to inclose, by request, statement of Don Dorotes Cortes, Don Maximo Cortes, and Dona Eustaquia, wife of Don Maximo; also like statement of Arcadio Rosario, Graciano Gonzaga, and Don Jose Maria Basa, all very wealthy landholders, bankers, and advocates, of Manila.

They desire to tender their allegiance and the allegiance of their powerful families in Manila to the United States. They have instructed all their connections to render every aid to our forces in Manila.

The letters to the President, inclosed, explain themselves.

I have the honor to be, etc.,

ROUNSEVILLE WILDMAN, Consul.

MR. CRIDLER TO MR. WILDMAN.

No. 42.]

JUNE 16, 1898.

SIR: The Department has received your dispatch No. 42, of the 6th ultimo, reporting that a number of influential families of Manila desire to tender their allegiance to the United States.

In reply I have to inform you that a copy has been sent to the War Department with the suggestion that the information be conveyed to General Merritt.

Respectfully, yours,

THOS. W. CRIDLER,  
Third Assistant Secretary.

MR. WILDMAN TO MR. DAY.

No. 43.]

CONSULATE OF THE UNITED STATES,  
Hongkong, May 14, 1898.

SIR: I have the honor to inclose, by request, the statements of Severino Rotea, Claudio Lopez, A. H. Marti, and Eugenia Ploua, all wealthy and prominent landholders of the Philippine Islands.

They desire to submit their allegiance and the allegiance of their families in the Philippine Islands to the United States.

The letters to the President inclosed explain themselves.

I have the honor to be, etc.,

ROUNSEVILLE WILDMAN,  
Consul.

To the President of the United States of North America:

Severino Rotea and Lopes, proprietor and farmer, native of Negros Oriental (Visayas), Philippine Islands, with great consideration exposes:

Having known the history and constitution of the noblest liberal and rightful nation of the United States, he willingly adheres to the Government in annexing his country, and it will be for him a great honor to be joined it as soon as an additional star to the victorious flag of the United States of America and considered him as one of its citizens.

Hongkong, May 11, 1898.

SEVERINO ROTEA.

To the President of the United States of America:

Claudio Lopez, merchant and proprietor and vice-consul of Portugal at Iloilo, native of the Philippine Islands, emigrant to this colony of Hongkong for political causes, exposes with great consideration:

Having known the history and constitution of the noblest liberal and rightful nation of the United States of America, he for the present adheres to the Government in annexing his country, and considers that it will be for him a great honor to join his country as an additional star to the always victorious flag of the United States of America and to count him as one of its citizens.

Hongkong, 9th May, 1898.

CLAUDIO LOPEZ.

To the President of the United States of America:

We, the subscribers, natives of the Philippine Islands, emigrants to this colony for political causes, with great consideration expose:

Having known the history and the Constitution of the noble, liberal, and rightful nation of the United States of America, for the present, they adhere to the Government, considering that it will be for them a great honor to join

their country as an additional star to the always victorious flag of the United States of America and considered them as its citizens.

A. H. MARTI.

To the President of the United States of North America:

Eugenio Plona and Padilio, proprietor and farmer, native of Negros Occidental (Visayas), Philippine Islands, and emigrant to this colony for political causes, with great consideration, exposes:

Having known the history and Constitution of the noblest, liberal, and rightful nation of the United States, he willingly adheres to the Government in annexing his country, and it will be for him a great honor to be joined it as an additional star to the always victorious flag of the United States of North America, and considered him as one of its citizens.  
Hongkong, May 10, 1898.

EUGENIA PLONA.

And but for the rebellion put on foot by Aguinaldo we should have peace ever since.

Now, let me show, gentlemen, what there is in this claim that some consul has done something. Our State Department heard as early as August rumors of that character, and the Secretary, through Mr. Moore, the assistant, wrote Mr. Wildman as follows:

If you wrote Aguinaldo as reported by the Hongkong correspondent of the Daily Mail, your action is disapproved, and you are forbidden to make pledges or discuss policy.

Mr. SETTLE. Was that communicated to the insurgents?

Mr. GROSVENOR. I did not carry it. Undoubtedly it was at once communicated to the insurgents. Later on here comes the answer from Wildman, who stands as the substructure of this whole assault on this floor. He now says that he recognized that the Department has heard something about him, and here is his answer:

August 8.—Never made pledges or discussed policy of America with Aguinaldo further than to try and hold him to promises made before Dewey took him to Cavite, believing it my duty, it being understood that my influence is good. If report contrary, disavow it.

WILDMAN.

Mr. SETTLE. What is the date of that?

Mr. GROSVENOR. August 8.

Mr. SETTLE. I desire to call attention to the printed document, Messages of the President of the United States, containing the treaty, etc.

Mr. GROSVENOR. I have it right here.

Mr. SETTLE. To page 328, in a letter from Williams to Day, as follows:

MR. WILLIAMS TO MR. DAY.

U. S. S. BALTIMORE,  
CONSULATE OF THE UNITED STATES,  
MANILA BAY, OFF CAVITE,  
Manila, Philippine Islands, May 24, 1898.

SIR: I have the honor to report successful efforts on the part of the insurgents of these islands in preparation for more successful war against Spain. Officers have visited me during the darkness of night to inform the fleet and me of their operations, and to report increase of strength.

At a conference with General Aguinaldo, the head of the movement, I was told that they had now above 4,500 Mauser rifles taken from the Spaniards, and had also abundant ammunition. Until the present they have been fatally crippled in these respects.

Last week Major Gonzales captured two buffalo-cart loads of rifle ammunition from the Spaniards. To-day I executed a power of attorney whereby General Aguinaldo releases to his attorneys in fact \$400,000, now in bank in Hongkong, so that money therefrom can pay for 3,000 stands of arms bought there and expected here to-morrow.

The same sources informed me that about 37,000 insurgents stand ready to aid United States forces, and General Aguinaldo's headquarters were this a. m. at 7 o'clock surrounded by 500 to 1,000 men eager to enlist. I was there at that hour and saw the men.

My relations with all are cordial, and I manage to keep them so pro bono publico.

When General Merritt arrives he will find large auxiliary land forces adapted to his service and used to this climate.

I am, sir,

OSCAR F. WILLIAMS,  
United States Consul.

Now, while a consul may not make a treaty, does not the gentleman see the force of the situation when he communicates those facts to the Secretary of State and puts this Government in possession of them?

Mr. GROSVENOR. Yes; and you will find that the Secretary of State at once repudiates the whole business.

Mr. SETTLE. But not for the insurgents themselves.

Mr. GAINES. Let me ask—

Mr. GROSVENOR. I decline to be interrupted.

Mr. GAINES. You interrupted me the other day.

Mr. GROSVENOR. Can the gentleman understand my language when I say I decline to be interrupted?

Mr. GAINES. The gentleman has repeatedly interrupted me.

Mr. GROSVENOR. My friend must see that I can not permit him to use up my time. It is not fair.

Mr. GAINES. And you must not use up my time in the future.

Mr. GROSVENOR. Well, I do not want to.

Mr. GAINES. You have done it heretofore.

The SPEAKER. The Chair desires to say that when one gentleman has the floor another gentleman has no right to interrupt him without his consent first had and obtained. The Chair hopes that gentlemen will pay attention to this rule, as the gentleman from Ohio has expressly desired not to be interrupted.

Mr. GROSVENOR. I was perfectly willing that the gentleman

from Kentucky should point out the coincidence that fits into my remarks, but for half a dozen gentlemen to interpose when another is occupying the floor—everybody knows that no man living can bear that sort of interruption and do himself justice.

Now, following immediately upon that, I will point out to the gentleman that on the 15th day of August—bear in mind this long letter from which the gentleman has read an extract—

Mr. SETTLE. A short one.

Mr. GROSVENOR. No, sir, quite a long letter. It came by mail, as appears, and was dated the 24th of May. It probably did not reach this country much before August.

Mr. SETTLE. And during all the intervening time the insurgents were acting.

Mr. GROSVENOR. Not at all. I will show you what they were doing.

Now after a while, on the 15th of August, came this dispatch from Wildman:

The Spanish consul received dispatch Sunday ordering the surrender of Manila.

That shows Manila had not surrendered, as the gentleman from New York intimated.

Shall I offer to deliver personally and save more delay? Believe can be of service to Dewey, should Aguinaldo make trouble.

WILDMAN.

This telegram from Wildman was thus answered by the Secretary:

Spanish consul should deliver dispatch in his own way. Take no action respecting Aguinaldo without specific directions from this Department.

That put an end to the interference of Wildman.

Now it is said that one Platt, at Singapore, was the agent that procured in some way the transmission of this man over to Manila; and he sends his dispatches. And as soon as they reach here, there comes the answer of the Government to Mr. Platt.

Mr. SETTLE. I would like to ask one more question.

Mr. GROSVENOR. Very well, I yield.

Mr. SETTLE. Waiving all this question of technical alliances and the action of this Government, I want to ask this question: What inducement could there have been for these insurgents to render the aid they did?

Mr. GROSVENOR. Now I have the gentleman's whole meaning.

Mr. SETTLE. What were they doing it for?

Mr. GROSVENOR. How easy it is to answer that question!

Mr. SETTLE. Well, go on and answer it.

Mr. GROSVENOR. They had been crushed for hundreds of years under the criminal domination of Spain; and as soon as the United States got into war with Spain they went to war with Spain themselves. Nobody doubts that they were carrying on a war of their own. They were investing Manila; they were doing whatever they could with this "Lafayette" of my friend's over here running away from them.

Mr. SETTLE. They were doing whatever they could to carry out the purposes for which they had inaugurated their war.

Mr. GROSVENOR. They were doing it to get their freedom.

Mr. SETTLE. That is right.

Mr. GROSVENOR. Which, as I will show you directly, they have more fully obtained than they ever hoped.

Mr. SETTLE. They must be the judges of that.

Mr. GROSVENOR. Not at all, under these circumstances.

Mr. SETTLE. Ah!

Mr. GROSVENOR. At this point it may be well to say that while it can not be denied the Filipinos were engaged in war for their own liberation from Spanish dominion, yet they could not intervene as between the United States and Spain and wrest aside the inevitable consequences of war. They were under the sovereignty of Spain when the war began, and when, by the protocol of August 12th, war with Spain ceased for the time being, the possession of the city of Manila was given to the United States, the Filipinos were transferred to the United States in so far as the cession by Spain could transfer the inhabitants of a country over which Spain had held dominion and sovereignty, and it would have been fruitless and suicidal upon the part of our Government to have turned over to a conscienceless, unorganized rabble the government of a city of 350,000 people simply because, under the inspiration of our war with Spain, they had begun a rebellion against the constituted authorities. So the legal status is simple; the United States acquired the right of possession to Manila and took upon itself the obligation to protect the persons and property of all the inhabitants thereof, foreign and domestic, and hence could not surrender its sovereignty, or any part of it, to Aguinaldo or anybody else.

Now it is said that Pratt made some arrangement and sent on under date of June an article from the London Spectator, which was reproduced in the Singapore Free Press, etc., and as soon as the State Department got hold of it they sent him word—

Your dispatch 212 received and answered. Avoid unauthorized negotiation with Philippine insurgents.

If in the course of your conference with General Aguinaldo you acted upon the assumption that this Government would cooperate with him for the furtherance of any plan of his own, or that in accepting his cooperation it would consider itself pledged to recognize any political claim which he may put forward, your action was unauthorized and can not be approved.

WILLIAM R. DAY.

It is being urged that Admiral Dewey solicited the presence of Aguinaldo at Manila. The fact about it is that Mr. Pratt, an overofficial consul-general of the United States located at Singapore, a British possession, telegraphed the State Department at Washington on the 27th of April as follows:

General Aguinaldo gone my instance Hongkong arrange with Dewey cooperation insurgents Manila.

And the whole outfit that the gentlemen have fastened upon with so much avidity is included with the following telegram sent to the consul-general at Hongkong:

Aguinaldo, insurgent leader, here. Will come Hongkong arrange with Commodore for general cooperation insurgents Manila if desired. Telegraph.

PRATT.

The Commodore's reply reading thus:

Tell Aguinaldo come soon as possible.

DEWEY.

I consider and I believe all fair men will consider that these communications between Pratt and the Hongkong consulate and Aguinaldo were unauthorized and absolutely void, for it can not be supposed for a minute that Aguinaldo was ignorant of the powerless character of the office held by Pratt to so negotiate. These negotiations took place in the early days of May, and indeed the first dispatch to which I have referred was dated April 27, before the fall of Manila, but it was a solicitation upon the part of Pratt, acting as the representative of Aguinaldo, that Aguinaldo might be permitted to go to Manila, and doubtless Dewey, acting as any other man under like circumstances would act, was willing to see Aguinaldo and learn from him the purpose and intent of that body of insurgents to which he nominally belonged.

And now, right here, Mr. Speaker, I beg the gentlemen to be frank. A hundred times, a thousand times during our civil war prominent men of the South were invited to visit our camps and talk with the commanders with regard to the situation in the country. Hundreds of men were invited to our camps and to the camps of the enemy to give such information as amounted to the report of spies. Every available source of information is justly operated by a commander under these circumstances. But lest there should be any doubt about it, on the 16th of June Secretary Day flatly repudiated every act, and while Mr. Pratt seems to have squirmed under it, he denies having made any negotiations, for on the 19th of June he telegraphs:

SECRETARY OF STATE,  
Washington:

No intention negotiate. Left that Dewey who desired Aguinaldo come.

PRATT.

When Aguinaldo got to Manila he very soon learned what his relation was to be, and Mr. Pratt, under date of June 21, notifies the Department that Aguinaldo would have returned to Manila in any event.

On the 25th of June the Department of State said to Mr. Pratt:

I have to inform you that the Department is pleased to learn that you did not make any political pledges to Aguinaldo.

Then on the 20th of July, "to make assurance doubly sure," the Secretary of State telegraphed to Pratt:

Your address does not repel this implication, and it moreover represents that General Aguinaldo was "sought out by you," whereas it had been the understanding of the Department that you received him only upon the request of a British subject named Bray, who formerly lived in the Philippines. Your further reference to General Aguinaldo as "the man for the occasion," and to your "bringing about" the "arrangement" between "General Aguinaldo and Admiral Dewey which has resulted so happily," also represents the matter in a light which causes apprehension lest your action may have laid the ground of future misunderstandings and complications.

For these reasons the Department has not caused the article to be given to the press, lest it might seem thereby to lend a sanction to views the expression of which it had not authorized.

Respectfully, yours,

WILLIAM R. DAY.

Then comes Mr. Pratt under date of July 23:

I have carefully considered your observations upon my action in this matter and beg to repeat what I have stated in my later dispatches on the same subject, that I declined even to discuss with General Aguinaldo the question of the future policy of the United States with regard to the Philippines, that I held out no hopes to him of any kind, committed the Government in no way whatever, and, in the course of our confidences, never acted upon the assumption that the Government would cooperate with him—General Aguinaldo—for the furtherance of any plan of his own, nor that, in accepting his said cooperation, it would consider itself pledged to recognize any political claims which he might put forward.

I have the honor, etc.,

E. SPENCER PRATT,  
United States Consul-General.

And in this connection it may be stated with propriety that the services of Mr. Pratt were thereupon dispensed with, and he is no longer negotiating treaties of peace and alliance for the United States Government; at least that is the information which comes to me. And, Mr. Speaker, I defy any gentleman to find any-

where in any of these publications the utterance of the head of the Government of the United States that is a repudiation of the statement that we had no connection of any kind whatever with these people, excepting in the way that I have spoken of.

Mr. SETTLE. Does the gentleman think the Government had no intention of the annexation of the islands and the control of the people at the time that our troops were landed on their shores?

Mr. GROSVENOR. I have stated that we were not—

Mr. SETTLE (continuing). Then why object to them as allies, as the gentleman has been objecting?

Mr. GROSVENOR. Because, as the President says, we did not want to get mixed up with them.

Mr. SETTLE. But he accepted their services.

Mr. GROSVENOR. No, sir; he did not accept their services. I deny it. The first thing that the soldiers of the American army did, when they landed there, was to exclude them from the town and prevent them from the opportunity which they desired of pillaging and looting the property of the people. That was all that was done.

Mr. BARTLETT. Will the gentleman allow me an interruption just there?

Mr. GROSVENOR (continuing). We did it in Cuba.

Mr. SETTLE. And we did it in the Philippines, too. We gave these people precisely the same assurances, and we accepted their services.

Mr. GROSVENOR. I deny that, emphatically. The gentleman has not listened to my remarks. I deny that from the very first moment that this proclamation was issued up to the present time there was anything to justify the impression that we regarded these people as our allies in this controversy. I deny that anything was done, excepting, as I have said, under the guns of the American army, to drive them beyond the confines of the city, to keep them from doing damage, to keep them from murdering, destroying and pillaging the property of the people, and under no possible condition or circumstances could they have been considered in the light in which the gentleman places them.

Mr. BARTLETT. Now, will the gentleman allow me to refer to a record that I find in this document, submitted to the Senate by the President, in answer to that suggestion?

Mr. GROSVENOR. I will yield to the gentleman for a moment.

Mr. WILLIAMS of Mississippi. They agreed to respect our orders, at all events.

Mr. COCHRAN of Missouri. Unquestionably.

Mr. GROSVENOR (interrupting). Oh, Mr. Speaker, if I tell a man to get out of my house or I will kick him out, and he goes, that is certainly no treaty of peace between us. [Laughter and applause.]

Mr. BARTLETT. If the gentleman from Ohio will permit me, I will refer the gentleman to the information furnished by the President to the Senate, to be found on page 390 of the very document from which he has been reading. A letter from General Anderson to Aguinaldo, the commander of the insurgent forces in the Philippine Islands, and dated July 4, 1898, in which he addressed Aguinaldo as the "commander of the Philippine forces," and in which he says, among other things:

For these reasons I desire to have the most amicable relations with you and to have you and your people cooperate with us in military operations against the Spanish forces.

Now, how does the gentleman explain his present contention, in view of that statement?

Mr. GROSVENOR. Mr. Speaker, the suggestion that the gentleman from Georgia has made in reference to this letter I have in mind. It was my intention to publish the letter in full. It does not at all meet the point that I am making. I will put the entire letter in the RECORD, and the gentleman can see for himself, in connection with what I am saying, how little relevancy it has to the course of my argument:

HEADQUARTERS FIRST BRIGADE,  
UNITED STATES EXPEDITIONARY FORCES,  
Cavite Arsenal, Philippine Islands, July 4, 1898.

SEÑOR DON EMILIO AGUINALDO,  
Commanding Philippine Forces, Cavite, Luzon.

GENERAL: I have the honor to inform you that the United States of America, whose land forces I have the honor to command in this vicinity, being at war with the Kingdom of Spain, has entire sympathy and most friendly sentiments for the native people of the Philippine Islands.

For these reasons I desire to have the most amicable relations with you, and to have you and your people cooperate with us in military operations against the Spanish forces.

In our operations it has become necessary for us to occupy the town of Cavite as a base of operations. In doing this, I do not wish to interfere with your residence here and the exercise by yourself and other native citizens of all functions and privileges not inconsistent with military rule.

I would be pleased to be informed at once of any misconduct of soldiers under my command, as it is the intention of my Government to maintain order, and to treat all citizens with justice, courtesy, and kindness.

I have therefore the honor to ask your excellency to instruct your officials not to interfere with my officers in the performance of their duties and not to assume that they can not visit Cavite without permission.

Assuring you again of my most friendly sentiment and distinguished consideration, I am, with all respect,

THOMAS M. ANDERSON,  
Brigadier-General, U. S. Volunteers, Commanding.

Here is the letter of Aguinaldo:

Brig. Gen. THOMAS M. ANDERSON,  
Commanding the United States Volunteers.

GENERAL: Interpreting the sentiments of the Philippine people, I have the honor to express to your excellency my most profound gratefulness for the sympathy and amicable sentiments which the natives of these islands inspire the great North American nation and your excellency. I also thank most profoundly your desire of having friendly relations with us and of treating us with justice, courtesy, and kindness, which is also our constant wish to prove the same, and special satisfaction whenever occasion represents.

I have already ordered my people not to interfere in the least with your officers and men, orders which I shall reiterate to prevent their being unfulfilled, hoping that you will inform me of whatever misconduct that may be done by those in my command, so as to reprimand them and correspond with your wishes.

I beg of your excellency to accept in return the assurance of my most respectfully consideration.

I remain, respectfully,

EMILIO AGUINALDO.

And here is the further letter of General Anderson:

HEADQUARTERS FIRST BRIGADE,  
UNITED STATES EXPEDITIONARY FORCES,  
Cavite Arsenal, Philippine Islands, July 6, 1898.

Señor Don EMILIO AGUINALDO Y FAM, Y,  
Commanding Philippine Forces.

GENERAL: I am encouraged by the friendly sentiments expressed by your excellency in your welcome letter received on the 5th instant to endeavor to come to a definite understanding, which I hope will be advantageous to both.

Very soon we expect a large addition to our forces, and it must be apparent to you as a military officer that we will require much more room to camp our soldiers, and also storeroom for our supplies. For this I would like to have your excellency's advice and cooperation, as you are best acquainted with the resources of this country.

It must be apparent to you that we do not intend to remain here inactive, but to move promptly against our common enemy; but for a short time we must organize and land supplies and also retain a place for storing them near our fleet and transports.

I am solicitous to avoid any conflict of authority which may result from having two sets of military officers exercising command in the same place.

I am also anxious to avoid sickness by taking sanitary precautions. Your own medical officers have been making voluntary inspections with mine and fear epidemic disease if the vicinity is not made clean. Would it not be well to have prisoners work to this end under the advice of the surgeons?

I again renew my assurances of distinguished consideration.

I am, with great respect,

THOMAS M. ANDERSON,  
Brigadier-General, U. S. Volunteers, Commanding.

We now discover the fact that on these dates the military forces of the United States had arrived and were landed. Up to that time there had been no intention of a general occupation or interference with affairs in the Philippine Islands so far as appears from the correspondence and orders; it was simply a question of war. But then there did come to the President for the first time knowledge that Aguinaldo was desiring a general occupation. Here is a telegram sent to the Adjutant-General, which explains the whole matter:

ADJUTANT-GENERAL'S OFFICE,  
Cavite, August 13, 1898. (Received August 17, 1898.)

Send the following telegram to the Adjutant-General:

"Since occupation of the town and suburbs the insurgents on outside are pressing demand for joint occupation of the city. Situation difficult. Inform me at once how far I shall proceed in forcing obedience in this matter and others that may arise. Is Government willing to use all means to make the natives submit to the authority of the United States?"

"MERRITT.  
"DEWEY."

To which the President replied as follows:

ADJUTANT-GENERAL'S OFFICE,  
Washington, August 17, 1898.

Maj. Gen. MERRITT, Manila, Philippines:

The President directs that there must be no joint occupation with the insurgents. The United States in the possession of Manila City, Manila Bay, and harbor must preserve the peace and protect persons and property within the territory occupied by their military and naval forces. The insurgents and all others must recognize the military occupation and authority of the United States and the cessation of hostilities proclaimed by the President. Use whatever means in your judgment are necessary to this end. All law-abiding people must be treated alike.

By order Secretary War:

H. C. CORBIN,  
Adjutant-General.

Here then appears the solution of the whole controversy between myself and my friends here. General Anderson was about to land his forces upon an unknown shore to strike the Spanish military forces the final blow; and anxious to ascertain the conditions of the country, proper location for his camps, the necessary steps for the promotion of the health of his soldiers, he invites cooperation with Aguinaldo, who still stood in the same relation that I have already described, an insurgent fighting the Spanish.

How much of compromise or obligation grew out of the mere fact that Anderson was willing to utilize, even in the direction of cooperation, a force that he found in the field; how does that project itself forward into the future of those islands?

Then came the next trouble, and then followed the proclamation of the President of the United States, which I will put in in full:

WAR DEPARTMENT, Washington, May 23, 1898.

Maj. Gen. WESLEY MERRITT, U. S. Army,  
Commanding Army of Occupation to the Philippines, Washington, D. C.  
GENERAL: The following instructions of the President are communicated to you for your information and guidance:

EXECUTIVE MANSION, Washington, May 19, 1898.

TO THE SECRETARY OF WAR.

SIR: The destruction of the Spanish fleet at Manila, followed by the taking of the naval station at Cavite, the paroling of the garrisons, and acquisition of the control of the bay, have rendered it necessary, in the further prosecution of the measures adopted by this Government for the purpose of bringing about an honorable and durable peace with Spain, to send an army of occupation to the Philippines for the twofold purpose of completing the reduction of the Spanish power in that quarter and of giving order and security to the islands while in the possession of the United States. For the command of this expedition I have designated Maj. Gen. Wesley Merritt, and it now becomes my duty to give instructions as to the manner in which the movement shall be conducted.

The first effect of the military occupation of the enemy's territory is the severance of the former political relations of the inhabitants and the establishment of a new political power. Under this changed condition of things the inhabitants, so long as they perform their duties, are entitled to security in their persons and property and in all their private rights and relations. It is my desire that the people of the Philippines should be acquainted with the purpose of the United States to discharge to the fullest extent its obligations in this regard.

It will therefore be the duty of the commander of the expedition, immediately upon his arrival in the islands, to publish a proclamation declaring that we come, not to make war upon the people of the Philippines nor upon any party or faction among them, but to protect them in their homes, in their employments, and in their personal and religious rights. All persons who, either by active aid or by honest submission, cooperate with the United States in its efforts to give effect to this beneficent purpose will receive the reward of its support and protection. Our occupation should be as free from severity as possible.

Though the powers of the military occupant are absolute and supreme and immediately operate upon the political condition of the inhabitants, the municipal laws of the conquered territory, such as affect private rights of persons and property and provide for the punishment of crime, are considered as continuing in force, so far as they are compatible with the new order of things, until they are suspended or superseded by the occupying belligerent; and in practice they are not usually abrogated, but are allowed to remain in force and to be administered by the ordinary tribunals substantially as they were before the occupation.

This enlightened practice is so far as possible to be adhered to on the present occasion. The judges and the other officials connected with the administration of justice may, if they accept the authority of the United States, continue to administer the ordinary law of the land as between man and man under the supervision of the American commander in chief. The native constabulary will as far as may be practicable be preserved. The freedom of the people to pursue their accustomed occupations will be abridged only when it may be necessary to do so.

While the rule of conduct of the American commander in chief will be such as has just been defined, it will be his duty to adopt measures of a different kind if, unfortunately, the course of the people should render such measures indispensable to the maintenance of law and order. He will then possess the power to replace or expel the native officials in part or altogether, to substitute new courts of his own constitution for those that now exist, or to create such or supplementary tribunals as may be necessary. In the exercise of these high powers the commander must be guided by his judgment and his experience and a high sense of justice.

One of the most important and most practical problems with which the commander of the expedition will have to deal is that of the treatment of property and collection and administration of the revenues. It is conceded that all public funds and securities belonging to the government of the country in its own right, and all arms and supplies and other movable property of such government, may be seized by the military occupant and converted to the use of this Government.

The real property of the state he may hold and administer, at the same time enjoying the revenues thereof, but he is not to destroy it, save in the case of cables, railways, and boats belonging to the state, may be appropriated to his use; but unless in the case of military necessity they are not to be destroyed. All churches and buildings devoted to religious worship and to the arts and sciences, all schoolhouses, are, so far as possible, to be protected, and all destruction or intentional defacement of such places, of historical monuments or archives, or of works of science or art, is prohibited, save when required by urgent military necessity.

Private property, whether belonging to individuals or corporations, is to be respected, and can be confiscated only as hereafter indicated. Means of transportation, such as telegraph lines and cables, railways, and boats, may, although they belong to private individuals or corporations, be seized by the military occupant, but unless destroyed under military necessity are not to be retained.

While it is held to be the right of a conqueror to levy contributions upon the enemy in their seaports, towns, or provinces which may be in his military possession by conquest, and to apply the proceeds to defray the expenses of the war, this right is to be exercised within such limitations that it may not savor of confiscation. As the result of military occupation the taxes and duties payable by the inhabitants to the former government become payable to the military occupant, unless he sees fit to substitute for them other rates or modes of contribution to the expenses of the government. The moneys so collected are to be used for the purpose of paying the expenses of government under the military occupation, such as the salaries of the judges and the police, and for the payment of the expenses of the Army.

Private property taken for the use of the army is to be paid for, when possible in cash at a fair valuation, and when payment in cash is not possible receipts are to be given.

In order that there may be no conflict of authority between the Army and the Navy in the administration of affairs in the Philippines, you are instructed to confer with the Secretary of the Navy, so far as necessary, for the purpose of devising measures to secure the harmonious action of these two branches of the public service.

I will give instructions to the Secretary of the Treasury to make a report to me upon the subject of the revenues of the Philippines, with a view to the formulation of such revenue measures as may seem expedient. All courts and places in the Philippines which may be in the actual possession of our land and naval forces will be opened, while our military occupation may continue, to the commerce of all neutral nations, as well as our own, in articles

not contraband of war, and upon payment of the prescribed rates of duty which may be in force at the time of the importation.

WILLIAM MCKINLEY.

Very respectfully,

R. A. ALGER, *Secretary of War.*

The gentleman has been saying here constantly, and the gentleman from Missouri has just repeated the question a few minutes ago, Why did not the President notify the people of the Philippine Islands what his purpose was? Let us see what he said on the 19th day of May to the people of the Philippine Islands. And I state that this was printed by tens of thousands in Spanish and circulated far and wide, and it was this proclamation which I charge the insurgents burned up.

Mr. SETTLE. When was it first printed in the Philippine Islands?

Mr. GROSVENOR. As soon as it could be telegraphed there—about the 19th of May.

Mr. SETTLE. About August.

Mr. GROSVENOR. No, telegraphed there.

It is my desire that the people of the Philippines should be acquainted with the purposes of the United States to discharge to the fullest extent its obligations. It will, therefore, be the duty of the commander of the expedition immediately on his arrival in the islands—

That was before he ever put a soldier on shore—

to publish a proclamation declaring that we come not to make war upon the people of the Philippines nor upon any party or faction of them, but to protect them in their homes, in their employments, and in their personal and religious rights.

And so he went on and wound up by a strong appeal to the people of the Philippines to rest assured that no final determination as to their future was involved in the military protection which was extended to them.

Mr. SETTLE. Will the gentleman permit another interruption? I thought the gentleman stated a little while ago that there was no dispatch from Commodore Dewey in reference to Aguinaldo's coming.

Mr. GROSVENOR. I did not say anything of the sort.

Mr. SETTLE. I call the gentleman's attention to this letter, in which he says "Tell Aguinaldo to come."

Mr. GROSVENOR. I will not have the gentleman get ahead of where I am—

Mr. SETTLE. You are always coming to it.

Mr. GROSVENOR. In order to say that I have said this or that. My notes will show that I said no such thing.

Mr. VANDIVER. I asked the gentleman the question and he said expressly that there was no such thing.

Mr. GROSVENOR. I said Dewey did not invite him to come, but consented that he should come.

Mr. SETTLE. No, he invited him. He says, "Tell Aguinaldo to come as soon as possible."

Mr. GROSVENOR. Haven't I read it?

Mr. SETTLE. I understood you denied there was any such thing.

Mr. GROSVENOR. I deny that that was an invitation. I had already read that Pratt had asked the privilege for him to come; had asked Dewey if he might come, and Dewey said, "Tell Aguinaldo to come."

Mr. SETTLE. Telling him to come was an invitation to him to come.

Mr. GROSVENOR. It was not; it was a consent for him upon his application.

Mr. SETTLE. It led him to suppose he was welcome.

Mr. GROSVENOR. Very well, suppose he was. I admit that he was welcome, but after he got there Merritt refused to see him.

Mr. COCHRAN of Missouri. Merritt was not there.

Mr. GROSVENOR. The first time Merritt was there he refused to see him, and Dewey gave him no order and no instruction, and telegraphed the President that he had made no promise to him. Then comes the proclamation of December 27.

As explanatory of this proclamation read the following:

ADJUTANT GENERAL'S OFFICE,  
Washington, December 27, 1898.

General OTIS, Manila:

By direction of the Secretary of War I have the honor to transmit herewith instructions of the President relative to the administration of affairs in the Philippine Islands:

EXECUTIVE MANSION,  
Washington, December 21, 1898.

To the SECRETARY OF WAR.

SIR: The destruction of the Spanish fleet in the harbor of Manila by the United States naval squadron commanded by Rear-Admiral Dewey, followed by the reduction of the city and the surrender of the Spanish forces, practically effected the conquest of the Philippine Islands and the suspension of Spanish sovereignty therein.

With the signature of the treaty of peace between the United States and Spain by their respective plenipotentiaries at Paris on the 10th instant, and as a result of the victories of American arms, the future control, disposition, and government of the Philippine Islands are ceded to the United States. In fulfillment of the rights of sovereignty thus acquired and the responsible obligations of government thus assumed, the actual occupation and administration of the entire group of the Philippine Islands become immediately necessary, and the military government heretofore maintained by the United

States in the city, harbor, and bay of Manila is to be extended with all possible dispatch to the whole of the ceded territory.

In performing this duty the military commander of the United States is enjoined to make known to the inhabitants of the Philippine Islands that in succeeding to the sovereignty of Spain, in severing the former political relations of the inhabitants, and in establishing a new political power the authority of the United States is to be exerted for the security of the persons and property of the people of the islands and for the confirmation of all their [private] rights and relations.

It will be the duty of the commander of the forces of occupation to announce and proclaim in the most public manner that we come not as invaders or conquerors, but as friends, to protect the natives in their homes, in their employments, and in their personal and religious rights. All persons who, either by active aid or by honest submission, cooperate with the Government of the United States to give effect to these beneficent purposes will receive the reward of its support and protection. All others will be brought within the lawful rule we have assumed, with firmness if need be, but without severity so far as may be possible.

Within the absolute domain of military authority, which necessarily is and must remain supreme in the ceded territory until the legislation of the United States shall otherwise provide, the municipal laws of the territory in respect to private rights and property and the repression of crime are to be considered as continuing in force, and to be administered by the ordinary tribunals so far as practicable. The operations of civil and municipal government are to be performed by such officers as may accept the supremacy of the United States by taking the oath of allegiance, or by officers chosen as far as may be practicable from the inhabitants of the islands.

While the control of all the public property and the revenues of the State passes with the cession, and while the use and management of all public means of transportation are necessarily reserved to the authority of the United States, private property, whether belonging to individuals or corporations, is to be respected except for cause duly established. The taxes and duties heretofore payable by the inhabitants to the late Government become payable to the authorities of the United States, unless it be seen fit to substitute for them other reasonable rates or modes of contribution to the expenses of government, whether general or local. If private property be taken for military use, it shall be paid for when possible in cash at a fair valuation, and when payment in cash is not practicable receipts are to be given.

All ports and places in the Philippine Islands in the actual possession of the land and naval forces of the United States will be opened to the commerce of all friendly nations. All goods and wares not prohibited for military reasons by due announcement of the military authority will be admitted upon payment of such duties and other charges as shall be in force at the time of their importation.

Finally, it should be the earnest and paramount aim of the military administration to win the confidence, respect, and affection of the inhabitants of the Philippines by assuring to them, in every possible way, that full measure of individual rights and liberties which is the heritage of free peoples, and by proving to them that the mission of the United States is one of benevolent assimilation, substituting the mild sway of justice and right for arbitrary rule.

In the fulfillment of this high mission, supporting the temperate administration of affairs for the greatest good of the governed, there must be sedulously maintained the strong arm of authority, to repress disturbance and to overcome all obstacles to the bestowal of the blessings of good and stable government upon the people of the Philippine Islands under the free flag of the United States.

WILLIAM MCKINLEY.

H. C. CORBIN, *Adjutant-General.*

EXECUTIVE MANSION,  
Washington, January 20, 1899.

To the SECRETARY OF STATE:

My communication to the Secretary of War, dated December 21, 1898, declares the necessity of extending the actual occupation and administration of the city, harbor, and bay of Manila to the whole of the territory which by the treaty of Paris, signed on December 10, 1898, passed from the sovereignty of Spain to the sovereignty of the United States and the consequent establishment of military government throughout the entire group of the Philippine Islands.

While the treaty has not yet been ratified, it is believed that it will be by the time of the arrival at Manila of the commissioners named below. In order to facilitate the most humane, specific, and effective extension of authority throughout these islands, and to secure with the least possible delay the benefits of a wise and generous protection of life and property to the inhabitants, I have named Jacob G. Schurman, Rear Admiral George Dewey, Major-General Elwell S. Otis, Charles Denby, and Dean C. Worcester to constitute a commission to aid in the accomplishment of these results.

In the performance of this duty, the commissioners are enjoined to meet at the earliest possible day in the city of Manila, and to announce by a public proclamation their presence and the mission intrusted to them, carefully setting forth that, while the military government already proclaimed is to be maintained and continued so long as necessity may require, efforts will be made to alleviate the burdens of taxation, to establish industrial and commercial prosperity, and to provide for the safety of persons and of property by such means as may be found conducive to these ends.

The commissioners will endeavor, without interference with the military authorities of the United States now in control of the Philippines, to ascertain what amelioration in the condition of the inhabitants and what improvements in public order may be practicable, and for this purpose they will study attentively the existing social and political state of the various populations, particularly as regards the forms of local government, the administration of justice, the collection of customs and other taxes, the means of transportation, and the need of public improvements.

They will report through the State Department, according to the forms customary or hereafter prescribed for transmitting and preserving such communications, the results of their observations and reflections, and will recommend such executive action as may from time to time seem to them wise and useful.

The commissioners are hereby authorized to confer authoritatively with any persons resident in the islands from whom they may believe themselves able to derive information or suggestions valuable for the purposes of their commission, or whom they may choose to employ as agents, as may be necessary for this purpose.

The temporary government of the islands is intrusted to the military authorities, as already provided for by my instructions to the Secretary of War of December 21, 1898, and will continue until Congress shall determine otherwise. The commission may render valuable services by examining with special care the legislative needs of the various groups of inhabitants and by reporting, with recommendations, the measures which should be instituted for the maintenance of order, peace, and public welfare, either as

temporary steps to be taken immediately for the perfection of present administration, or as suggestions for future legislation.

In so far as immediate personal changes in the civil administration may seem to be advisable, the commissioners are empowered to recommend suitable persons for appointment to these offices from among the inhabitants of the islands who have previously acknowledged their allegiance to this Government.

It is my desire that, in all their relations with the inhabitants of the islands, the commissioners exercise due respect for all the ideals, customs, and institutions of the tribes and races which compose the population, emphasizing upon all occasions the just and beneficent intentions of the Government of the United States.

It is also my wish and expectation that the commissioners may be received in a manner due to the honored and authorized representatives of the American Republic, duly commissioned on account of their knowledge, skill, and integrity, as bearers of the good will, the protection, and the richest blessings of a liberating rather than a conquering nation.

WILLIAM MCKINLEY.

Mr. SETTLE. Let me call the gentleman's attention to this. I know he wants to be fair. In a letter from the consul-general to Mr. Day, dated the 28th of April, he uses this language:

I think that in arranging for his direct cooperation with the commander of our forces, I have prevented possible conflict of action and facilitated the work of occupying and administering the Philippines.

Mr. GROSVENOR. Of course he did. That was before the battle of Manila at all.

Mr. SETTLE. That was in April, 1898. No matter when it was, it arranged for his cooperation.

Mr. GROSVENOR. And no doubt Pratt was in some sort of a combination, but what I said was—and the gentleman from Kentucky [Mr. SETTLE] knows it and he knows that he is unjust and unfair to interrupt me with such a statement as that—was that the very moment the State Department heard Pratt had entered upon any such negotiation they forbade him to talk to Aguinaldo upon any such subject.

Mr. SETTLE. Where do you find that?

Mr. GROSVENOR. Haven't I read to you the dispatch signed by William R. Day?

Mr. SETTLE. That was in August.

Mr. GROSVENOR. That was the first time they ever heard of it. That was an immaterial matter, before the battle. Now, for fear my time will be exhausted—these gentlemen have used the most of it—

Mr. SETTLE. I am very sorry to have interrupted the gentleman. I did not do it in any bad faith.

Mr. GROSVENOR. No; I am sure you did not. The only effect of it was to use one-half of my time.

Mr. SETTLE. You used about all of mine the other day. We are even. I am willing that the gentleman's time should be extended.

Mr. GROSVENOR. Now, I shall, only for this purpose, refer to the statement made by some gentleman, who will know who he was, who stated that all of this was being done for the purpose of having certain concessions sold and arranged for out in the Philippine Islands. Before the treaty of peace was signed, on the 29th day of December, the commanding general at Manila, the commander of the forces and the government, received the following, was telegraphed the following order, and I may say this same order has been telegraphed to Porto Rico and to Cuba in effect:

Until otherwise ordered, no grants or concessions of public or corporate rights or franchises for the construction of public or quasi public works, such as railroads, tramways, telegraph and telephone lines, waterworks, gas works, electric-light lines, etc., shall be made by any municipal or other local governmental authority or body in the Philippine Islands, except upon the approval of the major-general commanding the military forces of the United States in the Philippine Islands, who shall, before approving any such grant or concession, be so especially authorized by the Secretary of War.

I defy any gentleman, and I send the challenge forth, to say that by the authority of this Government or this Administration there has been a single concession sold or bartered by any legal authorities or military commanders in any of the three countries to which I have referred.

Mr. SIMPSON. Will the gentleman yield to me for a question?

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Kansas for a question?

Mr. GROSVENOR. If it is a question.

The SPEAKER. The gentleman yields for a question only. The time of the gentleman from Ohio has expired, however.

Mr. SIMPSON. I am sorry.

Mr. HEMENWAY. How much time have I now?

The SPEAKER. The gentleman has sixteen minutes.

Mr. HEMENWAY. I yield ten minutes to the gentleman from Ohio.

Mr. SIMPSON. Quite often during this Congress the impression got abroad upon this side that the gentleman from Ohio spoke for the Administration. The question I wish to ask now is this: Is the gentleman to-day speaking now with authority or in defense of the present Administration of President McKinley? Has he authority to speak?

Mr. GROSVENOR. Mr. Speaker, there is a rule of law in this country that no man shall be tried except by a jury of his peers.

Mr. CARMACK. And he is not bound to criminate himself, either. [Laughter.]

Mr. HENDERSON. I think it would be a good thing for you to keep your mouth shut.

Mr. SIMPSON. I think that advice would be well taken by the gentleman from Iowa himself.

Mr. HENDERSON. Take it home and digest it.

Mr. SIMPSON. I think your mouth hurts you more than anything else. If the gentleman will answer the question directly—if he is authorized—

Mr. GROSVENOR. I first want to answer the gentleman from Tennessee. I have no doubt he has piled up authorities on the subject that no man can be compelled to incriminate himself. I have no doubt that he is ready to defend cases of that kind under any and all circumstances.

Mr. Speaker, the gentleman from Kansas treats everything as a joke. We all of us treated it as a joke when he first came here.

Mr. SIMPSON. Now, that is not an answer to my question. [Laughter.] It is no matter what I am; what you are doing is what I am trying to get at.

Mr. GROSVENOR. I understand it to be—

Mr. Speaker, if the gentleman from Kansas will now sit down and let me answer his question, I will do it.

The SPEAKER. The gentleman from Kansas will please be seated.

Mr. GROSVENOR. I am speaking upon my own authority, as I always speak, without the suggestion of anyone; and if my speech does not commend itself without having behind it the assurance that somebody else has instigated it, let my speech fall to the ground.

Mr. SIMPSON. That is a straightforward answer.

Mr. GROSVENOR. Now a single topic in the few moments I have left. It has been stated here, and over and over repeated by gentlemen whom I respect, and gentlemen of apparently high legal attainment, that the President of the United States has in some way been derelict in making no proclamation as to the policy concerning and as to the disposition of the Philippine Islands.

I ask any gentleman in the further continuance of this debate to say to this House and the country what right the President of the United States would have under the Constitution to make any such proposition as that? Where, under the Constitution and laws of this country, is it given the President of the United States to proclaim a policy for the United States in a matter of this kind?

Mr. COCHRAN of Missouri. Under what law did he proclaim it for Cuba?

Mr. GROSVENOR. He proclaimed the law of Congress, the declaration of war with Spain on the question of Cuba, and he has carefully and religiously lived up to that in Cuba, so that the benign influence of peace is rapidly spreading itself over that island. The President confined himself at the close of the war—at the time the treaty of Paris was signed—he confined himself from that date under the Constitution to simply holding military occupation of the Philippine Islands until Congress should settle what should become of them; and in this Boston speech that has been criticised so much here he has made known to the people of the United States that he would not offer any policy or propose any impinging on the Constitution or the rights of Congress.

Here is a proclamation of the President which was published in English, Spanish, and Tagalo, dated the 4th of January, 1899, at Manila, which I think fills all the requirements:

#### PROCLAMATION.

OFFICE OF MILITARY GOVERNOR OF PHILIPPINE ISLANDS.

Manila, P. I., January 4, 1899.

To the People of the Philippine Islands:

Instructions of His Excellency the President of the United States, relative to the administration of affairs in the Philippine Islands, have been transmitted to me by direction of the honorable the Secretary of War, under date of December 28, 1898.

They direct me to publish and proclaim, in the most public manner, to the inhabitants of these islands that in the war against Spain the United States forces came here to destroy the power of that nation and to give the blessings of peace and individual freedom to the Philippine people; that we are here as friends of the Filipinos to protect them in their homes, their employments, their individual and religious liberty; and that all persons who, either by active aid or honest endeavor, cooperate with the Government of the United States to give effect to these beneficent purposes will receive the reward of its support and protection.

The President of the United States has assumed that the municipal laws of the country in respect to private rights and property and the repression of crime are to be considered as continuing in force, in so far as they may be applicable to a free people, and should be administered by the ordinary tribunals of justice, presided over by representatives of the people and those in thorough sympathy with them in their desires for good government; that the functions and duties connected with civil and municipal administration are to be performed by such officers as wish to accept the assistance of the United States, chosen in so far as it may be practicable from the inhabitants of the islands; that while the management of public property and revenues and the use of all public means of transportation are to be conducted under the military authorities until such authorities can be replaced by civil administration, all private property, whether of individuals or corporations, must be respected and protected.

If private property be taken for military uses, it shall be paid for at a fair valuation in cash if possible, and when payment in cash is not practicable at the time, receipts therefor will be given, to be taken up and liquidated as soon as cash becomes available. The ports of the Philippine Islands shall be open to the commerce of all foreign nations, and goods and merchandise not prohibited for military reasons by the military authorities shall be admitted upon payment of such duties and charges as shall be in force at the time of importation.

The President concludes his instructions in the following language:

"Finally, it should be the earnest and paramount aim of the Administration to win the confidence, respect, and affection of the inhabitants of the Philippines by insuring to them in every possible way the full measure of individual rights and liberty which is the heritage of a free people, and by proving to them that the mission of the United States is one of beneficent assimilation, which will substitute the mild sway of justice and right for arbitrary rule. In the fulfillment of this high mission, while upholding the temporary administration of affairs for the greatest good of the governed, there will be sedulously maintained the strong arm of authority to repress disturbance, and to overcome all obstacles to the bestowal of the blessings of good and stable government upon the people of the Philippine Islands."

From the tenor and substance of the above instructions of the President, I am fully of the opinion that it is the intention of the United States Government, while directing affairs generally, to appoint the representative men now forming the controlling element of the Philippines to civil positions of trust and responsibility, and it will be my aim to appoint thereto such Filipinos as may be acceptable to the supreme authorities at Washington.

It is also my belief that it is the intention of the United States Government to draw from the Philippine people so much of the military force of the islands as is possible and consistent with a free and well-constituted government of the country, and it is my desire to inaugurate a policy of that character.

I am also convinced that it is the intention of the United States Government to seek the establishment of a most liberal government for the islands, in which the people themselves shall have as full representation as the maintenance of order and law will permit, and which shall be susceptible of development, on lines of increased representation and the bestowal of increased powers, into a government as free and independent as is enjoyed by the most favored provinces of the world.

It will be my constant endeavor to cooperate with the Philippine people, seeking the good of the country, and I invite their full confidence and aid.

E. S. OTIS,

Major-General, United States Volunteers, Military Governor.

Mr. ROBINSON of Indiana. Has the gentleman any information whether Congress is to be called in an extra session to outline a policy?

Mr. GROSVENOR. Does the gentleman from Indiana think he could outline a policy now?

Mr. ROBINSON of Indiana. I understood the gentleman from Ohio to say that it is the duty of Congress. I want to know whether we have got to wait nine months to do it?

Mr. GROSVENOR. The Constitution fixes the time when Congress shall come and go. Thank God for our Constitution. [Laughter and applause.]

Now, let me go on; somebody interrupts me every time I attempt to make a connected sentence. The President found himself charged with the single duty of maintaining the peace and of holding these islands subject to the future action of Congress. Now, what else has happened? I hold in my hand a letter, a communication made by Aguinaldo to the Belgian Government, and presumably to all the other nations of Europe, dated on the 8th day of January, declaring his purpose to attack the soldiers in the Philippine Islands.

I will publish the orders of the President dated all through the month of January, way up into the month of February, calling upon Otis and the other commanders to forbear shooting anybody—to stand only upon the defensive. But Aguinaldo came there with his armed troops and fired upon the troops of the United States. It was just as much a war on the part of Aguinaldo as was the battle of Santiago. Aguinaldo and his armed men shot the American soldiers, and he was an enemy of the United States. What is the law of your country, my friends? Treason against the United States consists in levying war against the United States, and that is what Aguinaldo has done.

Treason is adherence to the enemies of the United States and giving them aid and comfort. How much comfort do you think it is to have brave Congressmen here day after day protesting that they will vote against, and speak against, the defensive action of the United States Government in protecting her soldiers from the deadly assault of Aguinaldo and his army.

The Department of State, under date of February 25, furnishes me with a memorandum of a document laid before Mr. André, late Belgian consul at Manila. Here is the document:

FEBRUARY 24, 1899.

Mr. André, Belgian consul at Manila, has shown me a proclamation of Aguinaldo, detailing his grievances against the United States Government, dated at Malolos, the 8th of January, 1899, and also a written communication signed by Aguinaldo, saying "I have considered it my duty to remit the accompanying documents that you may inform your Government of the true causes of the attitude of the Philippines in case the Americans oblige me to open hostilities." This is dated the 9th of January, 1899, several weeks before the attack which he made upon the American forces at Manila, showing conclusively that this attack had been contemplated for some time.

Here now is a copy of a letter written by General Otis in reply to one received from General Aguinaldo, dated January 9, 1899, showing that at the very time that Aguinaldo was laying his plans to shoot down American troops our Government was pre-

venting an outbreak by stringent orders to our troops and repeated manifestations of good will to the Filipinos:

HEADQUARTERS DEPARTMENT OF THE PACIFIC  
AND EIGHTH ARMY CORPS.  
Manila, P. I., January 9, 1899.

Gen. EMILIO AGUINALDO,  
Commanding Revolutionary Force, Malolos, P. I.

GENERAL: I have the honor to acknowledge the receipt of your communication of to-day, and am much pleased at the action you have taken. I greatly regret that you have not a clear understanding of my position and motives, and trust that my explanation, assisted by the conference I have invited, will make them clear to you.

In my official capacity I am merely the agent of the United States Government to conduct its affairs under the limits which its Constitution, laws, precedents, and specific instructions prescribe. I have not the authority to recognize any national or civil power not already formally recognized by my Government, unless specially authorized so to do by the instructions of the Executive of the United States. For this reason I was unable to receive officially the representatives of the revolutionary government, and endeavored to make that inability clear to the distinguished gentlemen with whom I had the pleasure to converse a few evenings since. You will bear witness that my course throughout my entire official connection with affairs here has been consistent, and it has pained me that I have not been able to receive and answer communications of the cabinet officers of the government at Malolos, fearing that I might be erroneously charged with lack of courtesy.

Permit me now briefly, General, to speak of the serious misunderstanding which exists between the Philippine people and the representatives of the United States Government, and which I hope that our commissioners, by thorough discussion, may be able to dispel. I sincerely believe that all desire peace and harmony, and yet by the machinations of evil-disposed persons, we have been influenced to think that we occupy the position of adversaries. The Filipinos appear to be of the opinion that we meditate attack, while I am under the strict orders of the President of the United States to avoid conflict in every way possible.

My troops, witnessing the earnestness, the comparatively disturbed and unfriendly attitude of the revolutionary troops and many of the citizens of Manila, conclude that active hostilities have been determined upon, although it must be clearly within the comprehension of unprejudiced and reflecting minds that the welfare and happiness of the Filipino people depend upon the friendly protection of the United States. The hand of Spain was forced, and she has acknowledged before the world that all her claimed rights in this country have departed by due process of law. This treaty acknowledgment, with the conditions which accompany it, awaits ratification of the Senate of the United States; and the action of its Congress must also be secured before the Executive of that Government can proclaim a definite policy. That policy must conform to the will of the people of the United States expressed through its Representatives in Congress.

For that action the Philippine people should wait, at least, before severing the existing friendly relations. I am governed by a desire to further the interests of the Philippine people, and shall continue to labor with that end in view. There shall be no conflict of forces if I am able to avoid it, and still I shall endeavor to maintain a position to meet all emergencies that may arise.

Permit me to subscribe myself, General, with the highest respect,  
Your most obedient servant,

E. S. OTIS,

Major-General U. S. Vols., Commanding.

[Telegram.]

MANILA.

(Received Washington, January 11, 1899—3.15 p. m.)

ADJUTANT-GENERAL, Washington:

Sent communication to General Aguinaldo yesterday, expressing desire that peace would be maintained. Informed him that instructions of President would not permit us to bring on conflict.

OTIS.

But, however, on New Year's Day the President had forwarded the following to Otis at Manila:

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,  
Washington, January 1, 1899—4.30 p. m.

General OTIS, Manila:

The President considers it of first importance that a conflict brought on by you be avoided at this time, if possible. Can not Miller get into communication with insurgents, giving them President's proclamation and informing them of the purposes of the Government, assuring them that, while it will assert its sovereignty, its purpose is to give them a good government and security in their personal rights.

By order Secretary War:

CORBIN.

This was only in keeping with his telegram of December 4, which was as follows:

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,  
Washington, December 4, 1898.

General OTIS, Manila, Philippine Islands:

By direction of the Secretary of War, following from the President is sent you for your early consideration.

CORBIN.

"The President desires that Admiral Dewey and General Otis shall have an early conference and advise him what force and equipment will be necessary from the Philippine Islands. The President would be glad to have suggestions from these commanders as to the government of the islands, which of necessity must be by the Army and the Navy for some time to come. When these islands shall be ceded to us, it is his desire that peace and tranquillity shall be restored and as kind and beneficent a government as possible given to the people, that they may be encouraged in their industries and made secure in life and property. The fullest suggestions are invited."

"WILLIAM MCKINLEY."

On January 8, 1899, the President sent the following to Otis and Dewey at Manila:

[From the President's message to Otis and Dewey, January 8, 1899.]

They will come to see our benevolent purpose and recognize that before we can give their people good government our sovereignty must be complete and unquestioned.

We accepted the Philippines from high duty in the interest of their inhabitants and for humanity and civilization. Our sacrifices were with this high motive. We want to improve the condition of the inhabitants, securing them peace, liberty, and the pursuit of their highest good.

Every movement of the President was made with the direct purpose to avoid a conflict. On the 21st of December he telegraphed to Otis as follows:

ADJUTANT-GENERAL'S OFFICE,  
Washington, December 21, 1898.

General Otis, Manila:

Answering your message of December 14, the President directs that you send necessary troops to Iloilo to preserve the peace and protect life and property. It is most important that there should be no conflict with the insurgents. Be conciliatory but firm.

By order of the Secretary War:

CORBIN.

The President of the United States has not shot anybody except in self-defense. The soldiers of my country in the Philippines are as free from aggression as any man on this floor is free from judicial judgment, in my opinion, on that side of the House. There has been no aggression, there has been nothing but defensive conduct of the war from the time Aguinaldo conspired to do it here, by the organization that had its root in this city—conspired to do it by the hope that it might precipitate European interference—and from that moment to this the United States Government has done nothing but to defend her sons against the deadly assaults of Aguinaldo.

I protest that there shall be no question of who is right or who is wrong, or what is to be the future disposition of the Philippines, while my brothers and your sons are being shot down on the battlefields of the world anywhere. [Applause.] And I protest that it is a question of degree only in that aid and comfort which comes from protests, that comes from abuse, that comes from attacks by armed forces of the enemy against the Government.

I know how weak our systems are. I know how prone we are to take advantage, but, as I said at the start, I censure the motives of no man; but I warn my friends on the other side, I warn them by a friendship because you can harm nobody but yourselves, I warn you in a friendly way, that every word uttered here in depreciation of the defense of these soldiers and the supplying of the men with ammunition to carry on the defense of the flag of your country will be misconstrued by the judgment of the people of this country in the coming years.

You can not stop to determine what shall be the future disposition of these islands. No man living knows to-day what ought to be done with the Philippine Islands, but I know, I think I know, that the American people have never yet retired from any position they have taken by reason of the demands of an enemy in the front or by deprecating friends in the rear. [Applause on the Republican side.]

So the time will come when intelligence will lighten up the pathway, when the lamp of experience and the lamp of patriotism will project its rays along the pathway of my country during the next six months. The gentleman talks about the nine months to come. We shall come back here in December, and a great many of us will not know enough about the Philippine question to write a very large book that the people of the country will approve of. [Great applause on the Republican side.]

Mr. Speaker, I ask unanimous consent to print in the extension of my speech various orders and quotations which I have made and from which I have read, together with the President's speech at Boston, and some comments upon that.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks by printing various orders, and also the President's speech at Boston, with some comments thereon. Is there objection?

Mr. GAINES. I object, Mr. Speaker.

On motion of Mr. FLEMING, the rules of the House were suspended and the request of Mr. GROSVENOR was granted.

Mr. GROSVENOR. The following is the speech of the President delivered at the Home Market Club in Boston on the evening of February 16, and which has been so bitterly criticised on this floor:

Mr. President, members of the Home Market Club, ladies, and gentlemen, I have been deeply and profoundly moved at this manifestation of your good will, and the cordial welcome extended by the governor of your great Commonwealth, as well as from the chief executive officer of this, the principal city of your State. No one could sit in this magnificent presence, listening to the patriotic strains from choir and orchestra, without knowing what this great audience was thinking most about. It is thinking of country, because of love for it and faith in themselves and its future. I thank the governor of the Commonwealth of Massachusetts, I thank the mayor of the city of Boston, for their warm and generous words of greeting.

My fellow citizens, the year goes by quickly. It seems not so long, but is, in fact, six years since it was my honor to be a guest of the Home Market Club. Much has happened in the intervening time. Issues which were then engaging us have been settled or put aside for larger and more absorbing ones. Domestic conditions have improved, and are generally satisfactory. We have made progress in industry and have realized the prosperity for which we have been striving. We had four long years of adversity, which taught us some lessons which will never be unlearned and which will be valuable in guiding our future action. We have not only been successful in our financial and business affairs, but have been successful in war with a foreign power, which has added great glory to American arms and a new chapter to American history.

I do not know why in the year 1898 this Republic has unexpectedly had placed before it mighty problems which it must face and meet. They have come and are here, and they could not be kept away. Many who were impatient for the conflict a year ago, apparently heedless of its larger results, are the first to cry out against the far-reaching consequences of their own act. Those of us who dreaded war most and whose every effort was directed to prevent it, had fears of new and grave problems which might follow its inauguration.

The evolution of events which no man could control has brought these problems upon us. Certain it is that they have not come through any fault on our part, but as a high obligation, and we meet them with clear conscience and unselfish purpose, and with good heart, resolve to undertake their solution.

War was declared in April, 1898, with practical unanimity by the Congress, and once upon us, was sustained by like unanimity among the people. There had been many who had tried to avert it, as, on the other hand, there were many who would have precipitated it at an early date. In its prosecution and conclusion the great majority of our countrymen of every section believed they were fighting in a just cause, and at home or at sea or in the field they had part in its glorious triumphs. It was the war of an undivided nation. Every great act in its progress from Manila to Santiago, from Guam to Porto Rico, met universal and hearty commendation. The protocol commanded the practically unanimous approval of the American people. It was welcomed by every lover of peace beneath the flag.

The Philippines, like Cuba and Porto Rico, were intrusted to our hands by the war, and to that great trust, under the providence of God and in the name of human progress and civilization, we are committed. It is a trust we have not sought; it is a trust from which we will not flinch. The American people will hold up the hands of their servants at home, to whom they commit its execution, while Dewey and Otis and the brave men whom they command will have the support of the country in upholding our flag where it now floats, the symbol and assurance of liberty and justice.

What nation was ever able to write an accurate program of the war upon which it was entering, much less decree in advance the scope of its results? Congress can declare war, but a higher Power decrees its bounds and fixes its relations and responsibilities. The President can direct the movements of soldiers on the field and fleets upon the sea, but he can not foresee the close of such movements or prescribe their limits. He can not anticipate or avoid the consequences, but he must meet them. No accurate map of nations engaged in war can be traced until the war is over, nor can the measure of responsibility be fixed till the last gun is fired and the verdict embodied in the stipulations of peace.

We hear no complaint of the relations created by the war between this Government and the islands of Cuba and Porto Rico. There are some, however, who regard the Philippines as in a different relation; but whatever variety of views there may be on this phase of the question, there is universal agreement that the Philippines shall not be turned back to Spain. No true American consents to that. Even if unwilling to accept them ourselves, it would have been a weak evasion of manly duty to require Spain to transfer them to some other power or powers, and thus shirk our own responsibility. Even if we had, as we did not have, the power to compel such a transfer, it could not have been made without the most serious international complications. Such a course could not be thought of, and yet, had we refused to accept the cession of them, we should have had no power over them—even for their own good.

We could not discharge the responsibilities upon us until these islands became ours either by conquest or treaty. There was but one alternative, and that was either Spain or the United States in the Philippines. The other suggestions—first, that they should be tossed into the arena of contention for the strife of nations; or, second, be left to the anarchy and chaos of no protectorate at all—were too shameful to be considered.

The treaty gave them to the United States. Could we have required less and done our duty? Could we, after freeing the Filipinos from the domination of Spain, have left them without government and without power to protect life or property or to perform the international obligations essential to an independent State? Could we have left them in a state of anarchy and justified ourselves in our own consciences or before the tribunal of mankind? Could we have done that in the sight of God or man?

Our concern was not for territory, or trade, or empire, but for the people whose interests and destiny, without our willing it, had been put in our hands. It was with this feeling that, from the first day to the last, not one word or line went from the Executive in Washington to our military and naval commanders at Manila or to our peace commissioners at Paris that did not put as the sole purpose to be kept in mind first, after the success of our arms and the maintenance of our own honor, the welfare and happiness and the rights of the inhabitants of the Philippine Islands. Did we need their consent to perform a great act for humanity? We had it in every aspiration of their minds, in every hope of their hearts. Was it necessary to ask their consent to capture Manila, the capital of their islands? Did we ask their consent to liberate them from Spanish sovereignty or to enter Manila Bay and destroy the Spanish sea power there? We did not ask these; we were obeying a higher moral obligation which rested on us and which did not require anybody's consent. We were doing our duty by them with the consent of our own consciences and with the approval of civilization.

Every present obligation has been met and fulfilled in the expulsion of Spanish sovereignty from their islands, and while the war that destroyed it was in progress we could not ask their views. Nor can we now ask their consent. Indeed, can anyone tell me in what form it could be marshaled and ascertained until peace and order, so necessary to the reign of reason, shall be secured and established? A reign of terror is not the kind of rule under which right action and deliberate judgment are possible. It is not a good time for the liberator to submit important questions concerning liberty and government to the liberated while they are engaged in shooting down their rescuers.

We have now ended the war with Spain. The treaty has been ratified by the votes of more than two-thirds of the Senate of the United States and by the judgment of nine tenths of its people. No nation was ever more fortunate in war or more honorable in its negotiations in peace. Spain is now eliminated from the problem. It remains to ask what we shall now do. I do not intrude upon the duties of Congress or seek to anticipate or forestall its action. I only say that the treaty of peace, honorably secured, having been ratified by the United States and, as we confidently expect, shortly to be ratified in Spain, Congress will have the power and, I am sure, the purpose to do what in good morals is right and just and humane for these peoples in distant seas.

It is sometimes hard to determine what is best to do, and the best thing to do is oftentimes the hardest. The prophet of evil would do nothing, because he flinches at sacrifice and effort, and to do nothing is easiest and involves the least cost. On those who have things to do there rests a responsibility which is not on those who have no obligation as doers. If the doubters were in a majority, there would, it is true, be no labor, no sacrifice, no anxiety and no burden raised or carried; no contribution from our ease and purse and comfort to the welfare of others, or even to the extension of our resources to the welfare of ourselves. There would be ease, but alas! there would be nothing done.

Grave problems come in the life of a nation, however much men may seek to avoid them. They come without our seeking; why, we do not know, and it is not always given us to know; but the generation on which they are forced can not avoid the responsibility of honestly striving for their solution. We may not know precisely how to solve them, but we can make an honest effort to that end, and, if made in conscience, justice, and honor, it will not be in vain.

The future of the Philippine Islands is now in the hands of the American people. Until the treaty was ratified or rejected the executive department of this Government could only preserve the peace and protect life and property. That treaty now commits the free and enfranchised Filipinos to the guiding hand and the liberalizing influences, the generous sympathies, the uplifting education, not of their American masters, but of their American emancipators. No one can tell to-day what is best for them or for us. I know no one at this hour who is wise enough or sufficiently informed to determine what form of government will best subserve their interests and our interests there and our well being.

If we knew everything by intuition—and I sometimes think that there are those who believe that if we do not, they do—we should not need information, but unfortunately most of us are not in that happy state. This whole subject is now with Congress, and Congress is the voice, the conscience, and the judgment of the American people.

Upon their judgment and conscience can we not rely? I believe in them. I trust them. I know of no better or safer human tribunal than the people.

Until Congress shall direct otherwise, it will be the duty of the Executive to possess and hold the Philippines, giving to the people thereof peace and order and beneficent government, affording them every opportunity to prosecute their lawful pursuits, encouraging them in thrift and industry, making them feel and know that we are their friends, not their enemies, that their good is our aim, that their welfare is our welfare, but that neither their aspirations nor ours can be realized until our authority is acknowledged and unquestioned.

That the inhabitants of the Philippines will be benefited by this Republic is my unshaken belief. That they will have a kindlier government under our guidance, and that they will be aided in every possible way to be a self-respecting and self-governing people is as true as that the American people love liberty and have an abiding faith in their own Government and in their own institutions.

No imperial designs lurk in the American mind. They are alien to American sentiment, thought, and purpose. Our priceless principles undergo no change under a tropical sun. They go with the flag. They are wrought in every one of its sacred folds and are inextinguishable in their shining stars:

"Why read ye not the changeless truth,  
The free can conquer but to save."

If we can benefit these remote peoples, who will object? If in the years of the future they are established in government under law and liberty, who will regret our perils and sacrifices? Who will not rejoice in our heroism and humanity? Always perils, and always after them safety; always darkness and clouds, but always shining through them the light and sunshine; always cost and sacrifice, but always after them the fruition of liberty, education, and civilization.

I have no light or knowledge not common to my countrymen. I do not prophesy. The present is all absorbing to me, but I can not bound my vision by the blood-stained trenches around Manila, where every red drop, whether from the veins of an American soldier or a misguided Filipino, is anguish to my heart; but by the broad range of future years, when that group of islands, under the impulse of the year just past, shall have become the gems and glories of those tropical seas; a land of plenty and of increasing possibilities; a people redeemed from savage indolence and habits, devoted to the arts of peace, in touch with the commerce and trade of all nations, enjoying the blessings of freedom, of civil and religious liberty, of education and of homes, and whose children and children's children shall for ages hence bless the American Republic because it emancipated and redeemed their fatherland and set them in the pathway of the world's best civilization.

And comment upon the President's address, to which reference was made in the application for leave to extend, is found in the admirable address of Dr. Seth Low on the occasion of the celebration of Washington's birthday this year at the city of Philadelphia. It is a paper which I commend to the fearful saints of the country who dread the clouds that seem to be rising in the far-off horizon of the Orient:

MR. PROVOST, LADIES, AND GENTLEMEN: A century and a half ago the College of province of New York were both under discussion, but neither had yet been founded. The College of Philadelphia, now the University of Pennsylvania, was chartered in 1753, and King's College, now Columbia University, in the city of New York, in 1754. It is an interesting circumstance that the same man, the Rev. Samuel Johnson, S. T. D., of Connecticut, was invited by each of the young colleges to become its first president. It would seem, therefore, as if the timber out of which college presidents are made was as scarce then as it appears to be to-day. Why it was that Dr. Johnson, in the presence of such a tempting alternative, should have chosen to become the first president of King's College I shall not attempt to say. The incident serves to show how closely the University of Pennsylvania and the university over which I have the honor to preside were related in those early days. Within a decade of their foundation both of them were represented in a joint attempt to secure funds in England for their common benefit. The original papers relating to this transaction are in your possession.

Our own records merely show that you are credited with a full and true accounting for our share of the funds so raised, about \$6,000. As we were thus closely associated in origin, so the history and development of the two universities have followed parallel lines. Each being located in an important city, each illustrates the effect of a large city upon such an institution. So long as the city was small these colleges rendered a service to the country at large second to no others. Their influence was as wide as the colonies. As the city closed about them, on the other hand, their patronage and their influence became chiefly local, because, as I suppose, their immediate surroundings were more important and there was less need and less opportunity to reach the country outside. Few people from without were willing then, as comparatively few are now, to send their sons to college in a city at the youthful age which ordinarily marks the beginning of college life.

As the educational system of the country has developed, on the other hand, in the closing decades of the present century, demanding opportunities for advanced instruction not only in the professions, but in all branches of learning, it has become evident that for this class of work the location in a great city is in itself a distinct advantage. Accordingly, during the last two decades both the University of Pennsylvania and Columbia University have attained once more to a position of national influence such as they have not held for nearly a century. It seems probable that the tide which has begun to turn will flow with increasing volume for many years to come, and it is not improbable that even upon the college side of their work these institutions under the changed conditions of the country may render a service in the

future much more important than they have rendered in the past at any time since the early years of their foundation. This result is to be obtained, undoubtedly, by identifying the universities with the best activities of the city in which each is placed, not by attempting to hold the university aloof from the city's life. For the life part, the country or the small city is still the better location.

As our two universities have thus been closely associated in experience throughout their history, so there is an evident link between the cities of New York and Philadelphia in the history of the nation. The Government of the United States was established by the inauguration of Washington as President in the city of New York in 1789. In the following year the Government was removed to Philadelphia and was maintained here until it was moved again, in the year 1800, to the city of Washington, which was founded to be its abiding place. The city of Washington, in the District of Columbia, was founded in a district ceded to the Federal Government by the States of Maryland and Virginia, in order that the capital of the country might be in a territory directly under Federal control. It is interesting to observe that the federation of Australia, now in process of formation, has just adopted a similar arrangement for the solution of the same problem. The capital of the Australian federation is to be established in New South Wales upon territory to be ceded to the federation and to be under its direct control. Thus the wisdom of our fathers in this particular is curiously justified and illustrated a century after the fact.

#### EVENTS OF THE PAST YEAR.

I recall that a year ago, in this place and on a similar occasion, we were listening to the earnest and patriotic words of President McKinley. It was only one week after the unhappy destruction of the *Maine* in the harbor of Havana. What a page of our national history has been written since! The action of the President in attending this celebration a year ago was characteristic of his attitude, as it seems to me, during the whole of that fateful spring. Nothing that he could have done would have contributed more importantly to quieting the public mind at that juncture than his appearance here at such a moment to speak the calm and measured words which we had the pleasure of hearing.

Only one who has tried to meet calmly such an occasion with a great burden of anxiety resting upon his heart can have the faintest conception of the mastery of self called for by such an undertaking. I like to think that in every crisis in our national history, so many of which have marked the intervening months, the nation has had the benefit of the same self-control, the same cool judgment, and the same utter devotion to the welfare of the country. It is not necessary to claim for the President entire freedom from mistakes in order to recognize in his general bearing a very high quality of leadership.

The anxieties of the war are over, and the problems of peace resulting from the war are now upon us. No one who has lived through it can forget the exhilarating sense of gratified patriotism which marked the action of Congress and of people as the war came on. The enthusiastic response of the volunteers to the President's call, the splendid valor displayed by our men on land and sea, the noble devotion of good women to the sick and wounded—all of these were as welcome as our victories except as our victories were themselves the fitting and natural reward of the qualities thus displayed.

For these things show that the character of the nation, when thus tried in the fiery furnace of war, glowed with the brightness of pure and precious metal, and that the nation's capacity for self-sacrifice, in a large sense, is not less than it used to be. But this is not all. The mechanical skill and ready efficiency so characteristic of the American told with overwhelming effect in the overthrow of the enemy. This capacity to turn industrial effectiveness into efficiency in war, as the swift ocean steamers of the merchant marine take on themselves, upon demand, the qualities of men-of-war, is evidence that warlike power sufficient for our need is developed in peace among a people that does not suffer itself to be dismayed by difficulties or weakened by luxury.

I wish it could also be said that the American genius for organization and for business had displayed itself during the war to equal advantage. In the Navy it did. There was something as admirable as its fighting in the way in which everything that fell to the lot of the Navy to do was done quickly, without confusion and with absolute success. In the Army it did not. It must in all candor be admitted that the task of the War Department was much the heavier. It had to multiply the Army tenfold, and it had to do quickly on a large scale what it had only been in the habit of doing slowly and on a small scale. But it is precisely under such circumstances that genius shows; and we were obliged to admit that on the side of the War Department the genius that has made our railroads the most effective in the world, the genius that is enabling our manufacturer to conquer the market of the world was not forthcoming.

The Santiago campaign of the Army was splendidly and brilliantly successful, and if the war had lasted longer I dare say we should have had a better criterion than we have now by which to judge how much of the dreadful suffering in camp and in the field is inseparable from war at the very best. But the contrast between the work of the Navy Department and of the War Department is too great to be wholly explained away. It is as clear as the noonday sun that the organization of the War Department and of the Army is absolutely unfriendly to efficiency. The President's commission has pointed out some of the difficulties and has suggested some of the remedies. It remains for public opinion to see that these remedies, or others equally effective, are promptly enacted into law. I am glad that the President has appointed a court of inquiry to go to the bottom of the grievous charges that have been made against the Commissary Department, for it is hideously in contrast with the self-sacrificing heroism of our troops that such charges can even be mooted, much less made, by the Commanding General of the Army. Now that the inquiry has been ordered, the people may well await the finding with patience and with an open mind, as a people at once too great to do injustice even to a single one not known to be at fault and too earnest to permit any who may be proven guilty either of wrongdoing or of false charges to escape the blazing fury of their wrath.

#### CONSEQUENCES OF THE WAR.

To some of our people, perhaps to many of them, the consequences to ourselves of this war with Spain seem more terrible than the dangers of the war itself. When patriots like Senator Hoar, of Massachusetts, and Senator Hale, of Maine, not to speak of others, feel called upon to break away from their party and vote against the ratification of the treaty of peace, he must be a light-headed man, indeed, who does not consider seriously the gravity of the decisions that have been made by those charged with authority by the American people to make precisely such decisions. I want to point out, if I can, why it seems to me that the decisions reached may be accepted with a good heart, and to indicate some, at least, of the duties that flow from the ratification of the treaty.

A century ago John Adams was President. Washington was still alive, enjoying at Mount Vernon his well-earned retirement; and he had just given a new evidence of his unquenchable public spirit by accepting a commission as Lieutenant-General of the Army of the United States in view of a possible war with France, which was then feared. During the sessions of Congress held in your city the foundations were laid of the Navy of the United States whose achievements and traditions have made its victories of last

summer appear to be only the natural continuation of its glorious past. Truxton and Hull, Perry and Decatur, Farragut and Porter, seemed to be only other ways of spelling the names of Dewey and Sampson.

During his Presidency of eight years Washington had demonstrated the strength of the new Government in various directions. He had avoided complications with revolutionary France, despite the strong and natural popular sympathy with the country which had aided so importantly in winning our own independence; he had settled outstanding questions full of embarrassing possibilities by a treaty with Great Britain, which at the time was exceedingly unpopular; he had put down by force an armed insurrection, and he had inflicted summary punishment upon the Indians, who showed a disposition to harass our Western borders.

The new Government, therefore, by 1799 was fairly launched, but already new dangers began to make their appearance. The election of Thomas McKean as Governor of Pennsylvania in 1799 foreshadowed the triumph of Jefferson and the Republican or Democratic party of that day. In the eyes of the Federalists, who had controlled the Government from the start, this seemed like the beginning of the end. There is more than a little evidence that in the minds of some of them it seemed to forebode a civil war. All the time the problem of slavery was embedded in the Constitution, unrecognized indeed, in a certain sense, until 1820, but always there. In 1820 came the discussion which terminated for the moment in the Missouri Compromise. Like a thunderbolt out of a clear sky, these discussions revealed the electricity in the air and suggested the coming storm. Then came nullification, and all the uneasy years attending the angry controversy about slavery, and, finally, attempted secession and the civil war. Foreign wars with England in 1812, with Mexico in 1846, and with Spain in 1898, have tested the country in its capacity for combat against an outside foe, while widespread commercial panic and disaster in 1819, in 1837, 1857, 1873, and 1893 have tested the capacity of the people for self-control under circumstances of great domestic hardship and distress.

#### COURAGE TO MEET NEW DANGERS.

It may fairly be said that no period of twenty years has passed that has not brought the country face to face with some grave danger and up to some new test. Phillips Brooks once said that if a man believed that the country had escaped all the dangers which have confronted it only by a series of happy accidents such a man naturally would be full of fear at every new peril that makes its appearance, because such a man never could tell when the country's luck might not change. If, on the other hand, said Dr. Brooks, a man believes that the country has overcome the dangers of the past because its political system is inherently sound, such a one faces every new peril with a courage born of the dangers that have been overcome.

It is in this spirit of well-grounded courage, I think, that the people of the United States should contemplate the situation in which they find themselves placed, in 1898, by the treaty of peace with Spain. The advocates of ratification have been called imperialists and expansionists, and the treaty itself has been said to be in woful contradiction with all we stand for as a nation. These are serious charges, and it behooves every man who loves his country to consider whether they are well made. Unless our treaty with Spain has been dictated by lust of empire, it is not fair to call those who advocated it imperialists; unless it has been dictated by lust of territory, it is not fair to call them expansionists; unless a better way can be shown by which peace could have been secured, it is not just to criticize the Government for accepting even unwelcome obligations that the war has brought in its train.

What, then, are the facts? The Congress of the United States, in demanding the withdrawal of Spain from Cuba, declared it to be the purpose of this country to secure freedom for the Cubans. There is certainly neither imperialism nor expansion in those resolutions. Up to this hour there is not an indication that the purpose of the country, as thus formulated by Congress, will not be lived up to both in the letter and in the spirit. It is evident, therefore, that our imperialism and our expansion, if they exist at all, are by-products; they do not represent the heart's desire. But some one will say, "Why, then, did we demand the cession of Porto Rico and of the Philippines? If the American people are not imperialists and are not expansionists, why should we demand from Spain the cession of those islands?" The answer, it seems to me, is very simple, though it is not the same in both cases. If Spain had withdrawn from Cuba without war, she would undoubtedly be still in possession, so far as we are concerned, of both Porto Rico and the Philippines. The moment she compelled us to go to war in order to expel her from Cuba, it became evidently the dictate of good sense to make it impossible for future troubles to arise between us from similar causes by removing her from this hemisphere. She has been a difficult neighbor from the beginning. No one, I think, seriously criticizes this decision.

It is said, however, that in the Philippines, by reason of their distance and their population, the case is different. Undoubtedly it is, and therefore the answer is different. Evidently it would have been unwise to attempt any solution of the Philippine problem which should place Spanish and American civilization side by side in control of different parts of the Philippine group. That would have been deliberately to reproduce in the Eastern Hemisphere the very conditions that had just led to conflict in the Antilles. It was inevitable, therefore, that either Spain or America must leave the Philippines. We had destroyed Spain's authority there and had also destroyed her power to reestablish it. In no fair sense of the words, under these conditions, is it just to say that in determining to make peace by securing the cession of the Philippines the United States has been animated by either the lust of empire or the lust of territory.

#### REGARDING THE PHILIPPINES.

But some say that the islands should have been surrendered to the natives under a joint protectorate. It is urged that our action, in demanding a cession of the Philippine Islands to ourselves, is comparable with what the action of France would have been if, at the end of the Revolutionary war, France had made peace with England by demanding the cession of England's American colonies to herself. Leaving out of account the fact that France had entered into formal alliance with the colonists to aid them in securing independence, it seems to me, rather, that the demand of those who seek a joint protectorate for the natives is like a demand on the part of France, had she made it, that England's colonies should be left to the Indians under a joint protectorate. It is impossible, in such affairs, to leave out of account the demonstrated capacity of a people for self-government.

Undoubtedly, the United States should, and undoubtedly we shall, give to the natives of the Philippines as great a measure of self-government as they are capable of exercising; but we could not, in justice to civilization, assume, in our treaty with Spain, a capacity for civilized government on the part of the natives which has never been shown to exist. It was the same Jefferson who wrote in our Declaration of Independence that government ought to rest upon the consent of the governed, and who argued for a strict construction of our national Constitution, that purchased Louisiana from Napoleon without the consent of the people sovereignty over whom was thus transferred to the United States, and also without any other constitutional authority than that which has been exercised in connection with the cession of the Philippines. That is the difference between Jefferson and the statesman and Jefferson and the philosopher.

The philosopher stated the ideal, which I believe to be the ideal of the American people to-day as fully as it always has been; but the statesman did a great service to his country and to civilization, by doing a wise thing at a fortunate moment, although, in doing it, he contravened his own ideal. I freely say that if the dilemma with which we have had to deal in the matter of the Philippines had been voluntarily and consciously sought, the outcome would have been discreditable to our good faith and alarming in its portent. Coming as it has, however, as an unintended result of a war with Spain having its origin in disturbances with Cuba, I believe the children have given the answer the father would have made in the like case. Unless civilization under proper conditions has a right to withhold control from barbarism and semibarbarism and to substitute for either something better, our own national life rests upon inexcusable wrong to the aborigines whose land we have taken and for whose civilization, such as it was, we have substituted our own.

But others again say that the American ideal is government "of the people, by the people, and for the people," and that, however truly we may give to the Philippine Islands a government for the people, it will not be and can not be, under our authority, a government of the people and by the people. Undoubtedly in this aspect, also, the fact comes short of the ideal; but to say that, in the premises, we have no duty to civilization or to the Philippine Islanders is to claim that a self-governing democracy, by its very nature, is incapable of serving other people except by its own example. I do not think so meanly of democracy. Yet I would not admit for a moment, even by implication, that the service of the American democracy to mankind has been hitherto anything less than a world service. I have no sympathy with any one who speaks with a certain air of apology of America's isolation in the past. No nation since the American Republic was founded has influenced the history of all nations more importantly or more beneficially. Indirectly by its influence, and directly by its action, it has done more than any other country to substitute arbitration for war as a means of settling international disputes; while its general success as a self-governing nation, sincerely devoted to the arts of peace, has given a profound impulse to democracy the world over. Neither do I believe that the short and successful war with Spain has changed the temper of our countrymen in a night.

#### AMERICA'S WORLD MISSION.

The equally successful war with Mexico produced no such result, and the inbred habit of a century is not so easily cast aside. Our mission, indeed, has been a world mission of the highest order. We have invited to our shores men of every European country and many others to share with us in the development and civilization of a continent. Not even England's mission, with her colonies and dependencies scattered over the earth, has been more wide-reaching than ours. We have asked the people of the civilized world to join with us in developing a continent, and in doing so to learn with us the art and lesson of self-government. We have also invited here the wealth of Christendom to take part in the development of our material resources.

It is noticeable that in the same eventful year of 1893 that has burdened us with new duties to people across the sea, we have become for the first time a creditor nation, lending vast sums of money to the people of Europe. It is a striking and suggestive coincidence that at the very moment when our relations to the civilized world have changed financially, an obligation of duty to outside people, less civilized than we are, seems also to have been laid upon us. It is as if a voice that admits of no remonstrance had said to us, in the plenitude of our prosperity and power: "Hereafter you must heed the call to service both with men and with money away from home as well as at home." Certainly the change in our political relations is not more striking than that which has taken place in our domain finance. To me it seems an evidence of the soundness of heart of the American people that they have unflinchingly accepted the heavy burdens devolved upon the nation by reason of the war with Spain; and I do not see in the acceptance of these burdens any unfaithfulness to our past or to what we stand for among the nations of the earth.

It is possible, but by no means sure, that our material interests will be benefited by the course we have pursued. As I interpret the attitude of our people, they have taken up the task which seems to have been laid upon them, not stopping to question closely whether it will be advantageous to themselves or not, but determining to do it as best they can. How heavy a burden it already is, how heavy it may yet be, is witnessed by the mournful echoes of the guns in the Philippines that tell of what it is to stand in the shoes of Spain in the eyes of a semibarbarous people.

But if they have taken it up as a burden they are determined no less to convert it into an opportunity.

#### LESSONS FROM ENGLAND.

In this discussion I have given no consideration to the constitutional questions involved, partly because at best these are matters of opinion, and no opinion that I might express would have any special value, and partly because the treaty with Spain has been ratified, so that we are already involved in whatever constitutional difficulties there are. There is no doubt that war with Spain has confronted us, both as to Porto Rico and the Philippines, to say nothing of Cuba, with questions that are wholly new to our experience. Without attempting to make any fine distinction between colonies and dependencies, some things are written upon this subject on the pages of history in letters of flame to which we must not shut our eyes. England lost her American colonies, now the United States, because she attempted to control their trade in the interest of England. The mother country, having learned the lesson of this experience, has since become the great colonizing power of the world, because she has appreciated that colonies or dependencies to be sources of strength must be administered in their own interest.

It is said that the Bourbons never learn from experience; and Spain has evidently lost her possessions in the Antilles and the Philippines because she has continued to do down to this day what caused the revolt of the American colonies in 1776. In other words, the colonies or dependencies of Spain have been places to be exploited in the interest of the mother country. The welfare of the colonies themselves has never been permitted to shape their policy or administration. It would be a ghastly act of folly if, in the face of facts like these, we ourselves repeat with Porto Rico and the Philippines the mistakes which drove our own forefathers into revolution and which have cost Spain her possessions in both the West Indies and the East. It is not clear that we are wholly free from the danger of precisely this mistake; not that the mistake is likely to be made deliberately and with malice aforethought, but that it may be made thoughtlessly, simply because the point of view up to this time has been wholly foreign to our vision. Our navigation laws, for instance, which confine the privileges of domestic commerce to vessels carrying the American flag, have already extended to Hawaii and Porto Rico.

Looking at these places as part of the American territory, the action is natural enough, but if the policy be questioned from the point of view of Hawaii and Porto Rico, it is by no means so clear that the policy is wise. Hawaii lies as far from our western shores as Southampton from New York. Porto Rico is half as far away. It is certainly a fair question for the inhabitants of Hawaii and of Porto Rico to ask what benefit they obtain from a policy

which will arbitrarily confine their trade with this country with vessels carrying the flag of the United States. Our navigation laws have their origin in a conception of national advantage, which affords justification for them from our own point of view; but I submit that the application of such laws to islands 1,500 miles and 3,000 miles away from our nearest port may wear a very different aspect to the inhabitants of these islands from what it wears to us.

#### THE TARIFF IN NEW POSSESSIONS.

Similarly the tariff question is a question of vital importance from the same point of view. These islands are not now manufacturing centers, nor are they very likely to become so. It is evident, therefore, that the tariff for the Philippines and the tariff for Porto Rico might easily be one thing if framed from the point of view of the islands, or another thing if framed from the point of view of the United States. We ought not to forget, and I hope we shall not forget, that it was questions of this kind—not precisely the same in form, but similar in tendency—which led to our own revolution against Great Britain. I am sanguine enough to believe that in the long run our policy toward Porto Rico and the Philippines in these respects will be guided by the principles for which our own fathers contended; but there is undoubtedly a momentary danger growing out of the fact that the whole question is entirely new to our habits of thought. It is not an easy thing for a nation which has consistently pursued for a hundred years a policy of self-development to put itself suddenly in the place of distant islands with whose interests it is really unacquainted in any fundamental sense of the word.

The action of the President in sending a well-constituted commission to the Philippines to report upon these very subjects is worthy of the highest commendation. A similar commission, equally well constituted, might do equally good service in acquainting us with the problems with which we have to deal in Porto Rico. The West Indian Islands seem so near that it is natural to think of them as a part of the American continent, and, indeed, they are much closer to us in all their interests than are the Philippines. On the other hand, Porto Rico, measured by miles, is really far away, and its historic development is as different from ours as possible. Because it is so naturally a part of the American continent we are apt to think we know all about it, whereas our true wisdom lies, I am sure, in endeavoring to acquaint ourselves with its needs in the most careful manner possible.

In this connection I am glad to emphasize a suggestion which President Gilman formulated a few months ago, that the universities of the country can render service of the highest value by encouraging their advanced students to look into all these questions. The thing to be feared at the hand of the American people in these new relations is not so much mistakes of the heart as mistakes of the head—mistakes that will be made either because we fancy that we know what we do not know, or because it has not seemed worth while for us to take the trouble to learn. Therefore, every contribution of knowledge that tends to the understanding of the problem will be most helpful, and in no quarter can we more hopefully look for such contributions than to the universities and to the investigations of their advanced students of history and economics.

#### ISLANDS WILL BENEFIT BY OUR RULE.

You will not imagine, I am sure, because I have emphasized first of all what seems to me a real danger in the situation, that I have any doubt as to the great service which the United States can do for the population of all these islands, both in the West and in the East. We can give to them undoubtedly many of the things which we ourselves value most highly. We can give to them free schools and free speech, freedom to worship God according to their own conscience, and equality before the law. We can give to them, if we will, the opportunities that are born of a stable government, justly and equitably administered, and certainly we can and we should develop everywhere the capacity for self-government up to the utmost limit of possibility. I have not the slightest doubt that these are the things which the American people as a whole intend to do for these islands which have come so unexpectedly under our influence. Neither have I any doubt that the most self-sacrificing efforts will be made by the multitudes of our people to give both to Porto Rico and the Philippines, as well as Cuba, of the very best that we have.

It ought not to be forgotten, however, that it is one thing to intend to do a thing and quite another thing to accomplish it. I have not the slightest doubt that a people who have maintained Roberts College, in Constantinople, for so many years—the influence of which, in due time, undoubtedly led to the freedom of Bulgaria and Roumania from the Turkish yoke—will carry the torch of education far and wide throughout these islands. I have equally little doubt that the spirit of our laws will be embodied in any legislative action that we may take with reference to these islands. The critical question is, What sort of administration shall we provide during the period, whether it be long or short, in which we must be ourselves directly responsible for results? If we want instructions on an engineering subject, we must go to an engineer; and if we want information on a question of commerce or of agriculture we must go to men who have made a careful study of the problems in business or farming about which we wish to know.

Similarly, if we want to learn how to administer colonies and dependencies wisely, we must study the methods of the one great power of modern times which has made a good record in this field of enterprise. We may indeed study also, and we should, the efforts of other countries in similar directions which have been less successful, for by such a comparative study of the question we shall be able to learn absolutely the conditions upon which success in these enterprises depends. Such a survey of the history of the colonies and the dependencies of our time will land us surely to one conclusion—that if we are not to do any real kindness to these distant people, whose lot is now measurably identified with our own, and if we wish to avoid occasion for shame which will make us a byword among the nations, we must develop a colonial service with permanency of tenure that will offer a life career to many of the talented and promising men of the land. No country in the world, not even England, I believe, abounds more richly in the material available for such a service; but you can not obtain the service of such men unless you make the conditions of the service such as will attract them.

The Supreme Court of the United States has always been able to command the services of many of the best legal minds in the country, not because a bench on the Supreme Court pays a large salary, for it does not, but because of the honor of the position, because of its permanency of tenure and because of its provision of old age. If you were to subtract from these conditions the permanency of tenure, the quality of the judges composing the Supreme Court of the United States would suffer a rapid and fatal deterioration. If you were to deduct both the permanency of tenure and the provision for old age, not even the high honor of the appointment could long secure the quality of service, even in the highest court of the nation, which we have enjoyed in the past.

Similarly, a colonial service that is constantly changing, and which offers no permanent career to a young man of promise who may embark upon it, is as sure to be a failure as anything can be. It is indeed one of the great drawbacks to the public service of the United States in any capacity that it does not offer, under existing conditions, to young men who are inclined to follow it, a permanent career, simply upon the basis of good service to the

public. Something may be learned even from Tammany Hall in this regard, which does offer permanency of opportunity in one form or another to those who are loyal to the organization. The difficulty is, in this case, that the permanency comes from loyalty to the organization, not from efficient and loyal service to the commonwealth. Tammany also demands for its own service peculiar efficiency and skill.

Some day the people will realize that they can not afford to be less careful of their own interests than Tammany is of its own. When this day comes the people will not only create but sustain in all departments of the public service a system that will make it worth while for young men of promise to enter into the service of the State and of the community with the expectation of making that their life work. It must be made their life work upon conditions also that make permanency of tenure dependent on service to the public, not upon service to any political organization less comprehensive than the public. Unless we can do this for our colonies we shall add only one more failure to the melancholy history of colonial enterprise. If we do it for our colonies we may well hope that the demonstrated advantage of it will tend to elevate and improve our own civil service at home.

Looking out upon the country at the present time, we must thankfully recognize that we are passing through an era of almost unexampled prosperity. Our arms have been crowned with brilliant victory both on sea and on land in our recent war with Spain, and our trade and industry, as shown by the phenomenal record of exports and imports, have won almost as decisive victories in all the markets of the world. In contemplation of these peaceful achievements one may indeed exclaim: "Peace hath her victories no less renowned than war!" Such a moment is a moment of great opportunity and of peculiar danger. The danger is that the ideal life of the nation shall suffer hurt in the presence of such abounding prosperity. If it is hard for a rich man to enter into the Kingdom of God, it is no less hard for a rich nation.

It is pleasant, when wealth increases, to strive for more wealth; and it is easy, in the midst of plenty, to leave the hard tasks of the world to others. In this light I think we may well be grateful rather than disturbed that, at a time when our material prosperity is so conspicuous, there should have been laid upon our shoulders some of the burdens of the world that our brothers across the sea have been carrying in the effort to improve and elevate the civilization of the race. It may well be true, in the providence of God, that this young nation, inhabiting a continent, which has so far mastered its material environment as to become a creditor nation, must owe in service as well as money, directly as well as indirectly, to the cause of civilization throughout the world.

I plead especially with the young men at a time like this to keep bright their high ideas; to be willing to serve society and the state as Washington did, unselfishly, and not to permit themselves to be warped by any dream of wealth from this ideal service. If there be also here men who are wealthy as well as young, I beg them to consecrate wealth and life alike to this ideal service. The country, at home and abroad, needs such service in a thousand forms.

"Then welcome each rebuff  
That turns earth's smoothness rough,  
Each sting that bids not sit nor stand; but go,  
Be our joys three parts pain;  
Strive and hold cheap the strain;  
Learn, nor account the pang; dare, never grudge the throe!"

OLIVIA WORDEN.

Mr. RAY of New York submitted a conference report; which was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2919) granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment, numbered 1, as follows in line 8, after "Olivia," insert "T."

That the Senate agree to the amendment of the House numbered 2.

GEORGE W. RAY,

E. S. HENRY,

EDMUND H. DRIGGS,

Managers on the part of the House.

H. C. HANSBROUGH,

WM. E. CHANDLER,

JNO. L. MITCHELL,

Managers on the part of the Senate.

Mr. RAY of New York. I ask that the statement of the House conferees accompanying the report be read.

The Clerk read as follows:

Statement to accompany the conference report on the bill, S. 2919, "An act granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy."

This bill as it passed the Senate directs the Secretary of the Interior to place on the pension roll the name of Olivia Worden, widow of the late John L. Worden, an admiral in the United States Navy, and pay her a pension at the rate of \$100 per month.

The House amended the bill as to the title to make it accord with the practice of both the Senate and the House, by making it read "An act granting a pension to Olivia T. Worden," that being her correct and full name, and also amended the bill by striking out "one hundred" and inserting "fifty," so as to grant the claimant a pension at the rate of \$50 per month in lieu of \$100 per month as stated in the Senate act.

It has been the policy of the Committee on Invalid Pensions of the House of Representatives to refuse to increase the pension of the widow of an officer, however high the rank, beyond \$50 per month when death was caused by or was the result of disease or disabilities incurred in the service, and this policy has been strictly adhered to. This is \$50 per month more than the general law allows.

The Senate has acquiesced in this policy heretofore, and has finally acquiesced in this case.

So much adverse criticism of the Committee on Invalid Pensions of the House through the press has been indulged in that we deem it proper here to state some of the reasons why the policy above referred to has been insisted upon by the conferees on the part of the House. It is well also to state that this criticism through the press has been inspired and promoted by those who, forgetful of their duty to the great mass of old soldiers and soldiers' widows, have sought to coerce the Committee on Invalid Pensions into legislation in this case which they themselves would not commend and have not commended in other cases.

John L. Worden commanded the *Monitor* in its famous engagement with the rebel ironclad, the *Merrimac*. He was a lieutenant in the Navy at the time and did his duty, as did every officer and person under his command.

He did nothing more. This is the only important engagement with the enemy in which he ever was engaged. The Government of the United States during his lifetime freely rewarded him for his bravery and devotion on that occasion. He was promptly promoted and placed on duty from time to time in places of honor until he was finally made an admiral in the United States Navy and placed on the retired list December 23, 1886. He died October 18, 1897, having drawn the pay of a retired officer from the date of his retirement until the date of his death. He left no minor children, but did leave a widow, now 77 years of age, and he left a residence in the city of Washington, D. C., worth \$25,000 at least, and also property which yields a small income to his widow and two grown daughters.

The Committee on Pensions in the Senate reported this bill in the Senate recommending a pension of \$50 per month, and said:

"The distinguished services of Admiral Worden are a matter of history, and if this was a proposition to pension the soldier it is highly probable that Congress would agree to a rating much in excess of that granted by the general law. This, however, is a claim in behalf of the widow, and it comes under a class of cases that this committee has felt compelled to deal with in a spirit of less generosity than Congress has heretofore exhibited. The large pensions granted in a few cases have resulted in a demand upon Congress by the widows of officers of high rank, both in the Army and Navy, for very large pensions, the tendency being to ignore the Pension Bureau altogether and come direct to Congress.

"It is highly probable, too, that the granting of these large pensions has led officers to feel that it mattered little whether they accumulated property or not, as their dependent ones would be provided for by a generous Government. The granting of these large pensions has done more than this. It has created a feeling of unrest and dissatisfaction among the soldiers and their widows of lower grade, and innumerable complaints have come to this committee against the continuance of a practice that seems to them inequitable and unjust.

"Confronted by numerous problems of an exceedingly troublesome nature, this committee at the beginning of the present session of Congress adopted a code of rules for its guidance, one of which limits pensions to widows to an amount not in excess of \$50 per month, \$20 a month more than is allowed by general law.

"Thus far that rule has been kept inviolate, and it is exceedingly important, in view of the pressure that is being exerted upon Congress to grant large pensions, that it be not departed from in this instance. For the reasons stated your committee feel constrained to recommend that the bill be amended by striking out, in lines 8 and 9, the words '\$2,000 per annum,' and inserting in lieu thereof the words '\$50 per month,' and that the title of the bill be amended by striking out the words 'widow of the late John L. Worden, United States Navy.'

"As thus amended the passage of the bill is recommended."

This was in accord with the rule adopted by the Committee on Invalid Pensions of the House. The Senate, however, when it came to act upon the bill saw fit to increase the rate to \$100 per month, which in the House was cut down to \$50 per month.

The Senate disagreed to this amendment and also to the amendment to the title. A conference was the result.

The effect of the conference report is to give to Olivia T. Worden, the widow of Admiral Worden, for the remainder of her life, a pension at the rate of \$50 per month, which is \$20 per month more than the general law gives in such cases to the widow of any officer in the Army or Navy, however high the rank or however distinguished the services of the officer. We repeat what we said in the report on this bill: "Our pension system is broad and liberal, and increases should only be granted when by reason of old age and inability to earn a living absence of income and necessitous circumstances demand it. Neither should the Government, by the granting of special pensions by special acts, assume to save the real estate of a deceased soldier for his children or grandchildren. So long as the old, poor, and needy widows of the privates draw only \$12 per month, your committee are of the opinion that \$50 per month in a case like this is all that justice or a sound public policy demands."

The granting of \$50 per month in this case is a departure from the policy of the Committee on Invalid Pensions in such cases, for it can not be said that the widow of Admiral Worden, who lives in and owns a house in the city of Washington that would sell for \$25,000 and who is also in the receipt of a small income and entitled to a pension of \$30 per month under the general law in addition, is in necessitous circumstances.

The managers on the part of the House therefore assert that the granting of this pension to this widow at the rate of \$50 per month is by far the most liberal special pension legislation indulged in by the Fifty-fifth Congress, and is a most liberal recognition of the valuable services of Lieutenant Worden in fighting the Monitor, services fully recognized and gratefully rewarded by a generous Government in his lifetime.

GEO. W. RAY,  
E. S. HENRY,  
E. H. DRIGGS,

Managers on the part of the House.

Mr. FLEMING (interrupting the reading of the statement). Mr. Speaker, can not this reading be dispensed with by unanimous consent? We have but very little time left for the debate on the fortification bill.

Mr. LENTZ. I want to hear the statement.

Mr. FLEMING. By insisting on this reading the gentleman is simply depriving members on his side of the opportunity to speak on the fortification bill.

Mr. LENTZ. This is an important matter, and I think we ought to hear it.

The Clerk resumed and concluded the reading.

Mr. RAY of New York. I move the adoption of the report.

The question being taken, the report of the committee was agreed to.

GEORGE W. NEVINS.

Mr. RAY of New York. Mr. Speaker, I submit another conference report.

Mr. FLEMING. Does it not require unanimous consent for the consideration of these conference reports at this time?

The SPEAKER. The Chair thinks a conference report is privileged.

Mr. FLEMING. Gentlemen on the other side of the House have used an hour and twenty minutes in debate on the fortification bill and gentlemen on our side have not yet spoken. The time occupied on these conference reports comes out of our pro-

portion of the whole time allowed for debate, which terminates at half past 5 o'clock.

The SPEAKER. The Clerk will read the report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill S. 1963, an act granting an increase of pension to George W. Nevins, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

GEORGE W. RAY,  
C. A. SULLOWAY,  
C. H. CASTLE,  
Managers on the part of the House.  
J. H. GALLINGER,  
GEO. L. SHOUP,  
JOHN L. MITCHELL,  
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

Statement to accompany conference report on the bill (S. 1963) granting an increase of pension to George W. Nevins.

The bill passed the Senate and came to the House increasing the pension of George W. Nevins from \$30 to \$50 per month.

The Committee on Invalid Pensions of the House reported the bill to the House recommending its passage without amendment as to amount. In the House the amount was cut down to \$40.

After a full and free conference and discussion of the matter the conferees on the part of the House have decided to recede from the amendment and recommend the allowance of the \$50 per month.

The soldier served over two years, and was shot twice through the body—once through the shoulder and once through the thigh—in actual battle. He also suffered from fever in the service. He requires aid and attendance all of the time, and while it may be that all of his disability is not strictly of service origin, his condition is such that he would be entitled to \$72 per month under the law if all his disabilities were proved to be strictly of service origin. He is very poor and a man of good character.

The effect of the conference agreement is to increase the soldier's pension from \$30 to \$50 per month.

GEO. W. RAY,  
C. A. SULLOWAY,  
C. H. CASTLE,  
Managers on the part of the House.

Mr. RAY of New York. I move the adoption of the conference report.

Mr. TALBERT. This bill was discussed at one of our Friday night sessions. During the debate it appeared that the disabilities of the soldier could not be traced to service origin; and the result was that in the Committee of the Whole there was a compromise by which the amount to be allowed was reduced from \$50 to \$40. I hope, therefore, that the House will refuse to adopt this report and that we shall have a further conference.

The question being taken, the report of the committee of conference was agreed to.

#### FORTIFICATION BILL.

The House resumed the consideration of the motion of Mr. HENWAY to suspend the rules and pass the fortification appropriation bill.

Mr. BELL obtained the floor and said: I yield fifteen minutes to the gentleman from Tennessee [Mr. CARMACK].

[Mr. CARMACK addressed the House. See Appendix.]

Mr. LACEY. I ask unanimous consent that other gentlemen who have spoken may have the same privilege.

Mr. WALKER of Massachusetts. Or who may speak.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER. The gentleman from Iowa asks that all other gentlemen who have spoken may have the same privilege.

Mr. GAINES. I object.

Mr. BELL. Mr. Speaker—

Mr. LACEY. I move to suspend the rules to permit other gentlemen who have spoken to extend their remarks.

The SPEAKER. The gentleman from Colorado [Mr. BELL] is recognized.

Mr. LACEY. I move that other gentlemen be permitted to extend their remarks.

Mr. GAINES. I object, Mr. Speaker.

The SPEAKER. Objection is made by the gentleman from Tennessee.

Mr. BELL. Mr. Speaker, I yield ten minutes to the gentleman from Texas [Mr. BURKE].

Mr. BURKE. Mr. Speaker, during the present session of this Congress I have intruded myself but very little upon the attention of this House. But there sometimes arise issues and questions respecting which we should not remain silent when we feel it incumbent on us to express ourselves whenever and wherever an opportunity should present itself. I voted for the declaration of war last April. I have never regretted the vote that I cast upon that occasion, and were it to do over again, I should vote precisely the same way. That war brought upon the United States grave responsibilities; and, sir, in speaking of these responsibilities, upon some of the issues that have devolved upon us since the cessation of active

hostilities, I must say I dissent from much that has been said on both sides of this Chamber.

Mr. Speaker, as an incident of that war the Philippine Islands fell into the possession of the United States, and if there can be such a thing as the right of possession by conquest, we are rightfully to-day in possession of the Philippine Islands. [Applause.] We are in possession of those islands to-day by right of conquest as much as we are in possession of the island of Porto Rico. Who denies it?

A MEMBER (on the Democratic side). Aguinaldo.

Mr. BURKE. Yes; Aguinaldo may deny it, but I take very little stock in Aguinaldo or any of his crowd. [Applause.] If the inhabitants of the island of Porto Rico or of Cuba were shooting down American soldiers and sailors to-day, what would gentlemen of this House say to it? What position would you assume? What would you believe should be done in such a case as that? Mr. Speaker, gentlemen may say what they please, but I contend that we are rightfully in possession of the Philippines; and to go further, I say that when these people stop shooting down American soldiers it will then be time enough to talk about Aguinaldo and his crowd and what we propose to do in these islands. [Applause.]

Mr. HENRY of Texas. Will the gentleman allow me to ask him a question?

Mr. BURKE. I have but a few minutes, but I will yield to my colleague.

Mr. HENRY of Texas. What course are you in favor of pursuing in regard to the Philippine Islands?

Mr. BURKE. I will tell my colleague.

Mr. HENRY of Texas. And one additional question, so that you may answer them both at the same time. Are you in favor of a permanent retention of the Philippine Islands against the will of their people?

Mr. BURKE. I ask the Clerk to read what I send to the Clerk's desk; but before he does so, Mr. Speaker, I will say that this resolution which he will read was adopted on the 11th day of last August, at the convention that unanimously nominated me to represent them upon the floor of this House in the Fifty-sixth Congress. I stood then where I stand now, and the delegates to that convention declared what their idea was and what they thought was the policy that should govern and control the action of the United States in this matter. I ask the Clerk to read it.

The Clerk read as follows:

We are opposed to hauling down our flag at Manila—

[Applause on the Republican side]—

which was raised and has been maintained by the imperishable valor of Admiral Dewey and his men, to be supplanted by the flag of Spain, that has so long oppressed the people of those islands, and we favor the permanent retention by this Government of ports and territory in the Philippine and Ladrones islands amply sufficient for the requirements of our Government for commercial, coaling, and recruiting stations in that part of the Eastern Hemisphere; and we also favor some ample and just provision which will secure to the insurgents of such islands such measure of freedom and independence as their condition may justify and as will protect them against the cruel oppressions and outrages of the Spanish Government against which they have rebelled.

[Applause.]

Mr. HENRY of Texas. Will my colleague allow me to ask him another question?

Mr. BURKE. Yes.

Mr. HENRY of Texas. That does not answer my question. What course are you in favor of pursuing with them now, and are you in favor of annexing the Philippine Islands?

Mr. BURKE. If my friend will just keep quiet I will answer his question if I have time.

There is where I stood on the 11th day of August, 1898. There is where the people of my district stand, whose commission I bear on this floor and will bear in the next House if I live. The flag of the United States is rightfully at Manila, and I say as my people say in that declaration, that I want it to remain there forever. [Loud applause on the Republican side.]

If I had my way about it, I would carry out the suggestion contained in that resolution and let the American flag, the emblem of freedom and good government, the emblem of everything that should commend itself to the American people and to the world at large, remain there for all time in that city and in that bay; but in the fullness of time, when it is demonstrated that these people have sufficient capacity to govern themselves, let the balance of the Philippine group be organized as an independent government and see if they can not govern themselves under the protecting ægis of the American flag. [Loud applause.] And when they demonstrate their capacity and fitness for self-government, then we can withdraw our protection and leave them the possessors of a free and independent government, just as we propose to do in Cuba to-day.

If it were within my power, I would put the Philippine Islands in the same position, except that the flag of this Union would remain at Manila and over that beautiful bay for all time to come,

affording us ample territory for a coaling, commercial, and naval station in that part of the Eastern Hemisphere. [Applause.] Is my friend answered?

Mr. HENRY of Texas. I think not. Are you in favor of continuing the war against them until they will be able to govern themselves?

Mr. BURKE. If my friend understands me in that way, I have been unfortunate in my language. I say this: Let the people in the Philippine Islands stop shooting down American soldiers; and when they stop this, then it will be time enough to determine as to the rights they have. [Applause.]

Mr. Speaker, I believe this question is one that should be discussed on a plane far above all political considerations. We should consider and discuss it from the broad standpoint of American citizenship, and not from that of party bias. Our soldiers and sailors are in the Philippines, and, as I said a few moments ago, I believe they are there rightfully. They have been shot down by these people, and they have defended themselves and upheld the flag of our country with that valor and devotion that is characteristic of the American soldier.

Gentlemen declare that the President, in not giving to these people the assurance that this Government did not intend to annex these islands, is responsible for the blood that has been shed there. I do not think so. But grant that this is true, for the purpose of the argument, what relief does this grave charge bring to the condition that to-day confronts us in these islands? What would gentlemen have us do? Abuse by either political party against the other does not relieve or remedy the situation.

Some go so far as to say that we should at once withdraw our army and navy from Philippine waters. They seem to forget that we have assumed international obligations by the provisions of the treaty of peace signed at Paris and ratified by this Government, which absolutely preclude such action on our part. Besides these international obligations, a decent regard for our position before the civilized world forbids that such a step be taken. Nations, like individuals, are often confronted with situations and responsibilities, not of their seeking, which they can not ignore and avoid if they would; neither should they avoid them if they could.

It must be apparent to all who have closely watched the trend of affairs in this country since the declaration of war with Spain that the United States has taken a long stride forward and stands before the civilized world to-day far in advance of the position she occupied before this war. No nine months of the nation's life can show as many important events or have made more history than those following the declaration of war.

The guns of Dewey which belched forth their early morning greetings to the Spanish fleet at Manila on May 1 proclaimed not only to us but to the civilized world that a new era had dawned on our land; and this fact was emphasized on the morning of July 3 when Schley swept from the seas practically the whole Spanish fleet. With the victories of our magnificent Army and Navy came the treaty of peace, and we have assumed responsibilities before the world which must be met and solved as becomes a great and powerful people. And, Mr. Speaker, I have an abiding confidence in the American people. I believe they will meet and rightfully solve any problem of legislation or any responsibility that may confront them.

So far affairs in Cuba and Porto Rico seem to be progressing satisfactorily to all, and it is only in the Philippines where the authority of our Government is denied and assailed. We are bound to restore order there, and see that a government suited to their wants and necessities is organized and maintained. These people should understand once for all that we are not their enemies, but so long as they continue to fire on our soldiers we shall treat them as enemies; and further, that they can not defy the authority of this Government, and with arms in their hands attempt to dictate terms.

Porto Rico is practically a part of this country now. All of us hope that the Cubans may soon be enjoying the blessings of self-government, and that they will demonstrate their ability to maintain on that island a stable government. If in the future the people of that island should desire closer relations with us under terms of annexation, and such terms can be satisfactorily agreed upon between the two Governments, I believe, sir, we will all welcome Cuba as a part of the territory of this country.

As to the Philippines, let us hold forever ample territory at and around Manila and Manila Bay to serve our Government as a coaling, commercial, and naval station for all time in the future, and then when peace and order has been restored in the Philippine group extend to these people the privilege and opportunity of organizing a government of their own, and demonstrate to the world their capacity for self-government. Should they succeed in doing this, then when all obligations, international and otherwise, which have been assumed by us shall have been fully carried out, let this new government repay back to the United States the amount that is paid to Spain under the Paris treaty. When this is done, withdraw our forces, except such as may be needed at

Manila and Manila Bay, where our flag shall float forever as the symbol of progress, justice, and freedom in that part of the world. [Loud applause.]

Mr. Speaker, this cry of "imperialism" and "imperial policy" has no terrors for me. The same cry was heard in 1803 and at every subsequent step taken when our territory has been enlarged and expanded. In fact, expansion has been an accepted policy with us since 1803. I have no fears of "imperialism" in this land nor in any land over which our flag will ever float. The permanent annexation of the Philippine Islands by this Government is one of the disturbing issues before the people of this country to-day, and the question to be answered is this, Is such annexation desirable and best for the interests of the American people?

We have annexed territory acquired by conquest and purchase jointly, just as the Philippines have been acquired; and we did this, too, without asking for or obtaining the consent of the people of the annexed territory. We have annexed other territory by purchase alone, without the consent of the people so annexed. In fact, with the exceptions of Texas and the Hawaiian Islands, the consent of the people in the territory heretofore annexed to this Government has never been given. So, Mr. Speaker, no one can say that our history since 1803 does not furnish precedents amply sufficient to justify the permanent retention of these islands, with or without the consent of their inhabitants. The American people, I believe, will decide this question rightly, and when that decision is made it will be upheld and maintained by the patriotic sentiment throughout the length and breadth of this country. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BURKE. Let me have one moment more.

Mr. MARSH. I hope the gentleman will be allowed five minutes longer by unanimous consent.

The SPEAKER. The gentleman from Colorado has the floor.

Mr. BELL. I can not yield any more time, for I have yielded the whole of it.

Mr. BURKE. Then, Mr. Speaker, although I am constitutionally opposed to extending remarks in the RECORD, I will ask to extend mine.

The SPEAKER. The gentleman from Texas asks permission to extend his remarks in the RECORD. Is there objection? There was no objection.

Mr. BELL. I now yield to the gentleman from Kansas [Mr. RIDGELY].

[Mr. RIDGELY addressed the House. See Appendix.]

The SPEAKER. The gentleman asks permission to print his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BELL. I now yield the remainder of my time to the gentleman from Georgia [Mr. FLEMING].

#### SOME MORAL ASPECTS OF IMPERIALISM.

Mr. FLEMING. Mr. Speaker, on a former occasion I submitted to the House my views on some of the legal and economic results of the Administration's new policy of imperialism. I now purpose to discuss some of the moral aspects of the same subject.

In the first place, I desire to direct the attention of the House and the country to some of the deplorable consequences which have already followed fast upon the heels of this new departure.

When thoughtful and conservative men warned against the dangers ahead along this untrodden road, they were met, among other things, with the charge of timidity and cowardice, that favorite weapon of heedless braggarts who seek to gain the applause of the people whom they mislead. But that sort of evasion can not avail our opponents now. I will now deal not with prophecies, but with facts, not with the doubt of what may be, but with the certainty of what has been and is.

In situations like the present it is not wise to exaggerate things either for the better or the worse. The realization of the unvarnished truth is of far more importance than either optimism or pessimism. No finer tribute was ever paid a man than when Carlyle said of Cromwell:

He stood bare—not cased in euphemistic coat of mail, but face to face and heart to heart he grappled with the naked truth of things.

Some good may come to the nation yet if we in this same spirit of fearless candor will discard all disguises and pretenses and look squarely at some of the facts that have already transpired in this bloody drama. It is a time for plain talk. I intend to speak the truth as I am able to see it.

#### STRANGE PARADOX.

At the outset we are confronted with a strange paradox. We began the war for the purpose of freeing a people on this side of the world, and we are trying to end it by subjugating a people on the other side. With our strong arm we helped to raise toward heaven the flag of a new republic at Havana, and with that same strong arm we have done much to drag down into the dust the

flag of a new republic at Manila. If newspaper reports speak the truth, or anything like the truth, our American soldiers in the last few days have killed and wounded in battle in the island of Luzon more human beings than Weyler killed and wounded in battle during the whole period of his last bloody régime in the island of Cuba. There is not, I venture to say, in the whole history of warfare, ancient or modern, a spectacle more pathetic than those 700 half-naked Filipinos, armed only with bows and arrows, fighting in the holy cause of freedom, as they understand it, against the deadly fire of American artillery.

#### MORAL LEADERSHIP FORFEITED.

Only a few months ago this nation went proudly forth to war to free the oppressed in Cuba, and by so doing we took, undisputed, the moral leadership of the world. To-day we forfeit that leadership; nay, we ruthlessly fling it away and stoop to the lower level of subjugating and slaughtering the brave, though perhaps misguided, patriots in the Philippines. What a glorious beginning! What an inglorious ending!

"How did it all come about," the future historian will ask: "by what sort of hypnotism were the people of these United States turned away from their high purpose as the champions of human freedom, and made to play the sinister roll of oppressors?" Let us answer these questions now while our memories are fresh. To answer truly we must look to the complex motives that urged our nation into action, and then trace if we can how it came about that the good motives lost the mastery they at first possessed and fell under the domination of the bad motives.

#### OPPOSING FORCES.

The heart of the American people had long been touched with admiration for the heroic patriots of Cuba. That heart soon became filled with pity for the sufferings of the women and children, and then it was stirred with righteous indignation at the inhuman cruelties of Weyler. Against this rising tide of sentiment there was opposed the natural desire to maintain friendship with Spain and the conservatism of business interests and the selfishness of bondholding syndicates. With these forces thus standing in doubtful balance, there came the news, like a clap of thunder from a clear sky, that 265 of our sailors on board our battle ship had been murdered in the then friendly harbor of Havana—murdered without warning—murdered in the darkness of the night—murdered while they slept. From that hour there was no longer room under the same sky for Spain's flag and our flag to float together.

We all know the result in Cuba. Spain has departed from this hemisphere, and over the devastated island that she left there will soon be raised by our aid the flag of a free republic. There, indeed, the glory of our arms and the honor of our statesmanship went hand in hand, though candor compels the admission that it was not without a hard struggle in Congress that we checked the rising spirit of greedy conquest and proclaimed our unselfish purpose of giving freedom and not bondage to Cuba.

But in the Orient, how different! A naval victory unprecedented in the glories of the sea. But a statesmanship faltering, short-sighted, blind, and yet, withal, puffed up in its own conceit, loud in its own self-praise, and almost pious in some of its protestations.

#### GREED OF CONQUEST SEIZES ADMINISTRATION.

The Filipinos were our allies, openly recognized as such, for a time at least, by our civil and naval officers in the East. They joined forces with us against the common enemy. We knew that they had long before rebelled against Spain. We aided them in their rebellion. We knew they cherished the fond hope of national independence. We encouraged them in that hope.

But when the final victory was won, the greed of conquest and the lust of power that had been subjected to our nobler sentiments at the first call to arms now obtained the mastery over our Administration. Instead of following the plain and safe and wise course of duty, and saying to Spain, "You must surrender your sovereignty," and saying to the rest of the world, "We warn you to keep hands off," and saying to the Filipinos, "We will restore order, help you to establish your government, and then raise the flag of your independence"—instead of doing these simple things and thus cementing forever friendly commercial relations of vast benefit to our trade, our boss politicians at home began to look askance at one another, and to look away from the Filipinos when they came with grateful hearts and outstretched hands asking for nothing more than they had a right to expect—our consent to their independence.

The more they begged for some assurance of our friendly intentions the more unfriendly our actions grew. They sent their formal petition and protest to the Paris Commission. Failing of success there, they sent their representative in person to Washington, where he was spurned officially and detectives set to watch him privately.

In the meantime, though the war with Spain was practically at an end, we kept sending more troops to Manila. In view of all

those facts, any wayfaring Filipino, though a fool, must have been convinced that the Administration at Washington did not intend to permit them to have their independence. If so, why did it not speak the word?

Why could it not hold out some promise? Why all these ominous preparations for more war when the war with Spain had ceased?

#### WHAT IS NOT LIBERTY.

Remember, too, in this connection that the Filipinos had begun their struggle for independence and had set up a form of government in their islands before we agreed to buy them from Spain. How could anyone expect them to surrender their cherished hopes without striking a blow at their new oppressors? A clash sooner or later was inevitable unless they were too cowardly to fight, in which event they would not be fit to be American citizens.

For us to say that they ought not to have fought because we intended to give them liberty according to our notion of liberty, which we think better than theirs, is a hypocritical evasion of the real issue. There is no such thing as giving a people liberty according to your will and against their will. As Mr. Webster said on a memorable occasion:

No matter how easy may be the yoke of a foreign power, no matter how lightly it sits upon the shoulders, if it is not imposed by the voice of one's own nation and of his own country he will not, he can not, he means not to be happy under its burden.

#### REAL POLICY OF ADMINISTRATION.

For weeks the Filipino army and the American Army stood face to face at Manila. In this critical situation there was one sure and certain way of avoiding a general conflict of arms, and that was for the Administration at Washington to say to the Filipinos that we did not intend to subjugate them, but, on the contrary, to aid them to national independence in due time.

Such an assurance would have removed at once all cause for a conflict and thus prevented loss of life on either side. But our Administration would not speak either to the Filipinos or to us. It pursued a policy of silence, of apparently not knowing its own intentions. This noncommittal course may have appeared to superficial observers as a policy of double dealing, evenly balanced, with no inclination to either side, a sort of straddling equilibrium. But to those who looked beneath the surface it meant only one thing, and that was that the Administration was opposed to the independence of the Filipinos and was in favor of annexing them, and doing so by subjugation if necessary.

If such was not the real meaning of the Administration's dumbness, then what a terrible blunder not to have spoken its real intentions. For, seek to avoid it as we may, that refusal to declare a friendly policy, looking to independence, was the prime moving cause that brought on the clash of arms at Manila, with the result of scores of American soldiers wounded and thousands of Filipinos slaughtered, including women and children, according to all reports that come from other sources than our own censored press. The President may be an ambitious man. He is certainly a wise man, as the phrase goes. He is surely not a bloodthirsty man.

Therefore, rather than believe that in such critical condition of strained relations he withheld the utterance of sentiments which he really entertained and which if uttered would have averted bloodshed, I prefer for his own sake to conclude that his policy has been not for ultimate independence, but for permanent annexation, peaceably if he could, forcibly if he must. This conclusion is the more charitable one to him, as well as the one more consonant with the logic of the facts.

Such is his policy, if he has a policy; and the people of this country are going to have a stormy reckoning with him about it in 1900, unless in the meantime he shifts his sails and steers in another direction. The Boston banquet speech was an excellent piece of declamation, full of lofty platitudes, but it held out no hope of independence to the Filipinos—the one single issue about which blood is being shed in the Philippines.

#### TRUTH ABOUT RATIFICATION OF TREATY.

There seems to have been a determined effort on the part of some of our newspapers to misunderstand or misrepresent the true situation about the ratification of the Paris treaty. There was never at any time any general desire on the part of those who oppose the President's policy of imperialism to defeat that treaty. Their object was solely to amend it, and the only amendment they insisted upon was to change one clause, so as to give ultimate independence to the Filipinos on the same general plan we had promised it to the Cubans. There was never a day after the treaty was reported to the Senate that it could not have been ratified with practical unanimity if such an amendment had been accepted.

Nay, more, while many of the anti-imperialists considered it wisest to write such a provision into the text of the treaty, there was scarcely a day for weeks that the treaty could not have been overwhelmingly ratified without amendment if a clear declaration favoring ultimate independence for the Filipinos had been

unequivocally made in a joint resolution by Congress. Such a declaration would have been the pledge of our national word of honor, which our own court might have construed as a substantial feature of the cession of the islands when it comes to pass upon the question of our sovereignty in relation to the operation of our tariff and other laws in our outlying possessions.

#### RESPONSIBILITY FOR LOSS OF LIFE AT MANILA.

Even assuming that an earlier ratification by us of the treaty as it stood would have prevented the Filipinos from fighting for their liberty—and this is a most violent assumption against all the probabilities—it is perfectly plain to every fair-minded man, first, that of course the treaty could have been ratified at any time by either side acceding fully to the demands of the other; second, that the moral responsibility for the delay in its ratification and the consequent loss of life at Manila must turn upon this other question, namely, whether such an amendment or declaration of policy as was requested ought to have been made.

If it ought to have been done, the responsibility rests upon the Administration for preventing it. If it ought not to have been done, the responsibility may rest upon those who favored it. Upon that issue we are ready to stand or fall before the calm, sober judgment of the people when passion subside and reason again mounts her throne. It is an ungracious task to lay the blame for that fearful destruction of human life at the door of any man or set of men. But if it must be done, as some have essayed to do, let it be done in accordance with the facts. We prefer not to speak, but if we must speak, we can say to the President, as the prophet of old said to the king: "Thou art the man."

#### MCENERY RESOLUTIONS A MAKESHIFT.

The defeat a few days ago in the Senate of the Bacon resolution favoring independence for the Filipinos and the passage of the McEnery resolutions instead, all done by Senators in close touch with the Administration, only emphasize the correctness of the conclusions I have drawn regarding the policy of the Administration. These McEnery resolutions were framed by some one with consummate skill so as to avoid saying the very thing they ought to say. Their real purpose seems to be not to give any hope of independence to the Filipinos, but to try to avoid some of the necessary legal effects that follow the ratification of the treaty by attempting to forestall and shape the decision of the Supreme Court when it comes to pass on the constitutional questions that are bound to arise. If these resolutions ever come to an issue here, I trust this House will substitute for them a more manly declaration, or else vote down the miserable makeshift.

#### EFFECT OF CRAZE OF IMPERIALISM ON SOME EDITORS.

Another deplorable result which has already followed the advent of our new imperial policy is found in the baneful effect it has produced on the minds of some of our hitherto conservative and respectable editorial writers. It seems to have worked upon some of them like a poisoned virus, slowly but surely destroying their equipoise, their conservatism, their judgment, and at last, in some instances, their self-respect.

An influential metropolitan paper, edited with great brilliancy and with much sound sense on some subjects, was so upset mentally by this imperialistic craze as to be guilty of publishing the following statement, which I shall read, about those Senators who followed their patriotic convictions and constitutional privileges in standing out to the last in their effort to have the Paris treaty amended so as to give independence to the Filipinos. That paper said editorially:

Twenty-nine traitors are now in the Senate of the United States, and here are their names—

And proceeds to enumerate.

Again it says:

Everyone of these twenty-nine names will be a hissing and a byword among Americans from this time forth.

Could anyone have believed twelve months ago, prior to this frenzy of imperialism, that any respectable paper in America could have fathered such rot? And this, too, in a strong metropolitan journal, to say nothing of the feebler and lesser sheets that have joined their weaker voices in the same silly cry.

#### PROPOSED ARREST FOR TREASON.

Let us follow that logic a little further. If these twenty-nine Senators are traitors, what then? Certainly traitors ought not to be permitted to legislate for the nation they have already betrayed. The next step would be to arrest and try them. Indeed, incomprehensible as such a thing would be under ordinary conditions, it is a fact that another editor, more reckless than the one I have referred to, has seriously proposed that the senior Senator from Massachusetts should be arrested and tried for treason. As there is so much treason in the air, we could not be greatly surprised if some one should rise up to demand that the United States Army disperse the Senate until that body is fully purged of traitors that now infest it. A few more editorial writers of this type would soon make straight the way for a military dictator—except for the saving common sense of the people.

## WE ARE TO CONVERT THE HEATHEN.

But again, it is said we will convert these heathen to our own Christian religion. With this pious object in view many holy men of God have recently been using their pulpits to bolster up this policy of imperialism, which knows no law but might. No loftier sentiment ever ennobled the human heart than the consecrated love of the Christian missionary who sails to distant lands in obedience to the Master's injunction: "Go preach the gospel to every creature." Had we kept faith and friendship with the Filipinos we would have found, no doubt, in their islands a wide field and a rich harvest for Christian work.

But, unfortunately, heathen souls can not be bought by us at so much per thousand, nor can Filipinos be converted to Christianity by the use of rapid-fire machine guns. The mind and heart of the subject must usually be given some sort of kindly preparation for the reception of the truths of Christianity; and, above all things, the example of a professedly Christian nation will be potent in attracting or repelling the souls of these unsaved heathen, about whom our imperialistic pulpiterers are wont to grow so eloquent in special sermons designed to quicken the hearts and loosen the purses of the brethren in the pews.

I fancy it will take long years of work by devoted men and women to erase from the minds and eradicate from the hearts of the Filipinos the baneful effects against our claims for Christianity produced by our recent slaughterings, when their only offense consisted in fighting for their freedom.

## REBELS MOWED DOWN LIKE GRASS.

Our dispatch conveying news of the battle of Calococan said: "The rebels were mowed down like grass." Boom! goes the cannon. Swift speeds the shell. Down fall the ranks of men like blades of grass before the scythe. Again and again the "reeking tube" hurls forth the "iron shard." The work is soon finished, and there on the bloody ground, some still grasping their rude bows, lie heaped up the dark corpses of the slain—

Thick as autumnal leaves that strew the brooks  
In Vallombrosa.

And all this done in the name of a superior civilization and by men of a Christian nation, who kill these heathens, so late our friends and allies in arms, because, forsooth, they would not forswear their love of liberty, which self-same love has lifted us from weakness into power, from darkness into light, but, alas, has not yet sufficiently taught us that other hearts than our own have the right, the equal right with us, to aspire to freedom and national independence.

## IS THERE A SPOT LIKE CONCORD BRIDGE NEAR MANILA?

Mr. Chairman, it was my privilege one beautiful afternoon last summer, when just recovering from a serious illness, to ride with a valued friend from Lexington Common to Concord Bridge—those two historic spots so dear to all Americans, where our Revolutionary sires first defied their British oppressors. The scene at Concord Bridge was to me entrancing. The tall trees, the dense shade, the green slopes, the quiet stream, all peaceful in the soft summer light. Just across the bridge stood the bronze figure of the minute man, every limb and feature, as it were instinct, with life. My heart thrilled with patriotic pride when I gazed on that perfect statue and read on the pedestal those immortal lines of Emerson:

Here once the embattled farmers stood,  
And fired the shot heard round the world.

I have recently mused much on this and wondered if there was, anywhere out along the firing line around Manila, a spot that looked like Concord Bridge. There are many points of resemblance in the principles involved in those two battles that were fought so far apart in time and space. I need not mention them; they rise up in every mind familiar with the facts.

## HEART GOES WITH THE FLAG.

Let no one charge that I am out of sympathy with our Army and Navy. I am not criticising soldiers or sailors. Their duty is to obey. My heart goes with the men who follow our flag, in whatever land and on whatever sea. May victory always be theirs. But my condemnation falls, for what it is worth, much or little, on the blundering statesmanship that makes necessary this slaughter in the Orient and that makes our flag stand for something, in the eyes of the world, meaner than it ever stood for before.

## REMEDY: GIVE ASSURANCE OF INDEPENDENCE.

Still I have not lost my faith in the American people. Deep down in their hearts they love justice and right. I believe they will yet assert themselves and soon compel this or some other Administration to wipe that stain from off the Stars and Stripes. It is not too late to retrieve in part what we have lost. Let the Filipinos have prompt assurance of their independence in due time. Then we can look the world in the face, and say with infinite satisfaction: "We went forth to war to give freedom to one people. Behold, we have given it to two."

Mr. HEMENWAY. Mr. Speaker, in view of the fact that the time has been all taken up in the discussion of other matters than

that involved in the bill now before the House, I ask unanimous consent to print the report of the committee, and also some remarks on the bill in explanation of its provisions.

The SPEAKER pro tempore (Mr. DALZELL). If there be no objection, the request of the gentleman from Indiana will be granted.

There was no objection.

Mr. HEMENWAY. I move that the rules be suspended and the bill passed.

The question was taken; and the Speaker pro tempore announced that, in the judgment of the Chair two-thirds having voted in favor thereof, the rules were suspended and the bills passed.

## RETURN OF BILL TO THE SENATE.

The SPEAKER pro tempore. The Chair desires to state to the House that a request was received from the Senate for the return of a certain bill to that body. This request was granted by the House, but subsequently it appeared, as we are informed from the Senate, that the request was unnecessary and the return of the bill is not desired. If there be no objection, the action heretofore taken will be rescinded and the order revoked.

There was no objection.

## LEAVE TO PRINT.

Mr. FLEMING. Mr. Speaker, I desire to submit a request for unanimous consent.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FLEMING. I ask unanimous consent that the gentleman from Ohio [Mr. GROSVENOR] may be permitted to extend his remarks in the RECORD, in accordance with his original request today, to which objection was made.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. GAINES. I object.

Mr. FLEMING. Then I move to suspend the rules and agree to the request of the gentleman from Ohio that he be permitted to extend his remarks in the RECORD in accordance with his original request.

Mr. MADDOX. I move to amend that motion, if it be amendable, by allowing the same privilege to the gentleman from Tennessee [Mr. CARMACK].

Mr. FLEMING. That has already been allowed. There was no objection to that.

Mr. PERKINS. His request was granted.

Mr. FLEMING. I renew my motion, Mr. Speaker, to suspend the rules and authorize the gentleman from Ohio to extend his remarks in accordance with his original request.

The motion was agreed to, two-thirds voting in favor thereof.

Mr. SHERMAN. Mr. Speaker, I desire to present a conference report on the Indian appropriation bill.

Mr. LEWIS of Washington. Will the gentleman from New York allow me to make a request to print?

Mr. SHERMAN. Yes; I will suspend for a moment. Mr. Speaker, if it is agreeable to the Chair, to allow the gentleman from Washington to make his request.

The SPEAKER pro tempore. The gentleman will state his request.

Mr. LEWIS of Washington. Mr. Speaker, I ask unanimous consent to print remarks upon the fortifications bill.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to print remarks upon the fortifications bill. Is there objection?

There was no objection.

Mr. BELL. Mr. Speaker, I ask that all gentlemen who have made remarks may have the same leave.

Mr. SHERMAN. Mr. Speaker, I do not yield for that purpose. I have yielded as far as I can.

Mr. BELL. I withdraw the request, then.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

## INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Now, Mr. Speaker, I present a conference report on the Indian appropriation bill, and I ask that the reading of the report may be dispensed with, but that instead the statement of the House conferees may be read.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the statement may be read instead of the report. Is there objection?

There was no objection.

The statement of the House conferees was read, as follows:

From amendments 1, 6, 8, 15, 26, 23, 38, 42, 43, 50, 59, 60, 65, 66, and 67 the Senate recedes, leaving the bill in these particulars as it left the House.

The House recedes from amendment numbered 2, which increases by \$200 the pay of the agent at the Santee Agency, making it uniform with that of other agencies of its class.

The House recedes from amendment numbered 3, which merely changes the total in conformity with amendment numbered 2.

The House recedes from amendment numbered 4, which authorizes the payment of special Indian agents while at Washington under orders from the Secretary of the Interior, for a period not exceeding twenty days, during the years 1898 and 1899.

The House recedes from amendment numbered 5, which provides that in the employment of practical farmers they shall be chosen from the State or Territory or the adjoining State or Territory to the agency where they are employed.

The House recedes from amendment numbered 7 with an amendment. The amendment, as agreed to, provides that the Secretary of the Interior shall investigate, through the officers of his Department, the cutting of timber upon the Chippewa Reservation in Minnesota and that, pending the report upon such investigation, the Secretary may, in his discretion, suspend the operation of existing law relating to surveys and valuations.

The House recedes from amendment numbered 9, which provides an appropriation of \$30,000, which appropriation is reimbursable out of the funds arising from the sale of timber lands on the Chippewa Reservation for the erection of day schools thereon.

The House recedes from amendment numbered 10. This is made necessary by reason of the death of one Kickapoo Indian and the payment to his heirs of his pro rata share of the funds in the Treasury, in accordance with treaty stipulations.

The House recedes from amendment numbered 11, which provides that all chattel mortgages executed in the Quapaw Agency shall be recorded in the town of Miami.

The House recedes from amendment numbered 12 with an amendment which permits the Secretary of the Interior, in his discretion, to expend \$10,000 for the benefit of the Kiowa and Comanche Indians.

The House recedes from amendment numbered 13, which increases to \$100,000 the appropriation for the Arapahoe and Cheyenne Indians, and from amendment numbered 14, which permits the Secretary of the Interior, in his discretion, to expend \$10,000 of that amount in accordance with the provisions of an old treaty.

The House recedes from amendment numbered 16, which makes immediately available the appropriation of \$5,000 for the benefit of the Kicking Kiapooes.

The House recedes from amendment numbered 17, increasing the amount from twenty to twenty-five thousand dollars of the appropriation for the support of the Shoshone Indians; from amendment numbered 18, which appropriates \$5,000 for the support of the Arapahoe Indians in Wyoming, and from amendment numbered 19, which provides for the construction of a telephone line between the main and sub agencies of the Arapahoos. The last four amendments are all strongly recommended by the Indian Bureau.

The House recedes from amendments 20 and 21, which make the expenditure of the appropriation for Big Jim's band discretionary with the Secretary of the Interior and also make it immediately available.

The House recedes from amendment numbered 22 with an amendment which makes the appropriation available until expended. This is an emergency fund, and the House appropriated \$5,000 and the Senate increased this amount to \$20,000. As a fund of \$25,000 had heretofore answered all purposes for upward of five years, it was thought wise to make this fund available until entirely expended.

The House recedes from amendments numbered 23, 24, and 25, which provide for the employment of a physician at the Walker River Reservation at \$500 per year, makes the appropriation therefor, and changes the amount of the total, which necessarily follows.

The House recedes from amendment numbered 27, which provides for the repair of a Government bridge between two Indian reservations in Nebraska.

The House recedes from amendment numbered 29, which reduces the appropriation from twenty-five thousand to ten thousand dollars to allot certain lands.

The House recedes from amendment numbered 30, appropriating \$25,000 for the survey of lands on various Indian reservations in South Dakota. The chairman of the Indian Committee of the Senate personally appeared before the conference committee and demonstrated the need of this appropriation.

The House recedes from amendment numbered 31 upon like ground.

From amendment numbered 32 the House likewise receded. This confirms the allotments to 83 Indians upon the Uncompahgre Reservation, which were made after April 1 last, when the time for allotments had expired.

The House recedes from amendment numbered 33, with an amendment authorizing the Secretary of the Interior, in his discretion, to do certain irrigating ditch and canal work on the Uintah Reservation, in Utah, out of tribal funds.

The House recedes from amendment numbered 34, with amendments. This amendment as amended provides for the construction of an insane asylum for Indians in the State of South Dakota, at a cost not to exceed \$45,000.

The House recedes from amendment numbered 35, with an amendment limiting to \$15,000 the appropriation for the construction of necessary agency buildings for the new agency at Leech Lake, Minnesota.

The House recedes from amendment numbered 36, permitting the Indians of the Yakima Reservation, Wash., to lease their lands for a period of five years, under regulations prescribed by the Secretary of the Interior.

The House recedes from amendment numbered 37, with an amendment. This amendment readopts the provision of the last appropriation bill in reference to irrigation for the Southern Utes in Colorado, with a slight change in phraseology. It does not involve an appropriation.

The House recedes from amendment numbered 39, which provides for the employment of an architect and a draftsman and a laborer in the Bureau of Indian Affairs, and also provides for repairs to the Fort Lewis School in Colorado.

The House recedes from amendment numbered 40, with amendments. This amendment, as agreed to by the Senate, provided for an appropriation for contract schools for the next fiscal year to an amount not exceeding 20 per cent of the amount appropriated in 1895. As amended, this amount is decreased from 20 to 15 per cent, and there is incorporated in the section a provision that this shall be the final appropriation for sectarian schools.

The House recedes from amendment numbered 41, which provides that poultry can be purchased as well as cattle, etc.

The House recedes from amendment numbered 44, appropriating \$2,500 for an electric light plant at the Flandreau School, and from amendment 45, which changes the total of the appropriation made necessary by the former amendment.

The House recedes from amendment numbered 46, which made immediately available an appropriation for a sewerage system at the Grand Junction School, Colorado, and from amendment 47, which is a like provision for an ice plant at the same school; and from amendment 48, which provides that in the making of such repairs Indians be employed where possible, and that the materials may be purchased by the superintendent in the open market.

The House recedes from amendment numbered 49, which is the appropriation for the Lincoln Institution at Philadelphia.

The House recedes from amendment 51, with an amendment which increases from two to six thousand dollars the amount appropriated for repairs

and improvements at the Pipestone School, Minnesota, and also provides that out of this sum may be expended such portion as is necessary for the erection of additional buildings.

The House recedes from amendment numbered 52, with an amendment, which is simply a change in the amount of the total in accordance with the last amendment.

The House recedes from amendment numbered 53, which increases the appropriation \$14,000 for the erection of a girls' dormitory at the Tomah School, Wisconsin.

The House recedes from amendment numbered 54, which provides for submission to the Secretary of the Interior of the claims of certain attorneys for compensation for services rendered under a contract heretofore approved by the Secretary of the Interior.

The House recedes from amendments numbered 55, 56, and 57, which amendments simply change the number of sections made necessary by the previous changes in the bill.

The House recedes from amendment numbered 59, which provides that appropriations heretofore, as well as those now made, for the benefit of Indians under treaties, may be diverted to other uses than those for which they were specifically appropriated, in the discretion of the President and with the consent of the tribes.

The House recedes from amendment numbered 61, which provides that the Secretary of the Interior, with the consent of the Crow Indians in Montana, and in his discretion, may use the annuity funds to complete the irrigation system in process of construction on that reservation.

From amendments numbered 62, 63, and 64 the House recedes. These are simply formal amendments, changing sections of the bill made necessary by previous amendments.

The conference report was agreed to.

On motion of Mr. SHERMAN, a motion to reconsider the last vote was laid on the table.

#### PROTECTION OF GAME IN THE DISTRICT OF COLUMBIA.

The SPEAKER pro tempore laid before the House the bill (H. R. 2534) for the protection of birds, the preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia, with Senate amendments thereto.

The Senate amendments were read.

Mr. BABCOCK. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

THOMAS HICKEY.

The SPEAKER pro tempore also laid before the House the bill (H. R. 5326) for the relief of Thomas Hickey, with a Senate amendment thereto.

The Senate amendment was read.

Mr. BELKNAP. I move to concur in the Senate amendment. The Senate amendment was concurred in.

GARDNER DODGE.

The SPEAKER pro tempore also laid before the House the bill (H. R. 3567) to remove the charge of desertion against Gardner Dodge, with a Senate amendment.

The Senate amendment was read.

Mr. LACEY. I move to concur in the Senate amendment.

The motion was agreed to.

#### TITLE TO CERTAIN LOTS IN THE DISTRICT OF COLUMBIA.

The SPEAKER pro tempore also laid before the House the bill (H. R. 631) to confirm title to lots 13 and 14, in square 959, in Washington, D. C., with a Senate amendment.

On motion of Mr. BABCOCK, the House nonconcurring in the Senate amendment and asked for a conference with the Senate; and the Speaker pro tempore appointed as conferees on the part of the House Mr. JENKINS, Mr. SPRAGUE, and Mr. RICHARDSON.

#### S STREET, IN THE DISTRICT OF COLUMBIA.

The SPEAKER pro tempore also laid before the House the bill (H. R. 11597) to extend S street, in the District of Columbia, and for other purposes, with Senate amendments thereto.

On motion of Mr. BABCOCK, the House nonconcurring in the Senate amendments, and agreed to the conference asked by the Senate; and the Speaker pro tempore appointed as conferees on the part of the House Mr. BABCOCK, Mr. CURTIS of Iowa, and Mr. RICHARDSON.

#### EXTENSION OF PENNSYLVANIA AVENUE SE.

The SPEAKER pro tempore also laid before the House the bill (H. R. 11629) for the extension of Pennsylvania avenue SE. to the District line, with Senate amendments.

Mr. BABCOCK. I move to nonconcur in the Senate amendments.

Mr. DOCKERY. I would like to have the amendments read.

The Clerk proceeded to read the amendments.

Mr. DOCKERY. Mr. Chairman, after consultation with the chairman of the committee I withdraw the demand for the reading of the amendments.

Mr. HEPBURN. I understand what the amendments are, and I want to ask the chairman of the committee what the contention is, or what probably the contention will be? Does anyone object to the landowner paying one-half of the expense of condemnation?

Mr. BABCOCK. The only question about that matter is this,

There are a number of amendments that the House committee knows nothing about, especially the widening of Sherman avenue and the opening up of Eleventh street. One or the other must be abandoned. It is unnecessary to go to that expense.

Mr. HEPBURN. About the other amendment.

Mr. BABCOCK. There are five or six amendments that the House committee has never considered at all.

Mr. HEPBURN. Five or six amendments of this character, however, that provide that the owner of the land shall recover but one-half of the value of the lands that are to be improved in these streets. Now, what I want to know is, does the House committee object to that?

Mr. BABCOCK. They only recover one-half. They can only recover the value of the damages, one-half to be paid by the property benefited and one-half by the District.

Mr. HEPBURN. Is there objection to that?

Mr. BABCOCK. No, sir.

Mr. DOCKERY. As I understand this amendment, it includes a number of streets. Of course under the rules of the House that would not be in order—to amend one proposition relating to a private enterprise by another—and I hope the House conferees will stand firm by our rules.

Mr. BABCOCK. I move, Mr. Speaker, that the House nonconcur and agree to the conference asked.

The motion was agreed to.

The SPEAKER pro tempore. The Chair appoints as conferees Mr. BABCOCK, Mr. CURTIS of Iowa, and Mr. RICHARDSON.

#### IMPERSONATION OF WEIGHMASTERS IN THE DISTRICT OF COLUMBIA.

The SPEAKER pro tempore also laid before the House the bill (H. R. 8626) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes, with Senate amendments.

The amendments were read.

Mr. BABCOCK. Mr. Speaker, I move that the House nonconcur in the Senate amendments and request a conference.

The motion was agreed to.

The SPEAKER pro tempore. The Chair appoints as conferees Mr. CURTIS of Iowa, Mr. JENKINS, and Mr. COWHERD.

#### RETURN FREE OF DUTY OF CERTAIN ARTICLES EXPORTED FROM THE UNITED STATES FOR EXHIBITION PURPOSES.

The SPEAKER pro tempore also laid before the House the bill (H. R. 7271) amending the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896, with Senate amendments.

The amendments of the Senate were read.

Mr. PAYNE. Mr. Speaker, I ask that the House nonconcur and ask for a conference.

The motion was agreed to.

The SPEAKER pro tempore. The Chair appoints as conferees Mr. PAYNE, Mr. DOLLIVER, and Mr. BAILEY.

#### SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below.

S. 3972. An act granting a pension to Capt. Oscar Taylor—to the Committee on Invalid Pensions.

S. 4098. An act granting an increase of pension to Isaac H. Linn—to the Committee on Invalid Pensions.

S. 4730. An act to increase the pension of Levi Moser—to the Committee on Invalid Pensions.

S. 3291. An act to increase the pension of James C. Carlton—to the Committee on Pensions.

S. 4097. An act granting a pension to Elizabeth Wisler—to the Committee on Invalid Pensions.

S. 4006. An act for the relief of Joseph B. Presdee—to the Committee on Invalid Pensions.

S. 4919. An act granting a pension to Henry H. Lewis—to the Committee on Invalid Pensions.

S. 4916. An act granting a pension to Mary B. Christopher—to the Committee on Invalid Pensions.

S. 5415. An act granting a pension to Frederick Auer—to the Committee on Invalid Pensions.

S. 2654. An act granting a pension to Lydia F. Wiley—to the Committee on Invalid Pensions.

S. R. 48. Joint resolution granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann—to the Committee on the Library.

S. 5374. An act for the relief of Christiana Dengler—to the Committee on the District of Columbia.

S. 3831. An act to correct the military record of Joseph T. Vincent—to the Committee on Military Affairs.

S. R. 220. Joint resolution to authorize the President to appoint Jonathan Brooks as assistant paymaster in the Navy—to the Committee on Naval Affairs.

S. 3187. An act for the relief of the widow and heirs of Samuel Kramer—to the Committee on Pensions.

S. 2991. An act granting an increase of pension to Oliver J. Lyon—to the Committee on Invalid Pensions.

S. R. 247. Joint resolution for the relief of ex-Naval Cadet George H. Mather—to the Committee on Naval Affairs.

S. 5474. An act granting a pension to Ellen Harden—to the Committee on Pensions.

S. 2022. An act for the relief of Louis Miller—to the Committee on Military Affairs.

S. 3151. An act for the relief of John G. Rose—to the Committee on Naval Affairs.

S. 3370. An act granting a pension to Benjamin F. Trapp, of South Omaha, in the State of Nebraska—to the Committee on Invalid Pensions.

S. 4817. An act for the relief of the New York, New Haven and Hartford Railroad Company—to the Committee on Claims.

S. 4437. An act granting a pension to B. H. Randall—to the Committee on Pensions.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

H. R. 11677. An act to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia;

H. R. 9281. An act authorizing the construction of three bridges across the Conecuh River, a navigable stream in Escambia County, Ala.;

H. R. 3261. An act to remove the charge of desertion from the military record of George L. Plummer;

H. R. 11733. An act to prevent the sale of intoxicating liquors on Sunday in the District of Columbia;

H. R. 1800. An act to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster;

H. R. 5328. An act granting a pension to Patrick O'Shea;

H. R. 1136. An act for the punishment of seduction in the District of Columbia;

H. R. 6930. An act for the relief of and to correct record of Jacob Covert;

H. R. 3297. An act to remove the charge of desertion from the military record of William Henry Woodward;

H. R. 5740. An act to remove the charge of desertion against William Britton;

H. R. 6248. An act to provide for the disposition of assessment certificates of the District of Columbia, and for other purposes;

H. R. 11023. An act to regulate the height of buildings in the District of Columbia;

H. R. 7860. An act to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894.

H. R. 11024. An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes;

H. R. 8739. An act to authorize a resurvey of certain lands in Cheyenne County, in the State of Nebraska, and for other purposes;

H. R. 11570. An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes;

H. R. 11771. An act to amend section 1 of an act to provide for the entry of lands in Greer County, Okla., to give preference right to settlers, and for other purposes;

H. R. 321. An act for the relief of the Berdan Firearms Manufacturing Company;

H. Res. 339. Joint resolution authorizing the President of the United States to appoint Osborne W. Deignan a naval cadet at Annapolis;

H. R. 247. An act granting an increase of pension to John Doebler;

H. R. 6876. An act to increase the pension of George Alexander;

H. R. 8578. An act granting an increase of pension to George W. Reisinger;

H. R. 10855. An act granting an increase of pension to Catharine C. Goodrich;

H. R. 8610. An act granting a pension to Minnie B. Titus;

H. R. 8568. An act granting an increase of pension to Mrs. Susan Stedman;

H. R. 4249. An act granting a pension to Samuel B. Koontz;

H. R. 3808. An act granting an increase of pension to Elam Allen;

H. R. 10933. An act granting a pension to Sarah A. Kizer;

H. R. 2293. An act granting an increase of pension to Andrew J. Snowden;  
 H. R. 635. An act increasing the pension of Howard L. James;  
 H. R. 123. An act granting a pension to William F. Bolan;  
 H. R. 7657. An act granting an increase of pension to James F. Searl;  
 H. R. 8749. An act granting a pension to James J. Marcher;  
 H. R. 9415. An act granting an increase of pension to Henry Bullen;  
 H. R. 12026. An act to increase the pension of Thomas Crinigan;  
 H. R. 10056. An act increasing the pension of James Webb;  
 H. R. 12033. An act granting a pension to Mary A. Kennedy;  
 H. R. 10385. An act granting a pension to George Brown;  
 H. R. 10803. An act granting an increase of pension to James Porter;  
 H. R. 10605. An act to increase the pension of Annie Cusack;  
 H. R. 10860. An act granting a pension to Mianda A. Sanford;  
 H. R. 4980. An act granting a pension to Jonathan Scott;  
 H. R. 3123. An act granting an increase of pension to Frank Devol;  
 H. R. 9569. An act granting an increase of pension to Timothy A. Allen;  
 H. R. 9344. An act granting an increase of pension to John Begley;  
 H. R. 4249. An act granting a pension to Samuel B. Koontz;  
 H. R. 12077. An act granting an increase of pension to Charles N. Smiley;  
 H. R. 11296. An act granting a pension to Anna M. Rowe;  
 H. R. 10417. An act granting a pension to James H. Nichols;  
 H. R. 10738. An act granting an increase of pension to Beeri Services;  
 H. R. 855. An act granting an increase of pension to James R. Zearing;  
 H. R. 10716. An act granting a pension to John S. Draper;  
 H. R. 9455. An act granting an increase of pension to Richard Atkinson;  
 H. R. 10480. An act granting a pension to Nelly V. Crosby;  
 H. R. 9843. An act granting a pension to America Easton;  
 H. R. 7046. An act granting an increase of pension to Arba Capron;  
 H. R. 6913. An act granting an increase of pension to Charlotte B. Cousins; and  
 H. R. 10285. An act granting an increase of pension to Mazie V. Sullivan.  
 The SPEAKER announced his signature to enrolled bills of the following titles:  
 S. 5514. An act to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company;  
 S. 5427. An act granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho;  
 S. 1776. An act to increase the pension of Mrs. Letitia Tyler Semple; and  
 S. 1154. An act granting a pension to George Hughes.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:  
 To Mr. CASTLE, for remainder of session, on account of urgent business.

To Mr. FOX, indefinitely, on account of serious sickness in his family.

#### DEATH OF HON. DENIS M. HURLEY.

Mr. FISCHER. Mr. Speaker, I am in receipt of the sad news that Mr. DENIS M. HURLEY, a colleague of mine, and a member of this House, died on yesterday at Hot Springs, in Virginia. It is not my purpose now to go into any extensive remarks concerning his life, character, and work. I shall, however, at some other day ask the House to take proper action. At the present I offer the resolutions which I send to the desk.

The Clerk read as follows:

*Resolved*, That the House has heard with deep regret and profound sorrow of the death of Hon. DENIS M. HURLEY, late a Representative from the State of New York.

*Resolved*, That a committee of eleven members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral at Brooklyn, N. Y., and that the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

*Resolved*, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of this resolution.

*Resolved*, That the Clerk of the House communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolutions.

The question was taken; and the resolutions were unanimously agreed to.

The SPEAKER pro tempore. The Chair appoints the following committee: Mr. FISCHER, Mr. SHERMAN, Mr. HOWE, Mr. SHANNON, Mr. ODELL, Mr. BARTHOLOTT, Mr. MAHON, Mr. KULP, Mr. DRIGGS, Mr. BARTLETT, and Mr. CLAYTON.

The Clerk will report the last resolution.

The Clerk read as follows:

*Resolved*, That as a further mark of respect the House do now adjourn.

The resolution was agreed to; and accordingly (at 5 o'clock and 58 minutes p. m.) the House adjourned until 11 o'clock a. m. to-morrow.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the assistant director of the Bureau of Engraving and Printing relating to the Larman, Harley, and Sparks claim—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Treasurer of the United States relating to extra work performed by employees of his office—to the Committee on Appropriations, and ordered to be printed.

The annual report of the Georgetown Barge, Dock, Elevator and Railway Company for the District of Columbia—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the acting chief of the division of loans and currency relating to reasonable compensation for extra work done by employees—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General submitting certain estimates of deficiencies in appropriations—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Register of the Treasury relating to extra compensation for certain employees—to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FOSS, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 5363) granting extra pay to officers and enlisted men of the temporary force of the Navy, reported the same without amendment, accompanied by a report (No. 2302); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SKINNER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 5543) to provide for the erection of a public building at Elizabeth City, N. C., reported the same without amendment, accompanied by a report (No. 2305); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CAPRON, from the Committee on Election of President, Vice-President, and Representatives in Congress, to which was referred the joint resolution of the House (H. Res. 354) proposing amendments to the Constitution prohibiting polygamy within the United States and all places subject to their jurisdiction and disqualifying polygamists for election as Senators or Representatives in Congress, reported the same with amendment, accompanied by a report (No. 2307); which said resolution and report were referred to the House Calendar.

Mr. BOUTELLE of Maine, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 5352) creating the office of admiral of the Navy, reported the same without amendment, accompanied by a report (No. 2308); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CARMACK, from the Committee on Claims, to which was

referred the bill of the House (H. R. 11803) directing the issue of a check in lieu of a lost check drawn by H. C. Newcomer, captain of engineers, in favor of Stone & Stansell, reported the same without amendment, accompanied by a report (No. 2303); which said bill and report were referred to the Private Calendar.

Mr. LENTZ, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 7796) for the relief of Robert W. Caldwell, First Regiment Ohio Heavy Artillery Volunteers, reported the same without amendment, accompanied by a report (No. 2306); which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. NORTON of Ohio: A bill (H. R. 12189) to authorize the Secretary of the Treasury to enlarge and improve the United States custom-house and post-office building at Sandusky, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. BROSIUS: A bill (H. R. 12190) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. STARK: A bill (H. R. 12191) to provide for the revision and adjustment of the sales of the Otoe and Missouri Reservation lands, in the States of Kansas and Nebraska, and to confirm the titles under said sales—to the Committee on Indian Affairs.

By Mr. OSBORNE: A bill (H. R. 12197) providing for the establishment and erection of a military post near the city of Sheridan, in the State of Wyoming, and making an appropriation therefor—to the Committee on Military Affairs.

By Mr. HEMENWAY, from the Committee on Appropriations: A bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

By Mr. CUMMINGS: A joint resolution (H. Res. 375) granting permission for the erection of a bronze statue in Washington, D. C., in honor of Francis E. Spinner, late Treasurer of the United States—to the Committee on the Library.

By Mr. HENDERSON, from the Committee on Rules: A resolution (House Res. No. 420) that February 28, after reading the Journal, be set apart for the consideration in the House of bills reported by the Committee on Public Buildings and Grounds.

By Mr. BABCOCK: A resolution (House Res. No. 421) that a committee of ten members be appointed by the Speaker to confer with other committees on centennial anniversary—to the Committee on Rules.

By Mr. CLARK of Missouri: A memorial from the legislature of the State of Missouri, asking a loan of certain ordnance captured in Spanish war—to the Committee on Military Affairs.

By the SPEAKER: A memorial from the legislature of Oklahoma Territory, asking for the taxation of Indian lands in said Territory and for Congressional action—to the Committee on Indian Affairs.

Also, a memorial from the legislature of South Dakota, favoring the passage of a homestead law—to the Committee on the Public Lands.

Also, a memorial of the legislature of Utah, praying Congress to pass the bill introduced by United States Senator WOLCOTT, of Colorado, providing for the creation of another judicial circuit of the United States to have jurisdiction in Colorado, Utah, Wyoming, Idaho, and Montana—to the Committee on the Judiciary.

Also, a memorial from the legislature of Utah, asking for the passage of laws by Congress to prevent Indians from Colorado from trespassing on lands in Utah—to the Committee on Indian Affairs.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. COWHERD: A bill (H. R. 12192) for the relief of John F. Neil—to the Committee on War Claims.

By Mr. DRIGGS (by request): A bill (H. R. 12193) to authorize Court of Claims to hear and determine the claim of the legal representatives and assigns of the firm of Carpenter & Plass against the United States of America for munitions of war and labor and materials furnished the Government and claims arising under contracts made by said firm with the Government of the United States—to the Committee on War Claims.

By Mr. ELLIOTT (by request): A bill (H. R. 12194) for the relief of Elias S. Wingate—to the Committee on Claims.

By Mr. MARSH: A bill (H. R. 12195) to grant a pension to Dennis L. Burford—to the Committee on Invalid Pensions.

By Mr. WEYMOUTH: A bill (H. R. 12196) to remove the charge of desertion now standing against Cornelius O'Callaghan, alias William Blake—to the Committee on Naval Affairs.

By Mr. HENRY of Connecticut: A joint resolution (H. Res. 374) for relief of Lyman B. Perkins, ex-cadet engineer, United States Navy, ex-passed assistant engineer, United States Navy—to the Committee on Naval Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Antolin E. Murillo and other citizens of Porto Rico—to the Committee on the Territories.

By Mr. ADAMS: Petition of Picking Naval Garrison, No. 8, of Erie, Pa., requesting amendment to section No. 20 of House bill No. 10403, known as the naval personnel bill—to the Committee on Naval Affairs.

By Mr. BARNEY: Petition of fourth-class postmasters of Waukesha County, Wis., for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

Also, petitions of William M. Jones and others, J. S. Lean and others, all citizens of Waukesha, Wis., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. BELFORD: Petition of citizens of Amityville, N. Y., to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BROMWELL: Petition of the Evangelical Alliance of Cincinnati, Ohio, for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the American Ceramic Society, of Cincinnati, Ohio, concerning a division of mines and mining in the United States Geological Survey—to the Committee on Ways and Means.

By Mr. COWHERD: Paper to accompany House bill No. 11634, relating to the claim of Maj. Milo B. Ward—to the Committee on War Claims.

Also, papers to accompany House bill relating to the claim of John F. Neill—to the Committee on War Claims.

By Mr. ERMONTROUT: Petition of J. J. Esher and 125 others, representing 8,000 members of East Pennsylvania Conference of the Evangelical Association, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on the Judiciary.

Also, petition of the Reading Wood-Pulley Company, of Reading, Pa., D. F. Printz, president, against the passage of House bill No. 11930, extending patent No. 260462, for Dodge & Phillion—to the Committee on Patents.

By Mr. GROUT: Protest of Rev. Henry L. Ballou and 84 citizens of Chester, Vt., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. HENDERSON: Papers of John Corning Post, No. 636, of Oceanus, N. Y.; Cushing Post, No. 231, and communication of the memorial and executive committee of the Grand Army of the Republic of New York, representing 32 posts, and paper of Isaac H. Fuhr, adjutant New York State Grand Army of the Republic, urging the passage of Senate bill No. 3256, for the appointment of Union soldiers to official positions—to the Committee on Rules.

By Mr. HICKS: Petitions of the Young Men's Christian Association, First Presbyterian Church, United Presbyterian Church, Woman's Relief Corps, Main Street Baptist Church, Trinity United Evangelical Church, First United Brethren Church Evangelical Association, all of Johnstown, Pa., and churches of Williamsburg, Blair County, Pa., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of H. H. Mallory and 193 citizens of Johnstown, C. R. Claghorn and 197 citizen of Vintondale, W. D. Ketchey and 194 citizens of Tatesville, Pa., J. C. Myers and 140 citizens of the State of Pennsylvania, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HULL: Petition of George W. Penn and other veteran soldiers, of Carlisle, Iowa, in favor of a service-pension bill—to the Committee on Pensions.

By Mr. KERR: Petition of the Second Congregational Church, of Elyria, Ohio, to prohibit the sale of liquor in canteens, in immigrant stations, and in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. LOW: Resolution of the Maritime Association of the Port of New York, favoring a bill providing for a pan-American exposition to be held at Buffalo, N. Y., in 1901—to the Committee on Ways and Means.

Also, resolutions of the Produce Exchange of New York, relating to the freedom of private property on the sea from capture during war—to the Committee on the Merchant Marine and Fisheries.

By Mr. McCLELLAN: Resolution of the Maritime Association of the Port of New York, urging the passage of the bill providing for a pan-American exposition to be held at Buffalo, N. Y., in 1901—to the Committee on Ways and Means.

By Mr. MERCER: Resolution of the Business Men's Association of Washington, D. C., urging Congress to select site for the Carnegie Library—to the Committee on Public Buildings and Grounds.

Also, resolution of electrical workers of Omaha, Nebr., favoring the passage of the eight-hour bill—to the Committee on Labor.

Also, protest of citizens of Stuart, Nebr., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. PERKINS: Petition of 443 citizens of Iowa, favoring the Ellis bill to prohibit the sale of liquor in canteens and immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. POWERS: Petitions of fourth-class postmasters of Rutland and Bennington counties, Vt., urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. RUSSELL: Resolutions of Perkins Post, No. 47, Grand Army of the Republic, of New London, Conn., urging the passage of Senate bill No. 3256, relating to civil-service appointments—to the Committee on Reform in the Civil Service.

By Mr. SAUERHERING: Petitions of the Calvinistic Methodist churches of Randolph, Columbus, and Cambria, Wis.; Alvira Palmer and others, of Waunakee; Lena I. Palmer and others, of Verona; citizens of Burnett Junction and Mazomanie, Wis., to prohibit the sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Calvinistic Methodist churches of Columbus, Randolph, and Cambria, Wis., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Protest of Rev. D. D. Monroe and other citizens of Littlefalls, N. Y., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of N. F. Graves and others, for the enactment of legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. SAMUEL W. SMITH: Petitions of the Methodist Episcopal, Baptist, Congregational, and Presbyterian churches and Woman's Christian Temperance Union, all of Pontiac, Mich., favoring the Ellis bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of the Sixth Congressional district of Michigan, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. SOUTHARD: Petition of fourth-class postmasters of Fulton County, Ohio, for the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. STARK: Petition of churches of Thayer, Houston, and Utica, Nebr., praying for the passage of House bill No. 11735, providing that no polygamist shall be a Senator or Representative—to the Committee on Elections No. 1.

Also, petition of churches of Thayer, Houston, and Utica, Nebr., for the maintenance of prohibition in Alaska and the Indian Territory, and to extend the same to our new dependencies—to the Committee on Alcoholic Liquor Traffic.

By Mr. STEWART of New Jersey: Petition of the Woman's Christian Temperance Union of New Jersey, favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of fourth-class postmasters of Bergen, Passaic, and Hudson counties, N. J., urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Resolutions of the New York Produce Exchange, in regard to freedom of private property on the sea from capture in time of war—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the New York Produce Exchange, in favor of the passage of a bill providing for a pan-American exposition to be held at Buffalo, N. Y., in 1901—to the Committee on Ways and Means.

By Mr. WEYMOUTH: Paper to accompany House bill to correct the military record of William Blake—to the Committee on Naval Affairs.

By Mr. WILLIAMS of Pennsylvania: Petition of the Evangelical Alliance for the United States, against the reopening of the sectarian-school question and favoring the American common-school system among the Indians—to the Committee on Indian Affairs.

Also, resolutions of the Board of Trade of Chicago, Ill., urging an appropriation for the improvement of the Chicago River—to the Committee on Rivers and Harbors.

Also, resolution of the Knights of Labor of Washington, D. C., favoring the passage of Senate bill No. 5024 and House bill No. 11312, to promote commerce and increase the foreign trade of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Grocers and Importers' Exchange of Philadelphia, Pa., and the Board of Trade of Freeland, Pa., urging the passage of the Hanna-Payne shipping bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Ministerial Association of Hazelton, Pa., and Protestant ministers of Wilkesbarre, Pa., and vicinity, and memorial of the American Home Missionary Society, against the seating of B. H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. YOUNG: Remonstrance of the executive officers of American missionary societies, against the reopening of the sectarian-school question, and favoring the advancement of education among the Indians on the basis of the American common-school system—to the Committee on Indian Affairs.

## SENATE.

TUESDAY, February 28, 1899.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. FAULKNER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

### WASHINGTON AND UNIVERSITY RAILROAD.

The bill (H. R. 11790) to amend the act of Congress approved July 8, 1893, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia," was read twice by its title.

Mr. FAULKNER. I ask unanimous consent, as the bill is identical, word for word, with the Senate bill, that it may now be put upon its passage. Everyone in interest has agreed to it as a proper bill.

The VICE-PRESIDENT. Is there objection to the request of the Senator from West Virginia?

There being no objection, the bill was considered as in Committee of the Whole.

Mr. FAULKNER. I am instructed by the Committee on the District of Columbia to move an amendment. After the word "of," in line 11, I move to strike out the words "Connecticut avenue extended and Philadelphia street, thence westerly on Philadelphia street to its intersection with Tenallytown road; thence northwesterly along" and insert "Wisconsin avenue or the;" and in line 3 to strike out the words "to its intersection;" so as to read:

SEC. 2. That the company is authorized to construct and operate a street railway for carrying passengers along the following named route: Beginning at or near the intersection of Wisconsin avenue or the Tenallytown road with Trenton street, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. FAULKNER. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. PROCTOR, and Mr. FAULKNER were appointed.

### EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 7th instant, a letter from Mr. Henry L. Martin, United States Coast and Geodetic Survey, stating that the report of the value of the improvement of the Brunswick Outer Bar, Georgia, being a survey of the work of C. P. Goodyear, will be forwarded without unnecessary delay; which, with the accompanying paper, was ordered to lie on the table.

He also laid before the Senate a communication from the Secre-

tary of War, transmitting a letter from Brig. Gen. John M. Wilson, Chief of Engineers, United States Army, submitting a draft of a proposed law conferring authority on the Secretary of War to dispose of personal property that has been purchased in connection with river and harbor works, etc.; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 25th instant, schedules of claims amounting to \$21,550.01, allowed by the accounting officers of the Treasury Department, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a list of certain deficiencies in appropriations the amounts of which have been found due by the accounting officers of the Treasury, etc.; which was referred to the Committee on Appropriations, and ordered to be printed.

#### EIGHT-HOUR BILL.

Mr. TURLEY. I should like to give notice that when the consideration of the sundry civil appropriation bill is concluded I shall ask the Senate to take up the bill (H. R. 7389) limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of or work done for the United States or any Territory or the District of Columbia.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 242) authorizing foreign exhibitors at the Commercial Exposition to be held in Philadelphia, Pa., in 1899, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Interior.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900; and

A bill (H. R. 12086) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance, for trial and service, and for other purposes.

The message further informed the Senate that the bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg had passed from the custody of the House.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 2524) for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia;

A bill (H. R. 3367) to remove the charge of desertion against Gardner Dodge; and

A bill (H. R. 5326) for the relief of Thomas Hickey.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. R. 189) to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia.

The message further announced that the House had disagreed to the amendments of the Senate to the following bills, agrees to the conferences asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BABCOCK, Mr. CURTIS of Iowa, and Mr. RICHARDSON managers at the respective conferences on the part of the House:

A bill (H. R. 11597) to extend S street, in the District of Columbia, and for other purposes; and

A bill (H. R. 11629) for the extension of Pennsylvania avenue SE. to the District line.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8626) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CURTIS of Iowa, Mr. JENKINS, and Mr. COWHERD managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7271) amending an act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes,"

approved May 18, 1896, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PAYNE, Mr. DOLLIVER, and Mr. BAILEY managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 631) to confirm title to lots 13 and 14, in square 959, in Washington, D. C., agrees to the conferences asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JENKINS, Mr. SPRAGUE, and Mr. RICHARDSON managers at the conference on the part of the House.

#### MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE NORTHWAY.

Mr. FORAKER. Mr. President, I desire to give notice that on Friday, March 3, I shall present resolutions on the death of Hon. STEPHEN A. NORTHWAY, late a Representative from the State of Ohio.

The VICE-PRESIDENT. Will the Senator fix the hour?

Mr. FORAKER. It is suggested that it is better not to fix it now.

#### PETITIONS AND MEMORIALS.

Mr. HANSBROUGH presented a petition of the legislature of North Dakota, praying for the enactment of legislation to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary, and also to grant such subsidies for the building up of a merchant marine as will among other things secure new markets for grain grown in the United States in China, Japan, and other oriental countries; which was ordered to lie on the table and to be printed in the RECORD, as follows:

[Senate memorial and resolution.]

A memorial of the senate of the State of North Dakota to the Senate and House of Representatives of the United States, praying for an act to encourage the shipment of grain to China and Japan by granting subsidies to steamship companies.

Be it resolved by the senate, That a copy of the following memorial, signed by the president of the senate and attested by the secretary of the senate, be sent Hons. HENRY C. HANSBROUGH and WILLIAM N. ROACH, of the United States Senate, and MARTIN N. JOHNSON, of the House of Representatives, at Washington, D. C.

That said Hons. HENRY C. HANSBROUGH and WILLIAM N. ROACH, representing the State of North Dakota in the Senate of the United States, and Hon. MARTIN N. JOHNSON, representing the State of North Dakota in the House of Representatives, be, and they are hereby, respectfully requested to support in their respective Houses and urge the passage of an act of Congress "to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary."

Whereas the raising of wheat in North Dakota is the principal industry of the State—the past year this crop represented approximately 10 per cent of the total crop grown in the United States, and its aggregate value was about \$80,000,000; and

Whereas under existing conditions there is but one market, Liverpool, for the surplus wheat raised in this country, and the price fixed by this foreign market practically establishes the price for the entire wheat crop of the United States; and

Whereas to encourage the opening up of new markets for our surplus grain, thereby enabling our farmers to secure better prices for the same, is manifestly within the scope of the powers granted to our Representatives in Congress;

Therefore the people of the State of North Dakota, in legislative convention assembled, respectfully petition Congress to grant such subsidies for the building up of a merchant marine as will, among other things, secure for our people new markets for their grain in China, Japan, and other Oriental countries.

J. M. DEVINE, President of the Senate.

Attest:

J. O. SMITH, Secretary of the Senate.

I hereby certify that the within memorial and resolution originated in the senate of the Sixth legislative assembly of the State of North Dakota.

J. O. SMITH, Secretary of the Senate.

Mr. HANSBROUGH presented a petition of the legislature of North Dakota, praying that an appropriation be made for the purpose of making surveys to ascertain the feasibility and cost of replenishing the waters of Devils Lake, in that State, from the waters of Mouse River; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

#### MEMORIAL AND CONCURRENT RESOLUTION.

To the honorable the Congress of the United States:

Resolved by the senate (the house of representatives concurring), Whereas the volume of water in Devils Lake, a navigable body of water in this State, about 60 miles long by 10 miles wide, has diminished annually, presumably caused by the flow from artesian wells, reducing the depth about 10 feet, thereby injuring navigation, to the detriment of the territory tributary thereto; and

Whereas this water can be largely replenished by building a dam with gates across the Mouse River (a stream flowing into this State from Canada and returning again) north of the mouth of Willow Creek, thereby in seasons of floods backing the water up Willow Creek and Dead Ox Creek—both sluggish streams without current—to a point 3 miles northeast of Long Lake, where a canal can be cut through a low ridge into Long Lake, thence southeasterly across a low marsh requiring a canal that can be dug cheaply, through to Island Lake, Grass Lake, Hurricane Lake, Bass Lake, and thence into the northwestern arm of Devils Lake, being a distance of about 90 miles through a natural water course: Therefore, be it

Resolved, That Congress is hereby requested to make the necessary appropriation for a preliminary survey and estimates of the proposed route, to ascertain the feasibility and cost of the project: And be it further

Resolved, That a copy of this memorial, properly engrossed, be sent to each

of our Representatives in Congress, viz: Senators H. C. HANBROUGH and B. J. McCumber and Congressman B. F. SPALDING.

J. M. DEVINE,  
President of the Senate.

Attest:  
J. O. SMITH, Secretary of the Senate.

THOMAS BAKER, JR.,  
Speaker of the House.

Attest:  
J. W. HAMILTON, Chief Clerk.

I hereby certify that the within memorial and concurrent resolution originated in the senate of the Sixth legislative assembly of the State of North Dakota.

J. O. SMITH, Secretary of the Senate.

Mr. PLATT of New York presented a memorial of the Epworth League of the Methodist Episcopal Church of Green Island, New York, remonstrating against the seating of Congressman-elect B. H. Roberts; which was ordered to lie on the table.

He also presented petitions of County Lodge, Independent Order of Good Templars, of Saratoga; of Union Grange, No. 244, Patrons of Husbandry, of Jamestown; of the Woman's Christian Temperance Union of Lakewood; the Society of Friends of Farmington; of William Groesbeck and sundry other citizens of Glennville; and of J. Howard Yarnell, of New York City, all in the State of New York, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were ordered to lie on the table.

He also presented petitions of the Humane Society of Elmira, of the Society for the Prevention of Cruelty to Animals, of Erie County, and of the Humane Society of Saratoga Springs, all in the State of New York, praying for the passage of the bill (S. 1552) for the prohibition of vivisection in the public schools of the District of Columbia; which were ordered to lie on the table.

Mr. PERKINS presented a petition of sundry citizens of Yankee Hill, Cal., praying for the maintenance of the prohibition law in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented a petition of sundry citizens of Yankee Hill, Cal., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

Mr. FRYE presented the petition of Joseph F. Snow and sundry other citizens of Bangor, Me., praying for the passage of the bill (S. 1552) for the prohibition of vivisection in the public schools of the District of Columbia; which was ordered to lie on the table.

Mr. TELLER presented a petition of Company D, Second Infantry, Colorado National Guard, praying that an increased appropriation be made for the support of the National Guard; which was referred to the Committee on Military Affairs.

He also presented a petition of Division No. 37, Amalgamated Association of Street Railway Employees, of Denver, Colo., and a petition of Division No. 19, Amalgamated Association of Street Railway Employees, of Colorado Springs, Colo., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

Mr. FORAKER presented a petition of the Humane Society of Toledo, Ohio, praying for the passage of the bill (S. 1552) for the prohibition of vivisection in the public schools of the District of Columbia; which was ordered to lie on the table.

He also presented a memorial of the Evangelical Alliance of Cincinnati, Ohio, remonstrating against any appropriation being made for the maintenance of sectarian schools; which was ordered to lie on the table.

He also presented a petition of the Evangelical Alliance of Cincinnati, Ohio, praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Evangelical Alliance of Cincinnati, Ohio, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

Mr. SPOONER presented a memorial of the Woman's Christian Temperance Union of Platteville, Wis., remonstrating against the seating of Congressman-elect B. H. Roberts; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church and of the Woman's Christian Temperance Union of Glendale, Wis., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Methodist Episcopal Church and of the Woman's Christian Temperance Union of Glendale, Wis., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the First Methodist Episcopal Church of Madison, the Congregational Church of Mazomanie, the Methodist Episcopal Church of Marshall, the First Baptist Church of Stevens Point, the Seventh Day Baptist Church of Milton, the Methodist Church of Warsaw, the First Presbyterian Church of West Superior, the Congregational Church of Evansville, the Methodist Episcopal Church of Marshall, the Baptist Church of Beaverdam, the Methodist Episcopal Church of Brodhead, the Methodist Episcopal Church of Avon, the South Baptist Church of Milwaukee, the First Congregational Church of Beloit, the Christian Church of Monroe, the Congregational Church of Clinton, the Congregational Church of Delavan, the Pilgrim Congregational Church of West Superior, the First Baptist Church of Merrill, the First Presbyterian Church of Stevens Point, the Baptist Church of Elroy, the Methodist Episcopal Church of Greenbay, the Gram Methodist Episcopal Church of Marinette, the Methodist Episcopal Church of Elroy, the Methodist Episcopal Church of Glendale, the First Methodist Episcopal Church of Sparta, the First Methodist Episcopal Church of Madison, the Christ Presbyterian Church of Madison, the Congregational Church of Madison, the Park Avenue Church of Kenosha, and the Methodist Episcopal Church of Eagle; of the Woman's Christian Temperance Union of Platteville, the Woman's Christian Temperance Union of Glendale, the Wisconsin State Epworth League, of sundry citizens of Platteville, and of sundry citizens, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were ordered to lie on the table.

Mr. ALLEN presented a petition of the Woman's Christian Temperance Union of Sutton, Nebr., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

He also presented a petition of the executive council of the Amalgamated Society of Engineers, of New York City, N. Y., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

Mr. GEAR presented a petition of the Fortnightly Club, of Washington, Iowa, praying that an appropriation be made for the establishment of a department of domestic science; which was ordered to lie on the table.

Mr. SHOUP presented a petition of the legislature of Idaho, praying for the immediate construction of the Nicaragua Canal; which was ordered to lie on the table and to be printed in the RECORD, as follows:

[House joint resolution No. 9. By Moody.]

A joint resolution favoring the immediate construction of the Nicaragua Canal.

Be it resolved by the legislature of the State of Idaho, Whereas the construction of the Nicaragua Canal would be of immense value to the people of the United States, as it would afford greater protection to both the Atlantic and Pacific coasts in time of war, open new lines of trade and commerce in time of peace, tend to cheapen transportation to foreign and Atlantic seaboard markets, build up new enterprises and largely tend to maintain old ones, greatly increase our population and thus enhance our wealth and multiply our resources, and establish a shorter line of oceanic communication between the United States and its interests in the Orient; and

Whereas there is now pending in the Congress of the United States a measure providing for the construction of the Nicaragua Canal by or under the auspices of the United States Government;

Resolved by the house of representatives of the State of Idaho (the senate thereof concurring), That our Senators in Congress be instructed and our member of the House of Representatives of the United States be requested to earnestly support the passage of this measure; and be it further

Resolved, That we favor the absolute ownership and control of the said Nicaragua Canal by the United States Government, if within the power of said Government to own and control the same.

This joint resolution passed the house of representatives on the 6th day of February, 1899.

D. L. EVANS,

Speaker of the House of Representatives.

This joint resolution passed the senate on the 12th day of February, 1899.

JOSEPH H. HUTCHINSON,

President of the Senate.

I hereby certify that the within joint resolution No. 9 originated in the house of representatives of the legislature of the State of Idaho during the fifth session.

JAMES A. KEAT,

Chief Clerk of the House.

EXECUTIVE DEPARTMENT.

Secretary's Office, State of Idaho.

I, M. Patrie, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint resolution No. 9, favoring the immediate construction of the Nicaragua Canal, which was filed in this office the 15th day of February, A. D. 1899, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State, Done at Boise City, the capital of Idaho, this 23d day of February, A. D. 1899.

[SEAL.]

M. PATRIE, Secretary of State.

Mr. SHOUP presented a petition of the legislature of Idaho, praying for the establishment of a Soldiers' Home at Fort Sher-

man, in that State; which was referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

(House joint memorial No. 6, by Reynolds.)

A joint memorial to Congress in regard to a National Soldiers' Home at Fort Sherman, Idaho, by the senate and house of representatives of the State of Idaho.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Whereas by act of Congress and the orders of the War Department the troops will, at an early date, be removed from Fort Sherman to the newly established military post at Spokane, Wash.; and

Whereas the present site of Fort Sherman, with all its buildings and improvements, will be worthless to the United States and can not be sold for any great amount of money; and

Whereas it is located at the north end of Coeur d'Alene Lake, a most beautiful body of water, upon which are many steamers, with Coeur d'Alene City near by with good railroad facilities; and

Whereas the Idaho State Soldiers' Home is already crowded to its fullest capacity, as is the case with all the various State Homes in the Northwest; and

Whereas there is not a National Soldiers' Home in the extreme North-western States;

Therefore we earnestly ask that you give this matter due consideration and establish a National Home upon the site of Fort Sherman, in order that those men who defended their country's flag in time of peril may have a pleasant, healthful place to spend their last remaining days on earth; and that a copy of this memorial be sent to each of our Senators and Representatives in Congress, and they are urged to give their best influence toward the accomplishment of the matter herein set forth.

This joint memorial passed the house of representatives on the 14th day of February, 1890.

D. L. EVANS,

Speaker of the House of Representatives.

This joint memorial passed the senate on the 17th day of February, 1890.

JOSEPH H. HUTCHINSON,

President of the Senate.

I hereby certify that the within joint memorial originated in the house of representatives of the legislature of the State of Idaho during the fifth session.

JAMES A. KEAT,

Chief Clerk of the House.

Received and filed in the department of state this 18th day of February, 1890.

M. PATRIE, Secretary of State.

#### EXECUTIVE DEPARTMENT,

Secretary's Office, State of Idaho:

I, M. Patrie, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 6, in regard to a National Soldiers' Home at Fort Sherman, Idaho, which was filed in this office the 18th day of February, A. D. 1890, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 23d day of February, A. D. 1890.

[SEAL.]

M. PATRIE, Secretary of State.

Mr. SHOUP presented a petition of the legislature of Idaho, praying for the enactment of legislation to aid and encourage an American line of merchant marine; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

[Senate joint memorial No. 6, by Gooding.]

Joint memorial of the Idaho legislature memorializing the Congress of the United States to aid and encourage an American line of merchant marine.

SEC. 1. Be it resolved, That the Idaho legislature memorialize the Congress of the United States to aid by appropriate and liberal laws the efforts of the American line to maintain a place in the merchant marine of the world, and by legislative action to extend still further encouragement to our merchants in their efforts to recover our lost commercial supremacy in the carrying trade of the oceans, putting an end to our present dependence upon ships of foreign nations for the carriage of the products of our own country.

SEC. 2. That both national pride and national interests demand the hundreds of millions of dollars yearly paid by our people of the United States to foreign ships for ocean freight shall be paid to our own vessels built and navigated by our own citizens and flying our own flag.

SEC. 3. That the secretary of state be, and he hereby is, required to furnish to each of our members of the Senate and Congress at Washington a certified copy of this memorial.

This joint memorial passed the senate on the 8th day of February, 1890.

JOSEPH H. HUTCHINSON,

President of the Senate.

This joint memorial passed the house of representatives on the 15th day of February, 1890.

D. L. EVANS,

Speaker of the House of Representatives.

I hereby certify that the within senate joint memorial No. 6, entitled "Joint memorial of the Idaho legislature memorializing the Congress of the United States to aid and encourage an American line of merchant marine," originated in the senate of the State of Idaho during the fifth session.

HARRY L. DAY,

Secretary of the Senate.

Received and filed in the department of state this 18th day of February, 1890.

M. PATRIE, Secretary of State.

#### EXECUTIVE DEPARTMENT,

Secretary's Office, State of Idaho:

I, M. Patrie, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 6, memorializing the Congress of the United States to aid and encourage an American line of merchant marine, which was filed in this office the 18th day of February, A. D. 1890, and admitted to record.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 23d day of February, A. D. 1890.

[SEAL.]

M. PATRIE, Secretary of State.

Mr. CULLOM. I present the memorial of W. C. Pennwitt, of Glencarlyn, Va., relative to the national-university proposition and suggesting the restoration to national jurisdiction of that por-

tion of the District of Columbia (10 miles square) which lies south of the Potomac River; the founding of a city upon the territory so reacquired, to be the seat of a great university and to be known as the city of Lincoln, and the establishment within that city of a national university, to be known as the "University of Washington and Lincoln."

The memorial is a pretty lengthy one, and the author desires it to be printed as a document. I think it is worthy to be printed. I move that it be printed as a document and be referred to the Committee to Establish the University of the United States.

The motion was agreed to.

#### REPORTS OF COMMITTEES.

Mr. BAKER, from the Committee on Pensions, to whom was referred the bill (S. 4876) granting an increase of pension to Benjamin F. Bourne, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8804) granting an increase of pension to James S. Anderson, reported it without amendment, and submitted a report thereon.

Mr. FRYE. I am directed by the Committee on Commerce to report a bill to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary. I ask that the bill be printed and that it take the place on the Calendar of No. 1602, Senate bill 5034. There have been a good many more restrictive and limiting amendments made to the bill heretofore reported, and it is reported as a new bill.

The bill (S. 5590) to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary was read twice by its title.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. FRYE. I ask that Senate bill 5034, reported by me on the 25th instant, be indefinitely postponed.

The VICE-PRESIDENT. Without objection, it will be so ordered.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 1773) granting a pension to Robert Persley, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 11876) granting an increase of pension to Clarence L. Chapman, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10328) granting a pension to Ann Collins;

A bill (H. R. 10896) granting an increase of pension to James W. Ingram;

A bill (H. R. 10862) granting an increase of pension to Hollis O. Dudley;

A bill (H. R. 2366) granting an increase of pension to Lester P. Cooper;

A bill (H. R. 4661) granting a pension to Dortha E. Kennoch;

A bill (H. R. 12104) granting an increase of pension to Maria S. Urban;

A bill (H. R. 10892) granting an increase of pension to Andrew J. Taylor;

A bill (H. R. 1724) granting an increase of pension to Sophia Gruber;

A bill (H. R. 3476) granting an increase of pension to Andrew Morse, jr.;

A bill (H. R. 2625) granting a pension to Mary Chamberlin;

A bill (H. R. 11568) granting an increase of pension to William B. Paul;

A bill (H. R. 7636) granting a pension to Martha M. De Vou; and

A bill (H. R. 12145) granting a pension to Eliza S. Redfield.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 11767) granting a pension to Daniel G. Emert, reported it without amendment, and submitted a report thereon.

Mr. HANNA, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7098) granting an increase of pension to William R. Warden;

A bill (H. R. 8406) granting an increase of pension to Martha Adams;

A bill (H. R. 6328) granting a pension to Mary F. Cobb;

A bill (H. R. 3186) granting an increase of pension to William J. Holway;

A bill (H. R. 9359) granting an increase of pension to Charles H. Barber; and

A bill (H. R. 8895) granting a pension to Mary B. Wotring.

Mr. WELLINGTON, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5575) to accept a site as a donation and erect thereon a custom-house and post-office building in the city of Bristol, State of Tennessee;

A bill (S. 5577) for the erection of a custom-house and post-office building at Brunswick, Ga.;

A bill (S. 5579) to provide for the construction of a public building at the city of Janesville, Wis.;

A bill (S. 5466) for the erection of a public building at the city of York, in the State of Nebraska; and

A bill (S. 5563) to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois.

Mr. LINDSAY, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10241) granting a pension to Nancy Shaley; and  
A bill (H. R. 8329) granting an increase of pension to John E. Gullett.

Mr. KYLE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11148) granting an increase of pension to Orin Long; and

A bill (H. R. 2830) granting an increase of pension to Ira Bacon.

Mr. MORGAN, from the Select Committee on the Construction of the Nicaragua Canal, reported an amendment proposing to appropriate \$15,860.35 to reimburse the Maritime Canal Company of Nicaragua for expenses incurred in aid of the Ludlow and Walker commissions, authorized by Congress, intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama, reported it with amendments.

Mr. HANSBROUGH, from the Committee on Pensions, to whom was referred the bill (S. 4767) granting a pension to Sarah E. Stubbs, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8207) granting a pension to Abigail Wilson, reported it without amendment, and submitted a report thereon.

#### USELESS PAPERS IN THE TREASURY DEPARTMENT.

Mr. CULLOM. I beg leave to submit a report from the joint select committee appointed on the part of the Senate and House of Representatives some time ago, to whom was referred the report of the Secretary of the Treasury and the report of the Acting Secretary in respect to the accumulations in the Treasury Department of old and useless papers. The report goes upon record, I think, without any action on the part of the Senate.

The VICE-PRESIDENT. The report will be agreed to, if there be no objection.

#### ELIZA SICKLER.

Mr. MITCHELL. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 9502) granting a pension to Eliza Sickler, to report it favorably without amendment. It is an exceptionally deserving case, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Eliza Sickler, of Marinette, Wis., the dependent mother of George Sickler, late a private in Company H, Thirty-ninth Wisconsin Infantry Volunteers, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### HOMER D. MCGRAW.

Mr. CHILTON. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 4790) for the relief of Homer D. McGraw, Lee County, Ala., to report it favorably without amendment.

Mr. MORGAN. I ask that the bill may be put upon its passage. It contains an appropriation of only about \$129 to reimburse the beneficiary for some stamps that were destroyed by fire.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Homer D. McGraw, of Lee County, Ala., \$130.00, to reimburse him for the like sum of money which he, as the owner and operator of Distillery No. 39, situated near Opelika, Lee County, Ala., on the 4th day of April, 1896, sent to the collector for the district of Alabama, at Birmingham, Ala., to pay the tax on three packages of spirits, at that time in the bonded warehouse of Homer D.

McGraw, but before the tax-paid stamps were received by McGraw, and before the spirits were released from the warehouse, the warehouse was consumed by fire, supposed to be of incendiary origin, and the three packages of spirits for which the stamps were bought were consumed, and the stamps never canceled.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ADDITIONAL CLERK OF COMMITTEE ON FOREIGN RELATIONS.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. DAVIS January 31, 1899, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on Foreign Relations be authorized to continue until the end of the Fifty-sixth Congress the employment of the additional clerk authorized by the resolution of the Senate of May 9, 1898, and that said clerk be paid during such term of employment out of the contingent fund of the Senate at the rate of \$1,440 per annum.

#### INVESTIGATION BY COMMITTEE ON PENSIONS.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. HANSBROUGH on the 21st instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on Pensions is hereby authorized and directed, by a subcommittee appointed for that purpose, to carefully examine, during the recess of Congress, all general laws on the statute book granting pensions to soldiers, their survivors and dependents, and to pursue such other inquiries in connection with the matter of pension legislation as may be deemed advisable, report to be made to the Senate, by bill or otherwise, at as early a day as practicable after the assembling of the Fifty-sixth Congress, the expense incurred to be paid from the contingent fund of the Senate.

#### INVESTIGATION BY FINANCE COMMITTEE.

Mr. ALLISON, from the Committee on Finance, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Finance be, and they are hereby, authorized and directed, by subcommittee or otherwise, to make an investigation of internal revenue, customs, currency, and coinage matters, and to report from time to time to the Senate the result thereof; and for this purpose they are authorized to sit, by subcommittee or otherwise, during the recess or sessions of the Senate, at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, and to employ such stenographic, clerical, and other assistance as may be necessary, the expense of such investigation to be paid from the contingent fund of the Senate.

#### BILLS INTRODUCED.

Mr. TELLER introduced a bill (S. 5537) for the relief of Thomas Smith; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 5588) prohibiting allotments to Indians of lands outside of reservations; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MURPHY introduced a bill (S. 5589) to authorize the Court of Claims to hear and determine the claim of the legal representatives and assigns of the firm of Carpenter & Plass against the United States of America for munitions of war and labor and materials furnished the Government and claims arising under contracts made by said firm with the Government of the United States; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 5591) for the relief of Charles P. Chouteau; which was read twice by its title, and referred to the Committee on Claims.

Mr. SULLIVAN introduced a bill (S. 5592) to relieve from revenue tax deeds, mortgages, and leases; which was read twice by its title, and referred to the Committee on Finance.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. TELLER submitted an amendment proposing to appropriate \$538,400 for two type 16-inch Emery guns and carriages and foundations therefor and tests of the same, intended to be proposed by him to the fortification appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MALLORY submitted an amendment authorizing the Secretary of the Navy to cause to be printed and bound 1,000 additional copies of the Official Records of the Union and Confederate Navies in the war of the rebellion, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. MONEY submitted an amendment authorizing the appropriation made by the act of March 3, 1879, to be paid to Robert Otis as administrator of the estate of Roger A. Hiern, to be made available for payment to the administrator de bonis non of the estate, said Robert Otis having died, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GRAY submitted an amendment proposing to appropriate \$3,650 for rent of building for laboratory of the Division of Chem-

istry, Department of Agriculture, and \$750 for rent for the building occupied by the Bureau of Animal Industry of the Department of Agriculture; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. GALLINGER submitted an amendment proposing to appropriate \$281.21 to pay George W. Weston, late postmaster of Exeter, N. H., being balance due him for moneys deposited in the National Granite State Bank, of Exeter, N. H., etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CAFFERY submitted an amendment authorizing the Secretary of the Treasury to pay the sum in accordance with the decision of the Court of Claims, to Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mails over postal routes 30003 and 149003 during the period between July 1, 1878, and February 21, 1892, etc., intended to be proposed by him to the general deficiency bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DANIEL submitted an amendment proposing to appropriate \$5,000 to pay the legal representatives of the late James Crooks and William Crooks, citizens of the United States and of Canada, the same being the value of a vessel called the *Lord Nelson*, illegally seized by Lieutenant Woolsey, of the United States Navy, on Lake Ontario, June 5, 1812, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. PLATT of Connecticut submitted an amendment proposing to appropriate \$12,500, or so much thereof as may be necessary, to pay a certain judgment with interest and costs against Capt. John C. Bates and Lieut. Jonathan A. Yeckley, officers of the United States Army, defendants in an action by W. T. Belmont Clark and W. Ward Bill, partners, as plaintiffs, rendered in the district court of Dakota Territory, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### CONSTRUCTION OF THE NICARAGUA CANAL.

Mr. MORGAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the resolutions of the Senate heretofore adopted, authorizing the Select Committee on the Construction of the Nicaragua Canal to make investigations relating to said canal shall continue in force during the recess of the Senate until the meeting of the Fifty-sixth Congress in December, 1899.

#### INVESTIGATIONS BY COMMITTEE ON INDIAN AFFAIRS.

Mr. PETTIGREW submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Indian Affairs be, and it hereby is, authorized to continue investigations authorized by resolutions of July 13, 1897, February 7, 1898, and January 30, 1898, during the present session of the Senate, and to continue said investigations during the recess of Congress until the beginning of the next session. And such funds as are necessary to make said investigations are hereby authorized and directed to be paid out of the contingent fund of the Senate.

#### CLAIMS AGAINST SPAIN.

Mr. CHILTON (by request) submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of State be directed to transmit to the Senate a list of the claims filed in the Department of State by citizens of the United States against Spain, arising out of the insurrection in the island of Cuba, not embraced in Document No. 70, Fifty-fourth Congress, second session.

#### POST-OFFICE APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 16, 23, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 22, 25, 26, and 27; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with amendments as follows: On page 8, after the word "registry," in lines 2 and 3 of the bill, insert the following: "assistant superintendent of registry;" and on page 9, after the word "registry," in lines 2 and 3, insert the following: "assistant superintendent of registry;" and after the word "order," in line 3, insert the following: "assistant superintendent of money orders;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Provided, That the Postmaster-General may allow railway postal clerks whose duties require them to work six days or more per week fifty-two weeks per year an annual vacation of fifteen days with pay; and the sum of \$31,000 is hereby appropriated for this purpose;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with amendments as follows: Strike out the matter inserted by said amendment, and after the word "dollars," at the end of the amended paragraph, insert the following: "Provided, That the Postmaster-General may, in his discretion, allow post-office inspectors per diem while temporarily located at any place on duty away from

home or their designated domicile for a period not exceeding twenty consecutive days at any one place, and may make rules and regulations governing the foregoing provisions relating to per diem;" and the Senate agree to the same.

On amendments numbered 19 and 20 the committee of conference have been unable to agree.

M. S. QUAY,  
W. B. ALLISON,  
R. F. PETTIGREW,  
*Managers on the part of the Senate.*  
E. F. LOUD,  
GEORGE W. SMITH,  
*Managers on the part of the House.*

Mr. ALLISON. It will be seen from this report that the matters in difference between the two Houses have been agreed to with the exception of the two amendments relating to special mail facilities. The House conferees refused to agree to that provision, and in view of the fact that those two amendments were inserted in the bill practically with unanimity in the Senate, of course the Senate conferees could not yield them. I withdraw the suggestion as to practical unanimity. It was done on a vote by yeas and nays, a large majority voting for the mail service and a respectable minority voting the other way.

Mr. GALLINGER. That is, the fast mail service?

Mr. ALLISON. The fast mail service.

The VICE-PRESIDENT. The question is on agreeing to the report.

The report was agreed to.

Mr. COCKRELL. Does the Senator from Iowa move that the Senate shall further insist on its amendment?

Mr. ALLISON. I will move that the Senate still further insist upon the two amendments and ask for a further conference with the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees at the further conference on the part of the Senate; and Mr. QUAY, Mr. ALLISON, and Mr. PETTIGREW were appointed.

#### HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Appropriations:

A bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900; and

A bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

#### IMPERSONATION OF WEIGHMASTERS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 8626) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McMILLAN. I move that the Senate insist upon its amendments and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. GORMAN, and Mr. KENNEY were appointed.

#### FREE ENTRY OF CERTAIN ARTICLES.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 7271) amending the act entitled "An act to allow the return, free of duty, of certain articles exported from the United States for exhibition purposes," approved May 18, 1896, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BURROWS. I move that the Senate insist upon its amendments and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. BURROWS, Mr. PLATT of Connecticut and Mr. CHILTON were appointed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the bill (S. 146) to provide for the erection of a public building at Indianapolis, Ind., with amendments in which it requested the concurrence of the Senate.

#### W. B. CARSWELL.

Mr. KENNEY. I ask unanimous consent for the present consideration of the joint resolution (S. R. 150) for the relief of ex-Cadet Engineer W. B. Carswell.

Mr. COCKRELL. Let it be read for information.

Mr. ALLISON. I do not object if the joint resolution does not lead to debate.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole. It authorizes the President of the United States to appoint, by and with the advice and consent of the Senate, William Beggs Carswell as a passed assistant engineer in the Navy, with relative rank of junior lieutenant, to take rank at the foot of his original class, next after Passed Assistant Engineer J. E. Palmer, Carswell having been honorably discharged from the Navy on June 9, 1883.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT INDIANAPOLIS, IND.

Mr. FAIRBANKS. I ask that the message from the House of Representatives in relation to the public building at Indianapolis, Ind., may be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 146) to provide for the erection of a public building at Indianapolis, Ind.: which were, on page 4, line 4, to strike out "five" and insert "two;" and on page 4, after line 15, to insert the following as a new section:

SEC. 3. That in the event a site shall be purchased as provided for by section 1 of this act, the Secretary of the Treasury be, and he hereby is, authorized and directed to sell, for the highest and best bid obtainable after advertising said sale for at least twenty days immediately preceding in at least two daily papers published in the city of Indianapolis, Ind., and upon such terms of payment as said Secretary of the Treasury shall prescribe, the real estate now known as the Indianapolis, Ind., post-office site, comprising the real estate, with all buildings thereon situated, now owned and occupied by the United States Government, and located on Pennsylvania and Market streets, in the city of Indianapolis, Marion County, Ind. And the Secretary of the Treasury is hereby authorized and directed to apply the proceeds derived from said sale toward the payment for the purchase of the site provided for in section 1 of this act; and the sum of \$1,200,000 in this act authorized, together with the unexpended balance, if any, of the proceeds derived from the sale of the present site, may be expended in the construction of the building as provided for in section 1 of this act.

Mr. FAIRBANKS. I move that the Senate nonconcur in the amendments of the House of Representatives and ask for a committee of conference on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. FAIRBANKS, Mr. WELLINGTON, and Mr. MANTLE were appointed.

#### GEORGE W. NEVINS.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill S. 1908, "An act granting an increase of pension to George W. Nevins," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

J. H. GALLINGER,  
GEORGE L. SHOUP,  
JOHN L. MITCHELL,  
*Managers on the part of the Senate.*  
GEORGE W. RAY,  
C. A. SULLOWAY,  
C. H. CASTLE,  
*Managers on the part of the House.*

The report was agreed to.

#### OLIVIA WORDEN.

Mr. HANSBROUGH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2010) granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In line 6, after "Olivia," insert "T."

That the Senate agree to the amendment of the House numbered 2.  
H. C. HANSBROUGH,  
WM. E. CHANDLER,  
JOHN L. MITCHELL,  
*Managers on the part of the Senate.*  
GEORGE W. RAY,  
E. S. HENRY,  
EDMUND H. DRIGGS,  
*Managers on the part of the House.*

The report was agreed to.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 27th instant approved and signed the following act and joint resolution:

An act (S. 5126) to authorize the St. Louis, Siloam and Southern Railroad Company, of Missouri and Arkansas, to construct a bridge across White River, in the State of Arkansas; and

A joint resolution (S. R. 231) providing for the further distribution of the compiled statutes of the District of Columbia.

#### BOWMAN ACT AND OTHER CLAIMS.

Mr. TELLER. I wish to submit a conference report on the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 8, 1883, and commonly known as the Bowman Act, and for other purposes. It is a final report, and I will call it up later.

Mr. COCKRELL. Is it a report of agreement?

Mr. TELLER. It is an agreement. I will call it up later.

#### BRANCH HOME AT CASTLE PINCKNEY.

Mr. TILLMAN. I ask unanimous consent for the present consideration of the bill (S. 5487) to establish a Branch Home of the National Home for Disabled Volunteer Soldiers at Castle Pinckney, in Charleston Harbor, South Carolina, for the use of disabled officers and enlisted men of the Volunteer Army and Navy of the United States.

Mr. ALLISON. I do not object to these requests for unanimous consent unless the bills proposed lead to debate.

Mr. TILLMAN. Oh, of course, if that is the case I shall certainly withdraw the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in section 1, line 6, before the word "dollars," to fill the blank by inserting "one hundred thousand;" so as to make the bill read:

*Be it enacted, etc.*, That a Branch Home for the use of disabled officers and enlisted men of the Volunteer Army and Navy of the United States be, and is hereby, established at Castle Pinckney, in Charleston Harbor, and that \$100,000 be, and is hereby, appropriated for the construction of suitable buildings and the improvement of the surrounding grounds.

SEC. 2. That the construction of the buildings and the equipment of the sanitarium shall be under the control of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### GEORGE IZARD MIDDLETON.

Mr. TILLMAN. I wish to call up the joint resolution (S. R. 200) to authorize the appointment of George Izard Middleton an ensign in the Navy. Then I will be through. I have been very modest at this session. This is the first time I have asked unanimous consent for the consideration of a bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Naval Affairs with an amendment, in line 6, after the words "United States," to insert "subject to physical and professional examination;" so as to make the joint resolution read:

*Resolved, etc.*, That the President of the United States be, and is hereby, authorized to appoint, by and with the advice and consent of the Senate, George Izard Middleton as an ensign in the Regular Navy of the United States, subject to physical and professional examination, to take rank at the foot of the ensigns in the Navy at the time of the passage of this resolution; *Provided*, That he shall not receive pay for the time while out of the naval service.

Mr. GALLINGER. I move to insert the word "moral" after "physical."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The joint resolution was reported to the Senate as amended and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

#### JOHN H. SMITH.

Mr. FORAKER. I ask for the present consideration of the bill (H. R. 3190) granting an honorable discharge to John H. Smith.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 9, after the word "Infantry," to insert "as of date January 6, 1863;" so as to make the bill read:

*Be it enacted, etc.*, That the military record of John H. Smith, late private in Company F, Twelfth Regiment Ohio Cavalry, and late private in Company B, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, be corrected, and that the Secretary of War be, and he is hereby, authorized and directed to grant him an honorable discharge from the said Company B, One hundred and twenty-fourth Ohio Volunteer Infantry, as of date January 6, 1863: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

## POSTAGE ON LETTERS IN POINT PRINT.

Mr. HARRIS. The bill (S. 3283) regulating the postage on letters written by the blind is upon the Calendar, favorably reported from the Committee on Post-Offices and Post-Roads. The House has passed a similar bill. It is the same as the Senate bill, with simply the change of a word. I ask unanimous consent for the present consideration of the bill, with a view to substituting the House bill for the Senate bill.

Mr. COCKRELL. The Senator from Kansas would prefer to have the House bill considered?

Mr. HARRIS. I should prefer that course, but I understand that the House bill is not upon the Calendar.

Mr. WOLCOTT. May I interrupt the Senator? Is this the bill pertaining to the transmission through the mails of rolls of raised letters for the blind?

Mr. HARRIS. Yes, sir.

Mr. WOLCOTT. It passed the committee unanimously, and the bill which has passed the House is almost identical.

Mr. COCKRELL. Where is the House bill?

Mr. WOLCOTT. I suppose it is on the Calendar.

The VICE-PRESIDENT. The clerks inform the Chair that it has not been reported from the committee.

Mr. WOLCOTT. The House bill was to be reported back. I supposed the report had been made. It was left to another member of the committee. If it will meet the suggestion, I will report the bill now.

I am authorized by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 4304) regulating the postage on letters written by the blind, to report it favorably without amendment.

Mr. HARRIS. I ask that the bill just reported be put upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that all letters written in point print or raised characters used by the blind when unsealed shall be transmitted through the mails as third-class matter.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HOAR. I will state to the Senator that the title, perhaps, is not exactly correct. It says, "letters written by the blind." I see that the bill inside is all right. "Written in characters used by the blind" should be the phrase rather than written by the blind, because that is not a proper phrase.

Mr. WOLCOTT. The phraseology of the bill has met the approval of the heads of all the institutions for the blind.

Mr. HOAR. I am not criticising the phraseology of the bill; I am criticising the title. I do not know whether it is worth while for the Senate to amend it. Let the Secretary read the bill again. It is only about three lines long.

The Secretary read the bill.

Mr. HOAR. That is all right. I merely suggested that the title says "letters written by the blind," which is not true in fact, and it does not correspond with the text of the bill; that is all.

Mr. WOLCOTT. It seems to me a letter indited with raised characters or otherwise is written, for all practical purposes. I confess myself I see no possible question of doubt about it.

Mr. HOAR. Who knows who wrote it?

Mr. WOLCOTT. Who wrote what?

Mr. HOAR. Who knows at the post-office who wrote the letter?

Mr. WOLCOTT. The post-office carries written matter at one price and printed matter at another. They do not know who wrote the letters.

Mr. HOAR. The title of this bill says that the letter so transmitted is to be written by the blind. In the first place, nobody knows who wrote it, if it be a correct description of it as writing. In the next place, it is not a correct description, because it is not a letter written when prepared in this mode. The draftsman of the bill thought just as I do, because inside of the bill there is a correct description of it. My suggestion is that the title shall conform to the bill. That is all there is of it. I do not say that I shall insist upon it.

Mr. WOLCOTT. It strikes me that writing does not require the use of ink, and if a message is transmitted from one person to another by the physical use of some emblem upon paper or other material, by raised characters or otherwise, which conveys the idea intended to be conveyed by the act, it is written for all practical purposes.

Mr. HARRIS. I will suggest also that it is matter unsealed, so that it is open to inspection.

Mr. WOLCOTT. Of course, we would not know that a blind man wrote it, if that is the objection of the Senator from Massachusetts. But it is not to be supposed that a man who did not have to write in that way would use other than pen, ink, and paper. I suppose, however, that there might be fraud practiced upon the mails by a man who could see and who would use raised

characters intended for the transmission of mail to the blind, but I can not conceive it as possible.

Mr. HOAR. Well, I do not insist on my point.

Mr. WOLCOTT. My only object is that I do not like to have the bill go back to the House with an amendment unless it is necessary.

Mr. HOAR. I will not make any discussion about it. It is not very important whether the title be correct or incorrect. I rather like to have ordinarily the acts of Congress exact in title.

Mr. WOLCOTT. The only trouble is about not having the bill go back.

Mr. HOAR. I shall not object further, if it is a matter of such earnest feeling.

Mr. WOLCOTT. No; it is not that. I do not want the bill to go back to the House with an amendment.

The VICE-PRESIDENT. The title will stand as reported.

Mr. HARRIS. I move that the bill (S. 3283) regulating the postage on letters written by the blind be indefinitely postponed. The motion was agreed to.

## EXECUTOR OF RUTH MARCH.

Mr. BURROWS. I ask unanimous consent for the present consideration of the bill (H. R. 2374) authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin H. March, executor of the last will and testament of Ruth March, deceased.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It instructs the Secretary of the Treasury to issue a duplicate bond in the name of Benjamin H. March, executor of the last will and testament of Ruth March, deceased, in lieu of a United States 4 per cent registered bond issued under the acts of July 14, 1870, and January 20, 1871, numbered 68830, for \$1,000, inscribed in the name of Ruth March, and alleged to have been lost or destroyed; but Benjamin H. March shall first file in the Treasury a bond in a penal sum in double the amount of the said missing bond and the interest which would accrue thereon until the principal thereof becomes due and payable, with two good and sufficient sureties, residents of the United States, to be approved by the Secretary of the Treasury, with condition to indemnify and save harmless the United States from any claim because of the lost or destroyed bonds.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN HURLEY.

Mr. McMILLAN. I ask unanimous consent for the consideration of the bill (H. R. 4129) to correct the naval record of John Hurley.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Navy to remove the charge of desertion now standing on the records against John Hurley, late of the United States steamers *Ohio* and *Lackawanna*, and to grant him an honorable discharge; but no pay or allowances shall become due or payable by reason of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## PUBLIC BUILDING AT TAMPA, FLA.

Mr. PASCO. I ask unanimous consent that the bill (S. 889) for the erection of a public building at Tampa, Fla., may be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with amendments, in line 12, on page 1, before the word "hundred," to strike out "five" and insert "three;" in the same line, before the word "thousand," to insert "and fifty;" in line 9, on page 2, before the word "hundred," to strike out "five" and insert "three;" in the same line, before the word "thousand," to insert "and fifty;" after the word "building," in line 10, to strike out the following proviso:

*Provided, That no money to be appropriated for this purpose shall be available until a valid title to the site of said building shall be vested in the United States, to be approved by the Attorney-General, and until the State of Florida shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the State and the service of any civil process therein.*

In line 18, before the word "hundred," to strike out "five" and insert "three;" and in the same line, after the word "hundred," to insert "and fifty;" so as to make the bill read:

*Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide, a site for, and cause to be erected a suitable building, with proper fireproof vaults therein, for the accommodation of the courts of the United States, post-office, custom-house, and other Government offices, at the city of Tampa, Fla. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$500,000, nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall*

have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of \$50,000 for site and building; and that the sum of \$50,000 be, and the same is hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to be used and expended in the purchase of said site and toward the construction of said building: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys, around the same.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ERNEST EDWARD WEST.

Mr. CLAY. I ask unanimous consent to call up and put on its passage the joint resolution (S. R. 207) for the appointment of E. E. West in the regular establishment of the United States Navy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. CLAY. The joint resolution was referred to the Committee on Naval Affairs, and they reported a substitute for it, which they desire to have passed.

The amendment reported by the Committee on Naval Affairs was, to strike out all after the resolving clause of the joint resolution and insert:

That the President of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, Ernest Edward West as a second lieutenant in the United States Marine Corps, to take rank next to the junior second lieutenant now in said corps: *Provided*, That he shall not receive pay for the time while out of the naval service.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE-PRESIDENT. The question is on agreeing to the preamble.

The preamble was rejected.

The title was amended so as to read: "A joint resolution to appoint E. E. West a second lieutenant in the United States Marine Corps."

WILLIAM A. HAMMOND.

Mr. WARREN. I ask unanimous consent for the consideration at this time of the bill (S. 5069) to amend the act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments, in line 8, after the word "repealed," to strike out "*Provided*, That" and insert "and;" in line 9, before the word "entitled," to strike out "and is hereby;" in the same line, before the word "pay," to insert "the;" in the same line, after the word "pay," to strike out "hereafter as Surgeon-General" and insert "of a brigadier-general;" in line 11, after the word "list," to strike out "but only;" in the same line, after the word "the," to strike out "beginning of the present fiscal year" and insert "date of the approval of this act;" so as to make the bill read:

*Be it enacted, etc.*, That so much of section 2 of the act entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army," approved March 15, 1878, as provides that said Hammond shall not be entitled to pay while on the retired list of the Army be, and the same is hereby, repealed, and the said Hammond shall be entitled to the pay of a brigadier-general of the Army on the retired list from the date of the approval of this act.

The amendments were agreed to.

Mr. BUTLER. I wish to inquire of the Senator from Wyoming if there is a report accompanying that bill?

Mr. WARREN. There is a report.

Mr. PLATT of Connecticut. I should like to hear the report read.

The Secretary proceeded to read the report submitted by Mr. HAWLEY, February 17, 1899, but before concluding was interrupted by

Mr. WARREN. Unless the Senate desires the further reading of the report, I think we may dispense with it.

Mr. PLATT of Connecticut. I should like to hear the report read through, Mr. President.

Mr. WARREN. Then I withdraw the request.

The reading of the report was resumed and concluded, as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 5069) to amend the act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army," report back the bill with certain amendments, and recommend the passage of the same.

It appears that Dr. Hammond was dismissed from the service August 18, 1864, in accordance with the sentence of a general court-martial which found him guilty of certain offenses alleged to have been committed by him while Surgeon-General of the Army. He subsequently appealed to Congress for

relief, and upon this appeal was passed the act approved March 15, 1878, which authorized the President to review the proceedings of the court-martial and to annul and set aside the findings and sentence of the court if, after such review, he should deem it right and proper to do so. The act further authorized the President, in the event that he should annul and set aside the findings and sentence of the court, to place Dr. Hammond on the retired list of the Army as Surgeon-General, provided that the said Hammond should not, in virtue of such restoration to the Army, or of any provision of this act or any other act, be entitled to back, present, or future pay or allowances of any kind whatsoever.

In accordance with the provisions of the act of Congress quoted above, the President, after a review of the proceedings of the court-martial, and upon the recommendation of the Secretary of War, annulled and set aside the findings and sentence in the case of Dr. Hammond, and placed him on the retired list of the Army to date from August 27, 1879.

Since the date last named above, Dr. Hammond has been borne on the retired list of the Army, but has received no pay or allowances whatever from the Government. It is the object of the bill now pending for his relief to give him, for the future, the pay of a retired officer of his rank, which is that of a brigadier-general.

The Senate Committee on Military Affairs having under consideration the bill which subsequently became the act of March 15, 1878, under which the President set aside the findings and sentence in the case of Dr. Hammond and placed him upon the retired list, made an exhaustive report (Senate Report No. 102, Forty-fifth Congress, second session), which fully sets forth the history of the case and the grounds upon which the committee recommended the passage of the bill. For present purposes it is believed to be sufficient to make the following quotation from that report:

"Let Dr. Hammond, in event he shall satisfy the President of his right thereto, be restored to his family, his friends, and his profession, freed from every taint or blemish which has hitherto been inflicted upon him under fortuitous circumstances. His brethren in the medical profession honor his name and fame, and his countrymen look upon him with pride as foremost in the ranks of American scientists, humanitarians, and gentlemen. Your committee believes this to be a case wherein the constitutional prerogative of Congress to redress grievances may be safely, justly, and fairly exercised, especially since the President is invested, by the provisions of the bill, with wise discretion. If he find against the merits and equities of the case, then the relief sought must be denied. If he find otherwise and hence favorably, Dr. Hammond will then receive that reparation to which he is entitled, and which avoids, by the terms of the bill, all reflection and humiliation upon any other party concerned."

Dr. Hammond did satisfy the President that he was entitled to be restored to a status of honor, and he was so restored; but although his name has been borne upon the retired list of the Army for nearly twenty years, and although he has been entitled during all of that period to bear the title and wear the uniform of his rank, he could not receive any portion of the retired pay of his grade because of the prohibitory proviso in the act of March 15, 1878. It seems to your committee that if it was just and right that Dr. Hammond should be restored to the Army and placed upon the retired list, it was equally just and right that he should receive the pay allowed by law to other retired officers of his grade.

However, the pending bill does not propose and your committee does not recommend that any payment shall be made to him for the many years which have elapsed since he was placed upon the retired list. The bill, if enacted into a law, will simply give him for the future the same right as to pay as is enjoyed by all other officers on the retired list. This is a right which in the natural order of things he can only enjoy for a comparatively few years at most, and it seems to your committee to be one which in fairness and justice should be accorded to him. It is accordingly recommended that the bill as amended be passed.

Mr. GALLINGER. Mr. President, I do not propose to object to any bill that is reported by the Committee on Military Affairs, as I am not especially versed in military matters, but I do want to enter my protest against the remarkable tribute that is paid to Dr. Hammond in this report in connection with his professional standing. I do not care to go into detail on this subject, but I want to say that the man who has been at the head of a company that has been imposing upon the people of this country the trash that Dr. Hammond has been imposing upon them, under the name of science, does not deserve in any report made to Congress a tribute as to his professional standing.

While, as I said at the beginning, I shall not object to the passage of this bill if the older members of the Senate and the Committee on Military Affairs think Dr. Hammond shall at this late day have restored to him the emoluments of the office that he once held, I want, nevertheless, to put on record my protest against the fulsome tribute that is contained in this report in regard to his present professional standing and his relation to the medical profession at the present time.

The VICE-PRESIDENT. The question is on the adoption of the amendments reported by the committee.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN L. SMITHMEYER AND PAUL J. PELZ.

Mr. STEWART. I ask unanimous consent for the present consideration of the bill (S. 3901) for the relief of John L. Smithmeyer and Paul J. Pelz. The Senator from South Dakota [Mr. PETTIGREW], who objected to the bill the other evening, authorizes me to state that he withdraws his objection.

The VICE-PRESIDENT. Is there objection to the consideration of the bill named by the Senator from Nevada?

Mr. ALLISON. Mr. President, I think this bill ought to go over. I do not know its provisions, but I understand the object is to give additional pay to Mr. Smithmeyer. I think he has been very well paid for the services he has rendered, and I should like to say a word or two upon that subject when the bill comes up.

Mr. STEWART. I am prepared to discuss it whenever we shall have the opportunity to do so.

Mr. ALLISON. I should like to say a word or two about it.

Mr. STEWART. Then the bill goes over.

The VICE-PRESIDENT. The bill goes over.

#### INTERNATIONAL COTTON PRESS COMPANY.

Mr. MCENERY. I ask unanimous consent for the present consideration of the bill (H. R. 10353) for the relief of the International Cotton Press Company, of New Orleans, La.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, in line 4, after the word "authorized," to strike out "if in his opinion the same ought to be done;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized to release the International Cotton Press Company, of the city of New Orleans, La., from the claim of the United States growing out of the indebtedness of Charles A. Snyder to the Government for internal-revenue taxes.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

W. G. NEELEY.

Mr. TELLER. I ask unanimous consent for the present consideration of the bill (H. R. 1213) granting an honorable discharge to W. G. Neeley, of Canyon City, Colo.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 5, after the word "discharge," to insert "as of date October 1, 1865;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby authorized and directed to correct the military record of, and grant an honorable discharge as of date October 1, 1865, to, W. G. Neeley, of Canyon City, Colo., late a private in Company I, Fifth United States Infantry Volunteers: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### PAN-AMERICAN EXPOSITION ON NIAGARA FRONTIER.

Mr. PLATT of New York. I ask unanimous consent for the present consideration of the bill (S. 5500) to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901.

The VICE-PRESIDENT. Is there objection to the consideration of the bill named by the Senator from New York?

Mr. ALLISON. This bill will undoubtedly lead to debate. I do not know the nature of it exactly, but I think it must lead to some discussion.

Mr. PLATT of New York. I do not think it will.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. ALLISON. I ask the Senator from New York to withhold his request for a moment. I should like to look at the bill at least. It contains an appropriation, as I understand.

Mr. PLATT of New York. It contains an appropriation.

Mr. ALLISON. Then let it lie over for the present.

The VICE-PRESIDENT. The bill goes over.

#### APPOINTMENT OF ACTING NAVAL CADETS.

Mr. MCENERY. I ask unanimous consent for the present consideration of the joint resolution (S. R. 234) to authorize the President to appoint to the Naval Academy acting naval cadets who served during the war with Spain.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It authorizes the President to appoint as cadets to the Naval Academy the acting cadets, temporarily appointed during the late war with Spain, who served with credit during said war, to be shown by the recommendation of the commanding officer of the ship in which they served; the cadets so appointed, before admission to the Naval Academy, must be under 21 years of age, and must pass the examination now required of cadets for admission to the Academy.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT FLOWER.

Mr. QUAY. On behalf of my colleague [Mr. PENROSE], who is necessarily absent, I ask unanimous consent that the Senate

proceed to the consideration of the bill (H. R. 7632) to remove the charge of desertion from the military record of Robert Flower.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Military Affairs with an amendment, in line 9, after the word "organization," to insert "as of date May 31, 1864;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to remove from the rolls and records of the War Department the charge of desertion now standing against the name of Robert Flower, late a private in Company E of the Seventy-ninth Regiment of New York Volunteers, and to issue to said Robert Flower a certificate of honorable discharge from said organization as of date May 31, 1864: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HORACE P. MCINTOSH.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of the bill (S. 5221) for the relief of Lieut. Horace P. McIntosh.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with an amendment, to strike out all of the bill beginning with the word "directed," in line 4, down to and including the word "be," in line 10; and in line 11, after the word "list," to insert "of the Navy;" so as to make the bill read:

*Be it enacted, etc.,* That Lieut. Horace P. McIntosh, of the United States Navy, be placed on the retired list of the Navy at a salary equal to 75 per cent of the sea pay of his grade at the time of his retirement.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. BUTLER. Let the bill be read as amended.

The Secretary read the bill as amended.

Mr. BUTLER. Is there a committee report from the Committee on Naval Affairs?

The VICE-PRESIDENT. There is; Report No. 1618. Does the Senator desire to have it read?

Mr. CHANDLER. I will state that this is a case where the officer hoped to get back on the active list. The committee decided not to recommend him for return to the active list, but to allow him to go upon the retired list in the way that almost all the other officers of the Navy are upon the retired list, with three-quarters of his sea pay. The bill has been changed in that way, and therefore it met with a favorable report from the committee.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CORPORATION LAWS IN THE INDIAN TERRITORY.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (S. 5291) to put in force in the Indian Territory certain provisions of the laws of Arkansas relating to corporations, and to make said provisions applicable to said Territory.

Mr. ALLISON. I hope the Senator from South Dakota will not ask that that bill be considered at the present time.

Mr. PETTIGREW. It is only a page. It is a very brief bill.

Mr. COCKRELL. Let it be passed. I do not think it will lead to any discussion.

Mr. PETTIGREW. I think not, and it is quite important.

Mr. ALLISON. I will allow the Senator from South Dakota to have the bill called up for consideration if there is no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS WEST.

Mr. PROCTOR. I ask unanimous consent for the present consideration of the bill (H. R. 4253) granting an honorable discharge to Thomas West.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 4, after the word "discharge," to insert "as of September 21, 1861;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to cause an honorable discharge as of September 21, 1861, to be granted to Thomas West, late a private in Company F, Twelfth New York Infantry Volunteers, and late a private in Company B, One hundred and eighty-fifth New York Infantry Volunteers: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### PORTRAIT OF POCAHONTAS.

Mr. DANIEL. Mr. President, I desire to engage the attention of the Senate for a few moments that I may discharge a task of courtesy and of duty that has been too long, though unavoidably, delayed.

Some time since I received a letter from Henry S. Wellcome, esq., an American citizen, a native of Indiana, now residing in England, near London, in which he requests me to present to the Senate in his behalf an oil-painted portrait of the Indian princess, Pocahontas, whose name is romantically connected with our early history and whose gentle character has preserved it in sweet memory.

Mr. Wellcome is a public-spirited citizen, who has carried American enterprise to the motherland, where he is a distinguished and successful chemist and druggist. He was one of the organizers of the American Society in London, and was its president for several years; and generally he is the chairman of the committee which has charge of the Thanksgiving Day dinner and the Fourth of July celebration participated in by the American residents of that great metropolis. Well known and respected in both countries, he is a generous patron of art, science, and letters; and he is a patriot alive to all that interests his native land, his enthusiasm being such that he keeps the Stars and Stripes continually flying over his office and factory.

He has taken deep interest in our early history and in the fate of the Indian race. A notable instance of his gracious disposition has been shown in the removal, through his agency and influence, of the Metla Kahla Indians from British Columbia into the confines of the United States, where, as he thought, they could find more congenial laws and associations.

The picture of Pocahontas is a fine copy of a painting which hangs at Booton Hall, in Norfolk, England, the former seat of the Rolfe family. The original is from the brush of De Passe, an eminent artist of the sixteenth and early part of the seventeenth centuries. Upon the canvas of the original are painted these words:

Matoaka Rebecka, filia potentis Princ: Powhatan Imp. Virginia.

On the space below:

Motoake, alias Rebecka, daughter of the mighty Prince Powhatan, Emperor of Attanough Komouck, of Virginia; a Christian converted and married to the worshipful Mr. Thomas Rolfe. Aged 21, 1616.

There was a superstition amongst the Indians that concealed the true name, and Matoaka was the real Indian name of the princess, though they called her Pocahontas.

Within a few years, Mr. President, we will celebrate, and doubtless with fitting honors, the three hundredth anniversary of the planting of the first durable colony of the English-speaking race in the New World. This occurred at Jamestown, in Virginia, on the 13th day of May, 1607.

They came none too soon. While Cabot had roved the Northern seas and claimed the American continent in the name of England in 1497, nothing had been done to effectuate his title, and now more than a century had gone by. Meantime the Spaniards under Ponce de Leon had possessed themselves of Florida, Cortez had conquered Mexico, Pizarro had laid Peru at his feet, and De Soto had passed across the land to the Mississippi. Meantime also the French were establishing themselves in Canada, and little scope was left for English enterprise unless they took advantage of the fugitive occasion, as Jefferson afterwards did, in acquiring Louisiana.

Three little ships of 20, 40, and 100 tons burden, respectively, bearing the names of *The Discovery*, *Good Speed*, and *Susan Constant*, under the command of Capt. Christopher Newport, had sailed down the Thames on the 19th of December, 1606, with the design of renewing the effort, which had previously failed, to establish a colony at Roanoke, in what is now North Carolina. Prayers were said in the churches as they went forth on their perilous enterprise, and the poet Drayton wuffed them "bon voyage" in inspiring verses, one of which runs:

You brave, heroic minds,  
Worthy your country's name,  
That honor still pursue,  
Whilst loitering hinds  
Lurk here at home with shame,  
Go and subdue.

They went and they subdued. A violent storm, however, Mr. President, drove the ships into the mouth of the Chesapeake River, where they first touched land at a place which they named Point Comfort. They then proceeded on their way up the James River, and on the 13th day of May, 1607, the first feet that came to stay landed at Jamestown.

Capt. John Smith, knight errant, soldier, sailor, and adventurer, was the leading spirit of this colony, and of it he soon became the

president. For three years, by his courage, wisdom, and mastery of men, he rescued and preserved it from many trials, difficulties, and dangers. To him belongs the name of founder.

While the land was fertile and beautiful enough and its lower shores were covered with flowers of diverse colors and goodly trees, with fish in the streams and game in the forests, danger lurked in every thicket. The flight of arrows from Indian bows in the tall grass was the salute with which the newcomers were received in a wilderness of which the great Indian King Powhatan was Emperor, having in the tribe 8,000, with 2,400 warriors.

A year passed by, and complaints came that little had been accomplished. Fever and hunger had decimated the colony, and there were discontents at home. The royal order was to go in search of the South Sea, and so, with a small party, John Smith, on a bleak December day in 1607, embarked in a barge up the Chickahominy River to find it. Ascending to the shallows, he procured a canoe and some Indian guides, and with only two companions he ascended farther until he reached and landed at a point in the White Oak Swamp east of Richmond, to which he gave the name of Rassawek.

He did not find the South Sea, but here he did find a band of Indians who captured him. He was taken before their chief, Opechancanough, brother to the Emperor Powhatan, and was thence taken to Werokomoko, the chief place of council of Powhatan, in what is now Gloucester County, at a site on the north bank of the York River, not far from Yorktown.

Wrapped in a robe of coon skins sat the tall, gaunt, sour old Indian Emperor, and Smith, who had slain two of his Indian assailants in the fight on the Chickahominy, was condemned to die.

Two stones were brought forth before Powhatan, and Smith was dragged to them, his head forced down upon one of them, and clubs were raised to beat out his brains, when, lo, an Indian girl of 12 or 13 years of age rushed upon the scene, caught his head in her arms and laid her own upon his to save him from death. The sour old King relented and Smith was saved, for the intercessor was Powhatan's favorite daughter, Pocahontas.

Many times during the struggles of this little colony on the James did she again attest her generous and gracious character. Once when they were starving she had suddenly appeared, bearing corn to their relief; and again when they were about to be assailed and massacred she gave the timely and sufficient note of warning.

A few years rolled by; the fortunes of war became changed. In 1612 Pocahontas was taken prisoner by that rover of land and sea, Capt. Samuel Argall, who had three years before brought the message deposing Smith from command. She was brought a disconsolate and weeping captive to Jamestown. There she seemed lovely in the eyes of Master John Rolfe, sometimes called Thomas, one of the colonists, and his attachment was reciprocated. But Rolfe was sorely troubled in spirit. The scripture forbade the marrying of strange wives and their mutual love caused a "mighty warfare in his meditations."

But, like most colonists, the duty of Christianizing the heathen would seem from his own account to have been the moving impulse to his soul, for he reflected upon the question whether it was not his solemn duty to marry and convert "this heathen creature Pocahontas."

As the historian relates, "What most touched and decided him was her desire to be taught and instructed in the knowledge of God, her capabilities of understanding, her aptness and willingness to receive any good impression, and also 'the spiritual beside her own incitements stirring me up thereto;' and so, according to the true poetic justice of romance, at the age of 18 the lovely Indian maiden was married to John Rolfe in the old church at Jamestown, and she was given the Christian name of Rebecca.

Three years later Rolfe carried his bride to London, where she was treated as the daughter of a king and where her arrival created a great sensation. In her native forests she was dressed in doeskin lined with down from the wood pigeon's breast; anklets and bracelets of coral were her adornments, with a white plume, the badge of royalty, floating over her hair. Now she shone in all the splendors of court apparel.

She was the first lady of the New World to appear in the home country. She was presented at court by Lady Delaware and most "graciously used" by the King and Queen. The Bishop of London, delighted at her conversion to Christianity, gave a great entertainment in her honor; and for a time Pocahontas was all the fashion in the brilliant revels of the great metropolis.

She died suddenly at Gravesend in March, 1617, at the age of 22, when about to return to Virginia, making, as we are told, "a godly end," and being buried in the parish church, where her name was carelessly registered as Rebecca Wrothe. The church was afterwards burned, and in its ashes disappeared the earthly relics of Pocahontas.

From her marriage with John Rolfe was born one son, Thomas Rolfe, who was brought up in London; but he came to Virginia and

was known as Lieutenant Rolfe, commanding Fort James, on the Chickahominy. He married a young lady in England, whom he brought to the New World, and there he became a gentleman of note and fortune.

The only daughter of Lieutenant Rolfe was married to Col. Robert Bolling, of a family widely connected and much respected in Virginia. As Stith says in his history, "This remnant of the imperial family of Virginia, which long ran in a single person, is now increased and branched out into a very numerous progeny."

Amongst the descendants of Pocahontas was that rare genius, John Randolph of Roanoke, once a Representative in Congress, a Senator in this body, and the minister of the United States at the court of Russia. I note, Mr. President, that a morning journal, in the notice of the presentation of this picture, accords to me descent from the Indian princess, but no such honor is mine.

The character and the worthy services of Pocahontas are fully attested and were appreciated and cherished by the colonists. They were much touched by "the love of Pocahontas," who "ever once in four or five days brought food which saved many of their lives that else for all this had starved of hunger," and they called her the "dear and blessed Pocahontas." Capt. John Smith said of her "as for features, countenance, and expression, she much exceeded any of the rest," and in his letter presenting and commending her to Queen Anne he declared that—

During the time of two or three years she, next under God, was still the instrument to preserve this colony from death, famine, and utter confusion, which if in those days had once been dissolved, Virginia might have been as it was at our first arrival to this day.

Upon slender threads often hang the momentous events of history. John Fiske, the historian, in his book *Virginia and Her Neighbors*, speaks of Pocahontas as "one of the noblest and loveliest characters in American history," and asserts that "the rescue of Smith by her was an event of real historic importance. Without it the subsequent relations of the Indians and the English colonists become incomprehensible." And he adds the significant words that "but for her friendly service on more than one occasion the tiny settlement would probably have perished."

The charm of romance will ever hang over the story of Pocahontas; and that flower of the wilderness will ever shed its brightness and its fragrance over the rude, somber, and cruel scenes of our people's earliest struggles to get a foothold in the land whose inhabitants are now as the stars of heaven, the leaves of the trees, and the sands of the sea. But far beyond this, it should not be forgotten that she was indeed the guardian spirit of the great founder-captain, John Smith, and his feeble company; and who knows but for her what had been the New World's destiny?

It is meet that her portrait should hang here in remembrance of her lovely character and her pious deeds; and the myriads that gaze upon it wondering whence came the gentle spirit that dwelt in the savage breast will be minded also that all men are brethren, and that even in the dark shadows of the forest primeval there may shine a light from heaven, and there be found—

A spark of that immortal fire  
By angels shared, by Allah given,  
To lift from earth our low desire.

I present this portrait to the Senate, Mr. President, in the name of Mr. Henry S. Wellcome, an American citizen residing near London.

Mr. CULLOM. Mr. President, I had not the pleasure of hearing the first part of the remarks of the distinguished Senator from Virginia [Mr. DANIEL], but I have heard enough of his speech to learn that the portrait presented to the Senate is presented by a gentleman whom I have the pleasure of claiming as a very warm personal friend—Henry S. Wellcome. He is an American citizen in the fullest sense of the word, notwithstanding that he has been living in the city of London for a number of years. I know him to be a gentleman of the very highest character, of a very generous and kindly nature, and one who has taken very large interest in the welfare of the Indian race in the United States.

My recollection is that he published a volume, after having much to do in caring for a tribe of Indians in Alaska. He wrote a book, which is a very interesting one, and a copy of which I have in my library.

I only rose, however, for the purpose of testifying to the very high character and distinguished qualities of manhood possessed by that gentleman. I think it is a very graceful thing on his part to present the portrait of Pocahontas, which the Senator from Virginia has spoken of so eloquently to-day, and I hope the Senate will accept it by the adoption of a resolution.

Mr. HANSBROUGH. Mr. President, the Committee on the Library have every reason to believe, and have assurances, in fact, from those in a position to know, that the picture of Pocahontas which is to-day presented to the Senate is a genuine work of art. Of course, we all know that it has great historical value. On behalf of the Committee on the Library I present the following resolution and ask for its present consideration.

The VICE-PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on the Library of the Senate be, and it is hereby, authorized to accept the painting, a portrait of Pocahontas, donated by Henry S. Wellcome, esq., to the Senate, and to have the painting suitably placed in the Senate wing of the Capitol, and the thanks of the Senate are hereby tendered to the donor.

#### CITY AND SUBURBAN RAILWAY.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (S. R. 139) to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same amended as follows: In lieu of the matter proposed to be inserted as a proviso insert the following:

"Providing, upon completion by said City and Suburban Railway of the underground construction hereinbefore provided for, the obligation of the said City and Suburban Railway imposed by section 2 of the act approved June 27, 1898, in respect to the construction of its line on North Capitol street north of T street, shall cease, and in lieu of that provision said City and Suburban Railway is required, within six months after North Capitol street shall have been graded, to construct and operate a double-track railway on North Capitol street from T street to Michigan avenue, thence on Michigan avenue east, to connect with its present tracks on Bunker Hill road. "Said railway on North Capitol street north of T street and on Michigan avenue is to be operated by the overhead trolley system, but the right to operate an overhead trolley on North Capitol street shall cease and determine on July 1, 1904, or whenever after that date the said street shall be paved; and the said company shall, on and after said date or paving as aforesaid, operate the said portion of its line by the underground electric system."

And the Senate agree to the same.

JAMES McMILLAN,  
REDFIELD PROCTOR,  
CHARLES J. FAULKNER,  
*Managers on the part of the Senate.*  
J. W. BABCOCK,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*

The report was agreed to.

#### WILLIAM MOORE.

Mr. CHILTON. There is a little bill on the Calendar which will take but a moment. It is House bill 11615.

There being no objection, the bill (H. R. 11615) removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers, was considered as in Committee of the Whole.

Mr. SULLIVAN. I should like to know if there is a report in that case.

The VICE-PRESIDENT. No report accompanies the bill.

Mr. CHILTON. The House committee made a report, but there is no report by the Senate committee.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DELOS M. KENYON.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 12013) to increase the pension of Delos M. Kenyon, to report it without amendment, and to submit a report thereon. As it is a very urgent case and a House bill, I ask unanimous consent that it be put on its passage.

Mr. ALLISON. After this bill is disposed of I shall ask for the regular order.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Delos M. Kenyon, late first lieutenant Company D, One hundred and twenty-first New York Volunteer Infantry, and to pay him a pension at the rate of \$24 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### GOVERNMENT FOR HAWAII.

Mr. CULLOM. I desire to state that to-morrow morning I shall ask leave to call up for consideration the bill (S. 4893) to provide a government for the Territory of Hawaii, and if I may do so, I shall make some remarks in the outset.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask the Senate to proceed to the consideration of the sundry civil appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. ALLISON. I believe the pending amendment is the one proposed by the Senator from South Dakota [Mr. PETTIGREW]. If he will withhold that for a moment, I should like to present an amendment on behalf of the committee.

Mr. PETTIGREW. Very well.

Mr. ALLISON. On page 12, after line 3, I move to insert:  
Burrows Island light and fog signal station, Washington: To establish a light and fog signal station at Burrows Island, Rosario Strait, Washington, \$15,000.

The amendment was agreed to.

Mr. SULLIVAN. I offer an amendment to the bill.

Mr. PETTIGREW. I should like to have the pending amendment disposed of—the one I offered last evening.

The VICE-PRESIDENT. The Senator from Mississippi will withhold his amendment for a moment. The Senator from South Dakota [Mr. PETTIGREW] has heretofore submitted an amendment, which will be read.

The SECRETARY. On page 77, after line 13, it is proposed to insert:

That all persons who may have heretofore, or may hereafter, settle upon that portion of the Great Sioux Indian Reservation which was opened up to settlement under and by virtue of the act of March 2, 1889, entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes," may secure patents for the lands embraced in their entry upon making the payments required in section 21 of said act of March 2, 1889, above referred to, and no other or further payment shall be required of said claimants, whether proof and payment be made after fourteen months or five years from the date of settlement upon said land.

Mr. PETTIGREW. I desire to strike out of the amendment, on the first line, the words "or may hereafter;" so as to read "all persons who may have heretofore settled upon."

Mr. FRYE. The Senator wants to change the word "settle" to "settled."

Mr. PETTIGREW. Yes; I strike out the words "or may hereafter," and change the word "settle;" so as to read:

That all persons who may have heretofore settled upon that portion of the Great Sioux Indian Reservation, etc.

The VICE-PRESIDENT. The amendment will be so modified. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. SULLIVAN. After line 25 on page 5 I move to insert:

That the Secretary of the Interior is hereby authorized to purchase Wilson Park for the exclusive use of the insane soldiers and sailors in the Government Hospital for the Insane.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

Mr. SULLIVAN. Mr. President, a bill has been introduced in the House to increase the facilities for those who are unfortunately insane, whether they be of the class known as the criminal insane or otherwise. The same bill was introduced by myself here and later the amendment was offered to the sundry civil appropriation bill, which I have now proposed.

An investigation shows that there are nearly 2,000 inmates within the grounds known as St. Elizabeth's Asylum. The inmates there are composed of three classes—the insane soldiers and sailors, the insane criminal class, and the insane who are not white people; in other words, colored people.

The superintendent of that institution, Dr. Godding, some time since requested me to visit him and to look into the condition of affairs there with the view of presenting the very bill which I introduced. I was astonished to find the fact to be that there is no asylum throughout the United States, for the insane, under the control of the United States, except this one. I was astonished to find, also, that not only the insane soldiers and sailors who are not provided for are put in this asylum (and when I say not provided for, I mean not provided for by their own friends and kindred), but there are in the insane asylum criminals drawn from every prison, no matter where the prison may be, throughout the United States, who happen to be insane.

At the present time you have there colored inmates, persons who in my section of the country are understood and known as negroes; and you have there insane criminals and insane soldiers and sailors. To say that such a thing as this would not be tolerated in the section from which I come is absolutely unnecessary.

When my attention has been called to the fact that there is this kind of a mixture there, I can only respond to the natural impulse that exists not only in my own heart, but in the heart of every man when this statement is made. We have there absolutely to-day not only the insane soldiers and sailors, but insane criminals and insane negroes dumped into one common pile. Not only is that true, but it is absolutely true further that there are probably one hundred or more than a hundred of those people who are to-day without beds to sleep on.

A short time ago the superintendent of that institution asked for an appropriation of some \$32,000, the purpose being to relieve the people who are there and who are not provided for; who are not properly taken care of, and yet who are insane and who are poor; who are charges of the United States in the strictest sense of the word, and yet who are neglected most shamefully by reason of the fact that no provision is made for them. Yet the appropriation was not made; ample provision was not made; reasonable provision was not made.

The question therefore now comes whether the bill that was introduced in the House some time ago and introduced here in the Senate and referred to the Committee on Public Buildings and Grounds and reported favorably by the Committee on Public Buildings and Grounds shall be passed, or whether the amendment to this sundry civil appropriation bill that has also been referred to the Committee on Public Buildings and Grounds and reported favorably shall be attached to and made a part of the pending bill. The question is whether when our sons and our brothers and our kindred go out to war at Santiago, or San Juan, or the Philippines, or anywhere else, and they are stricken with some fever that bereaves them of their minds, they shall be brought back and dumped into one common pile, into one single asylum with thieves, with murderers, and with every other class of criminals who may find their way from the prisons of the United States.

Not only is that true, but, as I said a moment ago, another class of people, the colored population, is dumped in there also.

I shall ask, in connection with the reading of the bill which has been introduced, that the report which was made by the Committee on Public Buildings and Grounds shall be read. I ask first that the bill be read, and then the report, because they are in line with the amendment I have offered.

The Secretary read the bill, introduced by Mr. SULLIVAN February 17, 1899, as follows:

A bill (S. 5325) to purchase Wilson Park as an addition to St. Elizabeth Asylum, for the use of the insane soldiers and sailors of the United States Army and Navy.

Be it enacted, etc., That the sum of \$245,000 is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, for the purchase of Wilson Park, in the District of Columbia, as an addition to the grounds of St. Elizabeth Asylum, to be used for the insane soldiers and sailors of the United States Army and Navy.

SEC. 2. That the Secretary of the Navy is hereby authorized to make said purchase.

The Secretary read the report submitted by Mr. QUAY February 20, 1899, as follows:

[Report to accompany S. 5325.]

The Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 5325, beg leave to report:

Your committee find that our unfortunate heroes of Santiago, Manila, San Juan Hill, as well as those of other wars, who have lost their sanity in the discharge of their patriotic duty to their country, are thrust in the asylum among thieves, counterfeiters, murderers, and all other insane criminals at St. Elizabeth Asylum, there being no other place to receive them. To say that this is a dishonor to our country and a stain upon the fair record of our Government is but speaking a plain truth. That it is so is the result of a lack of knowledge on the part of Congress. The fact being now brought to the attention of Congress, we are assured that this demoralizing outrage will be speedily remedied.

Dr. Godding, the most excellent and efficient superintendent of the asylum, states that the proposed addition is a necessity of the most urgent character. We recommend the prompt passage of Senate bill No. 5325, that proper care may be taken of these of our unfortunate soldiers and sailors who have given to their country more than life or treasure.

Wilson Park consists of Pencotes Heights, consisting of 295 lots, and lots 18 and 17 adjoining the southern line of the above-described subdivision of land, containing 69.39 acres, and all containing a total of 4,594,404 square feet of ground, which, at 10 cents per square foot, amounts to \$459,440. Lots sold at 10 cents per square foot before building of railroad.

Over 100 lots adjoining this property were sold at 10 cents to 15 cents per square foot. Since building of railroad, building of schoolhouse, and lighting of streets lots are now being sold at 25 cents per square foot, which would raise the value of the property to \$1,148,600.

Wilson Park adjoins the present grounds of the United States Hospital for the Insane, and, as stated by Dr. Godding, is the only available tract of land suitable for the extension of the hospital grounds for building purposes.

The entire park is covered with a magnificent growth of large oak trees, which the extension of the city streets in the spring will destroy; and excavations in grading streets will disfigure the property for the proposed hospital grounds; besides, the park is located upon a high, beautiful site, with a commanding view of the Potomac River and the city of Washington.

#### GOVERNMENT HOSPITAL FOR THE INSANE.

Washington, D. C., February 14, 1899.

MY DEAR SIR: My attention has been called to a bill recently introduced in the House of Representatives authorizing the Secretary of the Interior to purchase a tract of land adjoining the present hospital site, so as to afford a distinct provision for the insane of the Army and Navy, with grounds apart from the United States convict and District indigent insane.

"It is a consummation devoutly to be wished," and knowing your interest in everything pertaining to the welfare of our sailor boys, I venture to ask you to look into the matter, hoping it may have your approval and support.

The act of 1882 authorizing the Attorney-General to transfer to this hospital, through the Secretary of the Interior, all insane persons charged with offenses against the United States or convicts serving sentence in State prison or penitentiary has resulted in a steady increase in this undesirable class of patients, until at the close of the last fiscal year no less than 109 of these were provided for at St. Elizabeth, the same hospital that cares for the insane of the Army and Navy.

Lately our noble sailors have been carrying the flag round the world. The heroes of Manila and Santiago, brave as lions, stricken with fever and bereft of reason, are brought home for our nursing and loving care. They have not held their lives dear; yea, have freely given more than their lives for their country. Shall we not give them the best of hospital surroundings and a pleasant home, free from association with felons and criminal insane? Is not the country generous enough and just enough to do this?

The land in question is most desirable; it is a beautiful spot, elevated, commanding views of the city and river, and is in every way suitable for extensive buildings and ornamental grounds. No movement has ever been made by the hospital authorities to secure it, simply because it was considered impossible to purchase the property. There is no adjoining land that can compare with it or that would be in any way adequate for the purpose.

I feel sure that no one will do more to relieve our sailors and soldiers from needless humiliation than the kind-hearted and patriotic former Secretary of the Navy.

Very respectfully,

W. W. GODDING,  
Superintendent.

HON. WILLIAM E. CHANDLER,  
United States Senator, Washington, D. C.

Mr. SULLIVAN. Mr. President, I have been out on this ground and examined it, and I have also examined the grounds which are proposed to be incorporated, or which are suggested as an addition to the grounds of the asylum. It will be apparent to anyone who will go through and look for even a moment that it is not only necessary to have some place to confine persons who are insane, but it is also necessary to have some place to give them employment—something for them to do that their minds may eventually be made clear, and that they may be relieved and restored. There must be some occupation—something for them to do to relieve them from the monotony of staying within doors, within the walls of the house.

Mr. SPOONER. How much land is there now appurtenant to the asylum owned by the Government?

Mr. SULLIVAN. I should judge that there is within the walls of the inclosure something like 100 acres. That is a mere estimate of mine. I have an exact statement of the number of acres and the number of inmates in the asylum.

Mr. SPOONER. Did the Senator say 100 acres?

Mr. SULLIVAN. I should judge there are a hundred acres within the inclosure.

Mr. SPOONER. Why is it necessary, then, to buy additional ground?

Mr. SULLIVAN. That ground is not used for the purpose which appears to be necessary. The bulk of the property is not around the asylum, but away down in Maryland somewhere. They have a little tidbit of land; I think they call it 40 acres. That is on the east side of the road or street running through Congress Heights, some half a mile beyond the asylum grounds proper.

Mr. SPOONER. What is the extent of the asylum grounds proper?

Mr. SULLIVAN. I should say, as I said before, something in the neighborhood of 100 acres. It appears so to me, when I look at it, just walking over the grounds. The grounds and buildings within the walls, I should say, embrace from 75 to 100 acres. I should imagine they would amount to that much; but that does not cover what appears to me to be the necessary thing to do here. They do not want simply the ground to put a building on. You might put a dozen buildings upon a single acre; you might put a hundred buildings upon the ground that is there; but you need something different, something other, something more than that for the single and simple reason that it does not do to put people who are crazy in a building, shut them up, and give them no opportunity to get out in the sunlight or give them no kind of employment.

Mr. SPOONER. I have been told that there are, in fact, 350 acres belonging to the asylum.

Mr. SULLIVAN. Perhaps the committee may be able to find the paper. I do not know anything about that; but that paper shows exactly the number of acres. I have gone and walked the ground over, but I can not recall the number of acres. I only say the amount they have there within the walls is said to be 40 acres. I should judge it to be from 25 to 30 acres. That is a farm or market garden, and in that farm or market garden those people are permitted to work and labor, and there they find rest and recreation in that kind of mental diversion while manually they labor.

It appears to a casual observer that the only ground adjacent or near the present asylum grounds is that lying along the Potomac River southward. That ground embraces about 115 or 120 acres, known as Wilson Park and the adjacent property. It is not only high and dry and fertile, but desirable, as it overlooks the river Potomac and overlooks the city of Washington. It is not low and marshy, while a great part of the land now owned by the Government for the benefit of the insane asylum is low and marshy, unfit for habitation and unfit for cultivation—absolutely worthless, except, perhaps, to raise frogs and turtles, or things of that kind—and surely not a fit abiding place for any person who is in that state of mind which requires treatment in an insane asylum.

The only questions that now confront us are these: Is it necessary to add more ground? Is it necessary to separate the insane criminal from the insane soldier and sailor? Is it necessary to separate the African race from the white race? So far as I am concerned, my judgment is that all three of these divisions should be made; so far as I am concerned, I believe in a separation of the criminal class from the other class and of the African race from the other race. I find, however, that there all these things are blended.

In this connection, to let the Senator who asked me a question just now understand exactly what the situation is, I will ask that the

report of the superintendent of the asylum, which I send to the desk, be read, beginning at page 17, from which it will be seen not only exactly the number of acres connected with the asylum, but the present condition of the asylum property and the condition of the inmates of that institution.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Without objection, the Secretary will read as requested. The Chair will inquire of the Senator from Mississippi how much of the report he desires to have read?

Mr. SULLIVAN. The first five pages, beginning on page 17.

The Secretary read as follows:

A word about St. Elizabeth, whose idealized head by the German artist, W. von Miller, makes a fitting frontispiece to the report. Why is the Government Hospital for the Insane called St. Elizabeth? Briefly, it takes its name from that of the original grant of its land to the first Catholic settler of Maryland. The 400 acres which constitute the present hospital site are about a fourth part of the St. Elizabeth grant of colonial times. The names of saints are household words throughout Maryland. St. Clements, St. George, St. Mary, all testify to that early nomenclature. During the war of the rebellion the army hospital for the sick and wounded on these grounds was known as St. Elizabeth. It was discontinued in 1864, for its urgent need was over, but it had for all time given a pleasant name to the place, hiding the insanity in the title behind the mantle of a saint.

As the thirteenth century recedes the story of St. Elizabeth of Hungary comes more and more to symbolize the Divine Healer of the poor and the outcast to the hearts of men. The legends which, coming out of that twilight century, cluster around that woman's life, who passed at the age of 21 from penance and seeming madness to the aureole and the life beyond, are redolent with the compassion that is "touched with the feeling of our infirmities." The mantle torn off that the beggar might be clothed; the leaves for the poor hidden in her vest, that, rudely torn aside, disclosed a lap of roses; the washing of the beggars' feet, that gave a theme and immortal fame to Murillo; the leprous child laid upon her own bed, and when they looked the Christ Child was in its stead—what fillet saint, what better name, than St. Elizabeth to symbolize the loving kindness that should be extended here?

No better evidence than these tables is needed to show that the United States have entered on an era of expansion. The whole number under treatment, 2,294, is nearly 100 more than that of any previous year, while the number of admissions, 437, has been exceeded only during the closing years of the civil war. The increase of the Army to a quarter of a million of men and the rapid development of the Navy since war was declared against Spain in April last explains this. Although peace is now in sight, this increase in the number of hospital inmates, out of proportion to the increment of recent years, will continue, since a considerable increase in the Army will be permanent.

Moreover, the law as it now stands provides for the admission here of "indigent insane persons who have become insane within three years after their discharge from the service from causes which arose during and were produced by said service." In the period from the 21st of April to the 12th of August, 1898, the time covered by the war, 46 insane persons were admitted from the active lists of the Army and Navy, one-half of whom were from the Volunteer Army. This is against 15 received from the same source during the same period of the year 1897. An increase of admissions from this source alone of not less than 50 a year must be expected and provided for.

The daily average number of inmates during the year has been 1,798, an increase of 83 on that of the preceding year. The whole number of deaths, 137, amounts to 8.94 per cent of the whole number under treatment, which is more than 1.5 per cent above that of the previous year. This is due to the advancing age and incident infirmity of a majority of the inmates rather than to any prevailing disease, for while there has been more than a sufficiency of malarial poisoning, it has not resulted in the all-pervading sickness of some previous years.

Congress has ordered a survey of the Anacostia flats, looking to their reclamation in the near future; and, as a medicine prescribed sometimes has a salutary effect before it is taken, it may be that the hope of success thus held out has imparted vigor to the sufferers to withstand the attack of the paludinous microbe. It is to be hoped that the good work may now progress, without interruption, to the transformation of these noisome flats into hygienic pleasure grounds for the nation's capital. If it was the boast of Augustus that "he had found Rome brick and left it marble," may it be said of the legislation of this decade that, finding Washington a miasmatic marsh, it has left it a city of salubrious homes. Such achievement would be worthy of the era of empire on which we appear to be entering.

Extensive building operations have been carried on during the year. We are at last to have, in the new laundry, whose walls are now in process of erection and whose plans have been a matter of careful study, a building which it is believed will be found ample for the important and growing work of this department.

The Dix Building No. 3, which has been completed and occupied during the year, is cheerful and pleasant, both without and within, and seems well suited for the class for which it is specially designed.

The extension to the West Lodge for colored males, for which a small appropriation was made at the close of the fiscal year 1898, is already well under way, the urgent need for further accommodations for this class requiring that the work be pushed without delay. It will afford the greatest relief.

The Allison buildings for infirm soldiers and sailors from the National Home for Disabled Volunteer Soldiers are practically completed and will be fully occupied before the report is issued. This is a group of four buildings of the pavilion type, connected with the Relief and Home buildings, affording an indoor and outdoor provision for the sick and feeble ones (who by their advancing age are every year becoming more helpless) that is more liberal and inviting than anything that has hitherto been developed at St. Elizabeth. There is ample indoor space for 100 bedridden and feeble men, while the piazza space is actually greater than that within doors. The floors of the latter are of the same level as the dormitory floors, and the doorways wide enough to admit of the beds and couches on casters being trundled into the open air.

This, for more than half the year in our climate, is a perfect luxury of shaded coolness and free ventilation. The poor veteran who, bedridden, has turned his face to the wall only to "babble a of green fields" that he no longer sees, wheeled out on these piazzas may again associate with the trees, look into their green leaves, and, lying in the morning's light, drink in its reviving breeze. A little glazing may transform these same spaces into winter sun baths to rival Algeria's house-tops for invalids. When outdoors means Heaven to the bedridden sufferer, why shut him out of it? These very satisfactory buildings for 100 inmates, with all their liberal provisions, will be completed and furnished with the appropriation.

The commitment of insane persons from the District of Columbia to the Government Hospital for the Insane was for many years under the orderly proceedings laid down in United States Revised Statutes, sections 4844, 4845, and 4846, which proceedings were undoubtedly intended by the Congress

which enacted those provisions to be all that was necessary to determine the insanity and provide for the care of the unfortunate sufferer. The supreme court of the District of Columbia, in their decision in re Bryant (3 Mackey Rep. 489) changed all this. Bryant was an insane man admitted under sections 4853 and 4854, but the decision was afterwards held to apply to those admitted under sections 4844, 4845, and 4846. Mr. Justice James, in delivering the opinion of the court, said:

"In our opinion, this whole matter is regulated by the Maryland statute of 1785, chapter 27, section 6, which contemplates that the person whose affairs the chancellor is to have control of shall be found insane by a jury of inquiry. There must be a regular adjudication of the question by due process of law, without which even the chancellor can not act, and due process of law in establishing the insanity of a person has long been declared to be by inquiry through a jury."

"We hold, therefore, first that these sections of the Revised Statutes do not contemplate compulsory seclusion in this institution without due process of law. They only open its doors to those who have been properly found to be insane persons. If they meant anything else, they would be unconstitutional."

"And secondly, we hold that the whole matter of the care of insane persons is regulated by the act of Maryland of 1785, which includes this proceeding of an inquiry by jury."

Following this judicial decision the mode of procedure has been changed, and residents of the District of Columbia are now brought before a marshal's jury, who find out their mental condition after the antiquated procedure of the Maryland law of 1785, before they are committed to the hospital by the District authorities. Maryland has long since superseded this law by more enlightened modern legislation, but the District of Columbia, having been set off from the territory of Maryland in the last century, that old enactment of more than a hundred years ago becomes a part of that precious legacy, the common law of the District.

The attention of the Joint Select Committee of Congress to Investigate Charities and Reformatory Institutions in the District of Columbia having been called to the abuse under this proceeding, as well as to the accumulation of nonresident insane from the District in the hospital from the want of power or funds on the part of the District authorities to remove them, it resulted in a letter being addressed to the Secretary of the Interior by the chairman of the joint select committee, calling his attention to the fact that the District was being imposed upon, and requesting him to call the attention of the board of visitors to the matter, with the view of suggesting legislation to remedy the abuse.

The following is the reply:

DEPARTMENT OF THE INTERIOR,  
Washington, May 17, 1899.

SIR: Referring to your letter of the 24th ultimo regarding the necessity for legislation for the proper commitment of insane persons to the Government Hospital for the Insane, I have the honor to transmit herewith, for your consideration, a copy of a letter from the president of the board of visitors of the Government Hospital for the Insane, inclosing a draft of a bill "to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes."

This bill, in the opinion of the board, furnishes an efficient procedure for admission to the Government Hospital for the Insane, and provides protection for the United States and the District of Columbia from the expenses and charge of insane persons who did not reside in the District at the time they became mentally disqualified.

Very respectfully,

C. N. BLISS, Secretary.

Hon. JAMES McMILLAN,  
Chairman Joint Select Committee to Investigate  
Charities and Reformatory Institutions in the  
District of Columbia, United States Senate.

GOVERNMENT HOSPITAL FOR THE INSANE,  
Washington, May 13, 1899.

SIR: In obedience to the request contained in your communication of the 25th of April, ultimo, I have the honor to report that the board of visitors of the Government Hospital for the Insane have given much consideration to the subject referred to in your communication and its inclosure, being a copy of a communication to you from the chairman of the Joint Select Committee to Investigate Charities and Reformatory Institutions in the District of Columbia, and I am instructed by the board to submit for your consideration and that of the joint committee a draft of a bill furnishing, in the opinion of the board, a more efficient procedure for admission to the Government Hospital for the Insane and a better provision for the protection of the United States and the District of Columbia from the expense and charge of indigent insane persons who did not reside in the District at the time they became insane.

Following the example of most of the States, we have not provided in the accompanying bill for an inquisition by jury, believing that mode of inquiry to be undesirable in the proceedings contemplated in the bill, and we venture to suggest that such inquiries can be more satisfactorily made by a judge, assisted by expert and other testimony.

It is to be noted, furthermore, that the inquisition by jury is not usual in cases where persons are taken by authority of law from their homes and placed in public hospitals to prevent their maladies from becoming epidemic. We do not perceive that an alleged lunatic is entitled any more to the inquisition by jury than an alleged leper.

I have the honor to be, very respectfully,

B. SUNDERLAND,  
President of Board of Visitors.

Hon. C. N. BLISS,  
Secretary of the Interior.

Bill reported to the United States Senate by Senator FAULKNER for the Committee on the District of Columbia, June 1, 1898, and now on the Senate Calendar, No. 1228.

A bill to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter proceedings for admission to the Government Hospital for the Insane of indigent insane persons residing in the District of Columbia, and of independent or pay patients admitted to the said hospital under section 4854 of the Revised Statutes of the United States, and for admission temporarily to said hospital of nonresident insane persons found in the said District, shall be commenced by petition presented in open court to the justice of the supreme court of the District of Columbia holding a special term for orphans' court business, stating the facts necessary to admission to said hospital as heretofore provided by law.

SEC. 2. That such petition shall be signed and sworn to by some responsible resident of the District of Columbia, but shall not be filed until the court shall be satisfied as to the responsibility and residence of the person signing and swearing to the same.

SEC. 3. That the order of the court directing the filing of the petition shall require a copy thereof to be served on the alleged lunatic and another on the Commissioners of the District of Columbia, and shall fix a time for the hearing of the application, and a copy of such order, duly authenticated, shall be inscribed on each of the said copies before service thereof.

SEC. 4. That so soon as may be after the filing of the petition the court shall appoint two or more physicians, not connected with any hospital for the insane, to examine the person alleged in the petition to be insane, and testify as to his mental condition, each of such physicians to be paid a per diem compensation of \$10 by the District of Columbia, on the certificate of the court that his account for such service is just and correct, and other witnesses examined on such application shall be paid by the District the fees and allowances prescribed by law for witnesses summoned in behalf of the United States; and all other costs of the proceedings shall be paid by the District: *Provided*, That in the case of independent or pay patients the petition shall be signed by one of the nearest relatives of such insane person, by his legal guardian, or by some friend.

All costs of the proceeding shall be defrayed out of the estate of such person, and a deposit shall be paid into court sufficient to cover such costs; and the request for admission to said hospital shall be made within five days after the entry of the order of court.

SEC. 5. That the court shall require the presence of the alleged lunatic at the hearing of the application, unless for good reason it shall direct otherwise by an order stating such reason.

SEC. 6. That the order of the court on the hearing of the application on the petition and evidence shall be made without an inquisition by jury, and all the proceedings under the petition shall be entered in the minutes of the court.

SEC. 7. That it shall be the duty of the Commissioners of the District of Columbia, so soon as practicable, to return to their places of residence or to their friends all indigent insane persons not residing in the District at the time they became insane who are now detained in the Government Hospital for the Insane, or who shall be committed to the said hospital to be temporarily cared for, as provided in section 4850 of the Revised Statutes of the United States, and all necessary expenses incurred by the Commissioners in ascertaining the locality where such persons or their friends belong and in returning them to such locality shall be defrayed by the District of Columbia.

SEC. 8. That all provisions of law inconsistent with this act be, and the same are hereby, repealed.

It is very much to be hoped that this much-needed legislation will be placed on the statute books at the coming session of the present Congress, and so end the existing clumsy proceedings for the commitment of the District insane. The clause introduced and passed in the general deficiency bill approved July 7, 1898, intended to remedy, does not help matters very much. The following is the language of the act:

Hereafter in all proceedings by the Commissioners of the District of Columbia to commit resident indigent insane persons to the Government Hospital for the Insane it shall be the duty of the marshal to impanel juries in such cases from the jurors in attendance upon the criminal courts of said District, who shall perform such service in addition to and as part of their duties in said courts: *Provided*, That during such time as jurors are not in attendance upon said criminal courts the marshal may in such cases impanel the jurors in attendance upon the police court, who shall perform such duties in addition to and as a part of their duties in said police court.

Aside from the fact that this act makes the expense of these trials a part of an appropriation for the courts rather than a separate item, and elevates somewhat the Falstaffian recruit character of a marshal's jury as usually summoned from the purlieus of the court-house, it really accomplishes nothing. Instead of a careful determination of the mental condition of the person by a judge on the bench, we have the opinion of thirteen men, not on the facts of a crime, but the conditions of a disease of which they have probably had no personal experience.

But assuming that this is a satisfactory and enlightened way of determining the sanity of a man and is more grown and hoary with precedent, this law stops with the "resident indigent insane of the District," and the large number of nonresident insane remain unprovided for, to be sent to the hospital with the semblance of law under the old sections of the Revised Statutes, to remain until the speculative philanthropy of some lawyer compels the superintendent to produce the insane man in court, there to be told by his honor that the papers of commitment are "entirely irregular; the case is dismissed," and the lunatic goes forth to prey upon the community on which some neighboring State has foisted him.

What is wanted is legislation to put an end to all this, to properly protect the rights of the lunatic in his detention, to empower the hospital to detain him, and to require the authorities of the District of Columbia to ascertain, in the case of a nonresident, where he belongs, and, having ascertained this, to send him thither under proper escort, a sufficient appropriation for such purpose having been provided in the District bill. Then will the District of Columbia no longer be made a dumping ground for lunatics, this community will have a rest from the wild-eyed man with a mission, and the pettifogger with his trilobite act of 1785 will cease from troubling.

Mr. CHANDLER. I ask the Senator from Mississippi how much more of these documents he desires to put into the RECORD in this case?

Mr. SULLIVAN. Not very much more. There are one or two papers which I desire to have read, and then I shall have a few remarks to make.

Mr. CHANDLER. I desire to say a few words myself in behalf of this amendment, and I hope the Senator will proceed as rapidly as possible.

Mr. SULLIVAN. I shall proceed, Mr. President, as rapidly as I can consistently with what I believe to be my duty to a people who are strangers to me, and with whom I have but one interest, and that is the simple touch of humanity. So far as I am concerned, I do not know a single inmate of that asylum. I know that we have kept herded together there about 2,000 human souls from whom reason has taken its flight. I know that those people there are not provided for properly.

I know, further than that, Mr. President, that only last Saturday, I think it was, the Senate passed a bill appropriating \$250,000 for the Washington Library, to buy a site for a house in which to put books which sane people may read and be edified, educated, and taught, and at the self-same time, right beneath the shadow of this building, we have the greatest library in the world, the most magnificent building, and more books than anybody in the city of Washington or all the surrounding country could read in a

lifetime or in many lifetimes over, for that matter. Here is a case absolutely with a necessity for it, and yet you have appropriated \$250,000 to buy ground on which to build the Washington Library; and at the same time, right across the river, what do we find? We find your soldiers and sailors, your insane, are absolutely unprovided for.

The question of title came before the committee. Allow me to say that a part of this very ground has been laid out in streets and platted. It became important to determine whether or not a dedication had occurred, and, therefore, whether or not by this act a perfect title could be obtained. In order to meet that objection I suggested that a provision be made in the amendment that whenever the money was paid a perfect title should be made, and that no more of the money should be paid until a perfect title was presented. That will obviate any trouble on that score.

But beyond that, above that, and aside from that, the fact is, as shown by the correspondence on file with the committee, that while those lots have been laid out and while streets have been laid out, not a single lot has been sold in this particular ground; the rights of no third person have intervened.

A single objection occurs that those people desire to retain this property as a park, as their ground for their own benefit, instead of permitting it to be turned over for the public use, for the benefit of the insane soldiers, sailors, and criminals and others. The proposition now here is that the grounds we acquire shall be for the exclusive use of the insane soldiers and sailors, not for the use of those of the criminal class.

Then I say the title is perfect. That was an important matter. At one time the committee, when it had that question before it, understood there was trouble about the title on account of the dedication of the streets to run through the grounds; but that has been revoked, and there is no objection on that ground now. The last single one who objected to that has withdrawn the objection, and that dedication has been canceled.

The next question which comes is whether or not this increase is really necessary. If the title is good, if the location is good, if it is near to the city, if it is convenient, is it needed? The superintendent, Dr. Godding, is the best judge of that. He has no interest in the matter whatever, so far as I know or believe, and the superintendent, with his years of experience, with his years of devotion to the cause of the insane, says that it is not only proper, but absolutely necessary, and that it is the only ground that should be used, the only ground that is adjacent, the only ground convenient, the only ground suitable for the purpose.

For those reasons it appears to me that this opportunity which we have now to add these grounds to the asylum property should be embraced, and the question at once occurs as to the value of the ground. It has been objected that the price is too great and that the property is being offered for two, three, or four times what it is worth. On that subject a report is made by the Committee on Public Buildings and Grounds which shows that whereas years ago the property over there was selling for 10 cents per square foot, since the building of the electric railway, since the streets there are lighted by electricity, since the improvements have gone on over there, and since the upbuilding of that whole section, property there now is worth about 30 cents a square foot.

What is the proposition here? Is it to pay 25 cents or 15 cents or 10 cents a square foot? Not at all, but one-half of 10 cents—5 cents per square foot, which is less than the lots are absolutely selling there for to-day, and after the grounds have been platted and the lots offered in severalty, so that, so far as the value is concerned, the price appears to be reasonable.

It has been suggested, and probably will be suggested here now, that some years ago one portion of this ground was bought for \$15,000. That is true, as I understand it, but that was a very small portion of the present ground and it was before these improvements had been made and before the railway was constructed there and before this was really a little city of itself. It was then merely in the woods outside, and was practically of no value except for farming lands.

Now, the point is, if you wait a little while longer, if you delay this matter for a year or two years, as that community builds up and property becomes more and more valuable, if it is ever bought at all, you will have to pay more and more year after year. The opportunity is presented now. That opportunity is to get it for about one-half of its real value, as represented by those who live there and who deal in this class of property, and who have stated in writing, and I have here their letters, the value of this class of property. In this connection I will have read statements on that subject.

I do not care unduly to detain the Senate or to annoy anyone with an unreasonable presentation of the case. It may be objected as having been platted and mapped, and that you can not revoke by a simple declaration that you do revoke this dedication. I ask that the letters may be read, so that the value of the property may be ascertained, and also as showing the condition of it, and showing the facts with respect to dedication.

Mr. COCKRELL. What is the proposed revocation of dedication?

Mr. SULLIVAN. These letters show. There has been, I will say to the Senator, not a single lot marked out, not a single street laid out or opened. It is a virgin forest, a park simply, adjoining this property of the asylum, and no human being has bought one single foot of ground there. While a plat has been made, and that plat, I understand, has been recorded, not a human being has gone in there to take possession of or to buy or to expend anything upon that particular ground. Those people desire to retain it as a park for their own private benefit over there. It is the only ground that can be had near the asylum ground.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Mississippi? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

OFFICE OF THE COLLECTOR OF CUSTOMS,  
Port of Washington, D. C., November 14, 1898.

GENTLEMEN: Your favor of this date asking my opinion of value of property at Congress Heights received. I know this property, as the late John Jay Knox, ex-Comptroller of the Currency, my brother-in-law, owned the original Congress Heights tract and sold this property in 1890 to A. E. Randle, esq., who has since revolutionized this section, and it is a revelation to the business men of Washington who visit Congress Heights to see the transformation made in the last few years. The place is lighted up at the Government expense, one of the handsomest schoolhouses in the District erected by appropriation by Congress, and a trolley railroad is now completed which has free transfers with a \$12,000,000 street-car system, so that Congress Heights can be reached from any part of Washington for 5 cents.

There is a bill now before Congress to appropriate \$300,000 to build a bridge from the foot of South Capitol street to Congress Heights. There is no doubt that in a few years this bridge will be built by the Government, as it gives the Government direct communication from the south of the Capitol down the Potomac to Fort Washington, Fort Foote, United States magazine, and Indian Head proving grounds, where the Government is now expending a large amount of money erecting a smokeless-powder plant. I consider Randle Park worth \$2,500 an acre, or \$300,000 for the 80 acres, and base this opinion on the price for which this property is selling there now by the lot. All large tracts are controlled by A. E. Randle, who paid \$800 an acre for 22 acres there before any improvements were made.

Respectfully,

WILLIAM B. TODD.

Messrs. GASCH BROS.

This is to certify that we have \$60,000 to loan on Congress Heights property. We value the lots in making a loan at \$250 each; corner lots more. We had this property valued by three appraisers for the purpose of loaning money, and above figure is the lowest value they put on it.

We have loaned to the following:

Charles M. Emmons, Mrs. E. M. Grant, Mrs. De Thonars, Virginia Grover, C. W. Huske, Mrs. H. L. Chew, D. Meitzler, O. A. Emmons, J. S. Edelin. And ready to loan to others on the same valuation.

Do not loan large sums.

GEO. W. POE.

OFFICE ENGINEER COMMISSIONER, DISTRICT OF COLUMBIA,  
Washington, February 27, 1899.

SENATOR: In reply to your letter of February 24 concerning the subdivision of Penceote Heights, I have to inclose herewith map showing the subdivision in question, and would state that the Commissioners see no objection to taking this map from the public records. The subdivision was made under the act of 1888 requiring exact conformity with the city plan, and no choice was given the party making the subdivision of laying off lots and streets to conform to the topographical features of the ground.

The system of streets, in the manner shown, would be extremely difficult, owing to the grades which would have to be adopted, and it is believed that better results could be secured throughout if the subdivision were removed entirely from the records.

The Columbia Title Insurance Company reports that no lots in this subdivision have been sold, and if the facts are as stated by this company, the Commissioners would recommend that the subdivision be removed from the records and annulled.

Very respectfully,

LANSING H. BEACH,  
Captain, Corps of Engineers, U. S. A.,  
Engineer Commissioner, District of Columbia.

Hon. W. V. SULLIVAN, United States Senate.

Mr. SULLIVAN. It appears that the single question which is here for consideration is not one of title, it is not one of value, it is not one of location, because the title is perfect and the location is desirable. The single question is of necessity. We have from the superintendent the statement as to the necessity, as contained in a letter to Senator CHANDLER, attached to the report sent in by the Committee on Public Buildings and Grounds.

That necessity is set forth so clearly there that it is unnecessary for me to say anything further on the subject. Therefore we have a case where the only question remaining, apparently, is whether we are going to permit the present state of affairs to continue for the future—whether we are going to permit the criminal classes to be dumped in there and held there with the other classes of insane; whether we are going to permit the races to be mingled there the one with the other. No sane man would submit to the very same treatment to which the insane are—without their consent of course—subjected.

Here we lavishly spend money. Here we lavishly vote away day after day money for those who really do not need it so much, and we vote gratuities; we give this and that sum; and yet these people are not only not provided for properly, but absolutely a state of affairs is permitted to exist there that is a scandal and a disgrace to the Government. When I saw that an appropriation of \$250,000 was about to be made last week to build an additional

library in the city, while, so far as I am concerned, I wish a library was in every town. I could not help but think about the hundreds and hundreds of claims in what is known as the omnibus bill, and the omnibus bill, containing these claims, carries with it judgments or findings in favor of various claimants for thousands and thousands of dollars, some thirty years old, for property taken during the war; and year after year these people have waited and waited to be paid.

Many of them have absolutely died in despair, having given it up. The Government does not pay its debts. We are willing to give bounties to this and that and the other thing that does not really need it, and yet those real objects of charity we let go by. We let our own debts, honest debts, due for many years, just as all those debts under the Tucker and Bowman acts have been due for many years, go by unheeded, unthought of, unpaid. I want to make this last appeal in behalf of those people who are there, who are helpless, who have no one to speak for them.

Are you going to permit them to remain as they have been for a long time, blending criminals with the other classes, blending races, or will you erect suitable buildings for the old sailors and soldiers and separate one from the other and give them decent quarters, so that they may spend their declining years in a comfortable way? It is evident that unless you give them some kind of employment there is no hope of any recovery mentally. We want the ground not only for them to live upon, to build upon, but ground for them to work upon. I say, therefore, that this opportunity is one which, if it is not embraced now and is embraced a little later, will cost twice as much as it would to-day.

The question is whether or not you will amend the sundry civil bill by placing on it the authority to buy this ground to separate the criminal classes of the insane from the other insane classes, or suffer them to remain there as they have remained for some time, without decent or proper accommodations.

Mr. CHANDLER. Mr. President, I hope that the amendment proposed by the Senator from Mississippi will be accepted by the Senator from Iowa in charge of the appropriation bill. This subject was called to my attention in a letter to me dated February 14 of the present year, written by Dr. Godding, superintendent of what is known as the St. Elizabeth's Asylum for the Insane. That letter has been printed by the Committee on Public Buildings and Grounds in their report in favor of this amendment.

I would not think of urging the appropriation at this time if it had not met with the approbation of the Committee on Public Buildings and Grounds. It stands here not as the proposition of the Senator from Mississippi, not as my proposition, but as the proposition of the Senate Committee on Public Buildings and Grounds, which has examined this subject and made a written report, which is before the Senate.

Mr. President, something more ought to be done than has already been done in order to separate from the insane of the Army and Navy of the United States the insane United States convicts who have been taken from the penitentiaries of this country and sent to St. Elizabeth's Asylum. This asylum is one of the most magnificent institutions in the whole country. It is large, and likewise the expenditures for its maintenance are large. The original design of the institution did not contemplate that in addition to the insane of our Army and our Navy there should be admitted to the asylum insane convicts.

For some reason or other, however, according to the will of Congress, in 1852 an act was passed authorizing the transfer to the asylum of the various United States convicts in the penitentiaries over the country who were insane. They were, in pursuance of that law, taken to St. Elizabeth's, and according to the statement of Dr. Godding there are now 109 of these criminals. They are criminals of all grades, of all colors, black and white. The insane of the degraded class in the community have been taken from the jails and prisons of the country and sent to St. Elizabeth's to be treated in connection with the soldiers and sailors of the Republic. The mistake, in my judgment, was when the act of 1852 was passed.

Mr. SPOONER. How much land is there now belonging to the Government?

Mr. CHANDLER. I have said nothing of the land. I will come to the question of land and to the Senator from Wisconsin in a few moments, if he will indulge me in the delay.

Mr. SPOONER. Certainly.

Mr. CHANDLER. I think the proposition I made when the Senator from Wisconsin desired to ask me a question is one in which he will concur, and that is that when a great institution of this kind is established by the United States for the proper care and treatment of insane soldiers and sailors we should not put in connection with those objects of our care and affection the United States penitentiary prisoners of the country who may be insane. We should take kind care of the insane convicts. I entirely approve of transferring them from the jails and the prisons to asylums, but those asylums should not be maintained in connection with asylums that are established for persons who are not con-

victs, and especially not connected with the soldiers and sailors of the Union.

Mr. President, that was done, much trouble ensued, much criticism took place, and recently, as I am informed by the Senator from Iowa, a separate building has been provided for the insane convicts, but that building is in close connection with the existing asylum used for the insane soldiers and sailors. It is the opinion of the superintendent, Dr. Godding, that this additional land should be acquired for the purpose of effecting a still further separation of the soldiers and sailors from the insane convicts. That opinion of his has been indorsed by a committee of this body, and therefore I make no apology for speaking in favor of that opinion in this presence.

Mr. President, the Senator from Wisconsin asked me how much land there was. If the Senator will look at the report of the committee, he will find that there are about 70 acres in the subdivision.

Mr. SULLIVAN. If the Senator from New Hampshire will permit me, I think 108 is the correct number of acres.

Mr. CHANDLER. One hundred and eight acres. It is a very large tract of ground, a park which those who know this institution best believe ought to be acquired at this time and in this way. I plead for the adoption of this amendment now. If it needs to be guarded or protected in any way, the guarding and protecting can be done by the committee of conference. But I hope the matter may not be delayed.

I know that Congress is being crowded in these last days with many projects, and a great many of the projects that are now being urged upon Congress will have to be delayed; they will not come to a realization before the 4th of March. But I entreat that this particular charity and beneficence of the Government shall not be postponed. I trust that the Committee on Appropriations will accept this amendment and will deal kindly and successfully with it in the conference to which it will go.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Mississippi [Mr. SULLIVAN].

Mr. PETTIGREW. I should like to have the amendment read. The Secretary again read the amendment.

Mr. PETTIGREW. Mr. President, I judged from the argument made by the Senator from New Hampshire [Mr. CHANDLER] that this amendment was for the purpose of taking care of the criminal insane, but the amendment itself does not seem to indicate that. I think he argued that they should be separated from the others. Now, the fact of the matter is, there are 500 acres in the original insane asylum tract. We now own that amount of land at this point, where the insane asylum is now located. Aside from that, the Government owns 300 acres of ground opposite Alexandria, on the east side of the Potomac River. There is plenty of ground for every purpose. There is no question about that. If the criminal insane should be separated from the others, the building should be placed, it seems to me, upon the tract opposite Alexandria, instead of purchasing the ground upon the heights next to the present building.

The tract of ground which it is proposed to purchase has not been estimated for, and there is no proof, except hearsay evidence, with regard to its value, and the price proposed to be paid is over \$2,000 per acre. I submit whether it is not an unusual proceeding to ask Congress to appropriate this large sum of money without any real evidence as to the value of the property to be purchased for a doubtful purpose?

What is more, there are twenty buildings, dwellings, belonging to private parties lying between a portion of the land it is proposed to purchase and the present tract owned by the insane asylum. Part of the ground is platted, and the amendment proposes by legislation to vacate the plat. As near as I can understand it, a portion of this platted ground has been sold in lots and houses have been built upon it. We have no right and no power to vacate that plat. There is a proceeding in court by which every party is notified to come in and answer the complaint and set up his rights and interests, and the public notified as well. It is a simple proceeding, but you propose to vacate a plat where streets and alleys have been dedicated to the public.

As near as I can understand it, lots have been sold and private dwellings have been built on the property. So absurd a proposition was never brought in before, it seems to me. I refer not only to the extravagance of expecting Congress to vote \$2,000 an acre for this tract of land, but to the proposition to vacate a plat, to perform a judicial function. I do not know what interest there may be behind pressing this amendment, but it is certainly one of the most remarkable things that has been presented to this body since I have been acquainted with it.

Further than that, the citizens of this locality have some rights. Here is a letter:

CONGRESS HEIGHTS, D. C., February 23, 1899.

GENTLEMEN: We, the undersigned officers of the Congress Heights Citizens' Association, respectfully submit for your favorable consideration the

accompanying resolution, protesting against Senate bill 5585, for the purchase of Wilson Park as an addition to the Government Asylum for the Insane, which resolution was unanimously adopted at the weekly meeting of said association held February 21, 1899.

CHAS. W. FRAZIER, President.

Honorable COMMITTEE ON APPROPRIATIONS,  
United States Senate.

Now let us see what the resolution is:

CONGRESS HEIGHTS, D. C., February 21, 1899.

*Resolved by the Congress Heights Citizens' Association, That it is both unwise and inexpedient for the Government to purchase for the use of the Government Insane Asylum the land described as Wilson Park, for the following reasons, viz:*

The said Wilson Park does not adjoin the insane asylum grounds, but is separated therefrom by at least  $\frac{3}{4}$  acres front on Nichols avenue, with about twenty dwellings situated thereon.

The present site of the asylum contains ample ground for the erection of buildings for the accommodation of three times the present number of patients and employees, and said space is now used largely for farming and gardening for use of the asylum.

The asylum grounds now embrace about 500 acres, and are situated upon both sides of Nichols avenue for a distance of at least  $\frac{1}{2}$  miles, and should Wilson Park be included the line of the asylum would be extended to a point within 50 yards of our public school, which has a daily attendance of 500 children, and we believe that the language and actions of the patients would tend to demoralize the school and affect the discipline and rating of the scholars.

It seems to me that the resolution passed by the citizens who live in that locality ought to be fatal to the amendment even if it were not so objectionable otherwise. I fail to see any possible argument that can be advanced in favor of adopting this amendment upon its merits. I am not going to raise the point of order, although it is subject to the point of order, as it is not estimated for, and because it contains legislation. But I am not going to make the point of order, because the Senate ought to defeat the amendment upon its merits and because there is no possible argument I can think of that justifies it.

The argument of the Senator from New Hampshire is an argument against its purchase, if anyone will look at the map. He says we must have a place to confine the insane criminal convicts remote from the other insane. Now, this tract lies right along the present tract, entirely contiguous to it, fronting on the Potomac River, while we have opposite Alexandria 300 acres where the unfortunates can be confined. So the argument of the Senator from New Hampshire is not worth a straw. I do not think he thought it was worth a straw. I do not think he is for the amendment. I can generally tell when he is earnest, and this is not one of the occasions.

Mr. CHANDLER. If the Senator thinks that to be in earnest a man must call names, as he does, and declare that the recommendations of a committee of this body are absurd, I am not in earnest in that way. I am not certain that this project is put in exactly the correct shape. I think it might have been better prepared. But I am in earnest in having the provision made in connection with Congress Heights by which the buildings that shall contain the insane convicts shall be separated from the buildings that contain the insane sailors and soldiers of the nation, and it can only be done, in my judgment, by acquiring this lot of ground. The Senator says that there is land on the opposite side of the river, on the Alexandria side.

Mr. PETTIGREW. No; on this side of the river.

Mr. CHANDLER. I do not know anything about such land, and, to argue in about the style the Senator adopts, I do not think he knows anything about such land.

Mr. ALLISON. I will state to the Senator from New Hampshire that there is a tract of 350 acres of land on the same side of the Potomac as the insane asylum, which is used now as a farm.

Mr. CHANDLER. How far down the river is it?

Mr. ALLISON. It is about opposite Alexandria.

Mr. CHANDLER. Half a dozen miles below.

Mr. ALLISON. It is a farm—it is used as a farm for the insane people.

Mr. PETTIGREW. It is a farm for the institute.

Mr. CHANDLER. I am glad to get confirmation of the statement made by the Senator from South Dakota from the Senator from Iowa. Indorsed by the Senator from Iowa, I will believe the statement. But, Mr. President, it is possible that that lot of ground is too far away. Congress has decided that there shall be treated on the ground at the St. Elizabeth's Asylum both classes of insane persons, and now the demand is put in this specific form that it shall be done by acquiring more land and separating the buildings which are to contain the two classes of patients farther away from each other than they can be separated if the buildings are all erected upon the ground now owned by the United States. That is a sensible and a wise proposition, and it is not to be met by saying that there is a large lot of ground away off down the river.

Mr. President, I think there are other committees in this body that are entitled to as much consideration as the Committee on Appropriations, to which the Senator from South Dakota belongs and in whose behalf he has seen fit to denounce this benevolent project. The chairman of the Committee on Public Buildings

and Grounds is the senior Senator from Pennsylvania, Mr. QUAY; and upon the committee are the Senator from Wyoming, Mr. WARREN; the Senator from Indiana, Mr. FAIRBANKS; the Senator from Maryland, Mr. WELLINGTON; the Senator from Oregon, Mr. SIMON; the Senator from Missouri, Mr. VEST; the Senator from Montana, Mr. MANTLE; the Senator from New York, Mr. MURPHY; the Senator from Utah, Mr. RAWLINS; the Senator from Mississippi, Mr. MONEY, and the Senator from Washington, Mr. TURNER.

There is just as much ability, just as much integrity, just as great a regard for economy upon that committee as there is upon the Committee on Appropriations. I speak in behalf of a measure from that committee, and I submit that it is contrary to good custom in the Senate for any Senator to denounce as absurd a proposition coming from that committee in this way in behalf of a great humane project of this kind.

Mr. SULLIVAN. Mr. President, I wish to say a few words in response to the suggestion of the Senator from South Dakota, who said that there were certain lots sold out of this ground and that certain people occupy that territory. I presume he really is giving his best information on the subject. It is also suggested that this lot does not adjoin the other ground now held by the asylum.

Some days ago, when the gentlemen who presented the resolution of the citizens of Congress Heights desired to have the matter investigated, I went over there and with them went over the ground to see just what the truth might be, because I did not desire to stand up here and advocate a matter about which there could be a question of doubt. I did not desire to come here and ask the Senate to vote for a measure that I believed to be wrong. I therefore went to examine what they complained of, to see exactly where the lots lay that have been sold and what the situation is.

I say to Senators that the land that is proposed to be sold now is not only adjacent to the present asylum grounds, but there is a mere little v-shaped piece that comes in on the eastern side embracing a few houses that has never belonged at any time to the asylum property, but which if we need it later might be taken in, and which is in no wise in the way of the purchase of this particular tract.

This land adjoins the asylum property and goes on southward down the river, I think, in a southwesterly direction. It is the only high, dry, and commanding view along that whole section of the country. It is the only available property. So far as the sale of a few lots is concerned, not out of this ground, but by some one else years ago, that does not in any wise militate against the project now proposed.

Then, again, it is suggested that the resolution sent here said that it ought not to be purchased by the Government for various reasons, setting forth the reasons. Those people are perfectly honest in their opinion. There is a gentleman, a Mr. Frazier, who was chairman of the meeting, and a Mr. Simpson was there. I have gone with those gentlemen through this matter carefully. They believed that the sale which was about to be made was of 39 acres of land, and only 39 acres. They believed that the 39 acres had been bought for \$15,000. When they represented those facts to me, I went for the purpose of seeing whether that was true, with a determination in my mind that if it was the fact I would never call up the bill at all.

But I found the truth to be they were entirely misled and completely mistaken about the matter. Instead of being simply 39 acres, there are more than a hundred acres. The very ground that they do not suppose is embraced at all is, I find, the very ground, covering the whole river front there, that is embraced in this transaction. It is not only proper and right that it should be owned by the Government, but it is the only available part of the whole territory there that can be used for this purpose later.

So the gentlemen who passed the resolution which was referred to by the Senator from South Dakota did not understand the fact that instead of 39 acres there were more than a hundred acres. They did not understand the fact that this sale covered the entire body instead of simply a small portion of it. The Senator does not know the fact that the lot he refers to does not cut into and separate the one tract from the other. The truth is that the two tracts absolutely adjoin, a little bit being cut out on the extreme eastern side.

It was said a while ago that there were 350 acres 3 or 4 miles away. I presume the land the Senator referred to is that which had been bought down in Maryland somewhere, completely segregated and separated from this ground. It never should have been bought, and it ought not to belong to us to-day. Every bit of it ought to have been right there together under the immediate eye and guidance and control and supervision of the superintendent of the asylum. Those people there have to be kept within the walls, and the walls have to be extended. The question is, Are you going to try to restore their reason? Are you going to try to restore them to health and life and happiness once more? And

the question again is whether or not you are going to keep, as you are now doing, the insane criminal in there with the insane soldier and sailor?

The land that you have down there is not ample when you have got 2,000 persons that need occupation and employment. The mere small tract of land you have is wholly inadequate. Take the representation of your own superintendent, and you will see that. For these reasons I urge that Senators consider the fact that so far as the title is concerned, it is perfect; that so far as the dedication is concerned, it has been revoked in the most solemn form, and that so far as the location is concerned, it is complete.

The very gentlemen who were present in that citizens' meeting and who opposed this purchase, the very gentlemen who came here with this resolution, understood that about \$6,000 per acre was being paid for this very ground. If Senators will give me their attention for one moment, they will understand that when those people talked about giving \$6,000 per acre they thought that was unreasonable. I put the question to those very gentlemen whether or not they would take \$2,000 per acre for their ground, and they said they would not do it. Yet the Senator from South Dakota has said that the price is about \$2,000 per acre. Suppose those very gentlemen will not take that sum for theirs. Their idea was that between \$5,000 and \$6,000 per acre was being paid for this land. In truth and in fact, it is less than that, a little above \$2,000.

Now, if this matter is delayed until the spring comes and after the streets are cut through, that whole park will be defaced and the purposes for which we want it will be very much injured. For these reasons I submit that we ought to act now.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Mississippi [Mr. SULLIVAN]. The amendment was agreed to.

Mr. MARTIN. I move to insert, on page 73, after line 11, the following:

Memorial bridge across the Potomac River: To enable the Chief of Engineers of the Army to continue the examination of the subject and to make or secure designs, calculations, and estimates for a memorial bridge from the most convenient point of the Naval Observatory grounds or adjacent thereto across the Potomac River to the most convenient point of the Arlington estate and property, the sum of \$5,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Virginia.

Mr. MARTIN. I will simply state that in the sundry civil appropriation act approved the 4th of June, 1897, an appropriation was made for this purpose. The Secretary of War has expended that appropriation, and has reported that it is insufficient to accomplish the purpose intended. He estimates that \$5,000 will accomplish the purpose, and asks that that amount be furnished. The amendment was agreed to.

Mr. BUTLER. On page 68, line 19, I move to insert "fifty" in place of "twenty-five."

The SECRETARY. In line 19, page 68, amend the committee amendment by striking out "twenty-five" and inserting "fifty;" so as to read:

For topographic surveys in various portions of the United States, \$250,000, to be immediately available.

Mr. BUTLER. That is the amount necessary to meet the appropriations that the States are ready to make for cooperative work. This work has been finished in a number of States now. There are eight States ready to appropriate the money to do the work and spend dollar for dollar with the Government. My State is ready to spend \$5,000, West Virginia \$10,000, and Pennsylvania \$20,000. I misplaced the paper giving the appropriations of other States. I will ask to put in the RECORD a statement giving the reasons for this increased appropriation, and also the list of States that have had this work done, showing what has been done in those States and what will be done in other States by this amendment.

Mr. ALLISON. I regret that the Senator from North Carolina has offered this amendment. There is an ample appropriation provided for to meet every purpose suggested by the Senator, and I think the ultimate result of his amendment, if it shall be adopted by the Senate, will be to diminish rather than increase the appropriation.

Mr. BUTLER. Mr. President, I would take the time of the Senate to go over the reasons that I have sent up to be printed in the RECORD, if I thought it was necessary. I put them in the RECORD to sustain the conferees on the part of the Senate in keeping in the increased appropriation. I think the facts set forth will sustain them in conference.

The PRESIDING OFFICER. The Chair will suggest to the Senator from North Carolina that as he proposes to amend the committee amendment already adopted, it will be necessary to reconsider the vote by which the amendment was adopted or withhold his amendment until the bill is reported to the Senate.

Mr. ALLISON. I hope the Senator will withhold it for the time being.

Mr. BUTLER. Very well. Then I will also withhold the state-

ment to which I have referred and put it into the RECORD when I again offer the amendment.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 1139) to provide for a building for the use of the post-office and other civil offices in the city of Hot Springs, Ark.; in which it requested the concurrence of the Senate.

#### PUBLIC BUILDING AT HOT SPRINGS, ARK.

Mr. BERRY. Mr. President, a literal copy of the bill just received from the House passed the Senate a day or two ago, and by some misunderstanding or mistake it failed to get over to the House. The Senator from Iowa has kindly consented to let me ask unanimous consent to pass the House bill. It has already passed the Senate literally and absolutely as it is now.

Mr. ALLISON. I did not understand the wish of the Senator to pass a bill. I supposed he wanted to rectify a tangle between the two Houses, which I was perfectly willing he should do.

Mr. BERRY. It is a tangle, because the Clerk failed by mistake to send it over as I requested, and the House bill was taken up instead of the Senate bill.

Mr. ALLISON. It is a tangle that inures to the benefit of the Senator in a very curious way.

Mr. BERRY. I want to have the bill passed. It will not take two minutes if the Senator will allow me.

Mr. ALLISON. I will yield to the Senator if it does not lead to debate.

Mr. BERRY. It will lead to no debate. It is not possible. It has already passed the Senate.

The PRESIDING OFFICER. The Senator from Arkansas asks unanimous consent for the present consideration of a bill from the House, which the Chair will lay before the Senate.

The bill (H. R. 1139) to provide for a building for the use of the post-office and other civil offices in the city of Hot Springs, Ark., was read twice by its title.

Mr. ALLISON. There are a number of public building bills. I trust the Senator from Arkansas will allow this bill to lie upon the table until the other public building bills come over. It is perfectly well known that there are a number of them pending in the House of Representatives. They will be arriving here every ten or fifteen minutes, and they must all be considered sooner or later. At a later hour to-day these bills can be considered.

Mr. BERRY. It is because of the mistake of the Clerk. Otherwise the Senate bill would have been passed instead of the House bill. That is the peculiar situation under which I ask its consideration. I assure the Senator from Iowa it will not interfere with the passage of any other public-building bill. It has already passed the Senate, and identically the same bill has passed the House. I insist that the Senator should let me pass the bill.

Mr. ALLISON. But there may be other bills equally meritorious that will be here very soon. Therefore I trust the Senator from Arkansas will allow, as I hope other Senators will, these public-building bills to lie quietly on the table until we have them here in such numbers at least as that they can be considered. I hope some of them may get on the sundry civil bill before its passage.

Mr. BERRY. I hope the Senator will not insist on his objection. I ask unanimous consent, Mr. President, for the consideration of the bill.

Mr. ALLISON. I will not object, but I want to give notice that this is the last public-building bill that I will allow to be passed pending the consideration of the sundry civil bill, until all of them may reach the Senate.

The VICE-PRESIDENT. Unanimous consent is asked by the Senator from Arkansas for the present consideration of the bill (H. R. 1139) to provide for a building for the use of the post-office and other civil offices in the city of Hot Springs, Ark. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12008) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. FAULKNER. I offer an amendment, to come in on page 118 as a new section after line 21.

The SECRETARY. Insert, after line 21, on page 118:

SEC. —. That any jury summoned for service in any of the circuit or criminal courts may, with the concurrence of the justice presiding in such court, be used for the trial of issues in the orphans' court.

Mr. FAULKNER. I desire to have printed in the RECORD a letter from the chief justice and associate justices of the supreme

court of the District of Columbia giving the reasons and showing the necessity of this amendment.

The letter referred to is as follows:

FEBRUARY 24, 1899.

SIR: The act of Congress of June 8, 1898, gives the orphans' court power to try issues in that court with a jury, and requires the jury to be drawn and summoned in like manner as are the juries in the circuit court.

This requirement of a jury for special service in that court by actual test in the current month has proved to be awkward, inconvenient, and unnecessarily expensive to the United States.

The justice holding criminal court No. 2 has been assigned for this year to the orphans' court also. He is obliged to have 26 jurors summoned each month for service in the criminal court. He can not try criminal cases and will issue at the same time, and there is no reason why the jury in that court when not engaged in criminal trials should not be used in the trial of orphans' court issues. These issues are few. The criminal business will, it is believed, readily admit of such occasional use of the jury as may be necessary. If that justice is compelled to have a full panel for each court it will frequently happen that both will be in attendance when only one can be utilized, involving thereby the needless expense of the per diem of \$52. This has been the experience of this month, and in addition to the expense of summoning the jurors, the actual loss to the Government has been about \$38. To prevent further useless expense, and in the hope of securing the amendment asked, the justice presiding discharged the orphans' court jury a few days since.

It may be well to add that the monthly drawing of 104 men for service in the two circuit and two criminal courts, added to the number drawn for the grand jury and for service in the police court, is a great drain upon the number of citizens available for such service. All salaried officers of the United States are exempt, and twenty days' service in this court exempts the party from further call for a year.

Very respectfully,

E. F. BINGHAM, Chief Justice.  
A. C. BRADLEY.  
CHAS. C. COLE.

HON. JAMES McMILLAN,  
Chairman Committee on the District of Columbia,  
United States Senate.

Mr. FAULKNER. I desire to say further that this is, I believe, the only amendment proposed to the bill which saves the Government money instead of taking money out of the Treasury. The purpose of the amendment is to reduce the expenditures of the District of Columbia to \$56 a day.

The amendment was agreed to.

Mr. STEWART. On page 63, after line 19, I move to insert:

That to aid the public-land States in the reclamation of the desert lands therein, and more especially to enable them to secure a revenue wherewith the lands granted to them by section 4 of the act of Congress entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894, may be fully and effectively reclaimed and subjected to cultivation preparatory to their sale in small tracts to actual settlers, 5,000,000 acres of unappropriated public lands not valuable for timber or minerals, nor for agriculture without irrigation, are hereby granted to each of the States in which there may be situated desert lands, as defined by the act entitled "An act to provide for the sale of desert lands in certain States and Territories," approved March 3, 1877, and the act amendatory thereof approved March 3, 1891.

SEC. 2. That the lands hereby granted shall be selected by the proper authorities of the respective States, under regulations prescribed by the Secretary of the Interior, according to the public surveys, in tracts not less than a quarter section in area, and upon approval of any such selection by the Secretary of the Interior the land included therein shall be patented to the State.

SEC. 3. That the lands hereby granted may be rented, leased, or sold by the State under such laws, rules, and regulations as may be prescribed by the legislature thereof, but the net proceeds arising therefrom shall be devoted and applied solely and exclusively to the reclamation of the arid lands in such State, and the acceptance by any State of the grant hereby made shall constitute an irrevocable pledge and obligation upon the part of the State to devote and apply said proceeds to this purpose and none other.

Mr. ALLISON. That is legislation of a general character. I must object to it on that ground.

Mr. STEWART. I hope the Senator from Iowa will withhold the objection for one moment.

Mr. ALLISON. I will do so.

Mr. STEWART. Mr. President, there has been considerable discussion about aiding irrigation. During the recent debate the Senator from Wisconsin [Mr. SPOONER] renewed a suggestion that he made some ten years ago, that the public lands in those States ought to be made available for that purpose. There is no public land in any of the States where irrigation is required where homesteads can be made.

You can not make homesteads there at all. The homestead law is absolutely inoperative. In order to make the lands available at all there must be irrigation. Irrigation works there now, since the land along the streams has been appropriated, are too expensive for immigrants to engage in. Something must be done. The States know best how to do it. The States know best how to make these lands available. There is a precedent for putting this provision in the bill. I call the attention of the Senator from Iowa to the fact that he allowed a similar amendment to be made to an appropriation bill. It is alluded to in the preceding paragraph.

#### EXAMINATIONS OF DESERT LANDS.

To enable the Secretary of the Interior to examine, under such regulations and at such compensation as he may prescribe, the desert lands selected by the States under the provisions of section 4 of the act of Congress approved August 18, 1894, \$3,000.

This was a provision granting under certain conditions—and the conditions were such that they could not well be complied with—a million acres of land to each State; but it made irrigation

the requirement of the grant, and the lands have not been made available.

The only way to make these lands available is to turn them over to the States. Then the States can sell them; they can lease them for grazing purposes; they can use them for any purpose they please, get a revenue from them, and apply it to irrigation. The public sentiment in the States is in favor of irrigation; so the application of the money will be such there that they can be safely trusted. The members of the legislatures of these various States represent districts where irrigation is required, and they will watch the funds more narrowly than would anybody else.

You are rather extravagant here with our public lands. You gave over 20,000,000 acres—and I do not know but it was 30,000,000 acres—of land to the wind, and we could not get them back and opened to settlement. You boldly took them away from us and put them into what was called a reservation for timber purposes. You said it was to preserve the timber; but it was simply for the purpose of hitting the West a terrible blow. Your legislation in that way prevented the States from having anything to say about this matter. I plead for this donation to the States. That is the only way to solve the question.

There are objections made here that you are not willing to adopt the same system that you do as to the river and harbor bill. The arid and semiarid States receive nothing from the appropriations for rivers and harbors; they are in the interior. It was suggested here and urged very strongly that we should enter upon the system of making direct appropriation out of the Treasury, the same as is done for rivers and harbors. That would be very reasonable if you intend to serve all sections of the country alike.

This amendment takes nothing out of the Treasury, but will put money into the Treasury, and it will enable those sections of the country to be developed. It is not a reservation of a whole section of country as large as New England, as was done here in the dark in an hour to prevent the settlement of the West. It is in aid of settlement; it is in aid of the people; and it is very important that it should be done.

The objection which is now made is waived constantly when it is said there are great emergencies upon us. It was waived once on this same proposition, and I hope my friend from Iowa will now waive his objection in favor of this very desirable proposition.

The Committee on Irrigation have considered this matter at length, and have unanimously recommended this amendment. They reported a bill of exactly this character. I tell my friend from Iowa that if this amendment is agreed to, the subject of irrigation will annoy him less in this shape than in any other in which it can be put. If he supposes he can avoid a discussion of irrigation every year when the sundry civil appropriation bill comes up, he is mistaken; and it will come up in not so good a shape as this, in my judgment. Here is a matured plan to allow the States to have control of 5,000,000 acres of land so as to allow them to help develop the country.

This land can not now be settled upon; it can not be utilized without great expenditure. Private enterprise is inadequate to do it. Besides, the land would be taken up only under great difficulty, because no company would get enough land in any one place to justify it in making the necessary expenditure. It can not be done, and it will not be done, unless there is some governmental action. But if the States can have a fund which they can appropriate to the different sections in the States, it would be expended upon a different basis from the way it would be if made here, for in the various States there will be a contest as to where the money shall go, and anyone who gets any of this money will have to make a better showing than his neighbors. It will be a public question which will be discussed in the States, where they are intelligent and know more about this subject than is known here.

I hope the Senator from Iowa will waive his objection and let the Senate vote on this proposition, for it will not down. It will be constantly coming up in various shapes, which will be embarrassing to Congress, involving new principles and involving new discussions.

You granted swamp lands to the States for purposes of reclamation. There is nothing new in the principle of this amendment; and its necessity grows out of the nature of the case. You can not do anything else with those lands. None of them are being sold or preempted or taken under the homestead laws. You can not sell them, and you must hold them as barren wastes. Let the States take hold of them and they can utilize these lands. They will rent them for pasturage purposes; they will bring pasture lands into the market. If you dig a ditch in the neighborhood of a valley these pasture lands of the hills may be sold or rented.

I beg for local self-government for these States, and I hope the Senator will let the amendment be adopted. I believe if it was thoroughly understood, there would not be a dissenting vote in either House of Congress.

Mr. ALLISON. Mr. President, I do not object to a discussion of the question of irrigation. What I object to respecting this

amendment on the sundry civil bill is that we have not now a proper opportunity for its discussion. Here is a proposition presented by the Senator from Nevada, from a standing committee of this body, it is true, which I have no doubt has considered very carefully and cautiously the provisions of the amendment. It provides for granting away a large part of the public domain. It seems to me that a matter of that character ought to be discussed not only in the committee room, but in the Senate, and it is obvious that that discussion can not take place between now and the adjournment of this Congress. So I insist upon my point of order, Mr. President.

The VICE-PRESIDENT. The Chair must sustain the point of order made by the Senator from Iowa.

Mr. WILSON. Mr. President, I am not fully advised as to the exact status of the bill, but I wish to return for a moment, with the permission of the Senate and the chairman of the Committee on Appropriations, to pages 59 and 60. I desire to offer an amendment after the word "dollars," in line 1 on page 60, by inserting the words "to be immediately available."

This is legislation for the protection and administration of the forestry reserves, which we have heretofore in the Senate had so much debate over, which ought to be repealed, and which it would be proper and right if we would entirely repeal.

I said in the last Congress that the ultimate cost and expenditure would be not short of \$25,000,000. I am prepared to say to-day, after a further examination, that to carry out the project of the Department of the Interior and that attempted by the Committee on Appropriations will cost about \$50,000,000; and I can not see at this time any adequate benefits whatever to be derived from it.

In the State I have the honor to represent in part a slice has been taken right across the backbone, so to speak, of that State larger than the State of Massachusetts. No railroad can now cross my State until we come to Congress for relief. All improvement has stopped in that area and we are here appropriating, in order to prevent forest fires, a small amount of money, namely, \$175,000, for all these reservations throughout the Western country, which is not quite a cent an acre. We expect that cent an acre to put out the fires, to pay the supervisors, the inspectors, the guardsmen, and all that sort of thing.

To-day we stand with that reserve, without a dollar to pay anybody under the appropriation we had last year. If the amendment which I have offered, inserting the words "to be immediately available," should not be agreed to, we can do nothing, of course, until the 1st day of July next. Congress, by this legislation, having taken possession of our property, it would seem nothing more than proper and right and equitable that they should make proper appropriations to take care of it. I hope the amendment will be adopted, although the appropriation is not by any manner of means sufficient to carry out the work which has been indicated.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Washington [Mr. WILSON].

The amendment was agreed to.

Mr. WHITE. I offer the amendment which I send to the desk to the pending bill. I have already submitted it to the chairman of the committee, the Senator from Iowa [Mr. ALLISON].

Mr. CULLOM. I wish to present a document.

Mr. WHITE. I should be very glad to yield to the Senator from Illinois, but I have been struggling for several hours to obtain the right of entry.

Mr. CULLOM. I will not interfere with the Senator.

The VICE-PRESIDENT. The amendment submitted by the Senator from California [Mr. WHITE] will be stated.

The SECRETARY. After line 23, on page 70, it is proposed to insert:

That the provision in section 3 of the act approved February 28, 1891 (26 United States Statutes at Large, page 794), namely, that where lands are occupied by Indians who have bought and paid for the same, and which lands are not needed for farming or agricultural purposes and are not desired for individual allotment, the same may be leased by authority of the council speaking for such Indians for a period not to exceed five years, for grazing purposes only, in such quantities and upon such terms and conditions as the agent in charge at the reservation may recommend, subject to the approval of the Secretary of the Interior, be, and the same hereby is, extended to include and to apply to the White Mountain Apache and San Carlos Indian Reservation, in the Territory of Arizona: *Provided*, That nothing herein contained shall be construed as recognizing the title or ownership of the Indians in or to any part of said White Mountain Apache and San Carlos Indian Reservation.

Mr. PLATT of Connecticut. I think there ought to be some explanation of this amendment, Mr. President.

Mr. WHITE. Mr. President, the explanation ought to come from the other side. There seems to be an exclusion of a part of this country from a general statute. There is no explanation needed, I think, except to say that there is no reason why this particular land in the Territory of Arizona should not occupy a status identical with that occupied by similar lands elsewhere. There is no attempt here to do anything more than to place in the hands of the Secretary of the Interior and his subordinate officers the right to make leases under the conditions prescribed in the statute.

There is land in Arizona to-day which can be useful for pasturage, which is virtually taken out of the market, and which it is impossible now for any citizen of the United States, or any person whatsoever, to avail himself of, and which he ought to have a right to enjoy. So long as we leave it entirely in the hands of the Federal officers, and commission them to do as they may see fit, it appears to me there can be no danger at all.

The amendment was criticised at first because it was said it might be a recognition of some title in the Indians, but the proviso attached to it, which has been suggested by the Department, negatives the possibility of any such claim.

I hope there will be no objection to the amendment. I can not see why there should be.

Mr. ALLISON. This amendment, in substance, was offered by me to the Indian appropriation bill, it having been examined by the Secretary of the Interior and the Commissioner of Indian Affairs, and recommended by them.

Mr. WHITE. The proviso in this amendment was inserted by them.

Mr. ALLISON. There was, however, a request made by me to have them make provision for the securing of a title in the United States, as indicated in this proviso. When the amendment came back to me, it included mineral lands as well as pasturage lands. I then took the liberty of withdrawing the amendment from consideration on the Indian appropriation bill.

Since that time the Commissioner of Indian Affairs has stated to me that if an opportunity were given to lease these lands it would yield to the Indians some revenue. Therefore I did not make the point of order when the Senator from California offered the amendment.

Mr. WHITE. It is only for pasturage purposes.

Mr. ALLISON. It applies to lands for pasturage purposes only. So I think, unless some member of the Indian Committee makes objection, I shall not object to the consideration of the amendment.

The VICE-PRESIDENT. The question is on the amendment. [Putting the question.] The ayes have it, and the amendment is agreed to.

Mr. RAWLINS. Mr. President, I rose to speak to the amendment.

The VICE-PRESIDENT. The Chair waited for the Senator to see if he desired to speak on the amendment. Does the Senator desire to speak?

Mr. RAWLINS. I simply want to ask a question of the Senator from Iowa.

The VICE-PRESIDENT. The Senator from Utah is recognized.

Mr. RAWLINS. If this amendment is adopted, will it again throw the question as to leasing mineral lands into conference?

Mr. WHITE. No, sir.

Mr. ALLISON. Certainly not. This amendment provides for the leasing of the lands for pasturage purposes only.

Mr. PLATT of Connecticut. Mr. President, I do not care to have this question formally opened, but I do want to say a word about it, if I may, informally.

I do not think this question has come before the Indian Committee at all. Therefore I was somewhat surprised when the amendment was presented. I do not know that there is anything objectionable in it, but the situation is this: We passed, in 1891, an act providing that where Indians had bought lands and had title to them, they might lease them, by action of the tribe, for agricultural purposes for a period not exceeding five years. That law, up to the present time, has applied only to lands which have been purchased and were owned by the Indians. This amendment proposes to take the lands, which I suppose Indians have not purchased and to which they have no title, in a case where there is an Executive order merely for their settlement upon them, and in this single instance provides for the leasing of those lands.

If this is proper to be done in a single instance, there is no reason that I can conceive of why it should not be done with reference to all the lands occupied by Indians under an Executive order. I do not know but it has been done in other instances; but what struck me about it was that here are some particular lands of Indians which are being occupied by Executive orders or authority, the leasing of which is asked for. I do not know that there is anything wrong about it, and, as I say, I do not wish to reconsider the action of the Senate.

Mr. PETTIGREW. Mr. President, I do not care to object to this amendment, but I wish to call attention to this fact: Here is an Executive order reserving a very large body of undoubtedly excellent grazing land. Under this provision it will be leased and will bring a large income; and when the people of that region want the Executive order reserving it vacated and the land opened to settlement and occupation for the people of this country, they will find this provision in the way of the ratification of any agreement for the opening up of that country. They will find these leases in existence and the parties interested in the leases, the cattlemen, fighting to prevent the opening of the country.

Just such a case occurred in connection with the Kiowa and

Comanche Reservation. We made a treaty to open it, but we could not pass a bill for that purpose, because the land was leased to a lot of cattlemen, and they had influence enough to prevent the passage of the measure. Not only the cattlemen, but the philanthropic people of this country, the Indian Rights Association, oppose it because quite a large sum of money goes to the Indians from that source, and they fear that the supply will be cut off. I want to call attention to the fact that we will be confronted with this question within the next two or three years. There is no doubt about that.

Mr. WHITE. This is merely an amendment, not in the interest alone of individuals who may own stock, but for the purpose of promoting the advantage of emaciated cattle and starving quadrupeds, who, gazing upon the fruitful supply of the Indian reservations, seek to replenish their wasted forms. [Laughter.] I can not understand why the philanthropists who are here present should object to it.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from California [Mr. WHITE].

The amendment was agreed to.

Mr. GALLINGER. Mr. President, I submit an amendment, which the chairman of the Committee on Appropriations and the other members of the committee are entirely familiar with, and to which, I am sure, there will be no objection.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert, at the bottom of page 112, the following:

UNDER THE DEPARTMENT OF AGRICULTURE.

To enable the Secretary of Agriculture to investigate and report upon the physiological action and nutritive value of alcohol and alcoholic beverages, \$5,000, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, this matter was reported favorably by the Committee on Agriculture and Forestry, and as their report contains a history of the question involved in the amendment and it is a very interesting question, I desire to have that report printed in the RECORD, and also a letter from President D. C. Gilman, of the Johns Hopkins University.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and that order will be made.

The papers referred to are as follows:

There is a widespread public demand for more accurate information than we now have upon this subject. This demand comes from people actively engaged in temperance reform, from economists, clergymen, teachers, and from that large part of the people of the community who are earnestly considering the alcohol question in its varied aspects. A number of prominent men—economists, educators, clergymen, jurists, scientists, and business men, from different parts of the country, representing different shades of theological belief—Protestant, Catholic, and Jewish, and with naturally varying views upon political, social, and economic questions—have united in a non-partisan and public-spirited effort to obtain as accurate information as possible regarding the legislative, economic, physiological, and ethical aspects of the subject. They have instituted elaborate inquiries at their own private expense of time, labor, and money. With every advance in the inquiry its importance and usefulness have become more and more manifest. In some lines the investigation has outgrown the power of private individuals to conduct it. This was the case with investigations on the economic side.

The matter was brought to the attention of Congress, which authorized an investigation into this part of the subject by the Department of Labor. The project for this was approved in advance by the representatives both of temperance reform and the liquor interest. The outcome, as printed in the Twelfth Annual Report of the Department, has clearly demonstrated the usefulness of the investigation and is highly prized by all who are interested in the matter and have taken the pains to examine the data gathered and conclusions reached. The physiological aspects of the subject, including the food value of alcohol and alcoholic beverages, is of even more scientific and popular interest. A number of inquiries in this field have been undertaken by the committee above referred to. Experiments which bring the accurate and conclusive results so much desired are costly. Here, again, the enterprise has outgrown the means at the disposal of this philanthropic organization. It is therefore deemed proper to ask Congress to devote a small amount of the public funds to the gaining of this information, which will be of such large public utility and will meet so large a public demand.

It is proposed to intrust this sum to the Secretary of Agriculture because the inquiry is very closely related to the nutrition investigations which he is called upon by Congress to prosecute, and because the work can be done very economically in connection with those investigations. This arrangement will be the more advantageous because the Department of Agriculture will have at its disposal not only its own apparatus and appliances, but also means supplied by the committee named and from other sources for the purpose.

The investigation of the drink problem is one that has engaged the attention of scientists and philanthropists for a long time, resulting in the establishment, in the year 1893, of a committee of 50, composed of leading educators and scientists in all parts of the country, for the purpose of making investigations with a view, to use their own words, "of securing a body of facts which may serve as a basis for intelligent public and private action. It is the purpose of the committee to collect and collate impartially all accessible facts which bear upon the problem, and it is their hope to secure in the evidence thus accumulated a measure of confidence on the part of the community which is not granted to partisan statements."

It will be seen that this committee is simply an organization for research. As Mr. Charles Dudley Warner said in Harper's Magazine in February, 1897, "It was from the first understood that the prime business of the committee was not an expression of opinion or the advancing or advocacy of one theory or another, but strictly the investigation of facts, without reference to the conclusions to which they might lead." The committee entered upon an investigation of this great question without any help, financial or otherwise, except such as the members contributed, and in the investigations already undertaken they have spent a very considerable sum of money. They have now reached a point where they feel that the Government can properly render them a small amount of aid, and hence the reason for the introduction of the

proposed amendment. It is believed that with a moderate amount of financial support results may be reached which will be of leading importance to the welfare of the country. As bearing on this question the following unsolicited letter from Hon. Carroll D. Wright, Commissioner of Labor, will be of interest:

DEPARTMENT OF LABOR, Washington, D. C., January 13, 1899.

MY DEAR SIR: I was particularly gratified on taking up the RECORD this morning to see that you have submitted an amendment providing for the appropriation of \$5,000 to enable the Secretary of Agriculture to investigate and report upon the physiological action and nutritive value of alcohol and alcoholic beverages.

This Department has just published a report, in obedience to direction of Congress, on the economic aspects of the alcoholic liquor traffic. As no appropriation accompanied the authorization, I was obliged to limit the work to the means at my disposal. Notwithstanding this, the report brings out some very important information.

Now, an investigation upon the physiological action and nutritive values of alcohol and alcoholic beverages is one that would have far more general value than that relating to the economic aspects as brought out by our report, and such investigation should be made under the direction of the Secretary of Agriculture, as you provide, because it is closely allied to the food question, and for the further reason that the Secretary of Agriculture has a proper equipment for such work. I have had some conferences with Professor Atwater with reference to the proposed investigation. He has given you the main facts in the case, the necessity for such work, and what is being done by economists, educators, and others in a private capacity. To have their work, valuable and extensive as it is, supplemented by an official investigation along the lines proposed by you would be of the greatest value to the public. What the temperance question needs is scientific knowledge, and if the United States Government can aid in securing this in connection with the food problem, it seems to me the time and expense involved will meet with abundant compensation.

I have taken the liberty of addressing you in this matter because of the investigation already made by the Department of Labor and because, furthermore, I am thoroughly interested in seeing the temperance question discussed on scientific lines, and personally I am greatly pleased to see that you have interested yourself in the matter.

I am, sincerely, yours,

CARROLL D. WRIGHT,  
Commissioner.

Hon. J. H. GALLINGER,  
United States Senate.

The present organization and membership of the committee of fifty is as follows:

President—Hon. Seth Low, LL. D., Columbia College, New York.  
Vice-President—Charles Dudley Warner, esq., Hartford, Conn.  
Secretary—Prof. Francis G. Peabody, D. D., Cambridge, Mass.

Treasurer—William E. Dodge, esq., 11 Cliff street, New York, N. Y.  
Executive board—The above-named officers and Dr. J. S. Billings, Astor Library, Lafayette place, New York, N. Y.; President Charles W. Eliot, LL. D., Harvard University, Cambridge, Mass.; Col. Jacob L. Greene, Hartford, Conn.; Gen. Francis A. Walker, LL. D., president Institute of Technology, Boston, Mass.

Members.—Prof. Felix Adler, 123 East Sixtieth street, New York, N. Y.; Bishop Edward G. Andrews, D. D., Methodist Building, 150 Fifth avenue, New York, N. Y.; Prof. W. O. Atwater, Wesleyan University, Middletown, Conn.; Dr. J. S. Billings, Astor Library, Lafayette place, New York, N. Y.; Dr. J. Alder Blumer, State Insane Asylum, Utica, N. Y.; Charles J. Bonaparte, esq., 210 St. Paul street, Baltimore, Md.; Prof. H. P. Bowditch, Harvard Medical School, Boston, Mass.; Rev. Prof. Charles A. Briggs, D. D., 700 Park avenue, New York, N. Y.; Z. R. Brockway, esq., superintendent State Reformatory, Elmira, N. Y.; John Graham Brooks, esq., Francis avenue, Cambridge, Massachusetts; Hon. James C. Carter, 54 Wall street, New York, N. Y.; Prof. R. H. Chittenden, Sheffield Scientific School, New Haven, Conn.; Rev. Father Thomas Conaty, D. D., Catholic University, Washington, D. C.; William Bayard Cutting, esq., 34 Nassau street, New York, N. Y.; Rev. S. W. Dike, LL. D., Auburndale, Mass.; William E. Dodge, esq., 11 Cliff street, New York, N. Y.; Rev. Father A. P. Doyle, Paulist Fathers, 455 West Fifty-ninth street, New York, N. Y.; President Charles W. Eliot, LL. D., Harvard University, Cambridge, Mass.; Rev. Father Walter Elliot, Paulist Fathers, 455 West Fifty-ninth street, New York, N. Y.; Prof. Richard T. Ely, University of Wisconsin, Madison, Wis.; Prof. Henry W. Farnam, 43 Hillhouse avenue, New Haven, Conn.; Right Rev. T. F. Gailor, D. D., University of the South, Sewanee, Tenn.; President Daniel C. Gilman, LL. D., Johns Hopkins University, Baltimore, Md.; Rev. Washington Gladden, D. D., Columbus, Ohio; Richard W. Glider, esq., Union square, New York, N. Y.; Dr. E. R. L. Gould, 281 Fourth avenue, New York, N. Y.; Col. Jacob L. Greene, Hartford, Conn.; Dr. Edward M. Hartwell, director of physical training, Boston schools, 5 Brimmer street, Boston, Mass.; Hon. Henry Hitchcock, 707 Chestnut street, St. Louis, Mo.; Rev. W. R. Huntington, D. D., Grace Church, 237 Broadway, New York, N. Y.; President William Preston Johnston, LL. D., Tulane University, New Orleans, La.; Prof. J. F. Jones, Marietta, Ohio; President Seth Low, LL. D., Columbia College, New York, N. Y.; President James MacAlister, LL. D., Drexel Institute, Philadelphia, Pennsylvania; Rev. Alexander Mackay-Smith, D. D., 1325 Sixteenth street, Washington, D. C.; Professor J. J. McCook, Trinity College, Hartford, Connecticut; Rev. T. T. Munger, D. D., New Haven, Conn.; Robert C. Ogden, esq., firm of John Wanamaker, Philadelphia, Pa.; Rev. Prof. F. G. Peabody, D. D., Cambridge, Mass.; Rt. Rev. H. C. Potter, D. D., 29 Lafayette place, New York, N. Y.; Rev. W. I. Rainsford, D. D., 200 East Sixteenth street, New York, N. Y.; Jacob H. Schiff, esq., 27 Pine street, New York, N. Y.; Rev. Prof. C. W. Shields, D. D., Princeton, N. J.; Prof. W. M. Sloane, Princeton, N. J.; Charles Dudley Warner, esq., Hartford, Conn.; Dr. William H. Welch, Johns Hopkins Hospital, Baltimore, Md.; Hon. David A. Wells, Norwich, Conn.; Frederic H. Wines, esq., Springfield, Ill.; Hon. Carroll D. Wright, A. M., LL. D., Department of Labor, Washington, D. C.

Committee on the physiological and pathological aspect of the drink problem.—Dr. J. S. Billings, chairman, Astor Library, Lafayette place, New York, N. Y.; Prof. W. O. Atwater, Wesleyan University, Middletown, Conn.; Dr. G. Alder Blumer, State Insane Asylum, Utica, N. Y.; Prof. Dr. H. P. Bowditch, Harvard Medical School, Boston, Mass.; Prof. R. H. Chittenden, Sheffield Scientific School, New Haven, Conn.; Dr. William H. Welch, Johns Hopkins Hospital, Baltimore, Md.

Committee on the legislative aspect of the drink problem.—President Charles W. Eliot, LL. D., chairman, Harvard University, Cambridge, Mass.; Charles J. Bonaparte, esq., 216 St. Paul street, Baltimore, Md.; Hon. James C. Carter, 54 Wall street, New York, N. Y.; President Seth Low, LL. D., Columbia College, New York, N. Y.

Committee on the ethical aspect of the drink problem.—Col. Jacob L. Greene, chairman, Hartford, Conn.; Prof. Felix Adler, 123 East Sixtieth street, New York, N. Y.; Rev. Father Thomas Conaty, D. D., Catholic University, Washington, D. C.; Rev. S. W. Dike, LL. D., Auburndale, Mass.; William E. Dodge, esq.,

\* Died January, 1897.

11 Cliff street, New York, N. Y.; Rev. Father A. P. Doyle, Paulist Fathers 455 West Fifty-ninth street, New York, N. Y.; President D. C. Gilman, LL. D., Johns Hopkins University, Baltimore, Md.; Rev. Washington Gladden, D. D., Columbus, Ohio; Rev. W. R. Huntington, D. D., Grace Church, 237 Broadway, New York, N. Y.; Rev. Alexander Mackay-Smith, D. D., 1325 Sixteenth street, Washington, D. C.; Rev. T. T. Munger, D. D., New Haven, Conn.; Prof. Francis G. Peabody, D. D., Cambridge, Mass.; Rt. Rev. H. C. Potter, D. D., 29 Lafayette place, New York, N. Y.; Prof. W. M. Sloane, Princeton, N. J.; Charles Dudley Warner, esq., Hartford, Conn.

**Committee on the relations of the drink problem to economic conditions, poverty, and crime.**—Z. R. Brockway, esq., superintendent State Reformatory, Elmira, N. Y.; John Graham Brooks, esq., Francis avenue, Cambridge, Mass.; Prof. Henry W. Farnam, secretary, 43 Hillhouse avenue, New Haven, Conn.; Dr. E. R. L. Gould, 281 Fourth avenue, New York, N. Y.; Prof. J. F. Jones, Marietta, Ohio; Hon. Carroll D. Wright, A. M., LL. D., Department of Labor, Washington, D. C.

**Committee on finance.**—William Bayard Cutting, esq., 32 Nassau street, New York, N. Y.; William E. Dodge, esq., 11 Cliff street, New York, N. Y.; Prof. Henry W. Farnam, 43 Hillhouse avenue, New Haven, Conn.; Robert C. Ogden, esq., firm of John Wanamaker, Philadelphia, Pa.; Col. Jacob L. Greene, Hartford, Conn.; Jacob H. Schiff, esq., 27 Pine street, New York, N. Y.

Impressed with the importance of the subject the amendment is reported back with a recommendation that it receive the favorable action of the Committee on Appropriations

JOHNS HOPKINS UNIVERSITY, Baltimore, January 26, 1899.

DEAR MR. SENATOR: Allow me, as one of the committee of fifty, deeply interested in determining, by exact methods of inquiry, the physiological action and food value of alcohol, to thank you for your interest in the proposed addition to the Agricultural appropriation bill.

Mr. HANSBROUGH's report is so exactly right and so persuasive that I trust its recommendation will be accepted by the Committee on Appropriations. Dr. Atwater, who will probably make the investigation, is particularly well qualified for the task.

I am, dear Mr. Senator, yours, very truly,

D. C. GILMAN.

Mr. HOAR. By direction of the Committee on the Judiciary, I offer an amendment to come in on page 124, after line 14, which has been submitted to the chairman of the Committee on Appropriations.

The SECRETARY. On page 124, after line 14, it is proposed to insert:

It shall be the duty of the commission appointed to revise and codify the criminal and penal laws of the United States to revise and codify the laws concerning the jurisdiction and practice of the courts of the United States, including the judiciary act and any amendment thereof and supplementary thereto, and all acts providing for the removal, appeal, and transfer of causes.

Mr. ALLISON. That amendment requires unanimous consent; but I do not object to it.

The amendment was agreed to.

Mr. HANSBROUGH. I offer the amendment which I send to the desk, to come in on page 77, after line 13.

The SECRETARY. On page 77, after line 13, it is proposed to insert:

For salaries and commissions of the register and the receiver of an additional land district, known as the Peavy land district, in the district of Alaska, \$6,000: *Provided*, That the salary of said register and said receiver shall not be less than \$1,500, and with fees and commissions not more than \$3,000 a year each, until June, 1900, from and after the passage of this act.

The amendment was agreed to.

Mr. McMILLAN. I offer an amendment to be inserted on page 33, after line 10. It is moved as a substitute for the one put in by the committee. It takes the place of the committee amendment.

The SECRETARY. After the words "Zoological Park," in line 10, page 33, it is proposed to strike out the committee amendment down to and including the word "Park," in line 18, and insert in lieu thereof the following:

That the Commissioners of the District of Columbia are hereby directed to grade, regulate, and curb the street on the west border of the Zoological Park from Woodley road to Cathedral avenue, as shown on the third-section plans (permanent system of highways), and Cathedral avenue from Connecticut avenue to Woodley road: *Provided*, That the full width of the road bordering the park be donated wherever it lies within the bounds of Woodley Park.

Authority is hereby conferred on the District Commissioners to use as a highway so much of the Zoological Park as lies within the proposed lines of said boundary road or street. The Commissioners of the District of Columbia are further authorized to regulate the width of Woodley road in front of lot 1, block 1, of T. E. Waggaman's subdivision of Pretty Prospect to a uniform width of 60 feet, and to correct the records of the surveyor's office in accordance therewith.

To carry out the grading and regulating and curbing authorized above, \$45,000 is hereby appropriated, one-half to be assessed against the abutting property, and one-half to be charged, in equal parts, to the United States and the revenues of the District of Columbia.

For the purchase of land adjoining the Zoological Park on the east, to protect the bear pits, to be expended under the direction of the secretary of the Smithsonian Institution, \$10,000, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. ALLISON. The amendment proposed by the Senator from Michigan is in lieu of the committee amendment, which was agreed to as in Committee of the Whole. By unanimous consent this has been done. The Senator from Michigan suggested to me an amendment on page 32, to strike out "eighty," which was inserted, and that "seventy-five" be inserted.

The VICE-PRESIDENT. Is there objection to the amendment suggested in line 22, page 32, to strike out "eighty" and insert "seventy-five?" The Chair hears none, and the amendment is agreed to.

Mr. HARRIS. I desire to offer an amendment. At the end of line 19, on page 86, I move to insert what I send to the desk.

The SECRETARY. At the end of line 19, on page 86, it is proposed to insert:

And the sum of \$50,000 shall be used for the erection of barracks, quarters, gun sheds, and stables for one battery of light artillery at Fort Leavenworth, Kans.

Mr. HARRIS. I desire to say that this is intended to increase the efficiency of the post-graduate school at the post at Fort Leavenworth. It has been asked for by every commandant of that school. It has been approved by the War Department; it has been approved by the Committee on Military Affairs, and I believe the Senator in charge of the bill will not oppose it.

The amendment was agreed to.

Mr. WARREN. I ask for the adoption of the amendment which I send to the desk.

The SECRETARY. On page 86, after the amendment adopted in line 19, it is proposed to insert:

And the sum of \$50,000 shall be expended toward the construction of a military post at or near the town of Sheridan, Wyo., on lands now owned by the United States for said purpose, the cost of the same not to exceed \$50,000.

The amendment was agreed to.

Mr. WARREN. I have another amendment, which will cost no money. It provides for some work to be done.

The SECRETARY. On page 70, after line 22, it is proposed to insert:

That the Secretary of the Interior is hereby authorized and directed to negotiate through an Indian inspector with the Shoshone and Arapaho Indians for the relinquishment of their right and interest in and to a part of their reservation.

Mr. ALLISON. The Secretary of the Interior has absolute authority to do that now. I see no necessity for the amendment, although I do not know that I have any objection to it unless the Committee on Military Affairs have.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wyoming.

The amendment was agreed to.

Mr. PENROSE. I offer an amendment, to come in after line 17, on page 97.

The amendment was read, and agreed to, as follows:

For one dental pathologist, \$2,000.

Mr. CULLOM. I offer the amendment which I send to the desk. I hope it may be adopted. I ask that it be inserted on page 5, between lines 11 and 12.

The amendment was read, and agreed to, as follows:

For repairing the house in which Abraham Lincoln died, being the property of the United States, \$3,833.50, the same to be expended under the direction of the Chief of Engineers.

Mr. PLATT of Connecticut. I ask the attention of the Senator from Iowa to an amendment I am about to propose, which is recommended by the Committee on Indian Affairs.

The SECRETARY. It is proposed to insert after line 22, on page 70, the following:

The Secretary of the Treasury is hereby authorized and directed to pay, from the funds in the Treasury belonging to the Choctaw Nation of Indians, outstanding warrants not exceeding in amount the sum of \$75,000: *Provided*, That before any of said warrants are paid the Secretary of the Interior shall cause an investigation to be made to ascertain whether such warrants have been duly and legally issued, and are a valid and subsisting obligation of said nation; and payment of the same shall be made by some official or employee designated for that purpose by the Secretary of the Interior.

The amendment was agreed to.

Mr. ALLISON. One or two amendments have been omitted and I desire to move them. I offer the amendment I send to the desk.

The SECRETARY. On page 129, after line 20, it is proposed to insert:

That the Secretary of the Senate be, and he is hereby, authorized and directed to pay Graham Glass for services rendered to the Hon. JOSEPH SIMON, a Senator from the State of Oregon, from the 8th day of October to the 4th day of December, 1898, from the appropriation for salaries of officers, clerks, messengers, and other employees in the service of the Senate for the current fiscal year.

The amendment was agreed to.

Mr. ALLISON. I offer an amendment and ask unanimous consent that it be agreed to. On page 30, after line 13, I move to insert what I send to the desk.

The SECRETARY. After line 13, on page 30, it is proposed to insert:

The Secretary of the Treasury is hereby authorized and directed to deliver to Gen. W. W. Duffield, recently Superintendent of the Coast and Geodetic Survey, the stereotype plates of his work on logarithms and logarithmic tables to ten places of decimals, being Part I of Appendix 12, Report of Superintendent of Coast and Geodetic Survey for 1896, said plates being no longer of service to the Government.

The amendment was agreed to.

Mr. ALLISON. I offer an amendment to be inserted on page 53, at the end of line 5.

The amendment was read, and agreed to, as follows:

*Provided*, That there shall be paid to the appraisers at the ports of Boston, Philadelphia, Chicago, and Baltimore \$1,000 each per annum in addition to the compensation they now receive, to be paid from the permanent appropriations for the collection of customs.

Mr. SPOONER. I am authorized by the Committee on Rules to offer the amendment which I send to the desk.

The SECRETARY. On page 132, after line 7, it is proposed to insert:

To enable the Secretary of the Senate to pay Charles W. Johnson for preparing and indexing precedents and decisions on points of order and phraseology in the United States Senate and House of Representatives, \$4,000.

The amendment was agreed to.

Mr. CARTER. I offer the amendment that I send to the desk by authority of the Committee on Public Lands.

The SECRETARY. After the word "dollars," in line 19, page 63, it is proposed to insert:

Provided, That the Secretary of the Interior may, when in his judgment the public interest or convenience requires, wholly cancel the location or modify the boundaries of any reservoir site located or selected under the act of October 2, 1888, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1889, and for other purposes," and acts supplemental to and amendatory thereof, relating to the selection or location of reservoir sites in the arid-land States and Territories.

Mr. CARTER. Mr. President, for the information of the committee and the conference committee which is to follow, I will state that the subject-matter to which this proposed amendment refers originated in a joint resolution approved March 20, 1888, entitled "A joint resolution directing the Secretary of the Interior, by means of the Director of the Geological Survey, to investigate the practicability of constructing reservoirs for the storage of water in the arid region of the United States, and to report to Congress." I will insert the joint resolution in the RECORD as a part of my remarks, for the purpose of having it accessible for ready reference.

[No. 7.] Joint resolution directing the Secretary of the Interior, by means of the Director of the Geological Survey, to investigate the practicability of constructing reservoirs for the storage of water in the arid region of the United States, and to report to Congress.

Whereas a large portion of the unoccupied public lands of the United States is located within what is known as the arid region and now utilized only for grazing purposes, but much of which, by means of irrigation, may be rendered as fertile and productive as any land in the world, capable of supporting a large population, thereby adding to the national wealth and prosperity;

Whereas all the water flowing during the summer months in many of the streams of the Rocky Mountains, upon which chiefly the husbandman of the plains and the mountain valleys chiefly depends for moisture for his crops, has been appropriated and is used for the irrigation of lands contiguous thereto, whereby a comparatively small area has been reclaimed; and

Whereas there are many natural depressions near the sources and along the courses of these streams which may be converted into reservoirs for the storage of the surplus water which during the winter and spring seasons flows through the streams; from which reservoirs the water there stored can be drawn and conducted through properly constructed canals at the proper season, thus bringing large areas of land into cultivation and making desirable much of the public land for which there is now no demand: Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, by means of the Director of the Geological Survey, be, and he is hereby, directed to make an examination of that portion of the arid regions of the United States where agriculture is carried on by means of irrigation as to the natural advantages for the storage of water for irrigating purposes with the practicability of constructing reservoirs, together with the capacity of the streams and the cost of construction and capacity of reservoirs, and such other facts as bear on the question of storage of water for irrigating purposes; and that he be further directed to report to Congress as soon as practicable the result of such investigation.

The next appearance of the subject in the records of Congress appears in the sundry civil appropriation act approved October 2, 1888, found on page 529 of volume 25 of the Statutes at Large:

For the purpose of investigating the extent to which the arid region of the United States can be redeemed by irrigation, and the segregation of the irrigable lands in such arid region, and for the selection of sites for reservoirs and other hydraulic works necessary for the storage and utilization of water for irrigation and the prevention of floods and overflows, and to make the necessary maps, including the pay of employees in field and in office, the cost of all instruments, apparatus, and materials, and all other necessary expenses connected therewith, the work to be performed by the Geological Survey, under the direction of the Secretary of the Interior, the sum of \$100,000, or so much thereof as may be necessary.

And the Director of the Geological Survey, under the supervision of the Secretary of the Interior, shall make a report to Congress on the first Monday in December of each year, showing in detail how the said money has been expended, the amount used for actual survey and engineer work in the field in locating sites for reservoirs, and an itemized account of the expenditures under this appropriation.

And all the lands which may hereafter be designated or selected by such United States surveys for sites for reservoirs, ditches, or canals for irrigation purposes and all the lands made susceptible of irrigation by such reservoirs, ditches, or canals are from this time henceforth hereby reserved from sale as the property of the United States, and shall not be subject after the passage of this act to entry, settlement, or occupation until further provided by law: Provided, That the President may at any time in his discretion by proclamation open any portion or all of the lands reserved by this provision to settlement under the homestead laws. (An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1889, and for other purposes, approved October 2, 1888.)

It was there provided that the lands embraced in the selected reservoir sites might be withdrawn from public entry.

In 1890 a similar provision was made for the continuance of the work:

Irrigation survey: For the purpose of investigating the extent to which the arid region of the United States can be redeemed by irrigation and the segregation of irrigable lands in such arid region, and for the selection of

sites for reservoirs and other hydraulic works necessary for the storage and utilization of water for irrigation and for ascertaining the cost thereof, and the prevention of floods and overflows, and to make the necessary maps, including the pay of employees in field and in office, the cost of all instruments, apparatus, and materials, and all other necessary expenses connected therewith, the work to be performed by the Geological Survey under the direction of the Secretary of the Interior, \$50,000, of which sum \$50,000 shall be immediately available; and the Director of the Geological Survey, under the supervision of the Secretary of the Interior, shall make a report to Congress on the first Monday in December of each year, showing in detail how the said money has been expended, the amount used for actual survey and engineer work in the field in locating sites for reservoirs, and an itemized account of the expenditures under this and any future appropriation. (An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1890, and for other purposes, approved March 2, 1890.)

In the sundry civil bill for the fiscal year ending June 30, 1891, found in 26 Statutes at Large, page 371, occurs the provision of law which is obnoxious and is reached by this amendment. I will incorporate that portion of the law relating to the subject-matter as a part of my remarks.

So much of the act of October 2, 1888, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1889, and for other purposes," as provides for the withdrawal of the public lands from entry, occupation, and settlement, is hereby repealed, and all entries made or claims initiated in good faith and valid but for said act shall be recognized and may be perfected in the same manner as if said law had not been enacted, except that reservoir sites heretofore located or selected shall remain segregated and reserved from entry or settlement as provided by said act, until otherwise provided by law, and reservoir sites hereafter located or selected on public lands shall in like manner be reserved from the date of the location or selection thereof. (An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes, approved August 30, 1890.)

The difficulty encountered under this condition of law is that these reservoir sites were laid out on paper and appear on the public records, but were nowhere surveyed upon the ground.

They are generally described by metes and bounds and by reference to natural objects and permanent monuments. No work has ever been done upon them of any kind, character, or description. We find in the Western country that ordinary roads can not be extended across these alleged reservoir sites any more than they can across Indian or military reservations. The amendment contemplates permitting the Secretary of the Interior, where, in his judgment, the public interest will be promoted or the public convenience requires, to modify the boundaries of such reservoir sites or to cancel a site altogether, if, in his judgment, it is best for the public interest so to do.

I do not desire to make any further observations on the subject or to extend the debate, but I will insert in my remarks, with the consent of the Senate, the entire legislation on this subject, which is quite brief indeed.

Mr. ALLISON. Mr. President, I desire to make inquiry of the Senator from Montana, who is familiar with the entire legislation with respect to reservoirs, forest reservations, etc. It is whether or not these reservoirs have in any way been segregated on the surface from other lands?

Mr. CARTER. They have not, except by general reference in a very carelessly drawn description in each case.

Mr. ALLISON. By statute?

Mr. CARTER. By means of a general description furnished by the Geological Survey under authority of law.

Mr. ALLISON. To registers and receivers of land offices, or the surveyor-general, or to whom?

Mr. CARTER. These reservoir sites have been segregated by a report made to the Secretary of the Interior, and by him transmitted to the Commissioner of the General Land Office, thus withdrawing the lands from public settlement, and prohibiting any invasion of the sites for any purpose, public or private.

Mr. ALLISON. They are segregations on paper.

Mr. CARTER. On paper.

Mr. ALLISON. With copies in the several land offices.

Mr. CARTER. Yes, sir.

Mr. ALLISON. I do not like to interfere with a matter of this character or make any suggestions respecting it, as it affects especially lands in the mountain States, but is there not some danger that if those reservoirs which have been thus segregated are now abandoned they will be occupied and taken by private persons, thus making it impossible for the Government in the future to secure such reservations?

Mr. CARTER. I have had in mind the possibility of some such result as the Senator suggests. It will be found in the act of Congress to which I last referred, the appropriation act of 1890, that these reservoir sites were rendered subject to location and entry under the general land laws of the United States, but except as taken for claims under the general land laws they are otherwise to be held as segregated from the public domain.

Now, the difficulty we encounter is, that we can not extend a public road across one of these alleged reservoir sites. There is not a stake in existence; there is not a monument or description to designate the boundaries; and in a particular case I have in mind, where a road was stopped in its construction, the reservoir site was near the summit of a mountain and there was no possi-

bility of ever getting any water into it unless by pumping the water up the mountain side.

This amendment contemplates permitting the Secretary of the Interior to modify the boundaries of the reservation, if you please, so as to permit a wagon road to pass over it, or a railroad, an irrigating canal, or any like public or semipublic improvement.

Mr. STEWART. I hope the Senator from Iowa will make no objection to this amendment.

Mr. CARTER. There can not be any objection to the amendment. No reservoir site will be interfered with under the amendment unless for the public good as viewed by the Secretary.

Mr. ALLISON. I am trying to understand the amendment. I am not objecting to it. In some bills there are propositions for the Government of the United States to enter upon a wide scheme of irrigation; and, again, that the lands to be irrigated are to be donated to the States. If we are to enter upon an irrigation scheme on the part of the United States, we ought to have a place to hold the water. I merely wish to protect the general interest of the plans of our friends who have this irrigation matter so near at heart.

Mr. STEWART. The objection was that they segregated all the lands to hold the water and did not leave any to be cultivated.

Mr. CARTER. I will suggest that in the State of Montana they took almost an entire county as a reservoir site, and that county is about as large as the State of Maryland. There was hardly any land left to be irrigated.

Mr. ALLISON. I do not object to the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Montana [Mr. CARTER]. The amendment was agreed to.

Mr. HANSBROUGH. I offer an amendment, to come in on page 7.

Mr. ALLISON. At this point, if the Senator from North Dakota will withhold his proposed amendment for a moment, I think it is wise that we should have some understanding with respect to an evening session. I regard an evening session as necessary, in view of the public-bill business, and therefore I now move that at half past 5 o'clock a recess be taken until 8 o'clock.

Mr. TILLMAN. I should like to inquire of the Senator from Iowa whether, if he drives us under whip and spur in this way and we should get through with the public business before Saturday at noon, we are to have some of the legislative corpses that have been laid away or have thought were dead brought to life here in the expiring hours? In other words, if we are to press onward now at this gait, without any obstruction whatever, with no disposition to do anything but to facilitate the passage of necessary bills, are we to have brought in other matters that would cause difference of opinion, argument, and all that kind of thing?

Mr. ALLISON. I hope not. I hope nothing will be brought forward that will not meet the approval of the Senator from South Carolina.

Mr. TILLMAN. It is not whether it meets the approval of the Senator from South Carolina or not. There are a good many matters—for instance, the subsidy shipping bill, the anti-scalping bill, the armor-plate business in the naval appropriation bill, and all that sort of thing, which will undoubtedly consume a good deal of time if they are insisted on.

Mr. HANSBROUGH. I suggest to the Senator from South Carolina to withhold the ceremonies until the corpses are brought in.

Mr. TILLMAN. We are not having any ceremonies on them. I am simply making an inquiry of the Senator who is acknowledged to be the leader on the other side and almost the leader of the Senate. We all respect and admire him, and we know his purpose, and the question is whether if we facilitate that purpose we are to be punished for it afterwards by having an unnecessary fight over something that can not pass.

Mr. ALLISON. I thank the Senator from South Carolina for his compliment to me. I will say to him that he himself has mentioned one reason why we should have a session to-night. He has given notice that there is to be a debate here upon what we call armor plate. I have no doubt the Senator from South Carolina will illuminate that subject.

Mr. TILLMAN. It may cause debate, depending upon the action of the Appropriations Committee.

Mr. ALLISON. Very well. Now, if these appropriation bills are to be considered, they must be pushed forward with reasonable rapidity consistent with careful and thorough consideration, and therefore it is necessary that certain matters should be done to-night. The Senator from Colorado [Mr. TELLER] made a conference report, which will undoubtedly take some time. It seems to me a night session is necessary. We may be able to adjourn early.

Mr. TILLMAN. I do not object and I do not propose to object. I will not do anything to obstruct business. I simply want a quiet understanding among ourselves that if we are to facilitate these necessary measures at all, those which will excite bitter controversy had better be let alone for the balance of the session.

Mr. ALLISON. I will say to the Senator that we can easily have such an understanding, and a public one as well.

Mr. HOAR. I think there ought to be a brief executive session this afternoon. There is the appointment of several judges on the table not acted upon.

Mr. ALLISON. If we can arrange for the business of the day and evening, I see no objection to having a brief executive session, or even an executive session more prolonged—for half an hour.

Mr. HOAR. Would it be convenient now?

Mr. ALLISON. I suggest that it be taken at 5 o'clock, or half past 4, so that we can continue until the recess in executive session if necessary.

The VICE-PRESIDENT. The question is on the motion of the Senator from Iowa, that the Senate take a recess from half past 5 until 8 o'clock this evening.

The motion was agreed to.

Mr. HOAR. I give notice that at half past 4 I shall move an executive session unless there be something very peculiar in the business of the session at that time.

The VICE-PRESIDENT. The amendment offered by the Senator from North Dakota [Mr. HANSBROUGH] will be read.

The SECRETARY. On page 70, after line 22, insert:

That the Secretary of the Interior is hereby directed to detail an inspector who shall negotiate with the Devils Lake band of Sioux Indians in North Dakota for the cession and relinquishment to the United States of whatever right or interest they may have in and to any and all land in said State to which they claim title, and for the purpose of fixing the boundaries of said reservation and of disposing of the surplus or unallotted lands of said tribes, subject to the approval of Congress. Said inspector shall also report to the Secretary of the Interior the number of the said Sioux Indians and the number of mixed-bloods, if any, who are entitled to consideration by the United States Government.

Mr. HANSBROUGH. This amendment carries no appropriation, and it is identical with the amendment already adopted, offered by the Senator from Wyoming [Mr. WARREN].

The amendment was agreed to.

Mr. HANSBROUGH. I desire to offer another amendment. On page 67, line 19, I move to strike out the word "six" and insert "ten."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 19, page 67, before the word "thousand," strike out "six" and insert "ten;" so as to read:

For necessary expenses of survey, appraisal, and sale of abandoned military reservations transferred to the control of the Secretary of the Interior under the provisions of an act of Congress approved July 5, 1884, and any law prior thereto, including a custodian of the ruin of Casa Grande, \$10,000.

The amendment was agreed to.

Mr. FRYE. I offer an amendment. I move to insert, after the word "Congress," in line 3, page 115:

For the construction and equipment of a repair steamer and for spare cable, \$350,000.

The amendment was agreed to.

Mr. TELLER. I ask the Senator from Iowa if he will allow me to call up the conference report that I made a short time since on the omnibus claims bill.

Mr. ALLISON. I understand that to be rather a lengthy report and an important one, and I will yield.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills, with amendments in which it requested the concurrence of the Senate:

A bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city;

A bill (S. 926) to provide for the erection of a public building at Beaumont, Tex.;

A bill (S. 706) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California;

A bill (S. 1056) to provide for a public building at Cleveland, Ohio; and

A bill (S. 1271) for a public building at the city of Wilkesbarre, Pa.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 6) to increase the limit of cost for the purchase of a site and the erection of a public building at Omaha, Nebr.;

A bill (H. R. 447) for the erection of a custom-house and post-office building at Brunswick, Ga.;

A bill (H. R. 484) providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa;

A bill (H. R. 521) for the erection of a public building at Fitchburg, Mass.;

A bill (H. R. 1088) to provide for the erection of a public building at Elizabeth City, N. C.;

A bill (H. R. 1130) to provide for a building for the use of the post-office and other civil offices in the city of Hot Springs, Ark.;  
A bill (H. R. 4076) for enlarging the public building at Topeka, Kans.;

A bill (H. R. 4306) for the erection of a public building in the city of Elgin, Ill.;

A bill (H. R. 3536) providing for an annex to the Federal building at Jackson, Miss.;

A bill (H. R. 11962) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois;

A bill (H. R. 11861) for the erection of a public building at Elmira, N. Y.; and

A bill (H. R. 11883) for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J.

#### ADDITIONAL REPORTS OF COMMITTEES.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 12123) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, to report it with amendments. I ask that it be printed, and I give notice that I shall call up the bill early to-morrow morning.

The VICE-PRESIDENT. The bill will be printed under the rule.  
Mr. PERKINS, from the Committee on Appropriations, to whom was referred the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, reported it without amendment.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 877) granting a pension to Charles F. Holmes;

A bill (H. R. 9293) granting a pension to Mary E. Robinson; and

A bill (H. R. 10334) granting a pension to Tennessee N. Buckles.

Mr. HANNA, from the Committee on Naval Affairs, reported an amendment proposing to appropriate \$250,000 to purchase from the Gathmann Torpedo Gun Company, of Chicago, Ill., the gun equipment for one or more of the harbor-defense monitors authorized by the act approved May 4, 1898, etc., and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

Mr. CAFFERY submitted the report of the minority of the Committee on Education and Labor on the bill (H. R. 7389) limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of or work done for the United States, or any Territory, or the District of Columbia; which was ordered to lie on the table and be printed.

#### BOWMAN ACT AND OTHER CLAIMS.

Mr. TELLER. I call up the conference report on the bill (H. R. 4938) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes.

The VICE-PRESIDENT. The Chair hears no objection, and the report is before the Senate.

Mr. TELLER. I do not think it will be necessary to read the bill in full, item by item, because there was but one amendment which consisted of a large number of items. The amendment has been read in the Senate, but not since we reported it before. I do not think it will be necessary to read it. There are no new items in it. I will make a statement of the report, and I believe this will avoid the necessity of reading again the items; I think I can give the information.

The House sent us a bill containing the judgments of the Court of Claims upon what are known as the Bowman and Tucker claims, amounting to \$1,189,515.55. The Senate had been instructed by an item in the general deficiency appropriation bill of 1897 to make a general bill, and to put into that bill a number of items that had passed the Senate, also the House, from time to time. We took the bill, which was reported to the Senate entire, and made it an amendment on the House bill.

The bill as it passed the Senate carried an appropriation of \$9,030,000. The House did not accept our amendment and the bill went into conference. The Senate amendment contained \$377,964.74 of Tucker and Bowman claims that had come from the court after the House bill had been prepared. The Senate also added to that bill an item of \$1,055,473 as French spoliation claims, and then added quite a large number of miscellaneous claims, bringing the amount up, as I said, to \$9,000,000 and upward.

After a large number of conferences, lasting pretty nearly through the whole session so far, we report a bill that carries \$3,100,768.38. The bill as is now proposed contains every provision that came in the House bill. All the items in the House bill are left in. They were Court of Claims cases. It contains \$377,964 of Tucker and Bowman claims added by the Senate. So, up to the time the Senate bill was passed, there are no Bowman and

Tucker cases from the courts that are not provided for in this bill. The French spoliation claims, all that had come from the court up to that time, are in this bill.

In order to bring the bill down to what the members of the House thought was a bill of a character that they could properly ask the House to pass, we were compelled to reduce the \$9,000,000 to \$3,000,000, or in that neighborhood, and in doing so we left out a great number of cases that we all agreed were meritorious. I say that, because I do not want it to be understood that the committee intended to cast any reflection on a great number of these cases, but we determined in order to get an agreement upon the bill to make a rule that we would not put in the bill any claim unless it had passed either the House or the Senate and had had a favorable report from the House that it had not passed. I wish to say that some of the cases here have had at least six or eight reports, and some of them have had nearly that number from both Houses. The bill, then, carries Tucker and Bowman claims of about \$1,500,000, over a million for French spoliations, and \$482,802 of miscellaneous claims.

There are a large number of claims known as the Selfridge board cases for ships. We struck out one case that was known as the Roach case because it was objected to and because it was said that there had been a bill or two passed at this Congress for the relief of that concern and we ought not to pass too many at once.

Then we took the balance of the cases, and after consulting with those who represented the claimants we made a horizontal reduction of 20 per cent. The House insisted upon that or else that they all should go out. We eliminated all the church and school cases.

In addition to the claims I have mentioned, the bill carried originally a large amount for State claims against the Government for money expended during the war of the rebellion, in Indian wars, etc., California having a claim of almost \$4,000,000. We found it impossible to secure the approval of the conferees on the part of the House that those claims should remain in the bill. Oregon had a claim for about \$335,000. Nevada had a claim in the neighborhood of that amount.

Mr. STEWART. Four hundred thousand dollars.

Mr. TELLER. Four hundred thousand dollars. And Florida had a small claim of a few thousand, and Wyoming one of eight or nine thousand dollars. The House conferees would not allow the State claims to be in. The Oregon case has gone to the Court of Claims, and is there pending.

Mr. PERKINS. I desire to ask the Senator from Colorado concerning the claim of the State of California for supplies furnished troops and manning and equipping them during the civil war from 1861 to 1865, amounting to some three million nine hundred and odd thousand dollars, which has been favorably reported upon during five different Congresses, I think, which has been passed in three different Congresses, and which was placed upon this omnibus bill, so called, unanimously by the Senate. Did the conferees on the part of the Senate recede from that amendment also; and if so, what is its status to-day?

I incidentally learned a few minutes since that the claim of the State of Nevada had been referred to the Secretary of the Treasury for report. If the committee desire further light upon the California claim, we are willing again to place it under the Roentgen rays of investigation, but really we do not want to wait as long as the French spoliation claims have waited to have them adjudicated. If the Nevada claims have been referred to the Treasury Department, I would ask the Senator from Colorado if our claims can not also follow in that same path.

Mr. TELLER. I will say to the Senator that I have examined the California cases somewhat. As he states, it had a most thorough examination at the hands of the committees of both Houses, and I do not believe it needs any further examination. It is one of those claims that ought to be paid, and at the next session we shall be able, I think, without seeking any further light on the subject, to pay the claim.

Mr. PERKINS. In view of the fact that a part of those claims have been referred to the Treasury Department, I do not want the opportunity to pass of adding any further respectability to our claim, if it will do so, by having it follow the course of other State claims.

Mr. TELLER. There were objections made to the Nevada case, and it was thought best that it should go to the Department for further examination. I do not think the Senator need press this matter at all. I do not think it would expedite the claim. I think he had better leave it as it is.

Mr. PERKINS. I will defer to your judgment.

Mr. TELLER. I want to say to the Senator that even the conferees on the part of the House were not unfriendly to his claim, but they felt that we were getting too big a bill. That is the plain English.

Mr. WHITE. If the Senator from Colorado will permit me, I believe the Senator from Colorado and the conferees upon the

part of the Senate have done their very best in this matter. I feel that an allowance of these claims should have been made—

Mr. TELLER. So do I.

Mr. WHITE. I am satisfied that the conferees on the part of the House are likeminded. But it was impossible, in view of the characteristics of the entire measure, to do more than they have done.

Referring to the French spoliation claims, I have only this remark to make. There was an element of mercy about that situation, because everyone connected with the subject had died. So when the final refutation of the claims arrived there were no sufferers. Possibly we may be ultimately included in that pleasant category.

Mr. PASCO. By the permission of the Senator from Colorado, I wish to say that the California State claim was not the only meritorious State claim which was omitted from the bill, and it was only because of the absolute impossibility of procuring the recognition of this class of claims in this bill that the Senate conferees at last yielded. Otherwise the whole bill would have failed, for the House conferees felt compelled to carry out the views of their friends in that body, and upon their continued insistence the State claims were left out. There was in the bill an important claim in which the State of Florida was interested upon which a favorable agreement should have been reached, but that and other claims have been postponed to the future, and we have every reason to believe that when they are reached in the next Congress the efforts to secure their settlement will be successful.

Mr. SPOONER. Will the Senator from Colorado allow me to ask him a question?

Mr. TELLER. Certainly.

Mr. SPOONER. Are all the State claims eliminated from the bill?

Mr. TELLER. All of the State claims are eliminated. Even those that could not be questioned in the slightest degree had to be eliminated.

Mr. SPOONER. There are only claims of individuals that remain in the bill?

Mr. TELLER. Individual claims.

Mr. SPOONER. The French spoliation claims remain in the bill.

Mr. TELLER. They are individual claims, and remain in the bill just as they came from the court, without any change.

Mr. SPOONER. Are any claims in the bill which Congress has barred by the statute of limitations?

Mr. TELLER. No; I think not. I do not recall any of that character.

Mr. ALLISON. May I ask the Senator a question?

Mr. TELLER. I should like to say that there is practically no item in the bill that can be controverted from any standpoint whatever.

Mr. ALLISON. Will the Senator allow me to interrupt him?

Mr. TELLER. Certainly.

Mr. ALLISON. I should like to know whether the bills that have been considered by the committee and the items known as claims are now all finally adjudicated, or are we to have them, as we have had them heretofore, upon appropriation bills and upon our Calendars as separate and individual claims? Is the matter now so adjusted as that we shall have a statute of limitations running against them?

Mr. SPOONER. Like the poor, we always have them with us.

Mr. STEWART. There is no statute of limitations against those left out.

Mr. ALLISON. Of course, I would not attempt to exclude the claim of the State of Nevada.

Mr. TELLER. I believe the great number eliminated from this bill will be eventually paid. They are just and righteous claims, and ought to be paid, and will be paid. We get rid of a great number of claims because the Bowman Act claims consist of very many small claims spread throughout the country. For instance, I will take the State of Kentucky. There are two and a half or three pages of Kentucky items, all small; and so on through other States. We thought it was best to get what we could on this bill and let the rest wait for further consideration.

Mr. SPOONER. Will the Senator state the aggregate of the claims?

Mr. TELLER. Three million one hundred thousand dollars, all told.

Mr. SPOONER. What is the aggregate of the French spoliation claims?

Mr. TELLER. The French spoliation claims which had been reported—and those are all that ever will be reported—amount to \$1,035,473.

Mr. SPOONER. Does this include any of the Southern war claims?

Mr. TELLER. The Southern war claims, or Bowman and Tucker claims, amount to \$1,547,480.29, and are largely distributed over the country in small items. I wish to say that the pressure upon the committee to allow these claims to become a law was

simply immense. We were appealed to by people who have had these claims, who have waited for them for many years and believed they were just, and who were in great financial distress. The committee felt that while we were right in putting upon the bill the original number we did, it would hardly be fair to those people to allow the session to pass without the passage of some relief.

Mr. FAIRBANKS. I should like to ask the Senator whether the Overton Hotel Company claim is embraced in this bill?

Mr. TELLER. It is.

Mr. ALLISON. Mr. President, we can not hear what Senators are saying.

Mr. TELLER. The Senator from Indiana asked me if there is a claim in the bill called the Overton claim. It is in the bill.

Mr. FAIRBANKS. I will say to the Senator, if that claim is included in the bill, I shall object to the report. I do not think the claim should be paid under any fair rule, and if you can not separate it from the other claims, I shall have to object to the report.

Mr. TELLER. I will state that that is a case which has had the adjudication of the court; and it has had the adjudication of the Senate and of the House several times. It is a provision in the bill that the Senate conferees had no control over, because it was insisted upon by our associates in the House. We were not at liberty to leave that out. I suggested, because I knew the opposition of the Senator from Indiana, that it should be left out; but we were not able to do it.

Mr. FAIRBANKS. That claim is substantially this. It is true it has been to the Court of Claims under a resolution passed by the Senate some years ago. That resolution directed the Court of Claims to determine the question as to the loyalty of the Overton Hotel Company, and the company by an adjudication of the court was held to be loyal. It does seem to me that the resolution of the Senate was not broad enough; that the question should have been determined whether the stockholders of the corporation were loyal or disloyal. It seems to me that the question which should have been submitted to the court and have been decided by it was this: Were the stockholders, those for whose direct benefit the money is to be appropriated, loyal?

From my investigation the stockholders of the Overton Hotel Company were absolutely disloyal during the war. The fact is attested over and over again and beyond question by the records of the War Department. And I therefore, Mr. President, protest against the allowance of this claim. It is a very large one, amounting, as I recollect, to something like \$52,000.

Mr. TELLER. Fifty-three thousand dollars.

Mr. FAIRBANKS. Fifty-three thousand dollars, as the Senator from Colorado says. The Senator was aware of my objection to the claim, and I am glad to know he has urged the objection in the conference committee. I do not think that there is any ground upon which an allowance of this claim can be justified.

Mr. TELLER. I wish to say that I differ from the Senator from Indiana on that proposition. I think it is a claim that can be supported, that has been supported by the committees of this body and of the other repeatedly. I want to say to him that, not wishing to get into any controverted question, I would have gladly left that claim out if I could, but you can not always do in a conference committee what you want to do.

I do not think because there may be some question raised by the Senator that it ought to jeopardize this bill, and I trust it will not. I think it is one of those cases in which there might be a difference of opinion, and yet, if it had been committed to me, I should have reported it again as it has been reported heretofore by very eminent members of this body.

Mr. President, every item in this bill has been read once, and most of the items have been twice read to the Senate. If the Senate thinks it necessary that they should be read again, it can be; but I ask that we may adopt the conference report and send it to the other House, as the committee in that body are very anxious we should hurry it over there so that it may be finally disposed of.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills, with amendments in which it requested the concurrence of the Senate:

A bill (S. 88) to provide for the purchase of sites for public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes;

A bill (S. 164) to provide for the construction of a public building at Butte City, Mont.;

A bill (S. 246) to authorize and empower the Secretary of the Interior to adjust and settle the accounts of the Kaskaskia, Peoria, Piankeshaw, and Wea Indians;

A bill (S. 927) to provide for the erection of a public building at Abilene, Tex.;

A bill (S. 1896) to provide for the purchase of a site, and for the erection of a public building thereon, at Salt Lake City, the capital of the State of Utah; and

A bill (S. 2048) for the erection of a public building at Fergus Falls, Minn.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 75) providing for the erection of an addition to the United States public building at Canton, Ohio;

A bill (H. R. 414) for the erection of a public building at Tampa, Fla.;

A bill (H. R. 524) to erect a public building at Lawrence, Mass.;

A bill (H. R. 2129) to provide for the erection of a public building at Kansas City, Kans.;

A bill (H. R. 4318) for the erection of a public building at the city of Jamestown, N. Y.;

A bill (H. R. 9077) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891;

A bill (H. R. 10753) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate \$58,000 therefor;

A bill (H. R. 11056) authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn.;

A bill (H. R. 11814) to provide for a public building at New Iberia, La.;

A bill (H. R. 11530) authorizing the extension of the post-office building at Springfield, Mass.;

A bill (H. R. 11683) providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York; and

A bill (H. R. 11712) to provide a site for a building for the Washington Public Library.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice-President:

A bill (S. 571) granting a pension to Susan Millsop;

A bill (S. 896) granting a pension to Mary J. Hill;

A bill (S. 1040) to provide compensation for a bridge and for buildings and other improvements constructed by certain persons upon public lands afterwards set apart and reserved as the Yellowstone National Park;

A bill (S. 1071) granting a pension to Abigail R. Ellet;

A bill (S. 1209) granting an increase of pension to John H. Gearkee;

A bill (S. 1245) granting an increase of pension to George W. Emery;

A bill (S. 1378) granting a pension to William F. Gowdy;

A bill (S. 1619) granting a pension to Michael Lannon;

A bill (S. 1759) granting a pension to James H. Preston;

A bill (S. 1968) granting an increase of pension to William Sharrock;

A bill (S. 1976) granting an increase of pension to Annie E. Ruff;

A bill (S. 2217) to increase the pension of Aaron B. Page;

A bill (S. 2235) granting an increase of pension to Henry Hatch;

A bill (S. 2335) granting an increase of pension to Charles Edson;

A bill (S. 2497) granting a pension to Elizabeth J. Cook;

A bill (S. 2904) for the investigation of leprosy;

A bill (S. 3136) granting an increase of pension to William O. Terry;

A bill (S. 3227) granting a pension to John W. Lay;

A bill (S. 3325) granting a pension to Maria S. Whitney;

A bill (S. 3532) granting a pension to J. K. Hager;

A bill (S. 3766) granting an increase of pension to Nancy M. Lindsey;

A bill (S. 3911) granting a pension to Henry C. Bedell;

A bill (S. 4366) granting a pension to Elizabeth M. Mead;

A bill (S. 4382) granting an increase of pension to Eliza M. Miller;

A bill (S. 4416) granting a pension to Mary F. Hilliard;

A bill (S. 4480) granting a pension to Winburn Hicks;

A bill (S. 4483) granting an increase of pension to John H. Crandall;

A bill (S. 4485) granting a pension to John Lindquist;

A bill (S. 4635) granting an increase of pension to John B. Boggs;

A bill (S. 4681) granting an increase of pension to Joseph F. Mollere;

A bill (S. 4748) for the relief of Charles K. Kirby and Edinger Bros. & Jacobi;

A bill (S. 4845) granting an increase of pension to George H. Lamport;

A bill (S. 4918) granting an increase of pension to Jehiel J. Stevens;

A bill (S. 5169) authorizing the legislative assembly of the Territory of New Mexico to create additional indebtedness for the completion and furnishing of the Territorial capitol;

A bill (S. 5264) granting an increase of pension to Bartlett Corniff;

A bill (S. 5267) granting an increase of pension to Charles E. Banfield;

A bill (S. 5386) restoring to the pension roll the name of Samuel S. McDonald;

A bill (S. 5435) granting a pension to Emma J. McIntire;

A bill (S. 5450) to attach Claiborne County, Miss., to the western division of the southern judicial district of Mississippi;

A bill (S. 5513) to amend an act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," and extending the time for constructing and operating the said railway for two years from the 5th day of April, 1899;

A bill (H. R. 2524) for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia;

A bill (H. R. 3271) to increase the pension of Mrs. Rebecca S. Foster;

A bill (H. R. 3567) to remove the charge of desertion against Gardner Dodge;

A bill (H. R. 5326) for the relief of Thomas Hickey;

A bill (H. R. 5497) to provide for terms of the circuit and district courts of the western judicial district of the State of Texas to be held at the city of Laredo, and for other purposes;

A bill (H. R. 11217) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes;

A bill (H. R. 11266) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900;

A bill (H. R. 11868) to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes;

A joint resolution (S. R. 202) providing for the printing of the report on the financial and industrial condition of the Philippine Islands, by Edward W. Harden, special commissioner of the United States; and

A joint resolution (S. R. 239) authorizing the Director of the Geological Survey to prepare maps of Alaska showing all known topographic and geologic features, etc.

#### SENATORIAL INVESTIGATION.

Mr. CHANDLER. I am instructed by the Committee on Privileges and Elections, to whom was referred a certified copy of the report of the committee appointed by the senate of the State of Ohio, pursuant to senate resolution No. 21, to investigate the charges of bribery in the election of Hon. MARCUS A. HANNA to the Senate of the United States, to submit a written report. The conclusion of the committee is not to ask the Senate for authority and direction to take further testimony, but to ask to be discharged from the further consideration of the report of the State senate of Ohio. I ask that the report may be printed and laid upon the table.

The Senator from Tennessee [Mr. TURLEY] desires to make a minority report.

Mr. TURLEY. On behalf of the three members of the committee whose names are signed to the report which I submit I present a minority report, in which we find that there should be further inquiry and investigation. I ask that the views of the minority may also be printed and laid upon the table.

Mr. CHANDLER. Let them be printed with the majority report.

Mr. TURLEY. Yes; printed with the majority report. The VICE-PRESIDENT. That order will be made, in the absence of objection.

Mr. CHANDLER. The Senator from Nebraska [Mr. ALLEN] also desires to present a report in his own behalf.

Mr. ALLEN. I did not join either the majority or the minority in their reports. I submit the following report for myself:

In view of the fact that this Congress will expire within the next three days and that the term of service of Mr. HANNA will expire with it, it is apparent that there is not time within which to consider the case, and it will perforce of circumstances fall with the close of the session. My term of office expires with this Congress, and I do not under such circumstances deem it wise to express an opinion as to what a future Congress should do to which Mr. HANNA has been elected.

Respectfully submitted.

WILLIAM V. ALLEN.

The VICE-PRESIDENT. The report submitted by the Senator from Nebraska [Mr. ALLEN] will be printed in connection with the other reports, in the absence of objection.

#### PUBLIC BUILDING AT CLEVELAND, OHIO.

Mr. QUAY. There are four or five public-building bills, which came from the House of Representatives, on the table of the Vice-

President. I should be glad to have them laid before the Senate and have a vote upon concurring in the House amendments.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1036) to provide for a public building at Cleveland, Ohio; which were, on page 1, line 16, after the word "service," to insert "Weather Bureau;" and on page 2, line 23, to strike out the word "five" and insert "two."

Mr. QUAY. I desire to invite the attention of the Senator from Ohio to this bill. Unless there are objections, I will move that the Senate concur in the amendments of the House of Representatives.

Mr. FORAKER. The Senator from Pennsylvania makes inquiry in regard to the Cleveland post-office building?

Mr. QUAY. Yes; the bill for that building is now before the Senate, and the question is on concurring in the amendments of the House of Representatives. I move concurrence.

The motion was agreed to.

Mr. HANNA subsequently said: I move to reconsider the vote by which the Senate concurred in the amendments of the House of Representatives.

The motion was agreed to.

Mr. HANNA. I move that the Senate nonconcur in the amendments of the House of Representatives and request a conference on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. FAIRBANKS, Mr. MANTLE, and Mr. MURPHY were appointed.

#### PUBLIC BUILDING AT OAKLAND, CAL.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 706) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California, which were, on page 1, line 7, after the word "apparatus," to strike out "elevators;" on page 1, line 11, after the word "apparatus," to strike out "elevators;" on page 1, line 12, after the word "of," strike out "three" and insert "two;" on page 1, line 13, to strike out all after the word "dollars" down to and including line 16, page 2; and on page 3 to strike out all after line 53 down to and including line 84, on page 4.

Mr. PERKINS. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### PUBLIC BUILDING AT BEAUMONT, TEX.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 926) to provide for the erection of a public building at Beaumont, Tex., which were, on page 1, line 7, to strike out the word "elevators;" on page 1, line 12, to strike out the word "elevators;" on page 1, line 12, to strike out "one hundred" and insert "seventy-five;" and on page 1, line 13, to strike out all after the word "dollars" down to and including the word "therein," in line 20.

Mr. CHILTON. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### PUBLIC BUILDING AT WILKESBARRE, PA.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1271) for a public building at the city of Wilkesbarre, Pa., and appropriating money therefor, which were, on page 1, line 5, to strike out "cause to be erected thereon, a" and insert "to contract for the erection and completion thereon of a;" on page 1, line 12, to strike out "two" and insert "one;" on page 2, line 22, to strike out all after "alleys" down to and including the word "therein," in line 29; and to amend the title so as to read: "A bill for a public building at the city of Wilkesbarre, Pa."

Mr. QUAY. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### PUBLIC BUILDING AT TOPEKA, KANS.

The bill (H. R. 4076) for enlarging the public building at Topeka, Kans., was read twice by its title.

Mr. BAKER. The House has passed this bill, and it is precisely similar to a bill which was favorably reported by the Committee on Public Buildings and Grounds of the Senate. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BAKER. I move that the Senate bill on the same subject, being the bill (S. 5321) for enlarging the public building at Topeka, Kans., be indefinitely postponed.

The motion was agreed to.

#### ANNEX TO FEDERAL BUILDING AT JACKSON, MISS.

The bill (H. R. 5536) providing for an annex to the Federal building at Jackson, Miss., was read twice by its title.

Mr. MONEY. I ask consent to have that bill put upon its passage. An exactly similar bill has been reported favorably by the Senate committee. The annex provided for in the bill is very much needed, and I hope there will be no objection to considering the bill at this time. It will take but a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT JOLIET, ILL.

The bill (H. R. 10962) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois, was read twice by its title.

Mr. CULLOM. I ask unanimous consent that that bill may be considered at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT DUBUQUE, IOWA.

Mr. ALLISON. I think, respecting the public-building bills which have passed the House of Representatives, they should all be treated practically upon the same plane.

Mr. HOAR. I was about to make the same statement.

Mr. ALLISON. I am very much obliged to the Senator for making that suggestion. These bills have been maturely considered in both Houses.

Mr. CULLOM. Most of them were introduced here in exactly the same terms in which they have passed the other House.

Mr. ALLISON. Certainly. If they are to be availed of, so far as sufficient appropriations are concerned, of course the appropriations must be made upon the sundry civil bill now pending. Therefore, I hope that whatever course may be adopted as to any one of these bills, it may be followed as to all of them in so far as they have received the consideration of the Senate.

I now ask unanimous consent that House bill 484, in relation to the public building in Dubuque, Iowa, may be laid before the Senate.

Mr. HOAR. I arose to make the same suggestion about the public building at Fitchburg, Mass. That bill has not only passed the House of Representatives, but it is exactly alike in every syllable with the bill which has been reported by the Senate committee. I desire to have that put upon its passage after the bill of the Senator from Iowa shall have been considered.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 484) providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa; which was read twice by its title.

Mr. ALLISON. I ask unanimous consent for the consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT FITCHBURG, MASS.

Mr. HOAR. I now ask that the bill in relation to the public building at Fitchburg, Mass., may be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 521) for the erection of a public building at Fitchburg, Mass., which was read twice by its title.

Mr. HOAR. I ask unanimous consent for the present consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT OMAHA, NEBR.

Mr. ALLEN. I ask that the House bill in relation to the purchase of a site and the erection of a public building at Omaha, Nebr., may be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 6) to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr.; which was read twice by its title.

Mr. ALLEN. I ask unanimous consent for the immediate consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT CANTON, OHIO.

Mr. FORAKER. I ask that House bill No. 75, for an addition to the United States public building at Canton, Ohio, may be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 75) providing for the erection of an addition to the United States public building at Canton, Ohio; which was read twice by its title.

Mr. FORAKER. I ask unanimous consent for the immediate consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HOAR. I should like to know what became of the bill for a public building at Lawrence, Mass., which came from the other House and has not been laid before the Senate?

Mr. CULLOM. I suggest that we take up the bills in their order, and then we shall be able to consider them all.

Mr. CHILTON. Yes; let us consider them regularly.

Mr. PRITCHARD. I suggest that we follow that course and take up the public-building bills in regular order.

The VICE-PRESIDENT. In the absence of objection, that course will be followed.

#### PUBLIC BUILDING AT BRUNSWICK, GA.

Mr. CLAY. I ask that the bill for a public building at Brunswick, Ga., may now be laid before the Senate.

Mr. CULLOM. I hope we shall proceed in regular order.

Mr. CLAY. I will state that this is the next bill in order, according to my understanding. This bill has passed the House of Representatives, and the Senate committee unanimously reported a similar Senate bill.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 447) for the erection of a custom-house and post-office building at Brunswick, Ga.; which was read twice by its title.

Mr. CLAY. I ask unanimous consent for the present consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT MINNEAPOLIS, MINN.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 11056) authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn.; which was read twice by its title.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. WHITE. I desire to make a suggestion in connection with this matter. There are bills providing for public buildings which have passed this body, bills which are supported by the necessities of the case, and which have not been acted upon by the House of Representatives. Now, if we are to adopt a rule whereby a bill which has passed the House of Representatives is to be attached to the sundry civil bill, and other bills equally meritorious, and in some cases more decidedly so, are to be ignored, it is a very serious matter and places Senators on this floor in a very dubious attitude.

While I shall not object to any favor that the Senate may see fit to accord any locality in this direction, I do not hesitate to say that I think this body ought to do something to preserve its status and assert its rights in regard to the matter to which I have alluded. I know of several bills which have passed this body that are tied up elsewhere for reasons which have not found their justification in any expressed view.

#### CUSTOM-HOUSE AT BALTIMORE, MD.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city.

Mr. GORMAN. I move that the Senate nonconcur in the amendments of the House of Representatives.

The motion was agreed to.

Mr. GORMAN. I move that the Senate request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. GORMAN, Mr. MURPHY, and Mr. SPOONER were appointed.

#### PUBLIC BUILDING AT ABILENE, TEX.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 937) to provide for the erection of a public building at Abilene, Tex., which were, on page 1, line 7, to strike out the word "elevators;" page 1, line 11,

to strike out the word "elevators;" page 1, line 12, strike out "one hundred" and insert "seventy-five;" page 1, line 12, strike out all after the word "dollars" down to and including the word "therein," in line 19 on page 2.

Mr. CHILTON. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### PUBLIC BUILDING AT LAWRENCE, MASS.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 524) to erect a public building at Lawrence, Mass.; which was read twice by its title.

Mr. HOAR. I hope that the bill may be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT KANSAS CITY, KANS.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 2129) to provide for the erection of a public building at Kansas City, Kans.; which was read twice by its title.

Mr. HARRIS. This bill is identical with Senate bill 5408. I ask that it be placed upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HARRIS. I move that the bill (S. 5408) to provide for the erection of a public building at Kansas City, Kans., be indefinitely postponed.

The motion was agreed to.

#### PUBLIC BUILDING AT ELGIN, ILL.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 4306) for the erection of a public building in the city of Elgin, Ill., which was read twice by its title.

Mr. CULLOM. I hope that the bill may be considered without delay.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT ELIZABETH CITY, N. C.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 1088) to provide for the erection of a public building at Elizabeth City, N. C., which was read twice by its title.

Mr. PRITCHARD. The bill is an exact copy of a bill which has already passed the Senate, and I therefore ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT NEW BRUNSWICK, N. J.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 11883) for the purchase of a site, and the erection of a public building thereon, in the city of New Brunswick, N. J., which was read twice by its title.

Mr. SEWELL. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT ELMIRA, N. Y.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 11861) for the erection of a public building at Elmira, N. Y., which was read twice by its title.

Mr. SEWELL. The Senator from New York would like to have the bill taken up at this time. He is absent temporarily.

The VICE-PRESIDENT. The Senator from New Jersey requests, on behalf of the Senator from New York, unanimous consent for the present consideration of the bill. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT JAMESTOWN, N. Y.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 4318) for the erection of a public building at the city of Jamestown, N. Y.; which was read twice by its title.

Mr. MURPHY. I ask that the bill may be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### HOUSE BILLS REFERRED.

The bill (H. R. 11712) to provide a site for a building for the Washington Public Library was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

The bill (H. R. 9077) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891, was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

#### PUBLIC BUILDING AT TAMPA, FLA.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 414) for the erection of a public building at Tampa, Fla.; which was read twice by its title.

Mr. PASCO. The Senate has already passed a bill having the same purpose in view, but with a different limit of cost. I ask that this bill may now be considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PASCO. In order to make it correspond with the Senate bill I move to amend the bill by changing the limit of cost. On page 1, line 12, I move to strike out "one hundred thousand dollars" and insert "three hundred and fifty thousand dollars;" and in line 6, page 2, I move to strike out "one hundred thousand dollars" and insert "three hundred and fifty thousand dollars."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. PASCO. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. QUAY, Mr. MONEY, and Mr. WARREN were appointed.

#### PUBLIC BUILDING AT BROOKLYN, N. Y.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 11086) providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York; which was read twice by its title.

Mr. MURPHY. I ask unanimous consent that the bill may now be put on its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### POST-OFFICE BUILDING AT SPRINGFIELD, MASS.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 11530) authorizing the extension of the post-office building at Springfield, Mass.; which was read twice by its title.

Mr. HOAR. I should like to have the bill considered at this time.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT BLAIR, NEBR.

Mr. ALLEN. I ask unanimous consent for the present consideration of the bill (H. R. 10909) for the erection of a public building in the city of Blair, Nebr.

There being no objection, the bill was read twice and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT ABERDEEN, S. DAK.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 109) for the erection of a public building at Aberdeen, S. Dak.

The amendments of the House of Representatives were, on page 1, lines 11 and 12, to strike "one hundred" and insert "eighty-seven;" and on page 1, line 15, to strike out after the word "alleys" down to and including line 4, section 2.

Mr. PETTIGREW. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

#### NEW YORK CUSTOM-HOUSE BUILDING.

Mr. QUAY. I desire to have the New York custom-house bill laid before the Senate.

The VICE-PRESIDENT. The bill has been laid before the Senate and referred to the Committee on Public Buildings and

Grounds. Does the Senator desire to make any motion in reference to it?

Mr. QUAY. I did. I intended to move to discharge the committee and that the bill should lie on the table.

The VICE-PRESIDENT. If there be no objection, the action by which the bill was referred to the Committee on Public Buildings and Grounds will be reconsidered, and the bill will lie on the table.

Mr. NELSON. There is a Senate public-building bill for Fergus Falls, Minn., which has just come back with House amendments. I ask that it be taken up for the purpose of concurring in the amendments.

The VICE-PRESIDENT. The Chair will lay the public-building bills before the Senate. There are several of them.

Mr. RAWLINS. I ask that those bills be laid before the Senate in their order. There are three or four of them.

#### PUBLIC BUILDING AT FERGUS FALLS, MINN.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3048) for the erection of a public building at Fergus Falls, Minn.

The amendments of the House were, on page 1, line 7, to strike out the word "elevators;" on page 1, line 14, to strike out "one hundred and;" and on page 1, line 14, to strike out all after the word "dollars" down to and including line 26, page 2.

Mr. NELSON. I move that the amendments of the House be concurred in.

The motion was agreed to.

#### NEW YORK CUSTOM-HOUSE BUILDING.

Mr. RAWLINS. I ask that the Senate bills with House amendments be laid before the Senate in their order.

Mr. MURPHY. I ask for the present consideration of House bill No. 9077.

The VICE-PRESIDENT. The bill will be read. The bill was referred in the absence of the Senator from New York, but the reference has been rescinded. The Senator from New York requests the present consideration of the bill. Is there objection?

There being no objection, the bill (H. R. 9077) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDINGS AT HASTINGS AND NORFOLK, NEBR.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 88) to provide for the purchase of sites for public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes.

The amendments of the House were, on page 1, line 8, after the word "apparatus" to strike out "elevators;" and on page 3, to strike out all after line 51 down to and including line 63, page 4.

Mr. ALLEN. What is the appropriation made by the bill for each place?

The SECRETARY. Ten thousand dollars for each place.

Mr. ALLEN. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### PUBLIC BUILDING AT SEATTLE, WASH.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 346) providing for the erection of a public building at the city of Seattle, in the State of Washington.

The amendments of the House were, on page 1, line 13, to strike out "five" and insert three; on page 1, line 14, strike out all after the word "dollars" down to and including line 3, page 2, and on page 3 to strike out all after line 15 down to and including line 4, page 4.

Mr. TURNER. I move that the amendments of the House of Representatives be concurred in.

The motion was agreed to.

#### PUBLIC BUILDING AT BUTTE CITY, MONT.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 164) to provide for the construction of a public building at Butte City, Mont.

The amendments of the House were, on page 1, line 13, to strike out "three" and insert "two;" on page 2, line 1, to strike out all after the word "dollars," down to and including line 4, and to strike out all of page 3, down to and including the word "approaches," in line 4, page 4.

Mr. MANTLE. I move that the Senate concur in the House amendments.

The motion was agreed to.

## PUBLIC BUILDING AT SALT LAKE CITY.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1898) to provide for the purchase of a site and for the erection of a public building thereon at Salt Lake City, the capital of the State of Utah.

The amendments of the House were, on page 1, line 10, to strike out all after the word "Utah," down to and including "ground" in line 11; on page 1, line 14, to strike out "five" and insert "three;" on page 2, line 16, to strike out "three" and insert "two;" and on page 2, line 20, to strike out all after the word "Department," down to and including line 36, and insert:

Providing that the Secretary of the Treasury is hereby authorized and directed to sell at public or private sale, after due advertisement, the building and land known as the Industrial Christian Home, in the city of Salt Lake, State of Utah, and to deposit the proceeds of the sale after the payment of the usual incidental expenses in the United States Treasury as miscellaneous receipts derived from the sale of Government property.

Sec. 2. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. RAWLINS. I move that the Senate concur in the House amendments to this bill.

The motion was agreed to.

## EXECUTIVE SESSION.

Mr. HOAR. I move the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-five minutes spent in executive session the doors were reopened, and the Senate took a recess until 8 o'clock p. m.

## EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

## HAWAIIAN GOVERNMENT PROPERTY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, was referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State inclosing an inventory of the property of the Hawaiian Government transferred to the United States under the act of Congress approved July 7, 1893, providing for the annexing of the Hawaiian Islands to the United States.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,

Washington, February 28, 1899.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 477) to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin;

A bill (H. R. 1079) to enlarge and improve the United States public building at Columbus, Ga.;

A bill (H. R. 1631) to provide for the purchase of a site and the erection of a public building thereon at Rome, in the State of New York; and

A bill (H. R. 2598) for the erection of a public building at Newport, Vt.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11688) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900.

## PUBLIC BUILDING AT NEW IBERIA, LA.

Mr. McENERY. I should like to call up House bill 11314, which has just been received from the House of Representatives. I ask that the bill be put upon its passage.

The bill (H. R. 11314) to provide for a public building at New Iberia, La., was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## REORGANIZATION OF THE ARMY.

Mr. KYLE. Mr. President, I rise for the purpose of making a little explanation. Yesterday I was absent from the Chamber on account of illness, and was paired, as I thought, upon the Army bill; at least, I sent instructions to the Senate to be paired upon that question. Had I been present at that time, I should have voted in favor of the Army bill as it passed.

## ORDER OF BUSINESS.

Mr. KENNEY. I ask unanimous consent for the present consideration of Senate joint resolution 196.

Mr. WOLCOTT. Will the Senator from Delaware give way? I understand that the Chair has other matters to lay before the Senate, bills which have passed the House. Will not the Senator give way until the bills which have passed the House have been laid before the Senate?

Mr. KENNEY. It will not take a moment to pass the joint resolution. It is very short. However, I will give way.

## PUBLIC BUILDING AT NEWPORT, VT.

The bill (H. R. 2598) for the erection of a public building at Newport, Vt., was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## PUBLIC BUILDING AT ROME, N. Y.

The bill (H. R. 1631) to provide for the purchase of a site and the erection of a public building thereon at Rome, in the State of New York, was read the first time by its title.

Mr. WOLCOTT. I ask unanimous consent on behalf of the Senator from New York that this bill may be acted upon.

The bill was read the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## PUBLIC BUILDING AT EAU CLAIRE, WIS.

The bill (H. R. 477) to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin, was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## PUBLIC BUILDING AT MACON, GA.

The bill (H. R. 10753) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate \$58,000 therefor, was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## PUBLIC BUILDING AT COLUMBUS, GA.

The bill (H. R. 1079) to enlarge and improve the United States public building at Columbus, Ga., was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## J. W. BOOTES.

Mr. KENNEY. I ask unanimous consent for the present consideration of the joint resolution (S. R. 196) for the relief of J. T. Bootes, late lieutenant (junior grade), United States Navy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President of the United States to appoint, by and with the advice and consent of the Senate, James Thomas Bootes as a lieutenant (junior grade) in the regular establishment of the United States Navy, to take rank at the foot of his original class, next after Lieut. (Junior Grade) Robert E. Coontz, Bootes having been honorably discharged by operation of the act of Congress approved August 5, 1882. But he shall not receive pay for the time while out of the naval service.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri, with amendments; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 84) to provide for the erection of a public building at Freeport, Ill.;

A bill (H. R. 431) to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois;

A bill (H. R. 2314) to accept a site as a donation and erect thereon a custom-house and post-office building in the city of Bristol, State of Tennessee;

A bill (H. R. 2879) providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo.;

A bill (H. R. 4113) for the erection of a public building at St. Cloud, Minn.;

A bill (H. R. 8597) for the erection of a public building at Monmouth, Ill.;

A bill (H. R. 11141) for the erection of a public building at Annapolis, Md.;

A bill (H. R. 11162) to provide for the construction of a public building at the city of Janesville, Wis.;

A bill (H. R. 11360) for the erection of a public building at Creston, Iowa;

A bill (H. R. 11882) to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor;

A bill (H. R. 11919) to construct a public building at Oskaloosa, Iowa, and for other purposes; and

A bill (H. R. 11963) to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 1968) granting an increase of pension to George W. Nevins;

A bill (S. 2919) granting a pension to Olivia T. Worden;

A bill (H. R. 2374) authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin H. March, executor of the last will and testament of Ruth March, deceased;

A bill (H. R. 4123) to correct the naval record of John Hurley;

A bill (H. R. 4304) regulating the postage on letters written by the blind;

A bill (H. R. 4790) for the relief of Homer D. McGraw, of Lee County, Ala.;

A bill (H. R. 9503) granting a pension to Eliza Sickler;

A bill (H. R. 11615) removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers.;

A bill (H. R. 12013) to increase the pension of Delos M. Kenyon; and

A joint resolution (S. R. 242) authorizing foreign exhibitors at the commercial exposition to be held in Philadelphia, Pa., in 1899 to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Treasury.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. Now let the sundry civil appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. PETTUS. I ask for the consideration of an amendment. I move to insert what I send to the desk.

The SECRETARY. It is proposed to insert:

SEC. — That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by purchase, condemnation, or otherwise, a site in the city of Selma, in Dallas County, in the State of Alabama, and cause to be erected thereon a suitable building, including fireproof vaults, ventilating and heating apparatus, elevators and approaches, and fences, for the use and accommodation of the United States post-office and other Government offices, the cost of said building, including said vaults, ventilating and heating apparatus, elevators, approaches, and fences, complete, not to exceed the sum of \$100,000, which sum, or so much thereof as may be necessary, is hereby appropriated for the purposes aforesaid.

SEC. — That the money hereby appropriated shall not be used for the purposes aforesaid until a valid title to the site for said building shall be vested in the United States, nor until the State of Alabama shall have ceded to the United States exclusive jurisdiction over said site, during the time the United States shall be the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein; and the said building shall be unexposed to danger from fire by an open space of at least 40 feet on each side thereof, including streets and alleys.

Mr. ALLISON. May I ask the Senator from Alabama if this is one of the bills that have been considered by both Houses?

Mr. PETTUS. No, sir; it is not, but it is strictly in accordance with the rule.

Mr. ALLISON. Is it a Senate bill?

Mr. PETTUS. Yes, sir. It is strictly in accordance with Rule XVI. If the Chair will refer to Rule XVI, it prohibits an amendment of a certain sort "unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session." This bill has been passed here in the Senate at the present session.

Mr. ALLISON. I hope the Senator from Alabama will withdraw his amendment for the time being. As the rule has always been construed, public-building bills are regarded as general legislation not admissible upon the sundry civil bill until they have passed both Houses.

Mr. PETTUS. I was informed by one of the oldest members of the Senate that the word "act" here was considered to be a bill which had passed the Senate.

Mr. ALLISON. It has been uniformly construed, as respects public-building bills, that they were not in order on the sundry civil bill, being general legislation in contemplation of that rule, until they had passed both Houses.

Mr. PETTUS. I will inquire of the Senator in charge of the bill what he means by the "present?" He asked me to withdraw the amendment for the present.

Mr. ALLISON. I only meant that there are some other amendments which I should like to have considered. Later on this question will be considered, perhaps more at large, when we come to other public buildings for which bills have passed both Houses.

Mr. PETTUS. If it means an indefinite postponement, I can not agree to it. If it means that the Senator has some reason why he does not want to consider it now, that is a different thing.

Mr. ALLISON. It does not mean an indefinite postponement, nor does it quite mean that I shall not object to it later if I can object.

Mr. PETTUS. I did not understand the Senator's last remark. Oh, let us deal perpendicularly with each other. Do you want to have the amendment considered now or after a while?

Mr. ALLISON. I prefer that it shall be considered later, if the Senator will allow me, because if it is pressed now I shall be obliged to invoke the rule, whatever it is.

Mr. PETTUS. If the Senator wants to consider it later, I have no objection at all to that course.

Mr. ALLISON. There were some omitted amendments which I ask may be considered now. I wish to go back to the amendment on page 57.

The SECRETARY. After line 2, on page 57, the committee proposed to insert:

That portion of the rooms and space recently occupied by the Library of Congress in the Capitol building north of a line drawn east and west through the center of the Rotunda shall be used for such purpose as may hereafter be designated by the Senate of the United States; and that portion of such rooms and space south of said line shall be used for such purpose as may hereafter be designated by the House of Representatives.

Mr. ALLISON. The intention of this amendment is to utilize the space recently occupied by the Congressional Library, assigning one-half the space to the House of Representatives and the remaining half to the Senate of the United States. If that amendment has been agreed to, I offer, to come in after line 10, another amendment.

The PRESIDENT pro tempore. The amendment has been agreed to. The Senator from Iowa presents an amendment, which will be read.

The SECRETARY. After line 10, on page 57, insert:

For the preparation and construction of convenient committee rooms for the use of Senate committees in that portion of the old Congressional Library herein assigned to the Senate, the work to be done by the Architect of the Capitol under the direction of the Committee on Rules of the Senate, \$25,000, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. ALLISON. The next amendment passed over is on page 82.

The SECRETARY. On page 82, after line 11, the committee proposed to strike out all of the bill down to and including line 22, in the following words:

One-half of the foregoing sums under "Buildings and grounds in and around Washington" shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Of the whole amount appropriated in the legislative, executive, and judicial appropriation act for the fiscal year 1900, under the title "Public buildings and grounds," the sum of \$22,419 shall be paid from the revenues of the District of Columbia and the remainder from the Treasury of the United States.

Mr. CHILTON. Mr. President, it does not seem to me that the pending amendment ought to be adopted. The clause proposed to be stricken out was put into the bill by the House, I believe, without objection. It seems to me it is a very useful and a very appropriate provision in the bill.

I do not intend in this connection to go into the general question of the division of the expenses connected with the administration of affairs in this District. It is an old question and I recognize the fact that to some extent it has grown threadbare. The view which has prevailed in regard to that matter has never met my individual approbation.

Whenever the matter comes up it is always said that the people of the United States should take great pride in our capital city, and that the amount of the tax which is levied upon the General Treasury amounts to very little to each Congressional district or each particular person in the United States.

But I have never been able to see why there should be any distinction between the obligation which is taken by State governments in State capitals and the obligations which should belong to the Federal Government in the Federal capital. I presume the capitol building and the other State property belonging to Texas located in our capital city would almost equal in value all the private property within the city limits. It is very probable that the same condition of affairs exists in the capital of the State of the Senator from Iowa. Yet I have never heard it proposed that the State of Texas should bear any part of the local expenses incident

to the civil administration of the city of Austin, in which our capital is located.

Of course, it is but to restate a very old proposition in connection with this general subject to say that but for the capital of the Union being located here the Washington people would not have valuable property upon which to pay taxes, and that daily, monthly, yearly, the situation of the national capital here enhances the value of all the private property in this city and enables its owners to make large returns upon their investment. I believe it is also generally agreed that the taxation in this city is far less than it is in any other municipality in the United States of equal population.

However, it is not my purpose to urge at this particular juncture an argument against the payment by the General Government of some part of the local expenses.

I am endeavoring now to apply the fixed rule of 50 per cent division to the maintenance of the parks, reservations, and like city conveniences. In the general act of 1878 it was provided that the Federal Treasury should bear one-half of the main local expenses. Now it is proposed to strike out a provision which levies upon the revenues of the District one-half of certain expenses which I have named. Why should we get out of line with the idea dominating the act of 1878?

Let us examine the expenses referred to somewhat in detail. Turning to page 80 of the bill it will be observed that the heading is "Buildings and grounds in and around Washington."

For the improvement and care of public grounds, as follows:

Now—

For improvement and maintenance of grounds south of the Executive Mansion, \$4,000.

Then going on:

For ordinary care of Lafayette Park, Franklin Park, Lincoln Park, the Monument grounds, reservation numbered 17, and site of old canal northwest of same, \$3,000.

Post and chain fences, high iron fences, etc., on various reservations, \$20,000. Smithsonian Grounds, \$2,500. There are other similar items, but it is unnecessary to read them. At the end of the enumeration we find this clause:

One-half of the foregoing sums under "Buildings and grounds in and around Washington" shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Bear in mind that these sums all refer to the expense of maintaining parks, reservations, etc., outside of the Executive grounds, Capitol grounds, and other property used mainly or substantially for national purposes.

You will find on page 84 another clause relating to the same general subject. On page 85 there is another for electric lights in the different parks, and on page 98 you will find another:

Garfield Memorial Hospital: For maintenance, to enable it to provide medical and surgical treatment to persons unable to pay therefor, \$19,000.

On page 112 I believe you will find another.

Mr. ALLISON. Pages 84, 85, 97, and 98.

Mr. CHILTON. Yes; those are the ones I read.

The second clause, which is proposed to be stricken out, on page 82, reads:

Of the whole amount appropriated in the legislative, executive, and judicial appropriation act for the fiscal year 1900 under the title "Public buildings and grounds" the sum of \$22,410 shall be paid from the revenues of the District of Columbia and the remainder from the Treasury of the United States.

The amounts which are referred to in that second clause of this page relate to watchmen, as follows:

One in Franklin Park; one in Lafayette Park; two in Smithsonian Grounds; one in Judiciary Park; one in Lincoln Park and adjacent reservations; one at Iowa Circle—

Mr. ALLISON. On what page?

Mr. CHILTON. On page 30 of the legislative, executive, and judicial appropriation act.

Bear in mind, Mr. President, these are expenses which it is proposed that the District of Columbia shall bear in a proportion of one-half only. I will continue the enumeration:

One at Thomas Circle and neighboring reservations; one at Washington Circle and neighboring reservations; one at Dupont Circle and neighboring reservations; one at McPherson and Farragut parks; one at Stanton Park and neighboring reservations; two at Henry and Seaton parks and reservations east of Botanic Garden; one at Mount Vernon Park and adjacent reservations, etc.

Now, adopt the committee amendment and the property of the District will reap all the benefits of these conveniences without any corresponding burden.

I submit to the sense of fairness of the Senate that it is hardly proper that the whole expense of maintaining these watchmen and maintaining these parks should be saddled upon the general Treasury.

Mr. ALLISON. Only a word, Mr. President, in reply to the Senator from Texas, by way of suggestion.

The adjustment as between the amounts to be paid from the revenues of the District of Columbia and the Treasury of the United States was made in 1878, and from that time until the present the

expenditures which are mentioned in the various paragraphs under the heading of "Public buildings and grounds" have been paid wholly by the United States. This is the first appropriation bill in which it is provided that one-half of these sums shall be paid from the revenues of the District of Columbia.

A large portion of the expenses here provided for are expenses practically about the Executive Mansion and the War, State, and Navy Department building. They have never been considered as being within the adjustment of 1878, and, as Senators will see, it is in the nature of an anomaly for this provision to be inserted here.

The legislative, executive, and judicial appropriation bill passed the House of Representatives with the items just now enumerated by the Senator from Texas [Mr. CHILTON] without the insertion of this clause, and it passed the Senate without the insertion of this clause at this session, and almost before this bill had received the approval of the President we find here a provision coming from the House of Representatives requiring that one-half of the expenses which were provided for and charged to the Government of the United States on these Government reservations shall be paid from the revenues of the District of Columbia. That shows on its face that the question has long since been settled as to how these appropriations shall be divided when applied to the public reservations in this city.

For example, in the legislative, executive, and judicial appropriation act many of the watchmen spoken of are employed about the Smithsonian grounds and about the public places which have no relation to or connection with the general appropriations for the District of Columbia.

Mr. FAULKNER. If the Senator will permit me, I should like to ask him a question.

Mr. ALLISON. Certainly.

Mr. FAULKNER. Is it not a fact that the District government has no control or jurisdiction whatever over these parks or reservations?

Mr. ALLISON. It has none whatever.

Mr. FAULKNER. Are they not under the control of the superintendent of public buildings and grounds and officers of the War Department?

Mr. ALLISON. They are absolutely under the control of the superintendent of public buildings and grounds; and all the money herein appropriated is expended by him.

I do not know whether the adjustment which has been made is wholly fair as between the people who happen to reside here and who are taxpayers and the Government of the United States, which is a large owner of property in this city, having these wide avenues and streets for the convenience of the Government. I do not know whether it is a wise distribution of the burdens of this District and this city as provided for in the act of 1878. We are, I know, constantly departing from that rule, as for example, in this bill and other bills, for improvements outside of the original limits of the city of Washington, the owners of property are required to pay the whole amount.

About this Capitol we certainly would not think—at least it would not so seem to me—that it would be a wise distribution of burdens to compel the revenues of the District of Columbia to be applied to our expenditures here, nor do I think it a wise thing for us to apply these revenues to the expenditures about the State, War, and Navy Department building, or about the Executive Mansion, or about the grounds below the Executive Mansion, or about the Smithsonian grounds, which are very large grounds, which are wholly under the control of the Government of the United States and are improved from time to time and kept in condition and repair—sometimes very poor condition and very poor repair—by our appropriations.

What I object to is that in the last days of the session, after the ordinary legislative, executive, and judicial appropriation bill has passed both Houses and become a law, embracing these appropriations or a portion of them, that we shall have interpolated into this bill a provision that the expenditures provided by a law passed only three days ago shall not be expended as therein provided, but shall be taken in part from the revenues of the District of Columbia.

It is upon this ground that the Committee on Appropriations believed that it was not wise now, whether this adjustment be reasonable and proper as between those who are taxpayers in the District of Columbia and the Government of the United States to change this distribution at this time upon an appropriation bill, and especially where every item of expenditure in this bill has been paid from the Treasury of the United States, without, so far as I know, even a suggestion in either House of Congress up to the time this bill appeared in this Chamber and in the other House that these expenditures should be paid one-half from the revenues of the District of Columbia.

Of course, I have no special desire or interest about this matter. My only desire is to do as near as I can what is fair and equitable between these two parties having a sort of limited partnership respecting these burdens, but it does seem to me that if we are to

materially change the situation respecting these expenditures it should not be done upon an appropriation bill during the last hours of a Congress.

Mr. CHILTON. Mr. President, I wish to put plainly before the Senate the real question. This House clause is not a proposition to put upon the District of Columbia a greater proportion of expense than was planned in the act of 1878. It is a proposition to put upon the District of Columbia the same percentage of expense distinctly fixed by that act.

Now, the Senator from West Virginia [Mr. FAULKNER] makes a distinction which, when you analyze it, is no distinction at all. He refers to the legislative, executive, and judicial appropriation bill, in which watchmen are provided for the different parks and circles and places in this city, and he says they are under the control of the superintendent of public buildings and grounds.

Mr. FAULKNER. If the Senator will permit me, he mistakes my position. My position is that the entire subject of the parks is absolutely and exclusively under the jurisdiction of the United States through the superintendent of public buildings and grounds, and that every dollar expended by the Government through these appropriation bills for the improvement of these parks is expended by that officer, and never is in any way controlled by the Commissioners of the District of Columbia. That is true not only of the officers, but of the entire expenditure for improvements.

Mr. CHILTON. That, at last, as I have said, is a distinction without a difference. Who appoints the Commissioners of the District of Columbia? The same officer who appoints the superintendent of public buildings and grounds. The Commissioners are but the instrument of Congress, just as the superintendent of public buildings and grounds is the instrument of Congress, each managing different parts of the machinery of administration in this District.

It makes no grain of difference in substance whether these parks are put under the administration of the superintendent appointed by the President or the three Commissioners appointed by the President. In either case it is the exercise of a jurisdiction over the District affairs conferred by the Constitution.

The true question is, What will be an equitable allotment of the expense of caring for the parks and reservations in this city? Can any man conclude that it is the duty of the taxpayers of the United States to pay the whole cost of watchmen in Dupont Circle or Thomas Circle or McPherson Square or the other parks in this city?

The Senator from Iowa states a moot question when he discusses what should be done about the grounds of the Executive Mansion. I call attention again to the fact that all the expenditures connected with the Executive grounds proper are to be paid from the Treasury of the United States, and no part of those expenses are laid upon the District of Columbia by this bill.

Not only so, sir, when the Senator speaks of the Capitol he raises another moot question. All the expenses connected with this Capitol are paid for out of the Federal Treasury.

In connection with another item, the Garfield Hospital, I wish to call attention to the language of the act of 1878. It says:

The cost of maintaining all public institutions of charity, reformatories, and prisons belonging to or controlled wholly or in part by the District of Columbia, and which are now by law supported wholly or in part by the United States or District of Columbia.

This shows a clear intention to treat charitable institutions in this city as coming within the rule of division, yet it is now proposed that the whole expense of maintaining the Garfield Hospital shall be borne by the Treasury of the United States.

Mr. ALLISON. The appropriation for the Garfield Hospital has been paid out of the Treasury of the United States from the time of its foundation, for the very good reason, as it seems to me, that the contributions for that hospital were gathered from all the nations of the world. It was established here by the Government of the United States, and it receives within its walls people from every State in this Union. Therefore no portion of the expenses of that hospital has ever been charged to the people of the District of Columbia until we attached to it a local hospital here for minor contagious diseases, which, of course, should be drawn within the purview of the District of Columbia appropriation bill. So the clause inserted by the House is a new provision, and it is in violation of the uniform construction which has been given in the two Houses to that law of 1878 from that time up to now.

Mr. CHILTON. Well, Mr. President, I am at a loss to see how it can be claimed that a hospital maintained out of the Treasury of the United States in part is not one of the subjects in the thought of those who framed the law of 1878. I will read that language again:

The cost of maintaining all public institutions of charity, reformatories, and prisons belonging to or controlled wholly or in part by the District of Columbia, and which are now by law supported wholly or in part by the United States or District of Columbia.

The Garfield Hospital in this city is like many other hospitals. If a man goes to New York and he should fall upon the streets helpless or disabled, he would be taken to one of the hospitals of that city, no matter from what part of the country he might have come. Although he might live in Colorado or in Texas or in California, would he not be carried to a city hospital for treatment?

Mr. TELLER. I should like to suggest, if the Senator will allow me, that he does not seem to be well informed as to the condition of Garfield Hospital. That hospital was founded by private contribution, and it is sustained by private contributions, save and except the appropriation made every year by the General Government for the indigent people who are not supposed to belong here, and it is for that purpose we pay our proportion of the contribution. Then we have a minor contagious hospital on the grounds, which, of course, we ought to take care of.

Mr. CHILTON. Mr. President, the Senator from Colorado seems to think that I am not well informed in regard to the Garfield Hospital. Perhaps I am not well informed in regard to the details of the organization of Garfield Hospital, but I am well informed enough to know that it makes no whit of difference, so far as the present inquiry is concerned, how it is organized or maintained. If its support is become a charge upon the Federal Treasury, either in whole or in part, the District revenues should share the charge.

Mr. TELLER. I should like to say to the Senator that it has a private directory and is supported practically by private contributions and by the fees which are received. It is not a public hospital in the sense in which the Senator speaks of the hospitals in many of our cities.

Mr. CHILTON. Mr. President, it is a public hospital in such sense that the Treasury of the United States is called upon to contribute to it, and the fair design of this law of 1878 was that wherever the Government of the United States was called upon to contribute to any of these institutions of charity, the District of Columbia should bear half that contribution. That is the proposition I have been trying to enforce here.

I go back to the other question—the question of the parks and circles and reservations of this city. The Senator from Iowa is mistaken again as to them. He maintains that nearly all these watchmen, as I understand him, are connected with the Smithsonian Institution.

Mr. ALLISON. I did not say "nearly all of them." I said "many of them."

Mr. CHILTON. The bill does not bear out that statement. It says in regard to these watchmen:

One in Franklin Park; one in Lafayette Park; two in Smithsonian grounds; one in Judiciary Park; one in Lincoln Park and adjacent reservations; one at Iowa Circle; one at Thomas Circle and neighboring reservations; one at Washington Circle and neighboring reservations; one at Dupont Circle and neighboring reservations; one at McPherson and Farragut parks; one at Stanton Park and neighboring reservations; two at Henry and Seaton parks and reservations east of Botanic Garden; one at Mount Vernon Park and adjacent reservations.

It appears that but two out of the whole number are devoted to the care of the Smithsonian Institution grounds.

I am not hopeful of making any particular impression upon the Senate in regard to these matters. I know how anxious, of course, all are to support the Committee on Appropriations; it is a very desirable thing to do ordinarily, but the provision amended out of the bill was carefully put in by the House of Representatives. It is not an innovation which I or any other member of the Senate seeks to introduce.

I can not see that it is a judicious thing for us to strike out that provision in this bill and saddle the whole of these expenses upon the Federal Treasury.

The PRESIDENT pro tempore. The question is on the amendment.

Mr. TELLER. Let us have a division on the amendment.

The question being put, there were on a division—ayes 24, noes 16; no quorum voting.

The PRESIDENT pro tempore. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Allison,	Frye,	Mantle,	Ross,
Bacon,	Gear,	Martin,	Shoup,
Bate,	Gorman,	Mason,	Simon,
Berry,	Gray,	Money,	Smith,
Chilton,	Hansbrough,	Murphy,	Spooner,
Clay,	Harris,	Pasco,	Stewart,
Cockrell,	Hawley,	Pettus,	Teller,
Cullom,	Kyle,	Platt, Conn.	Tillman,
Deboe,	McBride,	Pritchard,	Turley,
Elkins,	McEnery,	Quay,	Wellington,
Fairbanks,	McLaurin,	Rawlins,	White,
Faulkner,	Mallory,	Roach,	Wolcott.

The PRESIDENT pro tempore. Forty-eight Senators have answered to their names. There is a quorum present. The question recurs on the adoption of the amendment.

Mr. GORMAN. I trust the amendment proposed by the Committee on Appropriations will be adopted. I think a moment's

reflection on the part of the Senator from Texas and others who are opposing this amendment will convince them that the amendment should be adopted.

The original adjustment of the matter of taxation in the District of Columbia was had after the most careful and patient examination by a committee of Congress, and was fixed as it was supposed, permanently, upon a fair basis; that is to say, that the Government of the United States, owning in fee all of the highways in the city of Washington, and all of these great reservations, and having more than one-half in value of all the property within the city, should pay one-half of the expenditures. In the matter of their own reservations, of their own public buildings and grounds, they were to pay the entire amount precisely as the care of the property of the citizens is to be paid by them.

There is one other consideration that can not be overlooked. There is no comparison to be made in the conduct and management of this city with any other in the Union. There is no city that would go to the expense we are compelled to go to in the preservation of public grounds and public buildings in Washington, and it would be manifestly unfair and unjust to the citizens, after having paid one-half of the expense of keeping up all the streets and all the public improvements, to charge them a single penny for the very expensive establishment that we are bound to maintain for the public, for the United States, in the matter of lighting and preserving and taking care of and guarding the public buildings.

It is true that within the last year or two attempts have been made and are now going on to destroy that system, which was agreed to, not by the citizens of Washington, because that measure was meted out by Congress itself—that is, to make the citizens of the city of Washington bear the entire expense of opening the streets, which the Government owns and controls and manages.

When it comes to the matter of the citizens of Washington paying one-half of the cost of lighting the Capitol grounds or the grounds south of the President's House, or around these buildings, or in the grounds about the Monument, I am certain that the Senator from Texas, when he comes to reflect, will see how unjust that would be.

The rate of taxation is comparatively high, owing to the immense expenditures that we require to be made, not only for the citizens of Washington, but to beautify and make this the greatest city of the Union. It is an improvement in which every citizen has a pride, and we make these extravagant expenditures because it is the capital of the country, laid out upon a greater scale than any other city in the United States. It is designed to be handsome and great, and the people of this country, in my judgment, will not begrudge the small pittance that is required to put it and keep it in condition, so that it will attract the attention of every visitor, no matter from what part of the world he comes.

I therefore trust that we will observe the rules, Mr. President, observe the contract that was solemnly entered into by the act which has been referred to, and permit this matter to stand. If it has grown—I do not think it has—to be an unfair contract on the part of the Government, then take up the question and meet it and adjust it after a fair hearing and a patient examination. If there be a majority in Congress at any time that believes that this is too great a city, too well provided with light and policemen in the public parks, let the contract be undone in a proper way and at a proper time, and not attempt to force it through by legislation on an appropriation bill.

I trust the amendment, as recommended by the Committee on Appropriations, to strike out this provision and permit the law to stand as it has been since 1878 will be agreed to by the Senate.

Mr. CHILTON. Mr. President, the Senator from Maryland is certainly far from the point in claiming that there is any attempt here to get away from the rule of division which was adopted by the law of 1878. That law, sir, was outlined upon the theory that the District of Columbia should pay one-half of the District expenses and that the Federal Treasury should pay the other half. It is useless to cloud this question.

If the members of the Senate believe it is fair and right to demand of the people of the United States that they keep watchmen in Dupont Circle and Thomas Circle and Farragut Square and McPherson Square, and that they should bear the whole of the expense connected with these splendid reservations, then they ought to vote to strike out the provision of the House. But if they believe, as I believe, that the United States Treasury will do its full part toward the people of the District of Columbia by paying one-half of those expenses, then they ought to vote against the amendment of the Senate committee and agree to the House provision which charges the District of Columbia with only 50 per cent of those expenses.

Mr. President, this is a great city. I am as proud of it as the Senator from Maryland. But it does no good to complicate this question by any generalities like that. The question is, is it not fair that the local property in this city should bear one-half of the expense connected with the maintenance of these splendid

streets and splendid parks, which are a local as well as a general delight?

Mr. FAULKNER obtained the floor.

Mr. QUAY. With the permission of the Senator from West Virginia, I ask that the bills which have just been received from the House of Representatives for the construction of public buildings be laid before the Senate.

Mr. FAULKNER. I will yield to the Senator from Pennsylvania in a moment. I wish to make a few observations in reply to the Senator from Texas.

The Senator from Texas seems to imply in his remarks that the Senator from Maryland is trying to becloud this question and avoid the effect of the contract entered into between the Government of the United States and the citizens of the District of Columbia in the act of 1878. We have not, by proposing this amendment from the Committee on Appropriations, attempted in any way to avoid that statute.

That statute proposed that one-half of the taxes raised for District purposes should be paid by the Government of the United States and one-half by the property and people of the District. This settlement has been carried out in perfect good faith by the Government of the United States and the citizens of the District of Columbia. It has never before been suggested by any Congress, in construing the act of 1878, that this imposed upon the people of the District of Columbia the expense in maintaining that property which the Government of the United States owns in fee simple, and controls and manages through its executive officers, entirely distinct from the District government.

I understand that the legislative government that existed in this District during the period known as Governor Shepherd's administration was not given any jurisdiction of these parks. They were segregated from the administrative control of the District government; and if we are to change this rule and make one-half of all the appropriations for the preservation and improvement of these parks payable out of the local revenues—in other words, to be paid by the owners of property in the District of Columbia—the next move that would be made by the Senator from Texas would be to require that all the improvements of the Capitol grounds, the lighting of these grounds, and the Capitol police should be borne by the people of the District of Columbia, or at least one-half of those expenses. I assert, after an examination of this question, that such a proposition would not be fair and just between the Government and the property owners of the District.

Where is there a city in this world that embraces within its streets the amount of area that the streets of Washington contain? Not one. Fifty-one per cent of the entire real estate within the boundaries of this city is included in the streets of the city. Congress recognized that fact. It realized that all these magnificent reservations were withdrawn from taxation; that all the magnificent buildings that beautify and adorn it were withdrawn from taxation.

It was fully understood that the Government of the United States owned a large amount of property subject to sale and disposition, but which was not subject to taxation; that hundreds of lots within the boundaries of the city of Washington were all withdrawn from taxation. Appreciating the force of these facts, and knowing that the people owning property here could not bear such a burden of taxation as would be imposed in making the improvements as contemplated for this great and magnificent capital of our nation, Congress entered into the agreement of 1878. This agreement has been fairly and honestly carried out by the Congress to the time when this bill, at the end of a short session, has attempted through, the act of the House, to change the entire arrangement which has existed, I am informed, from the foundation of the Government to the present time.

I believe that never in the history of the government of the District of Columbia have we ever required the citizens to pay one-half of the expense, or any portion of the expense, of the management, control, or improvement of these public reservations. It is an entirely new proposition, laid before Congress for the first time certainly since the act of 1878, and that without giving any opportunity for consideration, either by the committee or by those directly interested. For these reasons I sincerely hope the amendment of the committee will be sustained.

Mr. CHILTON obtained the floor.

Mr. QUAY. I renew my request for unanimous consent to take up the public-building bills which have come from the House of Representatives. It is very important that the amendments and the bills should be acted upon, and I trust that the Senator from Texas will give way.

Mr. CHILTON. I should take but a moment, but I yield.

#### PUBLIC BUILDING AT JOPLIN, MO.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri, which were, on

page 1, line 7, after the word "apparatus," to strike out the word "elevators;" on page 1, line 11, after the word "apparatus," to strike out the word "elevators;" on page 1, line 12, to strike out "one hundred" and insert "fifty;" on page 3, to strike out all after the word "expenses," in line 10, down to and including the word "therein," in line 18.

Mr. COCKRELL. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### PUBLIC BUILDING AT FREEPORT, ILL.

The bill (H. R. 84) to provide for the erection of a public building at Freeport, Ill., was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT STREATOR, ILL.

The bill (H. R. 431) to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois, was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT LEADVILLE, COLO.

The bill (H. R. 2879) providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo., was read the first time by its title, and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT BRISTOL, TENN.

The bill (H. R. 2314) to accept a site as a donation and erect thereon a custom-house and post-office building in the city of Bristol, State of Tennessee, was read the first time by its title, and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT ST. CLOUD, MINN.

The bill (H. R. 4113) for the erection of a public building at St. Cloud, Minn., was read the first time by its title and the second time at length, and was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT MONMOUTH, ILL.

The bill (H. R. 8587) for the erection of a public building at Monmouth, Ill., was read the first time by its title and the second time at length, and was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT JANESVILLE, WIS.

The bill (H. R. 11163) to provide for the construction of a public building at the city of Janesville, Wis., was read the first time by its title and the second time at length, and was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT CLINTON, IOWA.

The bill (H. R. 11965) to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa, was read the first time by its title, and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT OSKALOOSA, IOWA.

The bill (H. R. 11919) to construct a public building at Oskaloosa, Iowa, and for other purposes, was read the first time by its title, and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT CRESTON, IOWA.

The bill (H. R. 11360) for the erection of a public building at Creston, Iowa, was read the first time by its title, and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDINGS AT STOCKTON AND LOS ANGELES, CAL.

The bill (H. R. 11882) to increase the limit of cost for the erection of a public building at Stockton, Cal., and making provision

for the acquisition of additional land or a new site therefor, was read the first time by its title, and the second time at length, and considered as in Committee of the Whole.

Mr. WHITE. I desire to offer an amendment incorporating a bill passed by this body with reference to a public building in Los Angeles, which has not been conceded a hearing elsewhere.

The SECRETARY. It is proposed to add as a new section the following:

SEC. 3. That the Secretary of the Treasury be, and he is hereby, authorized and directed to procure a site for and cause to be erected thereon a suitable addition to the public building now the property of the United States in the city of Los Angeles, Cal., with fireproof vaults therein, for the adequate accommodation of the United States district and circuit courts, internal revenue, customs offices, and other Government offices in the city of Los Angeles, Cal.

The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and all improvements and additions, complete, the sum of \$250,000; Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of California shall have ceded to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof for all purposes except the administration of the criminal laws of said State and the service of civil process therein; and there is hereby appropriated for the purchase of said site and the commencement of said additional building \$100,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. WHITE. The title should be amended to add to that which refers to the Stockton appropriation "and to provide for an addition to the present court-house and public building at Los Angeles, Cal."

The title was amended so as to read: "An act to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor, and to provide for an addition to the public building at Los Angeles, Cal., and appropriating money therefor."

Mr. WHITE. The passage of the bill involves the necessity of appointing conferees. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. QUAY, Mr. WARREN, and Mr. MONEY were appointed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 2056) for the erection of a public building at Menominee, Mich.; and

A bill (H. R. 10804) for the erection of a public building at Anniston, Ala.

#### SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12009) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. CHILTON. Mr. President, returning to the proposition which was pending at the time the appropriation bill was interrupted, I simply desire to restate it, and I will not protract the discussion. The House Committee on Appropriations put in a clause which requires the District of Columbia to pay one-half the expenses of watchmen, lights, etc., in the public parks in this city. The Senate Committee on Appropriations strikes out that clause and leaves the entire expense of watchmen, lights, etc., for these parks to be borne by the Federal Government.

Now, Mr. President, I have but one word to say about the argument of the Senator from West Virginia [Mr. FAULKNER]. It would be to some extent applicable if it was proposed now to make the District of Columbia bear the whole of this expense, but it is totally inapplicable when the proposition is simply to make the District of Columbia bear one-half of it.

These parks are used by the people of the District of Columbia just as the public parks in every other city in the country are used by those who live near them. I can not see the slightest reason why these parks so dedicated and appropriated to the common public use of the people of this city should be maintained wholly by the taxpayers of the United States, and so believing, it seems to me that we ought not to adopt the amendment of the Appropriations Committee.

Mr. PETTUS. I desire to ask the Senator from Texas, who

seems to be familiar with this matter, wherein the House provision in the bill conflicts with the general law on that subject.

Mr. CHILTON. It does not conflict with it. It rather tallies with it, as I have argued.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Committee on Appropriations.

Mr. GRAY. I ask for the yeas and nays.

Mr. GALLINGER. Let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HANSBROUGH (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. DANIEL].

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. I do not see him here. If he were present, I should vote "nay."

Mr. PETTUS (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BACON. I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE], but under our arrangement in matters not political either is at liberty to vote in the absence of the other. I will therefore vote. I vote "yea."

Mr. PASCO (after having voted in the negative). I am paired with the Senator from Washington [Mr. WILSON]. I notice that he has not voted, and I withdraw my vote.

The result was announced—yeas 43, nays 13; as follows:

## YEAS—43.

Allison,	Frye,	Martin,	Ross,
Bacon,	Goar,	Mason,	Shoup,
Carter,	Gorman,	Money,	Simon,
Chandler,	Hanna,	Morgan,	Smith,
Clark,	Harris,	Murphy,	Spooner,
Cullom,	Hawley,	Nelson,	Stewart,
Deboe,	Kenney,	Penrose,	Teller,
Elkins,	McBride,	Perkins,	Thurston,
Fairbanks,	McEnery,	Platt, Conn.	Warren,
Faulkner,	McLaurin,	Pritchard,	Wellington.
Foraker,	Mantle,	Quay,	

## NAYS—13.

Bate,	Gallinger,	Rawlins,	White.
Berry,	Gray,	Roach,	
Butler,	Lindsay,	Tillman,	
Chilton,	Pettigrew,	Turley,	

## NOT VOTING—34.

Aldrich,	Davis,	McMillan,	Sullivan,
Allen,	Hale,	Mallory,	Turner,
Baker,	Hansbrough,	Mills,	Turpie,
Burrows,	Heitfeld,	Mitchell,	Vest,
Caffery,	Hoar,	Pasco,	Wetmore,
Cannons,	Jones, Ark.	Pettus,	Wilson,
Clay,	Jones, Nev.	Platt, N. Y.	Wolcott.
Cookrell,	Kyle,	Proctor,	
Daniel,	Lodge,	Sewell,	

So the amendment was agreed to.

The PRESIDENT pro tempore. The next amendment of the committee, which was passed over, will be stated.

The SECRETARY. On page 84, line 9, after the word "hour," strike out the following:

*Provided further, That \$3,400 of the foregoing sum shall be paid from the revenues of the District of Columbia and the remainder from the Treasury of the United States.*

The amendment was agreed to.

The SECRETARY. On page 85, line 4, after the word "cents," strike out:

One half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment was agreed to.

The SECRETARY. On page 97, line 23, after the word "dollars," strike out the following:

One half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment was agreed to.

The SECRETARY. On page 98, line 3, after the word "dollars," strike out:

One half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment was agreed to.

Mr. ALLISON. Returning to page 57 and recurring to the last amendment inserted after line 10, where there is an appropriation provided for, I move to insert at the end of the amendment the words "to be immediately available."

The amendment was agreed to.

Mr. BUTLER. I wish to call the attention of the chairman of the committee to page 40, line 17. I ask the chairman to agree to striking out the proviso that the appropriation shall not be available until the station shall be completed.

Mr. ALLISON. The first two lines in the amendment on page 40, including the word "Provided," and down to and including the word "completed," should be stricken out. I ask unanimous consent that those words may be stricken from the amendment.

The SECRETARY. On page 40, after the word "dollars," in line 17, it is proposed to strike out the following proviso:

*Provided, That this appropriation shall not be available until said station shall be completed.*

The amendment was agreed to.

The PRESIDENT pro tempore. That will require a further amendment.

Mr. PLATT of Connecticut. Strike out "and" and insert "That."

Mr. GALLINGER. So as to read: "Provided, That."

Mr. ALLISON. Having a colon there, that is probably true, but otherwise it would not be necessary. I am perfectly willing to say "Provided, That."

Mr. PLATT of Connecticut. Strike out the word "and."

The PRESIDENT pro tempore. The word "and" is stricken out by agreement.

Mr. ALLISON. It will then read: "Provided, That the unexpended balance of the appropriation," etc.

Mr. PETTUS. I now offer an amendment to the bill.

The PRESIDENT pro tempore. The Senator from Alabama offers the amendment which has heretofore been read, providing for a public building at Selma, Ala. The question is on agreeing to the amendment.

Mr. ALLISON. Mr. President, the situation as respects public buildings is one that I think should be seriously considered by the Senate. It is well known that uniformly under the ruling of the Chair it is the practice of the Senate that no appropriation for any public building shall be made unless authority of law has been previously given authorizing the appropriation. That has been the rule, at least so far as I know, rarely interfered with for the last twenty years.

Now, in the last days of the session, we are confronted with a large number of bills that have passed the Senate and have recently passed the House, and also with bills that have passed the House and were only considered in the Senate to-day. The appropriations for public buildings have usually been placed upon the sundry civil bill; indeed, I believe invariably. The bills that have passed both Houses are not yet laws, but they have passed through every process except that of enrollment and the signature of the President, and undoubtedly they will all pass that process before the sundry civil bill can become a law.

It is a question whether we shall deal with the public-building bills that have come to us so recently, and that have not yet, in fact, received the signature of the President. I have no doubt that because of their number it will be the sense of the Senate that these bills in some way shall be incorporated in the sundry civil appropriation bill. Believing that, the Committee on Appropriations have undertaken to deal with this question, and I suggest now, in a general way, that it would be wise for us to put upon this bill all the public-building bills which have passed the Senate and the House and that now only require the signatures of the presiding officers and the President.

Mr. PLATT of Connecticut. May I interrupt the Senator from Iowa?

Mr. ALLISON. Certainly.

Mr. PLATT of Connecticut. Do I understand the chairman of the Appropriations Committee to say that he thinks it is necessary to appropriate the full amount to construct all these buildings, amounting to some eight or ten million dollars in round numbers—I do not know how much—at this session of Congress?

Mr. ALLISON. If the Senator understood me to say that, he misunderstood me.

Mr. PLATT of Connecticut. I understood the Senator to say that the committee had come to the conclusion that they could put these bills upon the sundry civil bill. I do not know exactly what he meant by that.

Mr. ALLISON. I was about to say that if we appropriate for these buildings my own judgment is—and I have conferred as well as I could with other members of the committee—that we should appropriate only one-half of the amount of the limit indicated in the various bills.

Mr. PLATT of Connecticut. I do not wish to interrupt the Senator, but I should like to inquire what is the necessity for any larger appropriations than is necessary to procure the site in each of these cases? Is it not true that we shall have another Congress before the plans can be so matured as to begin the construction of the buildings?

Mr. ALLISON. I think very likely, and I was about to add, if the Senator had not interrupted me, that one-half of these appropriations would be sufficient to procure the sites and make the plans and, perhaps, commence the construction of the buildings. I have not a list of the buildings before me, but I understand that several bills have passed both Houses to-day providing for buildings that involve very large sums, as, for example, the custom-house in the city of New York, which, I believe, involves an expenditure of \$1,750,000.

That building is to be constructed upon a site presented to the

Government of the United States, I understand, by the city of New York. I do not believe there is any place in the United States where a public building is more needed for the collection of the customs than in the city of New York. Therefore, in the case of a building of that character and of such pressing necessity, it seems to me, having the site, we should make an appropriation which will enable the Government to progress with reasonable rapidity in the construction of the building.

There are other buildings where large appropriations are made or suggested where a smaller sum would be ample, in my judgment. I am told there are one or two other buildings here where the limit of cost is from \$15,000 to \$2,000,000.

Mr. TELLER. Where?

Mr. ALLISON. The building at Cleveland, Ohio, has, I think, a limit of \$2,000,000. I am not certain; it may be \$1,800,000.

Mr. QUAY. It is twenty-two hundred thousand dollars. I think the New York appropriation, the Cleveland appropriation, and the Indianapolis appropriation are the only heavy ones.

Mr. ALLISON. The Indianapolis appropriation is \$1,500,000. I thought the limit of the Cleveland appropriation was \$2,000,000. As respects Indianapolis, where there is no site, and as respects Cleveland, where there is no site, it seems to me that a very small appropriation would be required. A large number of the buildings have a limit of cost of \$100,000 or less.

It seems to me that we ought to consider this entire subject. Some of the States, I note, have a goodly number of buildings, and if I were to express my own view I would say that some of them, in my judgment, could very well be postponed for the present. But they are all now upon an equality as to their situation. The Senator from Alabama now offers an amendment to the bill which provides for a public building at Selma, Ala., at a cost of \$100,000.

Mr. PETTUS. Or so much thereof as the Secretary of the Treasury may think necessary.

Mr. ALLISON. That bill has not had consideration in the other House. Therefore, in accordance with the rules of the Senate and the House as respects public buildings the amendment is not in order upon this bill. I am speaking only for myself. If the Senator from Alabama can arrange the building at Selma somewhere in accord with the buildings in cities of like size for which bills have been passed, I feel under the circumstances for one that both Houses have practically settled the policy at least that where one House has passed a bill of that character the other House would naturally concur in it under similar circumstances.

Mr. COCKRELL. The Senator, in speaking about the custom-house in New York, spoke of the estimate as being two millions. The bill appropriates \$750,000. It reads:

To acquire by purchase, condemnation, or otherwise, for customs purposes, the premises heretofore selected by the Secretary of the Treasury, under the act of September 14, 1888, as a site for a custom-house building.

Mr. ALLISON. Then I was wholly mistaken.

Mr. COCKRELL. It further provides in section 2:

That upon the acquisition of said site the Secretary of the Treasury shall cause to be erected thereon a substantial, commodious, and fireproof building for the purposes of a custom-house, at a cost not to exceed \$3,000,000, exclusive of the cost of the site, and for the preparation of the plans and the commencement of the work the sum of \$1,000,000 is hereby appropriated.

Mr. ALLISON. Very well. I was only speaking from what might be called rumor. Of course, I have not had time to examine the details of all these questions. It is a very large appropriation, but perhaps none too large if that building is to be constructed at an early period of time.

I know, Mr. President, at least of one or two other amendments, which will be explained, I have no doubt, by the Senators who will offer them, that are very much in the condition of the amendment offered by the Senator from Alabama, where buildings are greatly needed in the localities where they are desired. So in the early part of the evening I asked the Senator from Alabama to withhold his amendment for the moment, and I should be glad now if he would still withhold it until we have settled in the Senate by a comparison of views as to what shall be the number of public-building bills that are now laws or will be laws at an early day and the buildings provided for by statute.

Mr. MORGAN. Mr. President, the city of Selma, in which my colleague and I have a most delightful home, is a very attractive place and has an excellent population. The Senate has on three or four occasions in past years voted to erect a public building at Selma. The post-office receipts in the office there are about \$25,000 a year. It is not a very large community. Selma contains perhaps about 15,000 inhabitants, but they are all resident people, having their homes there. They are not laborers who come in from the iron works or coal fields or anything of that kind. It is a city of residences, and I think there is perhaps no city in the South that is superior to it either in its attractions or its population.

We have been modest in asking the Government of the United States to assist us, and our people have a purpose, which they very freely express, of restraining the expenditures of the Gov-

ment instead of undertaking to increase taxation for the purposes of extravagant appropriations and the like of that. But they hold my colleague and myself down to an accountability for things of that kind.

If we were able to get a bill through here to expend \$500,000 or \$1,000,000 for a public building in Selma, the people there would rebuke us for putting any such bill as that through the Congress of the United States. So we try to limit our requests upon the Government to what we consider to be appropriate to such a place and under such conditions.

The post-office there is one of the public buildings that is needed. Of course we are paying a large rental for a building, a good-looking house which was built for a store or a bank or something of that kind, and it is surrounded close up with very inflammable buildings. It is the public moneys, the letters, and everything of that kind which are always in danger by fire, and it is necessary to carry a strong insurance upon the office in order to recoup the Government in the event of a loss.

We have opportunities there of getting very good locations which are entirely free from the danger of fire.

The Government of the United States can get a good location on which to properly locate a building there. We have all thought that a building to cost not exceeding \$100,000 would be an appropriate kind of a building for that city. It would have some very pleasant neighbors in the way of handsome buildings in that town.

I am perfectly in accord with the Senator from Iowa on one proposition, and that is, with this great mass or raft of bills which are coming over here from the House of Representatives to-night, evidently hurried through for the occasion for the express purpose of getting on this bill, in a strange freak of liberality on the part of somebody who is in authority there; and I think that we ought in the Senate to say—and I suggest it to the Senator from Iowa—that not exceeding one-half of the sums of money that are named for public buildings in these enactments shall be expended within the next fiscal year.

That would relieve the situation very much, and yet it would leave the appropriations stand and allow the buildings to go on and be completed. Probably none of them will be completed within the year anyhow. It will be at least some time before this bill will go into operation. I should be willing to agree to such an arrangement.

Upon the question of order which the Senator makes here, I think I have looked into that sufficiently to satisfy myself that there is no substantial merit in it, and that is perfectly illustrated here to-night. Appropriations must be made in pursuance of law or in pursuance of an act or resolution of the Senate passed at this session of Congress—not of the House at all; but we are talking about our rules.

Mr. ALLISON. The Senator will remember that I said that under our rules none of these bills are strictly in order, not even those which come from the House of Representatives, because they are not laws.

Mr. MORGAN. Those that came from the House are not in order until the Senate has passed upon them; but the Senate has passed them to-night, and therefore they are now in order; but they are in order under our rules, not because they are laws, for they are not laws and they will not be laws until the President of the United States has approved them. They are mere ventures; they are mere propositions for laws, and they have no value here under our rules because they have passed through the House of Representatives.

Our rules do not relate to proceedings in the House at all. They relate to proceedings in the Senate, and only in the Senate. We credit this body with a sufficient amount of intelligence and honesty and faithfulness in the transaction of public business to say that when at the present session of Congress we have enacted a bill or a resolution we shall make an appropriation to carry that bill or that resolution into effect in order upon a general appropriation bill. That is our rule.

The amendment which my colleague presented here to-night has passed the Senate in the form of a bill which contains an appropriation of \$100,000, or so much thereof as the Secretary of the Treasury shall require, to be expended for this building. So that the amendment of which my colleague is the author and which has passed through the Senate is strictly in order under our rules, and the bills coming from the House of Representatives would none of them have been in order if they had not passed the Senate; but now, having passed the Senate, they are all in order.

We, however, stand not only upon a ground quite equal to that of the gentlemen who have had bills passed through the other House, but we stand a little higher, if anything, I may say, because we predicate our action here and our rights to have this amendment adopted upon the action of the Senate of the United States.

Why did we put the provision in our rules that the recommendation by one of the standing or select committees of this body

should make a proposition in order if it was otherwise free from objection? Because we respect our committees. So, of course, we respect the action of the Senate when it has by a vote adopted a bill which contains that appropriation.

I have not thought at any time that there could be any sort of question about a measure being in operation as a law under Rule XVI if it had passed the Senate at the present session. It is the same thing precisely as if it had been a law fully passed by both Houses and approved by the President. So I think the question of order does not lie against this amendment at all.

As to the other matter, I notice that a bill has just come over from the House of Representatives in favor of a public building at Anniston. Our Republican friend, Mr. ALDRICH, over there has had influence in the House of Representatives to get a bill through appropriating \$50,000, perhaps, for that purpose. I am not averse at all—I do not know how my colleague may feel about it—about starting out on this proposition at Selma with a \$50,000 appropriation, yet I know it is too small.

Mr. ALLISON. The Senator perhaps did not understand fully what I stated. If there is an appropriation of one-half of the sums now proposed for these small buildings and authority to contract for the construction of the buildings, surely that will be enough where the appropriation is \$100,000.

Mr. MORGAN. If we can make that a general thing all over the Senate, I am agreed to it.

Mr. ALLISON. That was precisely the suggestion I made. I also made another suggestion, which perhaps the Senator did not note; and that was that the bills which are now before us in the Senate, and which we have had under consideration to-day, for erecting public buildings in cities and towns having twelve or fifteen thousand inhabitants, or having postal receipts of \$25,000 per annum, have not, as a rule, carried an appropriation of \$100,000 for a public building.

Mr. MORGAN. They do not any of them have \$25,000 in postal receipts except Selma.

Mr. ALLISON. A great many of them have more than that.

Mr. MORGAN. But they are large cities, like Mobile, Montgomery, and Birmingham.

Mr. ALLISON. Yes; cities of that class. What I want to suggest to the Senator from Alabama is that cities of the class of Selma running through this bill do not have appropriations as large as \$100,000. Therefore I meant to suggest to the Senator from Alabama that to compare his bill with the bills that come to us from the House of Representatives there ought to be a reduction of the maximum limit of cost. I have been told that for the very building at Selma, Ala., the appropriation in the bill as passed through the House committee, not, I think, the Committee of the Whole, was \$50,000.

Mr. MORGAN. At this session?

Mr. ALLISON. At this session. And Anniston, Ala., which is a city of about the size or perhaps not quite so large as Selma, but a manufacturing city, has now upon this list of appropriations a provision for the appropriation of \$50,000 for a public building.

Mr. GALLINGER. If the Senator will permit me, for my State of New Hampshire we have passed three times through the Senate a bill appropriating \$100,000 for a public building at Nashua, a city of over 24,000 people. The House committee has made a favorable report on the bill, but reduced the amount to \$60,000, which I shall be very glad to accept; and I propose to offer that as an amendment to the pending bill when I get the opportunity.

Mr. MORGAN. I am in the same situation as the Senator from New Hampshire, and I am willing to accept anything that comes along for Selma.

Mr. ALLISON. What I think we ought to do is to have a small maximum limit for the building at Selma.

Mr. MORGAN. Did I understand the Senator from Iowa to say that the bill for a public building at Selma had passed the House of Representatives? I think he is mistaken if he says that.

Mr. ALLISON. I did not say that. I said the bill had passed through the standing committee of the House, and I thought it might have passed through the Committee of the Whole, for an appropriation of \$50,000; but I am not certain as to that.

The Senator from Wisconsin [Mr. SPOONER] tells me that there is a bill upon our table appropriating \$50,000 for one of the most flourishing towns I know of in the State of Wisconsin, with a population of from 15,000 to 18,000.

What I wish to say is that if we are to place upon this bill all these provisions for public buildings which have come to us so recently, and with reasonable rapidity [laughter], I think if the Senators from Alabama desire a public building at Selma they should as nearly as may be at least fix a maximum limit in accord with the limit for the other public buildings which are to be provided for, if any are to be provided for, in this bill.

Mr. MORGAN. Mr. President, I accept the situation and the honor, too, of leading off here in the Senate in the direction of economy for the next fiscal year. I will say to the Senator from

Iowa, we will accept this appropriation amended so as to reduce it to \$50,000, but we do not do it, we wish you to understand, because we think it just, but in deference to the situation which exists in the Senate to-night. So I move now, Mr. President, to amend the amendment by striking out "\$100,000" and inserting "\$50,000."

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. GALLINGER. I offer the amendment which I send to the desk for the purchase of a site and the erection of a public building at Nashua, N. H.

Before the amendment is read I want to make a statement concerning this matter. Three times the Senate has passed a bill appropriating \$100,000 for a public building for the city of Nashua, N. H. The House committee has recently made a favorable report on the bill, but they have reduced the amount of the appropriation to \$80,000. From the House report I read very briefly, as follows:

Nashua is the gate city of New Hampshire. It has a population of 24,000 and ranks as the second city in the State in population and manufactures. As a railroad center it holds first rank. Six important railroads radiate from the city, forming direct connection with Massachusetts, Maine, Vermont, New York, Canada, and the West.

The industries of Nashua are the most varied in the State. They include cotton, iron and steel, soapstone, boots and shoes, machinery, engines, boilers, lathes, presses, glazed paper, cardboard, edge tools, ice-cream freezers, bobbins and shuttles, and lumber in all its varieties. These industries employ more than 4,000 persons, and their aggregate capital is upward of \$3,000,000. The annual value of the products turned out is more than \$2,000,000, and the wages annually paid exceed \$1,000,000.

Nashua is the location of courts, registry of deeds, registry of probate, has 20 public schools, a public library of over 8,000 volumes, a dozen churches, and 2 daily and 2 weekly newspapers.

The post-office quarters in Nashua are contracted in space and located at the narrowest point on the principal street, rendering it undesirable and dangerous. A public building will remove these disadvantages and give to this enterprising and rapidly growing city a suitable and adequate place for transacting the public business.

Nashua is a rapidly growing manufacturing city whose population in 1880 was 13,453; in 1890, 19,206, and now at least 24,000. The post-office receipts are about \$26,000 per annum and steadily increasing, and the annual net receipts are some \$13,000. The Federal business justifies, and its convenience demands, the erection of a public building at Nashua. Such a building, including suitable site, sufficient for the accommodation of the postal business for many years to come and furnishing quarters for internal-revenue and other Government purposes, so far as they are likely to require room at Nashua, your committee believes can be erected for \$60,000.

I think the amount named is not quite large enough; but in view of the fact that we are proposing to appropriate for so many public buildings in the country, and it is necessary for us all to practice some degree of economy, I shall be very glad to accept \$60,000, or such proportion of it during the next fiscal year as the Committee on Appropriations may think should be appropriated; and I shall find no fault, Mr. President, if a provision for erecting a public building at Nashua at a cost of \$60,000 is incorporated in this bill.

I offer the amendment.

The PRESIDENT pro tempore. The amendment submitted by the Senator from New Hampshire will be stated.

The SECRETARY. After line 2, on page 2, it is proposed to add:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices, in the city of Nashua and State of New Hampshire, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$60,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury should deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusions in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as heretofore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed \$6 per day and actual traveling expenses; *Provided, however*, That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The PRESIDENT pro tempore. The question is on the amend-

ment submitted by the Senator from New Hampshire [Mr. GALLINGER].

The amendment was agreed to.

Mr. HAWLEY. Mr. President, I wish to throw myself upon the indulgence of the Senate for a short time, and I should like to be heard. I offer an amendment to the pending bill, to come in on page 3, after line 14.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. On page 3, after line 14, it is proposed to insert:

For constructing an addition to the public building at Hartford, Conn., \$175,000.

Mr. HAWLEY. Mr. President, the post-office building at Hartford was started about 1875. It went on very slowly under the old-fashioned system. It was occupied in 1882, and in a year or two was found to be not sufficient to accommodate the large business there transacted. Owing to the great business of the town, the revenues of the post-office doubled in sixteen years. For the fiscal year ending June 30, 1897, the receipts were in the neighborhood of \$241,000. That was for the fiscal year before the last. For the last fiscal year, ending June 30, 1898, the receipts were \$260,000. The ratio of expenses to the receipts in those two years was 28 per cent—a lower rate of proportionate expense than any free-delivery office in the United States could show.

The Hartford post-office netted to the Government for the year 1897 about \$181,000, and for the year 1898 about \$188,000.

Mr. ALLISON. Over expenses?

Mr. HAWLEY. Certainly; over the expenses. The postmaster describes them as net receipts, and the First Assistant Postmaster-General in the same way.

The land belongs to the Government. It is the best lot in the city of Hartford. It is right directly adjoining our old state-house, which is now our city hall. There is enough of the lot to enable this addition to be made. I have here a drawing of the present limits and a drawing of the limits which are desired and for which the appropriation is asked, and the land, as I say, will cost nothing. All the appropriation will be expended upon ground belonging to the Government.

We have had to go to the outer limits of the city to establish a carrier office and hire a building out there in order to take some of the load off of the central office. We have had to cut off a considerable section of the lobby, which belongs to the public, in order to make sufficient room. We have had to throw out certain conveniences for hanging and holding mail bags and to put in cheaper and more condensed and compact arrangements for the purpose.

Mr. Heath, the First Assistant Postmaster-General, I think has visited the place some time within a year or two, though I am not quite sure as to that. He says:

Referring to the inclosed amendment to H. R. bill 12008, appropriating \$175,000 for constructing an addition to the public building at Hartford, Conn., and your personal request for information as to the necessity for additional room in the post-office at Hartford, I beg to state that the present post-office building at Hartford was first occupied by the post-office in 1882. The building was in process of construction about seven years. The gross receipts of the Hartford post-office in 1882 amounted to \$128,800, and for the fiscal year ended June 30, 1898, the gross receipts of that office amounted to \$260,722.

That is more than doubling the receipts.

As far back as 1891 complaints reached the Department relative to the cramped condition of the post-office at Hartford, and it has been found necessary to make a number of changes in the arrangement of the fixtures so as to provide more room. A part of the lobby has been taken into the working room of the office, and about eighteen months ago the Department found it necessary to establish a full carrier station so as to give more room for the clerks and carriers.

As the Government owns the land on which it is proposed to erect the addition, I trust the Congress will see fit to make the appropriation. There is no question but that the additional space is absolutely essential for the proper conduct of the postal business at Hartford.

Very respectfully,

PERRY S. HEATH.

First Assistant Postmaster-General.

Hon. JOSEPH R. HAWLEY,  
United States Senate.

There is no question but that the additional space is absolutely essential for the proper conduct of the postal business in Hartford. I do not know that I can say any more. I know from personal examination of the building the difficulties under which the postmaster labors, and he says he will be obliged, at somebody's expense, pretty soon to go out and hire rooms in the vicinity unless he can get some addition to the building. In his letter to me the postmaster at Hartford says:

This building was completed and ready for occupancy some eighteen years ago. At the time of its completion, and by reason of the growth of the city and its business, it was then inadequate for the needs which it was designed for. You can therefore well imagine what the condition of the office is at the present time, when each and every year since that period has shown an increase in the receipts of the office.

For the fiscal year ending June 30, 1897, the receipts were in the neighborhood of \$241,000, and for the year ending June 30, 1898, in the neighborhood of \$260,000. The ratio of expense to receipts for these two years was 28 per cent, which was the lowest rate of expense of any free-delivery office in the United States.

Thus it will be seen that the Hartford office netted to the Government for the year 1897 about \$181,000, and for the year 1898 about \$188,000. You will observe that there was an increase of about \$20,000 during the year 1898 over the corresponding period of 1897, this being the gross receipts. With such a growth almost annually for the last five or six years you would naturally wonder how it was that we were able to get along up to the present time if the office was inadequate for its needs at the time of completion.

The answer is that it became necessary to establish in the manufacturing center of the city a full station, where we could place a few of our carriers and take care of the outgoing mail received from the manufacturers in that location. That having been done, we still find the business at the main office increasing enormously by reason of the large insurance, banking, and other interests. We have devised all manner of means for making every available square foot of floor surface count for something.

We have even gone so far as to deprive the public of lobby space, which they could ill afford to lose, but which became necessary in order to perform the work devolving upon us. We have likewise had to discard what is known as the Harrison rack used in every post-office in the country for hanging pouches and sacks, and replace it with something of our own design, because it took up a little less room. This is likewise true of our mailing case used for distributing all outgoing letter mail.

In this way we have managed to gain breathing space for our carrier force, and that is about all. Our money-order business issued and paid amounts to nearly \$2,000,000 annually, and is increasing rapidly. The registry business during the last year or two has made most rapid strides by reason of the new system recently adopted by some of the assessment insurance companies whereby quarterly they send out hundreds of registered letters. This office has recently been highly commended by the honorable First Assistant Postmaster-General by reason of our excellent showing.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The amendment proposed by the Senator from Connecticut has been stated.

Mr. HAWLEY. It is approved by the Committee on Public Buildings and Grounds.

Mr. ALLISON. I regard the amendment suggested by the Senator from Connecticut as rather special in its character from the statement made by him, and am only sorry that it is not in the category of these other public-building bills. But I shall make no point against his amendment, except that I hope he will modify it so as to make one-half of this appropriation available for the next fiscal year and authorize, as we expect to do in the other cases, a contract for the completion of the building.

Mr. HAWLEY. I accept the suggestion with pleasure.

The PRESIDING OFFICER. The amendment will be modified accordingly.

Mr. HAWLEY. Let it lie upon the table for a short time.

The PRESIDING OFFICER. It will lie upon the table.

Mr. ALLISON. If it is laid aside, the clerk of the Committee on Appropriations will prepare an amendment covering the phraseology.

Mr. CLARK. I offer an amendment, and I desire to say that the public building therein contemplated is in a town where there are held United States district and circuit courts, wherein is located the United States land office, besides the post-office and other ordinary offices in such a place. A bill for this purpose has already passed the Senate.

Mr. ALLISON. Has it passed the House of Representatives?

Mr. CLARK. It has not. It stands in exactly the same category as the last three or four bills which have been incorporated as amendments.

Mr. ALLISON. What three or four? There is only one.

Mr. CLARK. The Alabama case.

Mr. ALLISON. I ask that the amendment may be stated.

The SECRETARY. It is proposed to add at the bottom of page 3 the following:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to acquire, by purchase or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States courts, post-office, land offices, and for other Government purposes, at Evanston, in the State of Wyoming, the cost of said site and building complete not to exceed the sum of \$100,000, not more than \$15,000 of which shall be used for the purchase of the site:

Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; And provided further, That no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Wyoming shall have ceded to the United States exclusive jurisdiction over the same for all purposes except the administration of the criminal laws of the State and the service of civil process therein.

Mr. ALLISON. I suggest to the Senator from Wyoming that he modify the maximum amount.

Mr. WARREN. If the Senator will reflect on the statement I made when I presented the amendment—

Mr. SPOONER. What is the maximum amount?

Mr. CLARK. A hundred thousand dollars. There are in that town United States district and circuit courts; there is there the location of the United States land office, in addition to the ordinary post-office. I apprehend that the ordinary floor space would probably cost that amount of money.

Mr. ALLISON. I trust the Senator will yield to the suggestion I made as to appropriating one-half of the sum for the next fiscal year.

Mr. CLARK. Surely. That is all right. Let the clerks prepare the amendment at the desk.

The PRESIDING OFFICER. That modification will be made

at the desk. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 4595) for the erection of a public building at Norwich, Conn.; and

A bill (H. R. 5528) to provide for the construction of a public building at Salem, Oreg.

#### PUBLIC BUILDING AT ANNAPOLIS, MD.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 11141) for the erection of a public building at Annapolis, Md., which was read the first time by its title and the second time at length.

Mr. WELLINGTON. I ask that the bill may be acted on now.

Mr. GORMAN. I ask unanimous consent that the bill may be acted upon now.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT SALEM, OREG.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 5528) to provide for the construction of a public building at Salem, Oreg.; which was read the first time by its title and the second time at length.

Mr. McBRIDE. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT NORWICH, CONN.

The bill (H. R. 4595) for the erection of a public building at Norwich, Conn., was read the first time by its title and the second time at length.

Mr. PLATT of Connecticut. I ask unanimous consent that the bill may be put upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT ANNISTON, ALA.

The bill (H. R. 10804) for the erection of a public building at Anniston, Ala., was read the first time by its title and the second time at length.

Mr. PETTUS. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT MENOMINEE, MICH.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 2056) for the erection of a public building at Menominee, Mich.; which was read the first time by its title and the second time at length.

Mr. QUAY. I ask unanimous consent that the bill may be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### SENATE MANUAL.

Mr. SPOONER submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That there be printed and bound, in cloth, for the use of the Senate Committee on Rules, 1,000 copies of the last edition of the Senate Manual.

#### AMENDMENT TO ARMY APPROPRIATION BILL.

Mr. FORAKER. I present an amendment which at the proper time I intend to propose to the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900. I ask that it may be printed and referred to the Committee on Appropriations.

Mr. CHANDLER. I ask to have the amendment read.

Mr. FORAKER. I have no objection to its being read.

The PRESIDENT pro tempore. The amendment intended to be proposed by the Senator from Ohio will be stated.

The SECRETARY. At the end of the bill making appropriations for the Army for the fiscal year ending June 30, 1900, it is proposed to add:

*And provided further*, That no franchises or concessions of any kind whatever shall be granted by the United States, or by any authority whatever for which the United States is responsible, in the island of Cuba during the occupation thereof by the United States: *And provided further*, That the pacification of the island of Cuba having been accomplished, the President is hereby authorized to withdraw the military forces of the United States therefrom, and to leave the government and control of the island to its people.

The PRESIDENT pro tempore. The amendment will be printed and referred to the Committee on Appropriations, in the absence of objection.

#### SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

Mr. NELSON. I offer an amendment to be inserted at the end of line 10, on page 4. It proposes to appropriate \$55,000 for the necessary improvements and addition to the post-office at Minneapolis. I do not want to take up the time of the Senate at this late hour more than to say that this post-office was completed in 1889, ten years ago; that the business since that time has more than doubled, trebled, in fact; that the force of employees is nearly three times as great, and the business is so crowded that a large number of the men have to work in the basement under the sidewalk.

Mr. ALLISON. The clerk of the Committee on Appropriations is preparing an amendment covering that exact case. This is one of the bills that passed both Houses to-day, and I hope the Senator will allow it to be passed over for a moment, since the clerk is preparing an amendment to cover all these cases.

Mr. NELSON. Very well; if it comes in with all the others.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The present occupant of the chair desires to have unanimous consent to modify the amendment for the public building at Nashua, N. H., so as to provide that one-half of the amount shall be appropriated during the next fiscal year. Is unanimous consent given? The Chair hears no objection; and it is so ordered.

Mr. PRITCHARD. Some time ago I offered to the pending measure an amendment authorizing the Secretary of War to obtain certain information relative to Confederate cemeteries. I desire to inquire of the Senator from Missouri [Mr. COCKRELL] as to what disposition was made of that amendment?

Mr. COCKRELL. The amendment proposed by the Senator from North Carolina was duly considered. We ascertained that in the War Department the inquiry proposed in the amendment is already being made by a very competent man, and that the statistics and data called for in this amendment can be procured and will be procured without making an additional appropriation, as proposed to be authorized in the amendment.

Mr. PRITCHARD. That statement is entirely satisfactory to me.

Mr. GORMAN. At the request of the Senator from Michigan [Mr. McMILLAN] I offer the amendment I send to the desk.

The SECRETARY. On page 85, after line 4, it is proposed to insert:

That the Commissioners of the District of Columbia be, and they are hereby, authorized to grant permits, under proper regulations, to either of the two electric-lighting companies doing business in the District of Columbia to repair, enlarge, extend, and connect with public parks or reservations, and public or private buildings, their existing conduits, and to lease and use for electric-lighting purposes any conduit carrying electric wires that is or may be duly authorized by law: *And provided further*, That after one year from the passage of this act no corporation or person shall operate or maintain overhead electric-light wires on Pennsylvania avenue, or in any street within the fire limits north of Pennsylvania avenue, in the District of Columbia, under a penalty of \$50 for every day during which such operation or maintenance continues, which penalty may be recovered in any court of competent jurisdiction: *And provided further*, That in every conduit constructed or reconstructed under the provisions of this section three ducts shall be reserved for the free use of the United States and the District of Columbia.

Mr. CHANDLER. I wish to ask whence comes the proposed amendment?

Mr. GORMAN. I offered the amendment at the request of the Senator from Michigan [Mr. McMILLAN], chairman of the Committee on the District of Columbia.

Mr. CHANDLER. I make the point of order on the amendment. It is general legislation.

The PRESIDING OFFICER. The Chair sustains the point of order made by the Senator from New Hampshire.

Mr. ALLISON. I move now an amendment which is intended to cover all the public-building measures that have passed the two Houses and the public-building amendments that have been agreed to within the last few moments, including Selma and Nashua.

Mr. BUTLER. Before the Senator from Iowa offers his amendment, I wish to offer an amendment so that it will come in at the proper place.

The PRESIDING OFFICER. Does the Senator from Iowa withhold his amendment?

Mr. ALLISON. I withhold it for the moment.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Carolina will be stated.

The SECRETARY. On page 3, after line 4, it is proposed to insert the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and to cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Durham and State of North Carolina, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$125,000.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

Mr. BUTLER. Durham is one of the largest and most important towns in my State. The internal-revenue receipts in that town are over \$600,000 a year. It deserves a public building as much as any other town in the State. Ten years ago a public building should have been erected there. The Senate and House reports set forth the importance of a public building. Here are the reports.

This amendment in the form of a bill has passed the Senate twice, and is favorably reported by the House committee.

Mr. ALLISON. What is the maximum?

The PRESIDING OFFICER. One hundred and twenty-five thousand dollars, the Chair will state.

Mr. ALLISON. I trust the Senator from North Carolina will reduce it to \$75,000, at least.

Mr. HAWLEY. What is the population?

Mr. BUTLER. About 15,000, and it will be over 20,000 in a few years.

Mr. SPOONER. Are there United States courts there?

Mr. BUTLER. No; but it is one of the most important commercial centers in my State. I accept the amendment suggested by the Senator from Iowa.

The SECRETARY. It is proposed to strike out "\$125,000" and insert "\$75,000."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ALLISON. I offer an amendment covering all these public buildings, so far as I know.

Mr. CHANDLER. Is Durham, N. C., in?

Mr. ALLISON. He has already put that in.

The SECRETARY. On page 4, after line 17, it is proposed to insert:

For the purchase of sites and toward the erection, within the respective limits of cost, of public buildings at the following places, namely: Indianapolis, Ind., \$250,000; Fitchburg, Mass., \$50,000; Brunswick, Ga., \$25,000; Elgin, Ill., \$50,000; Kansas City, Kans., \$75,000; Lawrence, Mass., \$50,000; Jamestown, N. Y., \$37,500; New Iberia, La., \$25,000; Tampa, Fla., \$50,000; Rome, N. Y., \$25,000; Elmira, N. Y., \$12,500; Joliet, Ill., \$50,000; New Brunswick, N. J., \$50,000; Eau Claire, Wis., \$25,000; Elizabeth City, N. C., \$25,000; Newport, Vt., \$25,000; Monmouth, Ill., \$25,000; Oskaloosa, Iowa, \$25,000; Creston, Iowa, \$25,000; Clinton, Iowa, \$50,000; Bristol, Tenn., \$25,000; Streator, Ill., \$25,000; Joplin, Mo., \$25,000; Fergus Falls, Minn., \$37,500; Aberdeen, S. Dak., \$43,500; Abilene, Tex., \$37,500; New Brighton, Pa., \$37,500; Blair, Nebr., \$21,500; Oakland, Cal., \$125,000; Beaumont, Tex., \$37,500; Wilkesbarre, Pa., \$22,500; Butte, Mont., \$100,000; Salt Lake, Utah, \$150,000; Seattle, Wash., \$150,000; Annapolis, Md., \$50,000; St. Cloud, Minn., \$25,000; Stockton, Cal., \$40,950; Janesville, Wis., \$25,000; Anniston, Ala., \$25,000; Salem, Oreg., \$50,000; Norwich, Conn., \$50,000; Winston, N. C., \$25,000; Leadville, Colo., \$25,000; Lockport, N. Y., \$25,000; Deadwood, S. Dak., \$50,000; Freeport, Ill., \$37,500; Hastings, Nebr., \$13,000; Norfolk, Nebr., \$7,000; Menominee, Mich., \$25,000; Nashua, N. H., \$30,000; in all \$2,447,440; and the Secretary of the Treasury is hereby authorized to enter into contracts for the completion of each of said buildings within its respective limit of cost.

For post-office at Brooklyn, N. Y.: For purchase of the property known as lot 34, block 20, Ward 4, lying on the east side of Washington street 175 feet north of Johnson street, and 122 feet 10 inches south of Tillary street, in the city of Brooklyn and State of New York, for the use and accommodation of the United States post-office and other Government offices in said city of Brooklyn, \$30,000.

For court-house and post-office at Omaha, Nebr.: For purchase of site and erection of building under present limit, \$150,000.

For public building at Canton, Ohio: For addition to building, \$15,000.

For post-office at Minneapolis, Minn.: For constructing a basement and one-story addition, including all necessary changes and alterations in the present building, \$55,000.

For post-office and court-house at Macon, Ga.: For extending and enlarging the building, and for purchase of additional ground on Third street for this purpose, \$58,000.

For post-office at Hot Springs, Ark.: For construction of a building on the permanent reservation owned by the United States at Hot Springs, Ark., and at such spot therein as may be selected and set apart by the Secretary of the Interior and accepted by the Secretary of the Treasury for such purpose, \$30,000; and the Secretary of the Treasury is hereby authorized to enter into a contract for the construction of said building within the present limit of cost.

For custom-house and post-office at Dubuque, Iowa: For improving and enlarging the building, \$50,000; and the Secretary of the Treasury is hereby authorized to enter into a contract for the completion of said building within the present limit of cost.

For post-office at Springfield, Mass.: For extending and enlarging the building, \$30,000.

For post-office at Columbus, Ga.: For extending and enlarging the building and to purchase additional ground in the discretion of the Secretary of the Treasury, including all necessary repairs to the present structure, \$25,000; and the Secretary of the Treasury is hereby authorized to enter into a contract for the completion of said building within the present limit of cost.

For court-house at Jackson, Miss.: For erection of an addition within the present limit of cost, \$31,000.

For post-office at Cleveland, Ohio: For purchase of site, being block of land located in the city of Cleveland which is bounded by Rockwell street on the north, by Wood street on the east, by Superior street on the south, and on the west by the land now owned by the United States upon which the post-office building is located, and commencement of building, within the limit of cost, \$300,000.

For custom-house at Baltimore, Md.: For purchase of additional land in the square now occupied by the custom-house in said city, \$100,000.

For public building at Hartford, Conn.: For constructing an addition to the building, \$37,500; and the Secretary of the Treasury is hereby authorized to enter into a contract for the construction of said building within the present limit of cost.

Mr. BACON. I should like to make an inquiry of the Senator from Iowa. I understand that the amendment proposed by him is one which allows a certain proportion of the total ultimate cost as the present appropriation.

Mr. ALLISON. Yes, sir.

Mr. BACON. That I can see the reason for in cases where there are buildings to be erected. I could not catch from the reading whether the same rule was applied in the case of two existing public buildings which are to be enlarged in the State of Georgia, one in Columbus and the other in Macon.

Mr. ALLISON. I am not sure about Columbus, but I understand that the appropriation is \$58,000 for Macon and that it is appropriated for in full by this amendment. As to the other building, I am not quite clear.

Mr. BACON. I am of the impression, from what I heard read, that the full amount is included as to Macon. I was simply going to suggest that while the rule adopted by the Senator in the amendment in the case of buildings to be erected is a good rule, in cases where there are improvements to be made the rule might not work so well, for the reason that the building has to be dismantled to a large extent and it is necessary that it should be rapidly completed.

Mr. ALLISON. Let the Secretary turn to that part of the amendment.

Mr. BACON. In the case of Columbus, Ga., I think possibly it is the full amount. I have sent to the Secretary's office to get the bill in order that I may see what is the amount appropriated in the House bill.

The Secretary read as follows:

For post office and court-house at Macon, Ga.: For extending and enlarging the building and for purchase of additional ground on Third street for this purpose, \$58,000.

Mr. ALLISON. That is the full amount.

The Secretary read as follows:

For post-office at Columbus, Ga.: For extending and enlarging the building, etc., \$25,000.

Mr. BACON. Is that the full amount?

Mr. ALLISON. That is the full amount. Now, there is one thing I wish to state before this amendment is agreed to. The Senator from California had the bill relating to Stockton amended and I think asked for a committee of conference.

Mr. WHITE. Yes, sir.

Mr. ALLISON. Of course, we do not know what the committee of conference may do as to the bill.

Mr. WHITE. We have an idea.

Mr. ALLISON. If they should come to an agreement, I think we should add, say, \$75,000 for Los Angeles. Not exceeding \$150,000 is the limit.

Mr. WHITE. Whatever may be the desire of the Senator from Iowa regarding that matter will be satisfactory to me. I simply wish that the bill shall go through in connection with this measure. As I understand the amendment of the Senator from Iowa, it involves the insertion of the Los Angeles and Stockton items, limiting the primary expense in the case of Los Angeles to \$75,000 and fixing the limit in accordance with the bill. I desire to ask the Senator from Iowa if I am right in this regard?

Mr. ALLISON. That is right.

Mr. PASCO. I desire to call the attention of the Senator from Iowa to the fact that the limit of cost in the case of the public building at Tampa has not yet been settled. It is being adjusted or is expected to be adjusted by the committee of conference, but I see no harm in letting the amendment remain as it is, and it can be made the subject of settlement hereafter in conference if necessary.

Mr. ALLISON. It can be settled in conference. A good many of these matters will be settled in conference. I offer the following relating to Los Angeles, to be inserted at the end of the provision, leaving the number of dollars blank.

Mr. WHITE. That will be satisfactory.

The PRESIDENT pro tempore. The Senator from Iowa offers an amendment to the amendment, which will be stated.

The Secretary read as follows:

Addition to building at Los Angeles, Cal., \$75,000; and the Secretary of the Treasury is authorized to contract for the construction of said addition at a cost not exceeding ——— dollars.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ALLISON. Now, I hope the bill will be reported to the Senate.

Mr. BACON. I wish to call the attention of the Senator from Iowa to the fact that he is mistaken in his understanding as to the amount appropriated in the House bill for the enlargement of the public building at Columbus, Ga. The amount is \$50,000 in that bill. I wish to state to the Senator that both in Columbus and in Macon these are buildings in which the Federal court is held.

The improvements are not simply for ornamental purposes, but there is a Federal court that sits in each one of those cities, and the buildings are utterly inadequate to the necessities of the courts. It is for that reason that their enlargement in each instance has been recommended. I would suggest to the Senator that while the rule of proportioning the amount in the case of buildings is one which would work without any disadvantage, in the case of an improvement it is necessary that the whole amount shall be made available, because, as I said before, in these improvements the buildings have to be dismantled, and it is necessary that the work shall be done promptly.

Mr. ALLISON. Is the purchase of a site required there also?

Mr. BACON. No, sir.

Mr. ALLISON. No land is to be purchased?

Mr. BACON. I have the bill before me.

Mr. ALLISON. Then I hope we will occupy very little time about it, and that the building at Columbus, Ga., shall be provided for in full.

The SECRETARY. Strike out "twenty-five" and insert "fifty" before the word "thousand."

Mr. BACON. I do not wish to mislead the Senator. It says "to purchase additional ground." I suppose that means simply immediately adjoining for the purpose of enlargement; but that would amount practically to very little.

Mr. SPOONER. That is a part of the \$50,000.

Mr. BACON. It is a part of the \$50,000, and from what I know of the value of ground there, it would be a very small proportion of the total amount. The amount will be expended in building.

Mr. ALLISON. Let the amendment be so modified, by making it \$50,000, and changing the total accordingly.

The PRESIDENT pro tempore. The amendment will be regarded as open, and the amendment to the amendment agreed to. It is agreed to.

Mr. WARREN. I desire to offer an amendment which I send to the desk, and I ask that a letter from the Secretary of the Treasury—

Mr. ALLISON. I hope the Senator will be content to put the letter into the RECORD.

Mr. WARREN. I ask that it be put in the RECORD.

The PRESIDENT pro tempore. The letter will be inserted in the RECORD.

Mr. WARREN. I wish to have the amendment adopted and to have the RECORD show the letter from the Supervising Architect to the Secretary of the Treasury, on which the amendment is based.

The SECRETARY. On page 3, after line 10, insert:

For public building at Cheyenne, Wyo.: For additional expenses, \$25,000.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The letter referred to is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,  
Washington, D. C., January 19, 1899.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Supervising Architect of the 17th instant, submitting an estimate for a further appropriation of \$25,000 for the public building at Cheyenne, Wyo.

Respectfully, yours,

O. L. SPAULDING,  
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

TREASURY DEPARTMENT,  
OFFICE OF THE SUPERVISING ARCHITECT,  
Washington, D. C., January 17, 1899.

SIR: Your attention is respectfully called to the fact that after the excavation was done under the contract for excavation, grading, concrete foundations, stone footings, brickwork and cut-stone work of basement and area walls, etc., of the public building at Cheyenne, Wyo., it was discovered that the condition of the stratum encountered was such as to render it inexpedient to place the foundations designed thereon, a material being encountered which, uncovered and coming in contact with water, became particularly soft, a condition which the ordinary tests applied to foundations before excavation would not reveal.

After a very careful study of the problem it was decided to place sub-structure work in order to distribute the weight over a larger area, at an expense of \$23,185.

The appropriation for this building is much smaller in comparison to its size than for any other building of like character now being constructed under the direction of this office, and it is impossible to carry out the original design unless additional appropriation is made to cover the cost of the sub-structure work.

Nevertheless, had it not been necessary to incur this expense, which it was impossible to foresee at the time the original estimate was made, the building as originally designed could have been built inside of the appropria-

tion; but on account of this additional expense it is out of the question to build the building without material modifications, which modifications, considering the limited amount of money originally available for the building, will seriously affect both its appearance and its usefulness.

In view of the above I have respectfully to recommend that Congress be asked to provide, at its present session, an additional appropriation of \$25,000 to cover the cost of the contract above mentioned and certain work incidental thereto.

The fact is also brought to your attention that this building is situated at a distance from large and cheap markets, which renders it necessary to have a larger, rather than a less, appropriation than is required in other localities; also that the entire cost of the site was only \$11,147.51.

Respectfully, yours,

J. K. TAYLOR, Supervising Architect.

The SECRETARY OF THE TREASURY.

Mr. ALLISON. Now, I hope the bill may be reported to the Senate.

Mr. WHITE. I have here two amendments which I desire to submit to the Senate. I will say concerning them that if the Senator from Iowa and those who may be conferees with him consider that they should not be adopted, I am perfectly willing to acquiesce with him; but I think that they ought to be incorporated in the measure, and I will submit them to him.

Mr. ALLISON. Are those the amendments the Senator spoke to me about to-day?

Mr. WHITE. They are the same.

Mr. ALLISON. I have no objection to their being inserted, although my own belief is that there have been some subsequent statutes modifying those sections of the Revised Statutes. But the conferees will look into the matter.

Mr. WHITE. I am prepared to furnish data to the Senator from Iowa. If I fail to do it, I will not raise any question.

The PRESIDENT pro tempore. The amendments will be stated.

The SECRETARY. On page 66, line 6, after the word "expended," insert:

In the manner provided by section 2223 of the Revised Statutes of the United States.

And in lines 9 and 10, same page, strike out:

By such competent surveyors as the Secretary of the Interior may select.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The PRESIDENT pro tempore. Are there further amendments in the Senate?

Mr. BUTLER. On page 68, line 19, I move to amend the committee's amendment by striking out "twenty-five" and inserting "fifty."

The SECRETARY. In line 19, page 68, amend the committee amendment by striking out "twenty-five" and inserting "fifty," so as to read:

For topographic surveys in various portions of the United States, \$250,000, to be immediately available.

Mr. BUTLER. That is the amendment I offered in Committee of the Whole which the Senator from Iowa requested me to temporarily withdraw. I ask that the reasons for this amendment, which are tabulated, be put in the RECORD without reading.

The PRESIDENT pro tempore. That will be done, without objection.

The matter referred to is as follows:

APPROPRIATION FOR TOPOGRAPHIC SURVEYS IN THE UNITED STATES.

In support of the amendment to increase the appropriation from \$200,000 to \$250,000.

As showing the demand for this increased appropriation asked for, at least eight States (New York, Pennsylvania, Maine, Maryland, West Virginia, North Carolina, Georgia, and Alabama) are now offering to cooperate with the Government survey to the extent of paying one-half of all expenses connected with the work in each of these States, if Congress will only increase the appropriation as requested, in order to push this work more rapidly; and the question of a similar cooperation is being agitated in other States. The amount needed to meet this demand is \$75,000.

The Government Survey is unable to meet these offers unless the increase asked for is allowed. The work now in progress in other States and Territories can not justly be discontinued in order to meet this demand for cooperation in these new areas.

It will be seen that in this proposed cooperative work the surveys will cost the Government just one-half of what they would otherwise cost.

#### MASSACHUSETTS.

In cooperation with the State of Massachusetts, the United States Geological Survey has completed a detailed topographic map of the entire area of its territory, at an expense of \$40,000 appropriated by the State and \$67,845 appropriated by the Federal Government.

The resulting maps saved to the city of Worcester alone, in one case of litigation as to source of water supply, the sum of \$3,000,000, according to the statement of the city engineer. Sums aggregating perhaps an equal amount have been saved other cities, according to statements of Chief Engineer Swain, of the State board of health, who has found these maps indispensable in the prosecution of his investigations.

These maps made ten years ago require now some revision to keep them up to date. A new large-scale survey of the metropolitan district of Boston, commenced last year at the urgent request of various engineering departments of the city of Boston, will remain uncompleted this year unless the appropriation for topographic surveys can be increased by Congress from \$200,000 to \$250,000, as the demands for new surveys in other regions are even more urgent.

## APPROPRIATIONS FOR TOPOGRAPHIC SURVEYS.

For 1892 the appropriation was.....	\$250,000
We ask that it be restored to that figure.	
For 1897-98 the appropriation was.....	180,000
Of that there was required to be spent in the semiarid region.....	\$35,000
Required west of the one hundredth meridian.....	48,000
Required administrative expenses.....	12,000
	95,000
Remainder left for topographic work in the Mississippi Valley and Eastern States.....	85,000
Needed for cooperation in Maine, New York, Pennsylvania, Maryland, West Virginia, North Carolina, Georgia, and Alabama.....	75,000
Remainder for surveys in the great iron, coal, and oil regions of the Mississippi Valley and Eastern States other than those named above.....	10,000

1898-99.

The present bill, as it comes from the House, transfers \$30,000 from forestry surveys to general topographic surveys for the entire United States. Supposing half of this to be available for States of the Mississippi Valley and the East, and this gives for the surveys of the great iron, coal, and oil regions of the Mississippi Valley and Eastern States other than those mentioned above..... 20,000

It can not be fairly claimed that the appropriation carried by the present bill of \$130,000 for investigation and maps in the Western forest reservation means any increase for topographic maps in the country at large where they are needed and where this urgent demand for the increase comes from. And while the House bill removes the barriers by allowing the Director of the Survey to use the entire appropriation wherever in his judgment the needs are greatest, yet the demand from these Western regions for this work is also great, and the amounts formerly used in the West are still needed there and can not be transferred to the East.

## COOPERATIVE TOPOGRAPHIC SURVEYS ACCOMPLISHED OR IN PROGRESS.

The following table shows what cooperative surveys have been completed or are in progress. It gives an index to cost of making topographic surveys on scale of 1 mile to 1 inch, with contours 20 feet apart vertically:

State.	Area.	Area mapped.	Total cost.	Appropriated by State.
	Sq. miles.	Sq. miles.		
Massachusetts.....	8,315	All.	\$107,845	\$40,000
Connecticut.....	4,900	All.	53,555	25,000
Rhode Island.....	1,250	All.	11,212	5,000
New Jersey.....	7,815	All.	85,965	40,000
New York.....	49,170	18,515	216,000	86,000
Maryland.....	12,210	8,470	35,000	7,000

Estimated cost of mapping any other area, scale 1 mile to 1 inch, varies from \$10 to \$15 a square mile, according to ruggedness of country.

The average cost of mapping the Southern and Western States on scale of 1 inch to 2 miles is from \$5 to \$8 per square mile, according to character of country.

The Federal Government to bear half the expense at the above rates.

Unaided, a State could not make similar survey in twice the time for three times the cost, because States would have to train skilled topographers and bear in addition heavy administrative expenses.

## CHARACTER OF TOPOGRAPHIC MAP.

Scales, 1 mile to 1 inch and 2 miles to 1 inch.

Elevations shown for every 20 to 100 feet difference in height by contour lines of that distance apart.

Exact elevation recorded on ground by bench marks, 1 in every 3 square miles.

Exact horizontal position recorded on ground by triangulation stations, 1 in every 10 square miles.

Maps show (1) exact plan of every road, railroad, street, trail, path, and public boundary line; (2) every river, lake, and stream; (3) shapes, elevations, grades of every rise or fall in the surface of the land.

## METHOD OF EXPENDITURE.

State appropriation expended in actual field work, living expenses, and services of temporary employees resident in State.

The State is at no cost to maintain a commission or pay salaries of State officials or for administrative machinery. The appropriation of the Federal Government is expended partly in field work, partly in salaries of permanent employees, and small amount goes toward general administrative expenditures.

Total appropriation of State is returned to people of State with at least 60 per cent interest, the latter being that portion of appropriation of Federal Government expended in the area under survey.

## OBJECT OF THE UNITED STATES IN COOPERATING.

The total appropriation for topographic surveys by the Federal Government is divided pro rata among the States.

That the Federal Survey may complete the mapping of the United States, it diverts larger sums to such States as cooperate.

The Federal Survey pushes its topographic map by this means in any locality in which it may produce the largest result at the least expense to the Government.

This is done that the topographic map may be had at earliest date as a base for further studies of economic resources, hydrography, forestry, etc.

## METHODS OF PUBLICATION.

Topographic maps produced by cooperative surveys are engraved on copper and printed on stone on the highest style of cartography, without expense to the State.

Editions of 2,000 copies are printed of all atlas sheets and sold by the United States Survey under law at \$2 per 100 sheets, or 5 cents per sheet.

Transfers from the copperplates may be furnished States, if desired to print their own edition.

## BENEFITS TO STATE FROM COOPERATION.

The State gains a complete topographic map of its area.

There are established throughout the State triangulation monuments, which will furnish accurate datum points for all other State or private surveys.

Throughout the State are established bench marks or permanent monuments, furnishing datum level elevations for the future determinations of height for public or private engineering purposes.

Meridian marks are established at each county seat as aids to county and local surveyors in determining declination of their compasses.

The State benefits from the wide experience of the Geological Survey, which has made a close study of economical and rapid methods and of instruments especially adapted to topographical surveying.

A geological survey of the area follows the cooperative topographic survey. The economic and mineral resources of the State are pointed out and developed as a result of the geological survey.

The waterways and mill powers and other water resources of the State are examined, studied, and reported upon by the hydrographic survey which follows.

The forest resources of the State are mapped and discussed in the study of forestry which follows.

All the above surveys lead to the expenditure of a larger portion of Federal appropriations in the State.

## OBJECTS AND USES OF TOPOGRAPHIC MAPS.

The objects and uses of topographic maps are:

1. Educational, (a) by promoting an exact knowledge of the country; (b) by serving teachers and pupils in geographic studies.

2. Practical, as the preliminary maps for planning engineering projects. Highways, electric roads, railroads, aqueducts, and sewerage plants may be laid out on them, and the cost or preliminary surveys may be saved. Water supply, catchment areas, reservoir sites, and canals may be ascertained from these maps.

3. Political. In all questions relating to political or legislative matters they afford accurate information as to relations of boundaries and towns to natural features.

4. Administrative and military, in all questions relating to Federal or State administration of the public works, as canals, reservations, parks, highways, and also as military base maps on which to plan works of offense, defense, camps, marches, etc.

5. Statistical, as base maps for the graphic representation of all facts relating to population, industries, products, or other statistical information.

6. Economic. As means for showing the location, extent, and accessibility of lands, waters, forests, and valuable minerals, these maps are indispensable to owners, investors, and corporations.

## COMMENDATION OF COOPERATIVE SURVEYS.

Commendation of cooperative topographic maps has been general on the part of all civil and mining engineers of prominence, geologists, colleges, chambers of commerce, and prominent citizens, where the maps are understood.

Where the maps exist they are generally used by the public.

They have been indorsed in resolutions of American Society of Civil Engineers, of New York Chamber of Commerce, of New York Academy of Sciences, American Geographic Society, etc.

Their service to railways has been set forth in letters by chief engineer New York Central Railroad, Pennsylvania Railroad, of Baltimore and Ohio, of Chesapeake and Ohio, of Southern, and of practically every railway of note in the United States.

They are of value to electric and suburban railway projects. Have been set forth in letters from engineers in New York State, Connecticut, Maryland, and elsewhere.

They are of value in development of mineral and quarry resources. Have been testified to by mining engineers in Idaho, Tennessee, Kentucky, Nevada, and everywhere.

They have been used and sustained as evidence in courts of law.

Illustrations of the topographic atlas sheets and of the geologic maps are sent under separate cover. Attention is urgently invited to them.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

Mr. BUTLER. Mr. President—

The PRESIDENT pro tempore. The question is on the third reading of the bill.

Mr. BUTLER. One moment, before the bill passes. I wish to call the attention of the Senator from Iowa to page 34, line 21. I wish to strike out "five" and insert "seven." That is the amount estimated at page 56 of the Estimates.

Mr. ALLISON. I ask unanimous consent that that may be done before the third reading.

Mr. CULLOM. Let it be done.

The PRESIDENT pro tempore. The Chair did not hear the Senator's proposed amendment.

Mr. BUTLER. On page 34, line 21, strike out "five" and insert "seven."

The SECRETARY. In line 21, page 34, strike out "five" before "hundred" and insert "seven;" so as to read:

Division of fish culture—Office: Assistant in charge, \$2,700.

The PRESIDENT pro tempore. The amendment will be agreed to, in the absence of objection.

The bill was read the third time, and passed.

## CODE FOR ALASKA.

Mr. CARTER. I move that the Senate proceed to the consideration of the amendments to the bill (H. R. 8571) to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district. I ask that the amendments of the Committee on Territories reported in the bill as heretofore modified be considered as agreed to.

The PRESIDENT pro tempore. The Senator from Montana moves that the Senate proceed to the consideration of the bill known as the Alaska bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. CHANDLER. All the amendments have been read and I suppose there is no objection to them. They might be considered as agreed to.

Mr. TILLMAN. It is time to go to bed now.

Mr. PETTUS. I move that the Senate do now adjourn.

Mr. CARTER. If the Senator from Alabama will withhold his motion for adjournment for the time being, I will ask him to yield for a motion to adjourn to the hour of 11 o'clock to-morrow.

Mr. PETTUS. I have no objection to the motion if there is nothing else to be done.

Mr. CARTER. I move that when the Senate adjourn it adjourn to meet at 11 o'clock to-morrow.

The motion was agreed to.

Mr. PETTUS. I move that the Senate adjourn.

The motion was agreed to; there being on a division—ayes 20, noes 8; and (at 11 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 1, 1899, at 11 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate February 28, 1899.*

##### APPOINTMENTS IN THE ARMY.

###### INFANTRY ARM.

###### To be second lieutenants.

William M. Parker, private, Company B, First Infantry, February 9, 1898, vice Abbott, First Infantry, deceased.

Gwynn R. Hancock (graduate of the Military Academy), to date from February 15, 1899.

###### To be captain.

Capt. Richard R. Steedman, Eleventh Infantry (formerly first lieutenant, Sixteenth Infantry), to be captain, to date from April 26, 1898.

##### THIRD REGIMENT VOLUNTEER INFANTRY.

Second Lieut. Howard G. Young, to be first lieutenant, vice Barrow, appointed adjutant.

First Sergt. Willis A. Hawkins, Company G, to be second lieutenant, vice Young, promoted.

##### POSTMASTERS.

Charles H. Dimmick, to be postmaster at Willimantic, in the county of Windham and State of Connecticut, in the place of M. E. Lincoln, removed.

Henry Plumb, to be postmaster at Pleasanton, in the county of Linn and State of Kansas, in the place of Robert Kennedy, resigned.

J. H. Holzshu, to be postmaster at Cumberland, in the county of Allegany and State of Maryland, in the place of D. E. Kean, removed.

Lorenzo B. Crockett, to be postmaster at North Easton, in the county of Bristol and State of Massachusetts, in the place of J. E. Blake, whose commission expires March 1, 1899.

Francis M. Drown, to be postmaster at Weymouth, in the county of Norfolk and State of Massachusetts, in the place of J. F. Dwyer, whose commission expires March 1, 1899.

Martin N. Brady, to be postmaster at Saginaw West Side, in the county of Saginaw and State of Michigan, in the place of F. H. Potter, removed.

William R. Cook, to be postmaster at Hastings, in the county of Barry and State of Michigan, in the place of W. E. Powers, removed.

N. A. Cram, to be postmaster at Pittsfield, in the county of Merrimack and State of New Hampshire, in the place of F. E. Randall, whose commission expired January 15, 1899.

C. B. Ball, to be postmaster at Montour Falls, in the county of Schuyler and State of New York, in the place of Frank Johnson, whose commission expired February 22, 1899.

Joseph E. Cole, to be postmaster at Perry, in the county of Wyoming and State of New York, in the place of G. W. Grieve, whose commission expires March 2, 1899.

Herbert B. Easton, to be postmaster at Cattaraugus, in the county of Cattaraugus and State of New York, in the place of F. D. Jewell, whose commission expired February 14, 1899.

Genevieve French, to be postmaster at Sag Harbor, in the county of Suffolk and State of New York, in the place of F. P. Bisgood, whose commission expires March 1, 1899.

Louis Lafferrander, to be postmaster at Sayville, in the county of Suffolk and State of New York, in the place of J. S. Edwards, whose commission expired December 12, 1898.

John H. McIntosh, to be postmaster at Canton, in the county of St. Lawrence and State of New York, in the place of M. G. Brown, whose commission expired May 22, 1898.

E. T. Wilcox, to be postmaster at Ticonderoga, in the county of Essex and State of New York, in the place of T. A. Riley, whose commission expired January 23, 1899.

C. H. Beall, to be postmaster at Uniontown, in the county of Fayette and State of Pennsylvania, in the place of G. W. Semans, whose commission expired April 11, 1898.

Frank W. Daniell, to be postmaster at Shamokin, in the county

of Northumberland and State of Pennsylvania, in the place of D. L. Sollenberger, whose commission expired August 24, 1898.

James S. Kennedy, to be postmaster at Grove City, in the county of Mercer and State of Pennsylvania, in the place of W. W. Van Eman, whose commission expired January 11, 1899.

Jesse Ransberry, to be postmaster at East Stroudsburg, in the county of Monroe and State of Pennsylvania, in the place of W. H. Voss, whose commission expired January 10, 1899.

Gustavus C. Schrink, to be postmaster at Pottsville, in the county of Schuylkill and State of Pennsylvania, in the place of Louis Stoffregen, whose commission expired January 17, 1899.

Samuel T. Poinier, to be postmaster at Spartanburg, in the county of Spartanburg and State of South Carolina, in the place of H. D. Floyd, removed.

Harry J. Neely, to be postmaster at Wilbur, in the county of Lincoln and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

George Sinclair, to be postmaster at Ritzville, in the county of Adams and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

Howard M. Spalding, to be postmaster at Goldendale, in the county of Klickitat and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

John B. McPherson, of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania, vice William Butler, resigned, under the provisions of section 714, Revised Statutes United States.

William S. Warner, of Deadwood, S. Dak., to be receiver of public moneys at Rapid City, S. Dak., vice Porter Warner, deceased.

#### WITHDRAWALS.

*Executive nominations withdrawn February 28, 1899.*

William B. Parker, for appointment as second lieutenant of infantry.

Gwynn R. Hancock (graduate of the Military Academy), for appointment as second lieutenant of infantry, to date from February 15, 1899.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 28, 1899.*

##### CIRCUIT JUDGE.

William R. Day, of Ohio, to be United States circuit judge for the Sixth judicial circuit.

##### DISTRICT JUDGE.

Christian C. Kohlsaat, of Illinois, to be United States district judge for the northern district of Illinois.

##### REGISTER OF THE LAND OFFICE.

A. C. McGillivray, of Dickinson, N. Dak., to be register of the land office at Bismarck, N. Dak.

##### GENERAL APPRAISER OF MERCHANDISE.

James S. Sherman, of New York, to be general appraiser of merchandise.

##### SUPERINTENDENT OF THE MINT.

Roswell K. Colcord, of Nevada, to be superintendent of the mint of the United States at Carson, Nev.

##### POSTMASTER.

J. H. Holzshu, to be postmaster at Cumberland, in the county of Allegany and State of Maryland.

#### HOUSE OF REPRESENTATIVES.

*TUESDAY, February 28, 1899.*

The House met at 11 o'clock a. m. Prayer by Rabbi GUSTAV N. HAUSMANN, of Grand Rapids, Mich.

The Journal of yesterday's proceedings was read and approved.

RELOCATION OF TRACKS OF CITY AND SUBURBAN RAILWAY COMPANY OF THE DISTRICT OF COLUMBIA.

Mr. RICHARDSON. Mr. Speaker, I desire to present the following conference report.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (S. R. 189) to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the

House, and agree to the same amended as follows: In lieu of the matter proposed to be inserted as a proviso insert the following:

"Providing upon completion by said City and Suburban Railway of the underground construction hereinbefore provided for the obligation of the said City and Suburban Railway imposed by section 2 of the act approved June 27, 1898, in respect to the construction of its line on North Capitol street north of T street shall cease, and in lieu of that provision said City and Suburban Railway is required, within six months after North Capitol street shall have been graded, to construct and operate a double-track railway on North Capitol street from T street to Michigan avenue, thence on Michigan avenue east to connect with its present tracks on Bunker Hill road.

"Said railway on North Capitol street north of T street and on Michigan avenue is to be operated by the overhead trolley system; but the right to operate an overhead trolley on North Capitol street shall cease and determine on July 1, 1904, or whenever after that date the said street shall be paved, and the said company shall, on and after said date or paving as aforesaid, operate the said portion of its line by the underground electric system."

And the Senate agree to the same.

J. W. BABCOCK,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*  
JAMES McMILLAN,  
REDFIELD PROCTOR,  
CHARLES J. FAULKNER,  
*Managers on the part of the Senate.*

The statement was read, as follows:

The House amended the Senate resolution No. 180 by requiring the City and Suburban road to extend its underground system through Eckington, and in place of such extension authorized the use of the overhead trolley on North Capitol street above R street. The committee of conference agree to this amendment, amended to permit the use of the overhead trolley only north of T street on North Capitol street, and limit the time during which the overhead trolley could be used on North Capitol street to July 1, 1904, or whenever after that date North Capitol street shall be paved.

J. W. BABCOCK,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*

Mr. RICHARDSON. I move that the House agree to the conference report.

The conference report was agreed to.

On motion of Mr. RICHARDSON, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

#### PHILADELPHIA EXPOSITION.

Mr. ADAMS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 242, authorizing foreign exhibitors at the Commercial Exposition to be held in Philadelphia, Pa., in 1899 to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Treasury.

The Clerk read the joint resolution, as follows:

*Resolved, etc.*, That the act of Congress approved February 23, 1885, prohibiting the importation of foreigners under contract to perform labor, and the acts of Congress prohibiting the coming of Chinese persons into the United States, and the acts amendatory of these acts, shall not be construed, nor shall anything therein operate to prevent, hinder, or in any wise restrict any foreign exhibitor, representative, or citizen of a foreign nation, or the holder who is a citizen of a foreign nation of any concession or privilege from the Philadelphia Exposition Association of Pennsylvania from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparations for installing or conducting their exhibits or of preparing or installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been granted by the Philadelphia Exposition Association of Pennsylvania in connection with such exposition: *Provided, however*, That no alien shall by virtue of this act enter the United States under contract to perform labor except by express permission, naming such alien, of the Secretary of the Treasury; and any such alien who may remain in the United States for more than three months after the close of the exposition shall thereafter be subject to all the processes and penalties applicable to aliens coming in violation of the alien contract-labor law aforesaid.

Mr. DOCKERY. I desire to ask the gentleman from Pennsylvania if this is a report of the committee?

Mr. ADAMS. This has been approved by every member of the Committee on Immigration and Naturalization except one, and he was out of the city. It is simply the formal resolution passed for the Omaha and Atlanta expositions, to allow the laborers employed by foreign exhibitors to come in, which under the strict interpretation of the law they could not do. It expires at the end of three months, and is simply the formal resolution which has been passed for the other expositions.

Mr. DOCKERY. Reported by the Committee on Immigration?

Mr. ADAMS. Yes.

Mr. DOCKERY. And a similar bill was passed for the Omaha Exposition?

Mr. ADAMS. Yes; it has to be done, for under the contract-labor law they could not come in.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was ordered to be read a third time; and being read the third time, was passed.

On motion of Mr. ADAMS, a motion to reconsider the last vote was laid on the table.

#### ARMY REORGANIZATION BILL.

Mr. HULL. Mr. Speaker, I ask consent that the Senate bill 5578, for the reorganization of the Army, be taken from the Speaker's table and referred to the Committee on Military Affairs, so that it may be considered at once.

The SPEAKER. It is so referred, as a matter of course. No request is necessary.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5578. An act for increasing the efficiency of the Army of the United States, and for other purposes; and

S. 5548. An act to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5578. An act for increasing the efficiency of the Army of the United States, and for other purposes—to the Committee on Military Affairs.

S. 5548. An act to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark.—to the Committee on Public Buildings and Grounds.

#### PUBLIC BUILDINGS.

Mr. MERCER. Mr. Speaker, I call up the special order adopted by the House yesterday.

The SPEAKER. The gentleman from Nebraska demands the special order, which the Clerk will report.

The Clerk read as follows:

The Committee on Rules, having had under consideration House resolution No. 410, report the following as a substitute, with a recommendation that it do pass:

*Resolved*, That Tuesday, the 28th day of February, immediately after the reading of the Journal, be set apart for the consideration in the House of bills reported by the Committee on Public Buildings and Grounds, as follows: First. Such bills as relate to first-class post-offices, to custom-houses, and to court-houses as have heretofore been reported from the Committee of the Whole.

Second. Such bills as the Committee on Public Buildings and Grounds shall indicate; the session of the House not to continue later than 6 o'clock p. m. of said day.

Mr. MERCER. Mr. Speaker, I find that if every public-building bill which was favorably reported the other day from the Committee of the Whole House on the state of the Union, excepting, of course, the New York bill, should be passed, it would entail upon the Government of the United States an expenditure running through a period of from five to seven years of \$8,602,900. If the 39 bills which would come under the first clause of the rule should pass, not including the New York bill, it would entail an expenditure of \$7,290,000. Not a bill which will be called up under section 1 can, I think, be criticised legitimately. I take it from the opposition made at the last sitting of the House with reference to bills reported by the Public Buildings Committee that the members who then opposed these measures are willing now, as they said they were willing then, to consider legitimately bills which provide for post-offices, custom-houses, and court-houses, either in cities of the first class or cities where courts hold sessions or where there are custom-houses doing a legitimate business entitling the place to have a custom-house building.

Under that statement, Mr. Speaker, I now call up—

Mr. DOCKERY. Will the gentleman allow me just a moment? I understand him to state that under the first clause of the rule 39 bills will be considered?

Mr. MERCER. Yes, sir.

Mr. DOCKERY. How many will be considered under the second proviso of the rule with relation to the bills considered by the Committee of the Whole?

Mr. MERCER. Twenty-three, I believe.

Mr. DOCKERY. Will the gentleman kindly state to the House the order in which it is proposed to consider the 39 bills and also the 23 bills?

Mr. MERCER. In reply to my friend from Missouri, I would say that the committee has decided to take up the bills in the order in which they passed through the Committee of the Whole as indicated in the RECORD, which is before the gentleman. If he will refer to that list, he will see the order in which they will be called up to-day. The gentleman will remember that at the last sitting I asked unanimous consent that the bills be considered in that order, and consent was given. The Committee on Public Buildings and Grounds thinks that in all fairness to everybody the same rule should be observed to-day.

Mr. DOCKERY. But let me suggest—of course, my friend understands I do not wish to take his time unnecessarily—

Mr. MERCER. I understand that.

Mr. DOCKERY. The order adopted by the House on the report of the Committee on Rules takes out of the regular order, as I understand, certain bills.

Mr. MERCER. It eliminates certain bills until after we get through—

Mr. DOCKERY. It makes a preferred class. Now, I would be glad to know—

Mr. MERCER. And then that eliminated class is afterwards to be taken up in the order the bills would naturally have come up.

Mr. DOCKERY. In their order on the list to which the gentleman has referred?

Mr. MERCER. Yes, sir.

Mr. DOCKERY. The 23 bills, then, will be considered under the second proviso, in the order in which they were reported to the House?

Mr. MERCER. Yes, sir.

Mr. DOCKERY. Will the gentleman give us the order of consideration of the 39 bills? I think it fair that we should know that.

Mr. MERCER. I will say to my friend, to save time—

Mr. DOCKERY. I want to be absolutely fair about this matter. If the order of consideration had remained as it was, we could turn to the RECORD and see what bills were to be considered or see the order of consideration.

Mr. MERCER. I refer to the RECORD of February 6, page 1519.

Mr. DOCKERY. But the order in which the bills are there given does not throw any light upon the order in which the bills of the first class, the preferred class, will be considered. Now, I want to know—and I think the House is entitled to know—just the order in which the committee propose to consider those 39 bills.

Mr. MERCER. Well, Mr. Speaker, in response to the request of the gentleman from Missouri, I will read the list.

Mr. DOCKERY. In the order in which the bills are to be considered?

Mr. MERCER. Yes, sir [reading]. Elizabeth City, N. C.; Oakland, Cal.; Elmira, N. Y.; Hot Springs, Ark.; Fitchburg, Mass.; New Brunswick, N. J.; Joliet, Ill.; Brunswick, Ga.; Cleveland, Ohio; Topeka, Kans.; Beaumont, Tex.; Dubuque, Iowa; Omaha, Nebr.; Wilkesbarre, Pa.; Jackson, Miss.; Elgin, Ill.; Minneapolis, Minn.; Butte, Mont.; Salt Lake City, Utah; Indianapolis, Ind.; Seattle, Wash.; Canton, Ohio; Springfield, Mass.; Hastings and Norfolk, Nebr.; New York City, N. Y.; Fergus Falls, Minn.; Brooklyn, N. Y.; Kansas City, Kans.; Baltimore, Md.; Washington Public Library; Lawrence, Mass.; Jamestown, N. Y.; Tampa, Fla.; Aberdeen, S. Dak.; Abilene, Tex.; Newport, Vt.; Eau Claire, Wis.; Macon, Ga.; Columbus, Ga.

Mr. DOCKERY. Now, if the gentleman will permit me, I would ask him also to read the other list, the second class of bills, to which he has referred.

Mr. MERCER. With pleasure. They are as follows:

New Iberia, La.; Bluefields, W. Va.; Creston, Iowa; Annapolis, Md.; Janesville, Wis.; Rome, N. Y.; Clinton, Iowa; Carrollton, Ky.; Joplin, Mo.; Streator, Ill.; Stockton, Cal.; Freeport, Ill.; Bristol, Tenn.; Anniston, Ala.; Norwich, Conn.; Menominee, Mich.; Salem, Oreg.; St. Cloud, Minn.; Leadville, Colo.; Monmouth, Ill.; Oskaloosa, Iowa; Winston, N. C.; Lockport, N. Y.

Mr. DOCKERY. One other question, and I will not consume further the time of the gentleman. I desire to know whether there is any authority from the committee to change this order, either as to the first or second list?

Mr. MERCER. No. I will state that the Committee on Public Buildings and Grounds had a meeting to-day and made this order, and I have no discretion in the matter.

Mr. DOCKERY. In the thirty-nine of the preferred class, has any change been made in the order in which they were reported to the House?

Mr. MERCER. None, as far as I am aware.

Mr. TALBERT. I would like to ask the gentleman—

The SPEAKER. The Chair thinks there should be a regular course of procedure. There is nothing before the House.

Mr. TALBERT. I only want to ask the gentleman a single question. In view of the enormous expenditures which this Congress will have to make, amounting, as the gentleman from Missouri [Mr. DOCKERY] stated yesterday, to \$1,600,000,000—in other words, \$600,000,000 more than any other Congress—would it not be wise, I ask the gentleman from Nebraska, to defer all expenses of this character, which are not essential, and let this question go over until the state of the Treasury is somewhat improved?

PUBLIC BUILDING AT ELIZABETH CITY, N. C.

Mr. MERCER. Mr. Speaker, I call up for present consideration the bill (H. R. 1088) to provide for the erection of a public building at Elizabeth City, N. C., reported from the Committee of the Whole with amendments; on which I ask the previous question.

Mr. BANKHEAD. Mr. Speaker, I would like to ask the gentleman from Nebraska to yield to me for a minute.

The gentleman from Georgia [Mr. MADDOX] has prepared some statistics, and desires to submit them, in connection with certain remarks upon the pending question. I ask unanimous consent of the House that he be allowed twenty minutes in which to submit the statement and figures that he has prepared.

Mr. MERCER. Mr. Speaker, there is no doubt of the value of some of the statistics prepared by the gentleman from Georgia, for I have a few of them. But we have but a brief time to-day. I would ask the gentleman if he would not consent to accept ten minutes?

Mr. MADDOX. It will be impossible in that time—

Mr. BANKHEAD. I think that the gentleman from Georgia is entitled to the time, and hope the gentleman from Nebraska will not object.

Mr. MERCER. I do not object.

Mr. MADDOX. Mr. Speaker—

Mr. BANKHEAD. If the gentleman from Georgia can conclude in less than that time, of course, I am sure, he will not unnecessarily consume the time.

Mr. MERCER. Then, with the understanding that the remarks of the gentleman will close all debate on the proposition, I will agree that he shall have twenty minutes.

Mr. MADDOX. Mr. Speaker, of course I can not state what others may do. I have no authority to make any such agreement. I can speak only for myself.

Mr. Speaker, if I can get the attention of the House for a few brief moments I shall be glad.

In the very nature of things, in the proceedings of this body we are compelled to look to the committees of the House to get the information necessary for intelligent legislation. But it has been my experience in the six years that I have served in this body to observe that we never have any minority reports from the Public Buildings and Grounds Committee or the Committee on Rivers and Harbors. So then, if we expect information in opposition to the measures or methods of these committees, we have to look for such information elsewhere and from some one else.

I have investigated this question somewhat, and I propose to give to the House the benefit of that investigation. I want to say further to my friend from Nebraska and to other gentlemen, especially to my friends on this side of the House, that I am not now for the first time criticising this method of legislation or objecting to the appropriations which are carried by the various bills pending under the order to-day. Gentlemen who served in the Fifty-third Congress will remember that we had just such a condition of things then—a combination to get through appropriations for public buildings—and I led the opposition in the House, and was successful in defeating that combination as it then existed under the rules in force at that time.

So it does not date with these measures now. I am opposed to this method of legislation, gentlemen, for this reason—I state it now, and I state it boldly—that in my opinion there is not a single measure here proposed which, if it was left to stand alone before this House without the support of the combination, could pass this Congress in the condition in which the Treasury now is; not a single one. Now, where does it get its support from? Necessarily from a combination of interests. That is exactly the way it comes, or what down in my country is better known as logrolling; or, in other words, "You help me and I will help you."

Now, Mr. Speaker, there is too much of that sort of legislation. It ought not to be permitted in this House, but we ought to do business intelligently and upon a higher plane.

Now, I want to call your attention to one proposition for which a great many of you voted the other day, just to show you what business principles you apply to business. As the representatives of the American people you are expected to exercise some business capacity. Now, let me show you what you did. And I refer to this bill because it has passed, and nothing that I can say can now prevent the appropriation, so far as I know. Therefore I refer to it simply to call your attention to illustrate my point.

Now, what did you do the other day? You made an appropriation to build a post-office at Blair, Nebr. The original bill, I believe, was for \$50,000. We have a statement of the expense incurred at that office for rent, fuel, and light for last year, and the cost of it was about \$295. I have the figures here exactly, which I propose to put in the RECORD. It amounts to little more than one-half of 1 per cent on the amount of money that you propose to invest in that building. Now, let us reverse the proposition. There is not a thinking man in this House to-day who does not believe and know, if he will tell the truth, that we must issue bonds to meet the indebtedness that we are heaping upon this country. At what rate will you float them? Not less than 3 per cent—that is, you practically borrow money at 3 per cent to invest in a public building at one-half of 1 per cent. Now, that is business, is it not? There is not a business man in the United States

who would be guilty of such monumental stupidity. This same calculation will apply in a more or less degree to all of them.

But, Mr. Speaker, I want to call the attention of the House to some other facts. I have said that we must look elsewhere than to the committee for information. I want to show you how well the committee have taken care of themselves. According to the best calculation which I have been able to make, the States represented by members on the Committee on Public Buildings and Grounds receive about \$5,071,000 of these appropriations.

And now there is another thing that I do not like in this transaction. We have fifteen members of that committee, every one represented in this list with the exception of one State. Some members of the committee have half a dozen bills for their States; others less. But the singular feature about the business is that we have six men from the Southern States upon that committee; and what have you got, gentlemen, as your part of the pork—six of you now, there being nine on the other side? For every dollar that the members from the South have obtained gentlemen on the other side get about \$10.

A MEMBER. That is about the usual rate, is it not?

Mr. MADDOX. I believe so.

Mr. TALBERT. Buzzard-and-turkey business!

Mr. MADDOX. Now, gentlemen, if I could be induced to enter a combination to loot the Treasury of the United States I would have my full share or know the reason why.

Mr. SIMPSON. Is the gentleman basing his opposition because the South has not got its share?

Mr. MADDOX. That would be one of my reasons, if I did not have other and better ones. I am here to see that my part of the country is properly cared for, and if appropriations are to be made, right or wrong, I want my State to have its full share.

Mr. VINCENT. Do you think that the ratio of 16 to 1 is as good as the ratio of 10 to 1? [Laughter.]

Mr. SIMPSON. Do we understand that you are here for the purpose of looting the Treasury?

Mr. MADDOX. Mr. Speaker, I want to call attention to another fact. I have taken the appropriations for the past years, and I find that the six largest Southern States—Alabama, Georgia, Mississippi, Tennessee, Texas, and Virginia—have 47 public buildings, and there has been \$9,254,071.70 appropriated to those States, or on an average 86 cents per capita to the inhabitants of those States.

I now take the six New England States to which I beg to call attention—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. We have a grand total of appropriations of \$15,912,109.75, with 53 public buildings and an average per capita of \$2.54. Now mark, the six largest Southern States get a per capita of 86 cents, and the six New England States a per capita of \$2.54.

Some gentlemen may raise the question that there is more wealth in that country than there is in the South. Perhaps there is under existing circumstances, but gentlemen will remember that the tax that supports this Government is not levied on the wealth of the country. I would to God that it was. It is the great toiling masses that contribute the large part of it.

Now, Mr. Speaker, as I say, I have the full statistics here, giving the per capita amount for each State in the Union, the amount that it has received in these appropriations for public buildings, and that statement I propose to print in the RECORD.

I apprehend that what I may say to-day, or can say, will not prevent the appropriations that are to be made; but, Mr. Speaker, I want to say I am not only opposed to this method of legislation because the condition of the National Treasury at this time is such that you will have to borrow money in order to carry out the projects you have under consideration to-day, but I am opposed to it because away down in the country where I live, in my section, there are hard times.

Hundreds of people in my country are even suffering for the absolute necessities of life. These people will have to pay the tax, in part, for this money that you propose to-day to appropriate to erect these public buildings. You are laying a burden upon them; that is what you are doing; an addition to the already crushing ones that rest upon them to-day. And I do not hesitate to-day to say, Mr. Speaker, if it were possible to get my friends to realize the real condition of the people and they would aid me, upon this side of the House or upon that side, I would stop these appropriations; I would not lay upon the people any additional taxation that is not absolutely necessary at this time.

There are some things that are appropriate at one time that are entirely inappropriate at another. If the condition of the Treasury and if the condition of the country were such as to admit of these appropriations, that would be a different thing. But what are the conditions that confront every man upon this floor? I say that every one of you know it—you are bound to know—that we must borrow the money to meet a considerable amount of the appropriations authorized by this Congress.

Are you going to mortgage the rising generation for this purpose? Why, I know exactly the condition in which many of you are placed. Your friends are appealing to you on personal grounds to support these measures in order that they may get their particular bill through. My friends have appealed to me in the same way. It is the taxpayers that we represent and whose interest we should protect. Let these bills stand upon their own merits, independent of the combination, and I guarantee you can not pass a single one of them.

How much time have I, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has six minutes remaining.

Mr. MADDOX. In those six minutes I want to call attention to the per capita tax and to show you what has been done.

Alabama, five public buildings; amount appropriated, \$1,138,604.75; per capita, 75 cents.

Mr. TALBERT. That is not in these bills.

Mr. MADDOX. These are former appropriations.

State.	Number of buildings.	Amount appropriated.	Per capita, census of 1890.
Alabama	5	\$1,138,004.75	\$0.75
Arkansas	4	688,306.87	.61
California	11	6,852,882.97	5.67
Colorado	4	1,534,784.59	3.63
Connecticut	5	1,692,459.63	2.26
Delaware	3	440,709.46	2.61
Florida	6	705,028.51	2.63
Georgia	7	1,680,912.30	.91
Idaho	2	275,551.62	3.26
Illinois	16	8,514,539.66	2.27
Indiana	9	1,780,439.79	.81
Iowa	10	2,002,502.49	1.04
Kansas	7	1,070,651.42	.75
Kentucky	9	2,335,618.06	1.25
Louisiana	10	6,137,754.88	5.48
Maine	18	2,401,620.87	3.63
Maryland	6	3,621,722.31	3.47
Massachusetts	17	9,991,191.97	4.46
Michigan	11	3,185,780.79	1.52
Minnesota	5	2,471,001.23	1.89
Mississippi	5	457,061.65	.35
Missouri	9	9,713,504.71	3.62
Montana	3	361,325.38	2.73
Nebraska	6	2,200,835.14	2.07
Nevada	2	590,782.61	12.68
New Hampshire	3	712,320.04	1.89
New Jersey	7	1,716,080.05	1.18
New Mexico	1	70,124.78	.45
New York	26	24,008,728.42	4.01
North Carolina	13	1,120,067.05	.69
North Dakota	1	100,000.00	.54
Ohio	14	8,250,641.77	2.22
Oregon	2	1,243,176.28	3.96
Pennsylvania	20	13,926,852.04	2.64
Rhode Island	5	700,333.15	1.18
South Carolina	5	4,243,941.21	3.59
South Dakota	1	165,000.00	.50
Tennessee	8	2,007,293.94	1.13
Texas	12	2,004,110.76	.62
Utah	1	75,000.00	.36
Vermont	5	605,184.00	1.82
Virginia	10	1,896,487.77	1.14
Washington	2	282,297.25	.80
West Virginia	5	700,179.54	.99
Wisconsin	6	2,976,054.13	1.76
Wyoming	1	250,000.00	4.12

Mr. RICHARDSON. What are these appropriations for?

Mr. MADDOX. These are appropriations that have been made formerly for public buildings.

Mr. RICHARDSON. Running how far back?

Mr. MADDOX. For all time. These are the appropriations.

Mr. BRUCKER. These figures which you have read show the per capita amount appropriated for public buildings exclusively in those different States?

Mr. MADDOX. Yes.

Mr. BRUCKER. How does it come that Wyoming has a per capita appropriation of something like four times as much as some of the States you have named?

Mr. MADDOX. I can not tell that. I was not here when those appropriations were made.

Mr. ADAMSON. Because the House was big and the folks were few.

Mr. MADDOX. I want to call your attention to the present bills, to what the bills appropriate, and the character of the bills.

Appropriations for all Southern States, bills pending—that is, now pending or were when this committee began their work—\$1,629,000; Western States, \$8,160,000; Eastern States, \$2,850,000.

Now, Mr. Speaker, I think that probably these figures, those that have been furnished by the gentleman from Nebraska and those furnished by myself heretofore, will become guide to future Congresses in their appropriations for public buildings.

Mr. TALBERT. Does not the gentleman from Georgia think it would be well if the bills went over until the next session, under the present condition of the Treasury?

Mr. MADDOX. The gentleman from South Carolina asks if I do not think it would be well, under the present conditions, to allow the bills to go over until the next session. I am perfectly willing they should go over myself; in fact, I think they ought to go over until the finances of the country get in better condition than they now are.

Mr. BARTLETT. The gentleman has referred to these bills providing for certain buildings in the State of Georgia which are embraced among the bills that are to be considered, and he has asserted that there is some sort of a combination to pass these bills. I want my friend and colleague to understand, and I know he will appreciate and believe it, that, so far as I am concerned, and I think I can speak for the other gentlemen in whose particular districts are located some of these bills, that so far as any combination is concerned—

Mr. MADDOX. I thought my colleague wanted to ask a question, and not to make a speech in my time.

Mr. BARTLETT (continuing). I want to ask if the gentleman believes that I or these gentlemen who have bills here have entered into any combination to pass these bills which we have introduced, whether they are good or bad, or to pass any other bills which other gentlemen have introduced, regardless of their merit?

Mr. MADDOX. I do not believe that my colleague is a party to any such combination.

Mr. MERCER was recognized.

Mr. BARTLETT. Mr. Speaker—

The SPEAKER pro tempore. Does the gentleman from Nebraska yield to the gentleman from Georgia?

Mr. BARTLETT. I want about five minutes.

Mr. MERCER. Will two minutes do the gentleman? I yield to the gentleman from Georgia two minutes.

Mr. BARTLETT. Mr. Speaker, I am as much opposed to spending the public money for unnecessary purposes as any man on the floor of the House. I am as much opposed to the issuing of bonds in times of peace by this Government for any purpose as any other man. I represent a constituency upon whom taxation falls as heavily as it does upon any locality; but, Mr. Speaker, speaking for myself alone, with reference to this bill that is reported by this committee in favor of the building now established and to be improved in the city in which I live, I desire to say that any suggestion that I have entered into combination with other gentlemen by agreement, by intention, or by acts—and I am authorized to say the same as to my other two colleagues—is an unwarranted one.

I introduced the bill to add to and improve the public building at Macon, Ga. I laid before the Committee on Public Buildings and Grounds the fact which authorized this report, and I desire to say that at no time have I ever been before the committee to urge an appropriation other than submit the facts; but I submitted reports from officers in charge of the building, the postmaster, the United States marshal, and the United States revenue officers, the clerk of the court, letters from the judge, and a report of a special agent of the Treasury Department who went down by my request to investigate the condition of the building and what was required to furnish necessary room and facilities to transact the public business, and he reported that the buildings should be improved and what additions were necessary, and recommended twice the amount that I asked for in the original bill as necessary; and it was on this evidence and these reports upon which the committee acted.

This is a bill that I introduced, and this is a bill the committee have reported. If there are any bills before the House that do not deserve to be passed, I shall not vote for them; but if in my State or any State, there is a bill providing for a public building for the benefit of the public and to meet the necessities of the public business, I shall vote for it, and the constituency I have the honor to represent upon this floor, which is as intelligent and upright as any in Georgia or in any State in the Union, will approve my vote, and to them I will answer without fear or doubt.

Mr. MADDOX. Did the gentleman vote for the Blair bill?

Mr. BARTLETT. I did not.

Mr. MERCER. Mr. Speaker, I move the previous question on the bill and amendments.

The motion was agreed to; and the previous question was ordered.

The amendments were agreed to.

The bill was ordered to be engrossed.

The question was taken on the passage; and on a division (called for by Mr. MADDOX) there were—ayes 111, noes 14.

Mr. MADDOX. The yeas and nays, Mr. Speaker.

The question was taken.

The SPEAKER pro tempore. Twenty-one gentlemen rising, not a sufficient number, and the yeas and nays are refused; the ayes have it, and the bill is passed.

On motion of Mr. MERCER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### PUBLIC BUILDING AT OAKLAND, CAL.

Mr. MERCER. I call up Senate bill 706.

The bill (S. 706) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California, was read by its title.

Mr. MERCER. This bill calls for a public building at Oakland, Cal. The gross receipts there are over \$100,000. I move the previous question on the bill and amendments.

Mr. DOCKERY. I guess we had better have the bill read.

Mr. MERCER. We are not obliged to have the bill read under the rule.

Mr. DOCKERY. I hope we shall not have to take any of these bills "sight and unseen."

Mr. MERCER. This bill has been reported from the Committee of the Whole House.

Mr. DOCKERY. I think we had better have the bill read.

The SPEAKER pro tempore (Mr. SHERMAN). The Chair thinks it is not necessary to read the bill in full; certainly not before it is engrossed.

Mr. DOCKERY. Mr. Speaker, let me make a suggestion. So far as I am concerned, I propose to make no factious or unjust opposition to these bills—

The SPEAKER pro tempore. The Chair would like to hear the gentleman from Missouri upon the question of order involved.

Mr. DOCKERY. I do not want to be driven to resort to a demand for the reading of the engrossed copy of the bill; but I think that in justice, equity, and fair dealing and in harmony with the practice of the House—

Mr. MERCER. Will the gentleman from Missouri permit me—

Mr. DOCKERY (continuing). We are entitled to the reading of the bill under the rule.

Mr. MERCER. This bill is identical with a House bill the passage of which has been recommended.

The SPEAKER pro tempore. In regard to the right to have the bill read, the Chair a moment ago gave simply his impression. He would prefer not to rule positively on the question before looking it up. The Chair suggests to the gentleman from Nebraska that the bill be read by unanimous consent.

Mr. MERCER. I did not understand the suggestion of the Chair.

The SPEAKER pro tempore. The Chair suggests that without a ruling on the point now the gentleman from Nebraska ask unanimous consent for the reading of the bill. Before the next bill is reached the Chair will look the question up.

Mr. MERCER. I will state to the Chair that on page 1614 of the RECORD there will be found a ruling of the Speaker of the House on this proposition.

The SPEAKER pro tempore. The Chair would be very glad to examine that ruling.

Mr. DOCKERY. Let me say a word.

Mr. MERCER. Let the bill be read to save time.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent that the bill be read. Is there objection? The Chair hears none. The Clerk will read.

Mr. DOCKERY. Does that apply to the other bills which are to follow?

The SPEAKER pro tempore. The Clerk will read the bill. Pending the reading, the Chair will look up the ruling to which the gentleman from Nebraska has referred.

The bill was read.

The amendments reported by the Committee on Public Buildings and Grounds were read, and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The question being on the passage of the bill,

Mr. DOCKERY. I call for the yeas and nays.

The yeas and nays were not ordered, only 17 voting in favor thereof.

The bill was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT ELMIRA, N. Y.

Mr. MERCER. I now call up House bill No. 11861.

The bill (H. R. 11861) for the erection of a public building at Elmira, N. Y., was read by its title.

The SPEAKER. The question is—

Mr. MERCER. I ask unanimous consent that the bill be read.

The SPEAKER. Does the gentleman desire the bill to be read? If there be no objection, it will be read.

The bill was read.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The question being on the passage of the bill, there were on a division (called for by Mr. DOCKERY)—ayes 86, noes 9.  
So the bill was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT HOT SPRINGS, ARK.

Mr. MERCER. Mr. Speaker, I call up now the bill (H. R. 1139) to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark., on which I move the previous question, on the bill and amendments, to its passage.

The bill was read at length.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time, there being on a division (demanded by Mr. MADDOX)—ayes 91, noes 7.

Mr. MADDOX. Mr. Speaker, there is no quorum voting.

The SPEAKER. The Chair overrules that point.

Mr. MADDOX. Then there is no quorum present. I make that point. We had as well have the people here if we are to pass on these bills.

The SPEAKER (having counted the House). One hundred and seventy-eight members and over are present—a quorum.

So the bill was ordered to a third reading; and being read the third time, was passed.

On motion of Mr. MERCER, a motion to reconsider the vote last taken was laid on the table.

#### PUBLIC BUILDING AT FITCHBURG, MASS.

Mr. MERCER. Mr. Speaker, I call up the bill (H. R. 521) for the erection of a public building at Fitchburg, Mass.

The bill was read at length, with the amendments recommended by the committee.

Mr. MERCER. I move the previous question on the bill and amendments to its passage.

The previous question was ordered, under the operation of which the amendments were agreed to; and the bill as amended was ordered to be engrossed and read the third time.

The question recurred on the passage of the bill.

The question was taken; and on a division (demanded by Mr. MADDOX) there were—ayes 109, noes 11.

So the bill was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

Mr. MADDOX. Mr. Speaker, I insist that this business should be done constitutionally, if it is to be done at all, and that we should have a quorum present all the time.

The SPEAKER. The Chair thinks there is a quorum present.

Mr. MADDOX. Well, they do not vote.

The SPEAKER. They count, if they do not vote. [Laughter and applause.]

#### PUBLIC BUILDING AT NEW BRUNSWICK, N. J.

Mr. MERCER. Mr. Speaker, I call up the bill (H. R. 11893) for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J., on which I move the previous question on the bill and amendments of the committee to its passage.

Mr. TALBERT. Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TALBERT. I would like to ask if it is in order to have the bill read and the report in every case when these bills are called up for consideration in the House?

The SPEAKER. It is not.

Mr. TALBERT. Are we not entitled to the reading of the report, or must we vote in the dark upon these bills?

The SPEAKER. The Chair will state to the gentleman from South Carolina that it is the duty, strictly speaking, of each member to read the report in these cases; but it is not a matter of right to have that report read in the House.

Mr. TALBERT. But suppose a member has not attended to what the Speaker calls "his duty." Is it not his right, under the practice of the House, and in order to have a proper understanding of these matters—for we can not without such information get at the drift of this "hog combine"—is it not his privilege and his right as well to have the report read on the floor of the House?

The SPEAKER. The Chair has already answered the parliamentary inquiry of the gentleman.

Mr. TALBERT. But, Mr. Speaker—

Mr. DOCKERY. If the Chair will permit me, I would like to have the Chair rule on one question suggested by the gentleman from South Carolina.

I am satisfied that he has no right to have the reports read; but has a member not the right to insist upon the reading of the bill on which he is called to vote?

The SPEAKER. The Chair will rule on that question when the next bill is before the House, if the question is presented.

The question now is on the demand for the previous question on the bill which has been read.

The previous question was ordered.

The question recurred on the third reading of the bill.

Mr. TALBERT. Has this bill been properly engrossed, Mr. Speaker? If not, I ask that it be laid aside, because I should like to hear the reading of the engrossed bill.

The SPEAKER. The time, the Chair will state to the gentleman, for demanding the reading of the bill has not yet come.

The bill was ordered to be engrossed and read a third time.

Mr. TALBERT. Now, Mr. Speaker, I demand the reading of the engrossed bill.

The SPEAKER. The engrossed copy of the bill not being at the desk, it will be laid aside temporarily.

Mr. TALBERT. I will not insist upon the demand. I withdraw the demand for the reading of the engrossed bill.

So the bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT JOLIET, ILL.

Mr. MERCER. I call up the bill (H. R. 10962) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois.

The title of the bill and the amendments reported from the Committee of the Whole were read.

Mr. MERCER. Mr. Speaker, I ask for the previous question on the bill and amendments, to its passage.

Mr. DOCKERY. Mr. Speaker, for the purpose of securing the ruling of the Chair, I ask as a matter of right that the bill be read.

The SPEAKER. The Chair would suggest—

Mr. DOCKERY. If the Chair, however, has any great doubt about the matter, I do not want to press for a ruling.

The SPEAKER. The Chair would be very glad to have any suggestion from any member, and without undertaking to rule upon the question generally, the Chair will give his idea about the present situation, which is that a bill, when it comes up for consideration, after being reported from the Committee of the Whole, and having been read in Committee of the Whole, has not within my recollection been again read as of right in the House.

Mr. MERCER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The amendments recommended by the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time.

The question being taken on the passage, on a division (demanded by Mr. MADDOX) there were—ayes 121, noes 11.

Accordingly the bill passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT BRUNSWICK, GA.

Mr. MERCER. I call up the bill H. R. 447.

The bill (H. R. 447) for the erection of a custom-house and post-office building at Brunswick, Ga., was read by title, and the amendments recommended by the Committee of the Whole were read.

Mr. MERCER. I ask for the previous question on the bill and amendments, to its passage.

The previous question was ordered.

The amendments reported from the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time.

The question being taken on the passage of the bill, on a division (demanded by Mr. DOCKERY) there were—ayes 125, noes 9.

Accordingly the bill was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT CLEVELAND, OHIO.

The next business laid before the House was the bill (S. 1056) to provide for a public building at Cleveland, Ohio.

Mr. MERCER. Mr. Speaker, I ask the previous question on the bill and amendment to its passage.

Mr. BRUCKER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. Does it relate to the question before the House?

Mr. BRUCKER. If the previous question is ordered, is twenty minutes' discussion permissible after ordering the previous question on each bill?

The SPEAKER. There is not.

The previous question was ordered.

The amendment recommended by the Committee of the Whole House on the state of the Union was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ENLARGING PUBLIC BUILDING AT TOPEKA, KANS.

The next business laid before the House was the bill (H. R. 4076) for enlarging the public building at Topeka, Kans.

Mr. MERCER. Mr. Speaker, I ask the previous question on the bill and amendment to its passage.

The previous question was ordered.

The amendments recommended by the Committees of the Whole House on the state of the Union were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and was accordingly read the third time.

The SPEAKER. The question is on the passage.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MADDOX. I call for the yeas and nays on the passage of this bill.

The question was taken on ordering the yeas and nays.

The SPEAKER. Nine gentlemen have risen—not a sufficient number; and yeas and nays are refused.

Mr. MADDOX. Mr. Speaker, I want to make a remark or two right at this stage. It will not take but a minute. I desire to say that up to this time those of us who have endeavored to stop—

The SPEAKER. The gentlemen is not in order.

Mr. MADDOX. I know; but—

Mr. WILLIAMS of Mississippi. I ask unanimous consent that the gentleman may have five minutes.

The SPEAKER. Does the gentleman desire to make his statement before the passage of the bill?

Mr. MADDOX. Yes, sir; or after it.

Mr. MERCER. Wait until the bill is passed, and then I will yield to the gentleman.

The SPEAKER. The ayes have it; and the bill is passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### STATEMENT.

Mr. MERCER. I ask unanimous consent that the gentleman from Georgia be allowed two minutes.

There was no objection.

Mr. MADDOX. Mr. Speaker, we have gone far enough in these proceedings—that is to say, those of us who are opposed to this class of legislation—to find out that we are not supported by the House to any extent. There are not enough members opposed to these bills to give us the yeas and nays even and to put on record how they are voting and let the country know who favors this legislation. That being true, I think it would be unjust to some members who have bills away down on the Calendar to stand here and filibuster any longer. It does not amount to anything.

If we could accomplish anything, there might be something in it; but we can only waste time and possibly defeat some measure just as meritorious as, and perhaps more so than, those that have already passed. Furthermore, I might say it is the determination of the Committee on Rules to see that these bills go through. We can not avoid it, and therefore I propose to say that I have conscientiously discharged my duty; and now, so far as I am concerned, I do not propose to fight any longer.

Mr. DOCKERY. Mr. Speaker, I would greatly prefer that course if it could be done—to pass that entire 65 bills in one batch, as the House has determined to pass them. I desire a moment or two to make a statement.

The SPEAKER. If there be no objection, the gentleman will be recognized—for how long?

Mr. DOCKERY. Only a moment.

There was no objection.

Mr. DOCKERY. Mr. Speaker, this is not a novel situation to me. I have confronted like conditions in former Congresses. I do not charge that members have combined to pass these bills. I do not make that accusation, but I do say that a community of interest necessarily compels members to stand together; that is human nature, and I make no harsh criticism. The Committee on Rules assigned two days on a former occasion for the consideration of public-building bills. About sixty-five bills were considered in the Committee of the Whole.

Mr. BAILEY. The gentleman is mistaken in saying that the Committee on Rules assigned those days. That was done in the House.

Mr. DOCKERY. Very well; I stand corrected. By unanimous consent?

Mr. BAILEY. I think they suspended the rules.

Mr. HENDERSON. It was done under suspension of the rules.

Mr. DOCKERY. The gentleman from Texas is correct. The 65 bills were considered and reported to the House. They came

into the House at a time that enabled those of us who were opposed to this kind of legislation to defeat them. To-day they reappear under very different circumstances. They are here by order of the Committee on Rules.

Mr. BARTLETT and Mr. BENNETT. And of the House.

Mr. DOCKERY. And I have good reason to believe—

Mr. MERCER. And the House.

Mr. DOCKERY (continuing). I have very good reason to believe that if there is not time enough this afternoon additional time will be given by the Committee on Rules. Again, we have had the decision of the Chair, and perhaps a correct one, that we are not entitled to the reading of the bills. Repeatedly we have been unable to get votes enough to call for the yeas and nays. A quorum is obviously present, and, so far as I am concerned, during the remainder of the day, being powerless under the rules to stop the passage of the bills, I will vote against them. Let me say, in conclusion, that a number of the bills are worthy, possibly most of them.

My contention is not so much against any particular bill, but the reason why I sought to oppose them, why I have resorted to all the rules I could to delay their passage, is because, in my opinion, the condition of the Treasury absolutely forbids this action. If we had a surplus I might not pursue this course. I believe in public buildings; that it is a wise expenditure of money where the public service requires such buildings.

Mr. TAWNEY. Will the gentleman allow me a question?

Mr. DOCKERY. Certainly.

Mr. TAWNEY. Will the gentleman have the kindness to state how many men on his side of the House voted for the yeas and nays a few minutes ago?

Mr. DOCKERY. Well, Mr. Speaker, I do not see the necessity of the gentleman from Minnesota rubbing it in. [Laughter.] I looked around and saw a limited number.

Mr. TALBERT. Did the gentleman from Minnesota vote for the yeas and nays himself?

Mr. TAWNEY. No; I did not.

Mr. DOCKERY. I wish to say, however, that all the support for the yeas and nays that has come to the gentleman from Georgia [Mr. MADDOX] and myself came from this side of the House.

Mr. GAINES. Does the gentleman from Missouri know which of these bills ought to pass and which ought not?

Mr. DOCKERY. No; I do not.

Mr. BENNETT. All of them ought to pass.

Mr. GAINES. But the gentleman from Missouri [Mr. DOCKERY] says that some ought to pass and some ought not. I do not propose to vote for any bill that ought not to pass; and I am here to so act, if I can get the facts.

#### PUBLIC BUILDING AT BEAUMONT, TEX.

Mr. MERCER. Mr. Speaker, this experience meeting being over, I call up Senate bill 926, for the erection of a public building at Beaumont, Tex., with sundry amendments.

The title and amendments reported by the Committee of the Whole were read.

Mr. POWERS. I desire to inquire whether this is one of the cases covered by the order made yesterday?

Mr. MERCER. It is. I shall not call up any bill not covered by it.

The amendments were agreed to.

The bill as amended was ordered to be read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT DUBUQUE, IOWA.

Mr. MERCER. Mr. Speaker, I call up the House bill 484, providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa.

The title of the bill and the amendments reported by the Committee of the Whole were read.

Mr. MERCER. Mr. Speaker, I ask for the previous question on the bill and amendments to its passage.

The previous question was ordered.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT OMAHA, NEBR.

Mr. MERCER. Mr. Speaker, I call up the bill (H. R. 6) to increase the limit of cost for the purchase of a site and erection of a public building at Omaha, Nebr.

The title of the bill and an amendment reported by the Committee of the Whole were read.

Mr. MERCER. I ask for the previous question on the bill and amendment.

The previous question was ordered.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

PUBLIC BUILDING AT WILKESBARRE, PA.

Mr. MERCER. Mr. Speaker, I now call up the bill (S. 1271) for a public building at the city of Wilkesbarre, Pa., and to appropriate money therefor.

The title of the bill and amendments reported by the Committee of the Whole House were read.

Mr. MERCER. Mr. Speaker, I ask for the previous question upon the bill and amendments to its final passage.

The previous question was ordered.

The amendments were agreed to.

The bill as amended was ordered to be read a third time; and being read the third time, it was passed.

The SPEAKER pro tempore. Without objection, the amendment to the title will be considered as agreed to.

There was no objection.

On motion of Mr. MERCER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

FEDERAL BUILDING AT JACKSON CITY, MISS.

Mr. MERCER. I call up House bill 5536.

The bill (H. R. 5536) appropriating money for an annex to the Federal building at Jackson City, Miss., was read by its title.

The amendments were read.

Mr. MERCER. I ask for the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The amendments reported by the Committee on Public Buildings and Grounds were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The SPEAKER. Without objection, the amendments to the title will be considered as agreed to.

There was no objection.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC BUILDING AT ELGIN, ILL.

Mr. MERCER. I call up House bill No. 4306.

The bill (H. R. 4306) for the erection of a public building in the city of Elgin, Ill., was read.

The amendments reported by the Committee on Public Buildings and Grounds were read, and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

POST-OFFICE AT MINNEAPOLIS, MINN.

Mr. MERCER. I call up House bill 11056.

The bill (H. R. 11056) authorizing and directing the construction of an addition to the United States post-office at the city of Minneapolis, Minn., was read by its title.

The amendments reported by the Committee on Public Buildings and Grounds were read, and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC BUILDING AT BUTTE CITY, MONT.

Mr. MERCER. I call up Senate bill 164.

The bill (S. 164) to provide for the construction of a public building at Butte City, Mont., was read by its title.

The amendments reported by the Committee on Public Buildings and Grounds were read, and agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC BUILDING AT SALT LAKE CITY.

Mr. MERCER. I call up Senate bill 1896.

The bill (S. 1896) to provide for the purchase of a site and for the erection of a public building thereon at Salt Lake City, the capital of the State of Utah, was read by its title.

The amendments reported by the Committee on Public Buildings and Grounds were read, as follows:

In lines 10 and 11 of section 1, strike out the words "such site shall contain at least 100,000 square feet of ground."  
In line 2, page 2, strike out "five" and insert "three;" so as to read "\$300,000."

Line 4, page 2, strike out "three" and insert "two;" so as to read "two or more of the newspapers," etc.

After the words "Treasury Department," in line 17, strike out all that follows to the end of the bill, and insert the following:

"Providing that the Secretary of the Treasury is hereby authorized and directed to sell at public or private sale, after due advertisement, the build-

ing and land known as the Industrial Christian Home, in the city of Salt Lake, State of Utah, and to deposit the proceeds of the sale after the payment of the usual incidental expenses in the United States Treasury as miscellaneous receipts derived from the sale of Government property.  
"SEC. 2. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

Mr. PAYNE. Mr. Speaker, the provisions just read seem to be unusual in their character. I would like to have the report read in my time.

Mr. MERCER. I might give an explanation; and if that is not satisfactory to the gentleman, he can have the report read.

Mr. PAYNE. Very well. I yield to the gentleman for the purpose of an explanation.

Mr. MERCER. In the city of Salt Lake the blocks contain an exceptionally large number of square feet; they have larger blocks or squares there than any other city of the United States.

The first amendment read, by prescribing that the site shall contain at least 100,000 square feet of ground, appears to limit the location of this building to some particular square. The committee received advices from Salt Lake City asking that this provision be struck out; and that has been done in the first amendment. The amendment last read provides for the sale of certain Government property located in Salt Lake City between the city proper and Fort Douglas. This Government property is the subject of a bill which was considered in a committee of this House and reported favorably by mistake, providing for the donation of that property to the State of Utah. Our committee thought that if the Government had no further use for the property, it might be well to sell it and cover the proceeds into the Treasury of the United States. That explains the amendment last read.

Mr. PAYNE. This is property, as I understand it, that the Government has no further use for.

Mr. MERCER. That is correct.

Mr. PAYNE. Did the committee investigate with a view to determining whether the location of this property is a suitable site for the post-office?

Mr. MERCER. The gentleman refers to the Government property?

Mr. PAYNE. Yes.

Mr. MERCER. We did, and it was found to be absolutely unsuitable. It is away beyond the limits of the city.

Mr. STEELE. Is this a part of the military reservation?

Mr. MERCER. No; it is not. It was purchased originally for a home for wards of the Government. It is between the military reservation and the city proper.

I ask a vote upon the bill and amendments.

The amendments recommended by the Committee on Public Buildings and Grounds were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

PUBLIC BUILDING AT INDIANAPOLIS, IND.

Mr. MERCER. Mr. Speaker, I call up for consideration the bill (S. 146) to provide for a public building at Indianapolis, Ind., and I ask the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The question recurred on the amendments recommended by the Committee on Public Buildings and Grounds.

Mr. STEELE. Before the vote is taken upon the amendments, I would like to ask a question for information, as to why this reduction was made in the amount appropriated in the Senate bill, from the sum of \$1,500,000 to \$1,200,000?

Mr. OVERSTREET. The proposed amendment, I will state to my colleague, is recommended by the Committee on Public Buildings and Grounds. It is not an amendment of my own volition. But I had to bow to the judgment of the committee.

Mr. STEELE. Of course, I understand that. But what reasons did the committee give for making the reduction?

Mr. OVERSTREET. I do not know of any special reasons—

Mr. STEELE (continuing). Because the bill ought to have been passed at the full amount.

Mr. OVERSTREET. That is my own impression, but the committee thought otherwise.

The question being taken, the amendments recommended by the committee were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

PUBLIC BUILDING AT SEATTLE, WASH.

Mr. MERCER. Mr. Speaker, I now call up for present consideration the bill (S. 346) providing for the erection of a public building at the city of Seattle, in the State of Washington.

The SPEAKER. The amendments recommended by the Committee will be read.

The amendments were read at length.

Mr. PAYNE. I would like to ask the gentleman how much this bill appropriates?

Mr. MERCER. The bill authorizes the expenditure of \$300,000. It appropriates nothing.

Mr. PAYNE. Is there any public building there now?

Mr. MERCER. There is no public building there, and this is a question, I may say, of great importance to those people, and one that is well worthy of consideration here.

There are three magnificent cities—Seattle, Spokane, and Tacoma—in Washington, and this being the largest of the three, we concluded that it was the proper point for the location of the public building. There is no public building in the State.

Mr. STEELE. I think my friend is mistaken in that. There is a public building at Port Townsend.

Mr. MERCER. My friend from Indiana is correct. I had overlooked it for the present. There is a custom-house and post-office building at Port Townsend. I have been in the building myself.

Mr. DOCKERY. I would like to ask if it is the purpose to open up debate upon this bill. The gentleman seems to have changed his policy of demanding the previous question, as he has done heretofore.

Mr. MERCER. I overlooked that, Mr. Speaker. I thought I had asked the previous question. If not, I demand now the previous question on the bill and amendments to its passage.

The previous question was ordered, under the operation of which the amendments were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT CANTON, OHIO.

Mr. MERCER. Mr. Speaker, I now ask consideration of the bill (H. R. 75) for the erection of an addition to the United States public building at Canton, Ohio; on which I ask the previous question.

The bill is reported without amendments.

The previous question was ordered, and under the operation thereof the bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### POST-OFFICE BUILDING AT SPRINGFIELD, MASS.

Mr. MERCER. I call up the bill (H. R. 11530) authorizing the extension of the post-office building at Springfield, Mass.

The title of the bill was read.

Mr. PAYNE. Is this to provide for the erection of a new building?

Mr. MERCER. This is an addition.

Mr. PAYNE. How much is appropriated?

Mr. MERCER. Twenty thousand dollars authorized. Mr. Speaker, I move the previous question on the bill to its passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDINGS AT HASTINGS AND NORFOLK, NEBR.

Mr. MERCER. Mr. Speaker, I call up the bill (S. 83) to provide for the purchase of sites for public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes.

The title of the bill and the amendments reported from the Committee of the Whole were read.

Mr. PAYNE. I will ask the gentleman from Nebraska if there is any objection to having the report read in this case?

Mr. MERCER. I will say to the gentleman from New York that United States courts are held in those cities, and this provides for the purchase of a site at a cost not exceeding \$10,000 in each city.

Mr. PAYNE. Is there to be a building in each city?

Mr. MERCER. Yes; United States courts were authorized at the same time to be held there, and this is a Senate bill.

Mr. PAYNE. A sort of an omnibus bill.

Mr. MERCER. Mr. Speaker, I move the previous question on the bill and amendments, to its passage.

The previous question was ordered.

The amendments recommended by the Committee of the Whole were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### CUSTOM-HOUSE AT NEW YORK CITY.

Mr. MERCER. Mr. Speaker, I call up the bill (H. R. 9077) to

supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891.

Mr. DALZELL. I trust the gentleman from Nebraska will give some explanation of this bill.

Mr. MERCER. I will say in reply to the gentleman from Pennsylvania that a substitute has been recommended by the Committee of the Whole, and I suppose that substitute will have to be read under the circumstances. It is in the nature of an amendment, but it strikes out all after the enacting clause.

Mr. PAYNE. I sympathize with my friend's desire to get on, but I think the reading of the substitute would vary the proceedings, and as there is quite an amount involved, of course the gentleman would not object to the reading of the substitute, if he could.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, for customs purposes, the premises heretofore selected by the Secretary of the Treasury under the act of September 14, 1888, as a site for a custom-house building, and known as the Bowling Green site, in the city of New York and State of New York, and the sum of \$750,000, in addition to the balance in the Treasury remaining unexpended under the provisions of the act of Congress approved September 14, 1888, entitled 'An act for the erection of an appraiser's warehouse in the city of New York, and for other purposes,' is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and made immediately available for such purpose."

Sec. 2. That upon the acquisition of said site the Secretary of the Treasury shall cause to be erected thereon a substantial, commodious, and fireproof building for the purposes of a custom-house, at a cost not to exceed \$3,000,000, exclusive of the cost of the site, and for the preparation of the plans and the commencement of the work the sum of \$1,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and made immediately available for this purpose; and the Secretary of the Treasury is authorized to contract for the completion of said building, including heating and ventilating apparatus, fireproof vaults, elevators, and approaches complete within the limit of cost prescribed by law, subject to the appropriations which may hereafter be made by Congress.

Sec. 3. That the Secretary of the Treasury may, in his discretion, invite not less than five architects to compete for the preparation and furnishing of plans, drawings, and specifications, and the local supervision of the construction of said new custom-house building, under the direction and general supervision of the Secretary of the Treasury.

Sec. 4. That the Secretary of the Treasury is hereby authorized and directed to sell at public or private sale, to the highest bidder, after due advertisement, but for not less than \$3,000,000, the present custom-house property in the city of New York, bounded by Wall, William, and Hanover streets, and Exchange place, and to deposit the proceeds of the sale, after the payment of the usual incidental expenses, in the United States Treasury as miscellaneous receipts derived from the sale of Government property; and in case of such sale the Secretary of the Treasury shall lease said premises from the purchaser or purchasers thereof, at a rental which shall not exceed 4 per cent per annum on the purchase price, for use as a custom-house until the new custom-house shall be ready for occupancy, upon such terms as he may deem advantageous, and such sale shall be subject to such right of lease; and the Secretary of the Treasury is hereby authorized to accept the said purchase price in several payments, from time to time, as he may deem most advantageous: Provided, however, That the use, occupation, and possession of said property shall not be surrendered until the new custom-house is ready for occupation and final payment is fully made.

Sec. 5. That the appropriation of \$750,000, made in section 1 of this act, in addition to the balance in the Treasury remaining unexpended under the provisions of the act of Congress approved September 14, 1888, for the acquisition of the Bowling Green site, and the further sum of \$1,000,000 for the preparation of plans and the commencement of the work of construction, appropriated in section 2 of this act, shall be reimbursed out of the proceeds of the sale of the present custom-house property, provided for in section 4 of this act, when such proceeds have been covered into the Treasury.

Sec. 6. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. LOW, a motion to reconsider the last vote was laid on the table.

Mr. LOW. Now, Mr. Speaker, I rise to a question of personal privilege. While the New York custom-house bill was before the Committee of the Whole a fortnight ago, the procedure of the gentleman from New York [Mr. QUIGG] was obnoxious to my privilege and offensive to my constituents.

To trespass upon a Congressman's prerogative, particularly if it should menace his relationship with his constituents, certainly challenges his attention, excites his jealousy, and provokes his criticism. And it is due to myself, Mr. Speaker, likewise to my constituents, as well as to the members on the floor of this House, to define my relationship or connection with the New York custom-house bill.

In the early part of the Fifty-fourth Congress I introduced a custom-house bill for the city of New York, which was afterwards known as the Low bill, or Bowling Green site. My colleague, the gentleman from New York [Mr. QUIGG], also introduced a bill, afterwards known as the Quigg bill, or the old site for the new custom-house. On account of the conflicting interests generated by the two measures, both bills died with the Fifty-fourth Congress.

Mr. QUIGG. Mr. Speaker—

Mr. LOW. I object to being interrupted.

Mr. QUIGG. Mr. Speaker, I rise to a point of order. I should

like to ask the Chair, as a point of order, whether he thinks that a question of privilege is being presented?

The SPEAKER. The gentleman will state his question of privilege.

Mr. LOW. My question of privilege is that the procedure of the gentleman a fortnight ago to-day was obnoxious to my privileges and rights as a member of this House, and I propose to point out the objectionable feature if the House will bear with me a few moments.

On account of the opposition that was brought about by the two measures, both bills died with Congress. In the meantime public sentiment in New York became aroused and the majority of that public sentiment was in favor of my bill, which I reintroduced in the early part of the Fifty-fifth Congress. When the gentleman from New York found that the public opinion was trending my way he came to me and said "I ought to have that bill."

Mr. QUIGG. I shall have—

Mr. LOW. There were two words flashed into my mind at that time; they were adamant cheek—

Mr. QUIGG. Mr. Speaker, I shall have to ask a ruling on the question of order that I have raised. The gentleman is talking about events in the Fifty-fourth Congress, and I raise the point of order that it is not a question of privilege.

The SPEAKER. The Chair does not see how any question of privilege is raised at this time.

Mr. LOW. I was leading up to it, and was about referring to the gentleman's procedure two weeks ago. I have here an article published in the New York Tribune the morning after my bill passed the Committee of the Whole. I will read part of it.

The New York custom house bill, passed by the Committee of the Whole—Remarks and comments by Mr. QUIGG.

It goes on to say what Mr. QUIGG said, and winds up with a statement referring to Mr. QUIGG.

Now, Mr. Speaker, that paper was taken up and read by many of my constituents, who no doubt thought I had been derelict in my duty, and that some other Congressman was looking after their interests; and many, no doubt, read that article who might have thought and wondered why it was.

Mr. SHAFROTH. I would like to ask the gentleman a question. I would like to ask the gentleman whether he thinks it fair, after he has had his bill passed, to consume the time of the House so that other bills may not become law?

Mr. LOW. Well, I will not proceed except by unanimous consent. I want about three minutes more.

Mr. SULZER. I hope the gentleman will not criticize his leader.

Mr. LOW. I have no leader. The gentleman in his supposition makes a mistake. I ask unanimous consent to proceed.

Mr. ADAMSON. Print it in the RECORD.

The SPEAKER. Objection is made.

Mr. MERCER. I move to reconsider the vote by which the bill S. 88 was passed, and also move to lay the motion to reconsider on the table.

Mr. LOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. QUIGG. I shall have to object to that.

Mr. LOW. Of course you would; you would not dare to read them.

Mr. MERCER. Regular order.

The SPEAKER. The regular order is the motion of the gentleman from Nebraska, that the vote by which the bill was passed be reconsidered, and that that motion be laid on the table. Without objection, it will be so ordered.

Mr. MERCER. That refers to the Senate bill 88, that passed before the New York bill, the gentleman from New York having made the motion to reconsider on that bill.

#### PUBLIC BUILDING AT FERGUS FALLS, MINN.

The next business laid before the House was the bill (S. 2048) for the erection of a public building at Fergus Falls, Minn.

The amendments recommended by the Committee of the Whole were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ADDITIONAL PROPERTY FOR USE OF POST-OFFICE AND OTHER GOVERNMENT OFFICES AT BROOKLYN, N. Y.

The next business laid before the House was the bill (H. R. 11686) providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York.

The amendments recommended by the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC BUILDING AT KANSAS CITY, KANS.

The next business laid before the House was the bill (H. R. 2129) to provide for the erection of a public building at Kansas City, Kans.

The amendments recommended by the Committee of the Whole were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ADDITIONAL LAND FOR CUSTOM-HOUSE AT BALTIMORE, MD.

The next business laid before the House was the bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city.

The amendments recommended by the Committee of the Whole House on the state of the Union were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. MERCER. The title should be amended.

The SPEAKER pro tempore. Without objection, the amendment to the title will be agreed to.

There was no objection.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC LIBRARY BUILDING AT WASHINGTON, D. C.

Mr. MERCER. Now, Mr. Speaker, under the rule I am in a quandary as to the bill H. R. 11712, which is the Washington Public Library bill—whether it comes under the order adopted yesterday. It now comes in the order in which it was considered in Committee of the Whole; and the Committee on Public Buildings this morning passed a resolution that these bills should be taken up in their order as recommended by the committee. If this bill is to be considered as coming within the rule adopted by the Committee on Rules, it should be considered now.

The SPEAKER pro tempore (Mr. HENDERSON). The bill does not belong to either of the three classes named in the rule.

Mr. MERCER. Well, then, I ask unanimous consent to call up this bill (H. R. 11712), for it is in order at this place.

The SPEAKER pro tempore. The gentleman asks unanimous consent to consider the bill referred to, known as the Washington Public Library bill.

There was no objection.

The Clerk read the title, as follows:

A bill (H. R. 11712) to provide a site for a building for the Washington Public Library.

The amendments recommended by the Committee of the Whole were read.

Mr. MERCER. I ask for the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The amendments recommended by the committee were agreed to. The bill was ordered to be engrossed and read a third time; and being read the third time, was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT LAWRENCE, MASS.

Mr. MERCER. Mr. Speaker, I now call up the bill (H. R. 524) to erect a public building at Lawrence, Mass.

The Clerk read the title of the bill with amendments.

Mr. MERCER. Mr. Speaker, I ask for the previous question on the bill and amendments, to its final passage.

The previous question was ordered.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT JAMESTOWN, N. Y.

Mr. MERCER. Mr. Speaker, I now call up the bill (H. R. 4313) for the erection of a public building in the city of Jamestown, N. Y.

The Clerk read the title of the bill and the amendments thereto.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT TAMPA, FLA.

Mr. MERCER. I now call up House bill 414, for the erection of a public building at Tampa, Fla.

The title of the bill and the amendments recommended by the Committee of the Whole were read.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### PUBLIC BUILDING AT ABERDEEN, S. DAK.

Mr. MERCER. I now call up the bill (S. 109) for a public building at Aberdeen, S. Dak.

The title to the bill and amendments were read.

The amendments were agreed to.

The bill as amended was ordered to be read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT ABILENE, TEX.

Mr. MERCER. I now call up the bill (S. 927) to provide for the erection of a public building at Abilene, Tex.

The title to the bill and amendments reported by the Committee of the Whole were read.

The amendments were agreed to.

The bill was ordered to be read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT NEWPORT, VT.

Mr. MERCER. I now call up the bill (H. R. 2598) for the erection of a public building at Newport, Vt.

The title to the bill and the amendment were read.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT EAU CLAIRE, WIS.

Mr. MERCER. I now call up the bill (H. R. 477) to provide for the purchase of a site and erection of a public building thereon at Eau Claire, Wis.

The title to the bill and the amendments were read.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT MACON, GA.

Mr. MERCER. I now ask to take up the bill (H. R. 10753) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate \$25,000 therefor.

The title to the bill and the amendment were read.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being read the third time, it was passed.

The SPEAKER pro tempore. Without objection, the title to the bill will be amended to conform with the amendment.

There was no objection.

On motion of Mr. MERCER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 12013. An act to increase the pension of Delos M. Kenyon;  
H. R. 11615. An act removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Volunteers;

H. R. 9502. An act granting a pension to Eliza Sickler;  
H. R. 4790. An act for the relief of Homer D. McGraw, Lee County, Ala.;

H. R. 4304. An act regulating the postage on letters written by the blind;

H. R. 4122. An act to correct the naval record of John Hurley; and

H. R. 2374. An act authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin H. March, executor of the last will and testament of Ruth March, deceased.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 8626) to punish the impersonation of weighmaster in the District of Columbia, and for other

purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McMILLAN, Mr. GORMAN, and Mr. KENNEY as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 7371) amending the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURNOWS, Mr. PLATT of Connecticut, and Mr. CHILTON as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to reports of committees of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to bills and joint resolution of the following titles:

S. 2919. An act granting a pension to Olivia Worden, widow of the late John L. Worden, United States Navy;

S. R. 189. Joint resolution to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia; and

S. 1968. An act granting an increase of pension to George W. Nevins.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 146) to provide for the erection of a public building at Indianapolis, Ind., asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FAIRBANKS, Mr. WELLINGTON, and Mr. MANTLE as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. DENIS M. HURLEY, late a Representative from the State of New York.

Resolved, That a committee of five Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

And that in compliance with the foregoing the Vice-President had appointed Mr. PLATT of New York, Mr. WILSON, Mr. WELLINGTON, Mr. SMITH, and Mr. HEITFELD as said committee.

Mr. MERCER. Mr. Speaker, Senate bill 146 to provide for the erection of a public building at Indianapolis, Ind., has just come from the Senate with the information that the Senate has disagreed to the amendments of the House and asked for a conference. I ask unanimous consent that the bill may now be taken up, so that it may be sent to conference.

There was no objection.

Mr. MERCER. I move that the House insist on its amendments and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER pro tempore (Mr. HENDERSON) announced the appointment of Mr. MERCER, Mr. HICKS, and Mr. BANKHEAD as conferees on the part of the House.

#### PUBLIC BUILDING AT COLUMBUS, GA.

Mr. MERCER. I now call up House bill 1079.

The bill (H. R. 1079) to enlarge and improve the United States public building at Columbus, Ga., was read by its title.

The amendments reported by the Committee on Public Buildings and Grounds were read, and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC BUILDING AT NEW IBERIA, LA.

Mr. MERCER. I call up House bill 11314.

The bill (H. R. 11314) to provide for a public building at New Iberia, La., was read by its title.

The amendments reported by the Committee on Public Buildings and Grounds were read.

Mr. PAYNE. I ask to have the report read in my time.

Mr. DOCKERY. Did the gentleman in charge of this bill demand the previous question?

The SPEAKER pro tempore. He had not demanded the previous question.

Mr. PAYNE. If the Clerk will send me the report, I will read it myself.

The SPEAKER pro tempore. The gentleman from Nebraska had not yielded the floor.

Mr. PAYNE. He had not taken the floor.

The SPEAKER pro tempore. He had been recognized and called up the bill.

Mr. MERCER. I ask for the previous question upon the bill and amendments.

Mr. PAYNE. You will have to have a quorum to get that.

The question being taken on ordering the previous question, there were—ayes 72, noes 6.

Mr. HICKS (before the result of the vote was announced). I ask unanimous consent that the gentleman from New York [Mr. PAYNE] be allowed to have the report read in his time.

Mr. PAYNE. I wish to be allowed to take the floor. I had already taken it and demanded the reading of the report. Objection being made by some gentleman to the report being read from the desk, I asked to read it myself in my own time. And then the gentleman from Nebraska rose to demand the previous question.

The SPEAKER pro tempore. Pending the announcement of the vote, the gentleman from Pennsylvania [Mr. HICKS] asks consent that the gentleman from New York [Mr. PAYNE] be allowed to read the report in his own time.

Mr. PAYNE. I ask unanimous consent that I be recognized in opposition to the bill.

Several MEMBERS. How long?

Mr. PAYNE. For twenty minutes.

The SPEAKER pro tempore. Is there objection to allowing the gentleman from New York twenty minutes in opposition to the bill? The Chair hears none. Under the circumstances the Chair will not announce the vote on ordering the previous question, assuming that the demand is waived.

Mr. LACEY. I understand that the vote should be announced. This is a mere request for unanimous consent pending the previous question.

The SPEAKER pro tempore. The Chair thought the demand for the previous question was withdrawn when the request was made for unanimous consent. On ordering the previous question the ayes are 72, the noes 6. The previous question is ordered; and the gentleman from New York is recognized for twenty minutes.

Mr. PAYNE. I ask that the report be read from the Clerk's desk.

The Clerk read as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 11314) providing for the erection of a public building at New Iberia, La., have had the same under consideration and make the following report:

New Iberia is a city of about 10,000 inhabitants. It is the county seat of Iberia Parish. It has more than tripled its population since the census of 1890, and has rapidly grown both in wealth and population. Extensive saw-mills, sugar factories, and other manufacturing interests are situated there, a great part of which have just been completed.

The recent construction of a large sugar refinery in the immediate suburbs of the town, with an enormous capacity, in addition to one previously in existence, and 15 other sugar factories within a radius of 10 miles, all of which, without exception, have largely increased their capacity within the last six months, have brought to that town, and are now bringing, continual large additions to the population.

New Iberia is the center of the Teche Valley, wherein is raised nearly one-third of the entire sugar output of the State of Louisiana. The post-office at that place has been kept in different rented buildings, having been moved from year to year, and most of the time in insecure frame buildings, which has greatly prevented the transaction of mail matters involving the deposit of money. Within the last ten months the building occupied as the post-office burned down, and it has been moved twice since that time.

New Iberia is on the main line of the Southern Pacific Railroad, which has recently established it as the shipping point for the large territory lying between it and the head of the Teche, freight being carried there by regular lines of steamboats, which will of necessity largely increase the business at that point. A branch railroad runs from New Iberia into the interior, taking to that town the salt from the large salt deposits along the Gulf coast. A new railroad is projected to run from that point to the Gulf, and plans have just been completed to establish another large sugar factory there. A canal projected lately, to extend from New Iberia to the Gulf, is now being surveyed, and soon work will begin. This canal is to be navigable at all seasons of the year, and will place the large oyster beds lining the Gulf coast a distance of 10 miles to New Iberia.

It is calculated that oyster and dry shrimp factories will be established at that point, which will double, perhaps, both the population and business of that town.

New Iberia is the distributing point for nine other post-offices.

The necessity for the construction of this building is plain.

Your committee therefore recommend the passage of this bill with the following amendment:

Strike out all after the word "alleys" in line 9, page 2, and substitute a period for the colon immediately following the said word "alleys."

Mr. PAYNE. Mr. Speaker, I know, in the present temper of the House, that it is a very ungrateful task, as it is a disagreeable duty, to say a word to impede the passage of the twenty-odd bills which are to follow this and those we have just acted upon. I know that every gentleman interested in one or the other of these bills stands ready to vote even for a bill of the character of that presented now in order to get at his own bill, which he regards as most important. I know that pressure was brought to bear, probably even upon the committee, to put some of these bills in the front in order to secure the support of the members who favor other meritorious bills, and so get them through the House.

This bill now under consideration seems, by some means or other, to have gotten into the front rank. It is set forth, not upon its own merits, but is upheld and sustained by the merits of the other bills which will follow in its wake.

Mr. Speaker, I object to the consideration of bills in that way.

That is not the proper method of legislation in the House of Representatives. It does not need a word from me or from anyone else to convince every member on the floor of that fact. We ought to take these bills up and consider them absolutely upon their own merits. There is no other way in which we can perform our duties to the people of the United States.

I have not objected to a single bill which has been presented from the Committee on Public Buildings and Grounds for a first-class post-office or a custom-house, or even where courts are held; but here is a small village, a place, even according to the report of the committee, without material importance, where no courts are held; a small post-office, where the receipts are insignificant, and a place practically unknown, except as we see the name on the maps and in the geographies of that region.

There is no need of this building there. It is a large expenditure of public money, without, in my judgment, any justification. There is no court of the United States and no custom-house there, and only a very few inhabitants, and the post-office receipts are so insignificant that the advocates of the bill do not even put them in the report.

At this point, we are told, a railroad branch is to be constructed at some time in the future, and there is also a possibility that in the sweet by and by there may be a canal. But for the present there is nothing of the kind. And yet it gets into the front rank, and is forced upon the House for its action and consideration. It is not only a bill of that kind, but, Mr. Speaker, it is not even a solitary exception. We have had bills of the same character—one for Carrollton, Ky.; one for Bluefields, W. Va., and bills for other places which have the same importance in public affairs.

Now, if gentlemen will consent to let each one of these bills stand upon its own merits, and take its own chances, of course there could be no possible objection. If gentlemen would really vote their convictions, and where a bill of this sort comes up for passage would vote it down, and not attempt to rush it through with the whip and spur of the previous question, and support it only because of the fact that they have bills behind for which they wish to secure strength and support, there would not, possibly, be so much ground for complaint. If gentlemen would do this—if they would let each bill as it comes before this body rest exclusively upon its own merits—no one could object. I should not raise my voice in opposition to the consideration of any of the bills in that event. But the House will not do that. We are met now with a very different condition.

Why, what are the facts? Last week a bill of this character was considered. In the Committee of the Whole, when the question was taken on its passage, there were 85 votes in the affirmative and 15 in the negative, and we all know that that bill had little merit, if any. Why should we not consider these bills then regularly? Why should we not have the reports read without objection, and then let each member in view of the facts presented in support of the bill, vote his own conviction? If the bill is right, if members think that it should pass, of course they will vote in support of it. But here is a bill making an appropriation of \$50,000, when every man knows that the Government never rented a post-office building there in the past that cost \$5,000 for construction. If we should adopt that rule, we could succeed in removing very much of the scandal which is apt to attach to the passage of bills of this character.

If there are meritorious bills for the erection of public buildings where there is a public demand for them and where the public necessities require them why should we not provide for them without being compelled to add to the list bills of this character? I have not objected to a single meritorious bill, and I do not propose to do so. I only ask that we may have the privilege of voting separately on each of these bills, so that each member can express his individual sentiment by his vote. If we could get rid of some of the bills on the Calendar that ought not to have been there, bills that ought not to have been reported from the committee at all, and are only presented and forced to the front because they will be thus enabled, by reason of the merit of other measures, to have a possibility of favorable action of the House, there would be no objection, I imagine, in the mind of any man to these proceedings. But I do not believe in attaching a bill of this kind to other measures simply to give it an opportunity of passing the House.

Mr. MERCER. I will state to the gentleman from New York that the bill under discussion was fathered by a member of the committee—the gentleman from Louisiana [Mr. BROUSSARD].

Mr. PAYNE. Oh, I have no doubt of that! I supposed, of course, that that was likely, or it could not have otherwise got here.

Mr. BERRY. I would like to state to the gentleman—

Mr. PAYNE. I will yield the remainder of the time to the gentleman from Kentucky, if he wishes to be heard.

Mr. BERRY. I only wanted to say, Mr. Speaker, that it seems a little strange—for I have followed the proceedings of the gentleman from New York—that when three separate bills were pro-

posed, considered, and passed for New York we heard not a single word or objection from him. Now, however, there is great objection because of the introduction of the pending bill. Of course, I know New York is the center of population—a metropolitan center—a wealthy city, and there can be no possible objection to the erection of public buildings, whenever they are necessary, in the metropolis of the country.

Mr. SIMPSON. Let me suggest to the gentleman from Kentucky that the gentleman from New York was acting upon his convictions in regard to New York. [Laughter.]

Mr. PAYNE. Will the gentleman from Kentucky allow me to ask him a question?

Mr. BERRY. I am only seeking the passage of such bills as I think are reasonable, considering the character of the places in which they are located. [Cries of "Vote!" "Vote!"]

Mr. BRADLEY. Mr. Speaker, the city of New York contributes an amount of taxes which justifies the expenditures made there.

Mr. PAYNE. I want to say to the gentleman from Kentucky [Mr. BERRY] and to the gentleman from Kansas [Mr. SIMPSON] that those bills in New York were passed for places where there were first-class post-offices and receipts of over \$40,000, and where there were other buildings of a first-class character, buildings of such character as the United States builds in those different places. As I said in my remarks, I am not opposed to this thing. I am not opposed to giving bills even to second-class post-offices on this list. What I object to is going down and hunting up some fourth-class post-office in somebody's district and trying to crowd it through the House, because there are better bills and good bills following along after that gentlemen desire to have put through.

Mr. McDOWELL. Mr. Speaker, I should like to ask the gentleman a question.

Mr. PAYNE. I yield for a question.

Mr. McDOWELL. Have not you heard members of the committee say that they did not expect some of these bills to go through the House that were reported?

Mr. PAYNE. I never heard that, and I never had any expectation of that kind. I should like to see it realized on this bill.

Mr. McDOWELL. Members have told me that they never expected to see some of those bills go through.

Mr. HICKS. They had no right to use that language. These bills have all been carefully scrutinized by the committee and they are all meritorious bills.

The amendments recommended by the Committee of the Whole were agreed to.

The question being taken on ordering the bill to be engrossed and read a third time, on a division (demanded by Mr. BARRETT) there were—ayes 96, noes 13.

Accordingly the bill was ordered to be engrossed and read a third time.

The question being taken on the passage of the bill, on a division (demanded by Mr. PAYNE) there were—ayes 92, noes 20.

Mr. PAYNE. Mr. Speaker, I ask for tellers.

Tellers were refused; 13 members, not a sufficient number, rising in support of the demand therefor.

Mr. PAYNE. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused; 17 members, not a sufficient number, voting therefor.

Mr. PAYNE. Mr. Speaker, I make the point of no quorum present.

Mr. RICHARDSON. I make the point that that is too late.

Mr. BAILEY. It is too late to make the point of no quorum.

Mr. PAYNE. I guess not.

Mr. BAILEY. I suggest that the point of no quorum comes too late. The demand for the yeas and nays waived the point of no quorum.

Mr. PAYNE. I can make the point at any stage of the proceeding.

The SPEAKER pro tempore (Mr. HENDERSON). The Chair thinks the gentleman has the right to make the point of no quorum.

Mr. RICHARDSON. The Speaker of the House, in the Fifty-first Congress ruled the other way—

Mr. BAILEY. I say the gentleman was too late.

Mr. PAYNE. I make the point that no quorum is present, not that no quorum has voted.

Mr. DOCKERY. You can not make that point now.

Mr. BAILEY. Let us clearly understand this. If the Chair holds that any member of the House can make the point at any time that no quorum is present, then let the Chair so decide, and we desire to know it; but our point is that the point of no quorum comes too late to be made on the vote that was just taken. If it can be entertained at all, it must be entertained upon the ground that any member of the House can make the suggestion at any time.

Mr. RICHARDSON. In addition to that, Mr. Speaker, if I may be pardoned, the Speaker of the House in the Fifty-first Congress held, and Speakers since that time have all held, that after the demand for tellers and tellers being refused, and after the yeas

and nays being demanded and the yeas and nays refused, it is too late then to make the point of no quorum.

The SPEAKER pro tempore. The Chair thinks the gentleman from Tennessee is right about it.

Mr. RICHARDSON. I do not think any Speaker has ever held to the contrary.

The SPEAKER pro tempore. The point made by the gentleman from New York [Mr. PAYNE] is overruled. The yeas are 92, the noes 20, and accordingly the bill is passed.

Mr. MERCER. I move to reconsider the vote by which the bill was passed, and I move to lay that motion on the table.

The SPEAKER pro tempore. The gentleman from Nebraska moves to reconsider the vote by which the bill was passed and also moves to lay that motion on the table. Without objection, it will be so ordered.

Mr. PAYNE. I object.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Nebraska, that the motion to reconsider lie on the table.

The question was taken; and the Speaker pro tempore announced that the yeas seemed to have it.

Mr. PAYNE. Division, Mr. Speaker.

The House divided; and there were—ayes 102, noes 11.

Mr. BARRETT. Mr. Speaker, I make the point of order that no quorum is present on that vote.

Mr. RICHARDSON. I move that the House do now adjourn. If we can not transact business, we should adjourn. [Cries of "Oh, no!"] We may just as well have a quorum on all other business as on this.

The question was taken on the motion to adjourn; and the Speaker pro tempore announced that the yeas seemed to have it.

Mr. RICHARDSON. I will not ask for a division, Mr. Speaker, but I will renew my motion later. If we are to have the point of no quorum raised on all these bills, we may as well have it on all other business.

The motion to adjourn was rejected.

The SPEAKER pro tempore (after counting). One hundred and eighty gentlemen are present—a quorum. The yeas have it, and the motion that the motion to reconsider lie on the table is agreed to.

Mr. POWERS. Mr. Speaker—

The SPEAKER pro tempore. The gentleman from Nebraska has the floor.

Mr. POWERS. The gentleman has yielded to me.

The SPEAKER pro tempore. How much time?

Mr. POWERS. Two minutes. I wish to call up a bill. Mr. Speaker, I ask—

Mr. DOCKERY. What is this? There is nothing pending.

Mr. POWERS. I ask unanimous consent to call up House bill 5522, and pending that I ask the House to give me its ear for just one moment. This is a first-class post-office. The net revenue receipts are larger than any other office in the United States. The revenues of the office for one year will pay all the expense that is asked the Government to build a new public building on ground that the Government now owns; and this bill has been favorably reported by the Committee on Public Buildings and Grounds. I ask unanimous consent to put it upon its passage. [Cries of "Regular order!"]

Mr. MADDOX. Mr. Speaker—

The SPEAKER pro tempore. Regular order is demanded, which is equivalent to an objection.

#### PUBLIC BUILDING AT BLUEFIELD, W. VA.

The next business laid before the House was the bill (H. R. 5974) to provide for the selection of a site and the erection of a building thereon at Bluefield, in the State of West Virginia.

The Clerk proceeded to read the amendments.

Mr. BARRETT. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. BARRETT. To a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BARRETT. Is it in order at this time to demand the reading of the bill?

The SPEAKER pro tempore. The Chair thinks not. It has been so held this morning.

The Clerk resumed and concluded the reading of the amendments.

The SPEAKER pro tempore. If there be no objection, the bill can be read.

Mr. HICKS and Mr. POWERS. I object.

Mr. POWERS. I ask for the reading of the report.

The SPEAKER pro tempore. The gentleman from Vermont demands the reading of the report. The Clerk will read the report.

Mr. HEPBURN. Mr. Speaker, I want to raise the point of order whether the gentleman has the right to demand it.

The SPEAKER pro tempore. The previous question was not demanded, and the gentleman asked it in his own time when he

got the floor. The Chair supposes that he has the right to ask that it be read in his time.

Mr. RICHARDSON. A point of order, Mr. Speaker. The gentleman from Nebraska [Mr. MERCER] has the floor unless he yields to the gentleman from Vermont.

The SPEAKER pro tempore. The gentleman from Nebraska did not take nor demand it.

Mr. RICHARDSON. The gentleman from Nebraska has the floor, and if he is going to yield to this kind of dilatory motions—

Mr. MERCER. I yielded to the gentleman from Vermont two minutes, and his two minutes are exhausted. The reason why I have not proceeded further is because a dozen gentlemen have been around me at my desk, and I could not obtain the floor.

Mr. RICHARDSON. That is thoroughly satisfactory.

Mr. PAYNE. Mr. Speaker, is it in order for the gentleman from Nebraska to be criticised and lectured because he failed to take the floor?

Mr. RICHARDSON. That is not a parliamentary inquiry.

The SPEAKER pro tempore. The Chair thinks that is hardly a parliamentary inquiry.

Mr. POWERS. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. POWERS. I called for the reading of the report, and the Chair directed the Clerk to read it. Now, I submit that it is too late to raise any objection on that score.

The SPEAKER pro tempore. The Clerk will read the report.

Mr. BARRETT. Mr. Speaker, there are many of us who have no knowledge of this bill, and having been refused the reading of the bill, we would like to have sufficient order so that we may hear the report read.

The SPEAKER pro tempore. The point of the gentleman from Massachusetts is well taken. The House will be in order.

Mr. LOUD. Mr. Speaker, I rise to a question of the highest privilege.

The SPEAKER pro tempore. There is one point of order now being disposed of. What is the gentleman's question of privilege?

Mr. LOUD. I am afraid the House is going to have trouble, and I will call up the conference report on the Post-Office appropriation bill.

Mr. RICHARDSON. Mr. Speaker, I rise to a point of order. I submit that the special order would exclude this conference report. I do not understand that the special order excepted appropriation bills or the bill which the gentleman has in charge. If that is so, I do not think he can supersede the special order with this report.

Mr. LOUD. The gentleman is too old a parliamentarian not to know that a conference report is always in order.

The SPEAKER pro tempore. The Chair will say that notwithstanding the fact that the special rule does not make exception of conference reports, still it has been held that they are in order, and the point of order is overruled. The gentleman from California is recognized.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 16, 23, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 22, 25, 26, and 27, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with amendments as follows: On page 8, after the word "registry," in lines 2 and 3 of the bill, insert the following: "assistant superintendent of registry;" and on page 9, after the word "registry," in lines 2 and 3, insert the following: "assistant superintendent of registry," and after the word "order," in line 3, insert the following: "assistant superintendent of money orders;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Provided, That the Postmaster-General may allow railway postal clerks whose duties require them to work six days or more per week, fifty two weeks per year, an annual vacation of fifteen days with pay; and the sum of \$31,000 is hereby appropriated for this purpose;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with amendments as follows: Strike out the matter inserted by said amendment, and after the word "dollars," at the end of the amended paragraph, insert the following: "Provided, That the Postmaster-General may in his discretion allow post-office inspectors per diem while temporarily located at any place on duty away from home or their designated domicile for a period not exceeding twenty consecutive days at any one place, and may make rules and regulations governing the foregoing provisions relating to per diem;" and the Senate agree to the same.

On amendments numbered 19 and 20 the committee of conference have been unable to agree.

E. F. LOUD,

GEO. W. SMITH,

Managers on the part of the House.

M. S. QUAY,

W. B. ALLISON,

R. F. PETTIGREW,

Managers on the part of the Senate.

Mr. LOUD. Mr. Speaker, has the statement been read?

The SPEAKER. It has not been. The Clerk will read the statement of the House conferees.

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, submit the following written statement in explanation of the effect of the action agreed upon in the accompanying conference report on each of the Senate amendments, namely:

The Senate made 27 amendments to the bill, involving a net increase of \$402,738.55.

By the action of the conferees, submitted in the accompanying conference report, the House recedes from amendments involving an increase of \$306,500. The Senate also receded on one amendment involving an increase of \$51,000.

The conferees disagreed upon amendments involving an increase of \$196,238.55.

The effect of the action of the conferees on amendments numbered 1 to 10, inclusive, is to add to the paragraph for compensation to clerks in post-offices, 2 clerks in the \$900 class, 21 clerks in the \$700 class, 10 clerks in the \$800 class, 30 clerks in the \$600 class, and 3 clerks in the \$1,000 class, increasing the amount of the appropriation for clerk hire \$62,000; with the following amendments: Lines 2 and 3, page 8, after the word "registry," add "assistant superintendent of registry;" lines 2 and 3, page 9, after the word "registry," add "assistant superintendent of registry," and after the word "order," add "assistant superintendent of money order."

The effect of the action of the conferees on amendments numbered 11 and 12 is to leave the law stand as at present respecting clerk hire for separating mails at third and fourth class offices, and to provide substitutes for post-office clerks while on vacation.

Amendment numbered 13 corrects the total amount of money appropriated for clerk hire to correspond with the foregoing amendments.

Amendment numbered 14 is to retain the word "experimental," which is the present law relating to rural free-delivery service.

Amendment numbered 15: Strikes out the words "rating and other" and inserts the word "rating," which leaves the present law stand relating to this subject.

The effect of the action of the conferees on amendment numbered 16 is to retain the present law in regard to letting of star-route contracts, which provides that such service shall be awarded to the lowest responsible bidder.

The effect of the action of the conferees on amendment numbered 17 is to increase the amount of the appropriation for railway post-office clerks \$32,500.

Amendment numbered 18: Strikes out all of the proviso inserted by the Senate, and inserts a provision authorizing the Postmaster-General to allow railway postal clerks, under certain conditions, an annual vacation of fifteen days with pay, and appropriating therefor the sum of \$31,000.

Amendment numbered 21: The effect of the action of the conferees on amendment numbered 21 is to strike out the words "employed away from home" and insert the following: "Provided, That the Postmaster-General may, in his discretion, allow post-office inspectors per diem while temporarily located at any place on duty away from home or their designated domicile for a period not exceeding twenty consecutive days at any one place, and may make rules and regulations governing the foregoing provisions relating to per diem."

Amendments numbered 22 and 23: The House recedes on amendment numbered 22, and the Senate recedes on amendment numbered 23, so that the language of the provision will correspond with the language of a similar provision in the legislative, executive, and judicial appropriation bill relating to the employment of persons in the Government service.

Amendment numbered 24: The Senate recedes from its amendment which requires the joint postal commission to make report to Congress not later than March 1, 1900.

Amendment numbered 25 allows an additional sum of \$7,000 for the purpose of defraying the expenses of the joint postal commission, and is agreed to by the House conferees.

Amendment numbered 26 extends the franking privilege, as now regulated by law, to the Hawaiian Islands; and is agreed to by the House conferees.

Amendment numbered 27: The House recedes, and agrees to the Senate amendment permitting the superintendent of money-order system to draw money orders without additional fee in order to correct errors by postmasters; and to allow the Postmaster-General to prescribe the forms for the issue of money orders.

On amendments numbered 19 and 20 your conferees are unable to agree.

E. F. LOUD,

GEO. W. SMITH,

Conferees on the part of the House.

FEBRUARY 28, 1899.

Mr. LOUD. Mr. Speaker, I move the adoption of the conference report; and upon that I desire to make one suggestion.

Let me, as a preliminary, say one word personal to myself. A great deal of dissatisfaction and bad temper was displayed when this conference report was presented. I desire to say to the House that the enrolling committees are pressing for these appropriation bills. They must be enrolled before this Congress dies. I had held this conference report all the afternoon. Some gentlemen suggested, "Yes, you have held it until certain bills got through." I wish to say I have myself no bill among these public building bills, and I have no preference for one bill above another, except that some bills have equity in their favor and some have not. If the House wants to pass these public building bills I can not stop it. If I could I would. But, Mr. Speaker, knowing that I can not stop the passage of these bills, I shall simply pursue my duty as a member of this Congress and ask that this conference report be adopted as soon as convenient for the House.

Now, I am willing that a vote be had upon it.

The SPEAKER. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

On motion of Mr. LOUD, a motion to reconsider the vote by which the report was adopted was laid on the table.

Mr. LOUD. Mr. Speaker, there is one item upon which the conferees could not agree, the item in regard to special mail facilities on railroad lines. In view of the pronounced vote of the House on this subject, the conferees were unable to surrender the

matter in conference, and have therefore brought it back to the House in the shape of a disagreement.

I yield to the gentleman from Alabama [Mr. BANKHEAD], who, I understand, desires to move that the House recede from its disagreement to the amendment of the Senate and concur therein. I yield for that purpose only.

Mr. BANKHEAD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendments Nos. 19 and 20, and agree to the same. And now, with the consent of the chairman of our committee, I wish to say just one word.

Mr. LOUD. I yield to the gentleman—how much time?

Mr. BANKHEAD. Just one minute. I do not care to take up time, because I am anxious to dispose of this question so that we may go on with the special order. I wish merely to say that the sooner we get through with the report on the Post-Office bill, the sooner we shall get back to the special order.

Mr. BROMWELL. May I have a few minutes' time?

Mr. LOUD. There are some members of the Post-Office Committee who desire to be heard. I yield ten minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Speaker, when this question was before the House for discussion on a previous day, I thought it my duty to oppose the granting of this special subsidy to the railroad companies for the transportation of the mails, without any feeling of enmity to railroads who are the beneficiaries. After due consideration of the question on that occasion, this House saw proper to strike out the item granting \$196,000 additional compensation for the carrying of the mails. Immediately there was brought to bear, as had in some measure hitherto been done, pressure from various parts of the country on Representatives on this floor to recede from that position.

I believe it is proper that every Representative should reflect upon this floor as far as possible the views of his constituency, and give due regard even to the views of a very small portion of his constituency. The chamber of commerce of the city in which I live disagreed with the position which I took on this question, and requested by resolution that the Representatives from Tennessee, including myself, should support and not resist the passage of this item. That resolution was not sent to me, though it appeared in the public press. There was much criticism of the vote upon that question. I believe it proper that I should announce to this House, as I agreed with the chamber of commerce to do, their opposition to striking out this item in the bill.

In reply to their resolution I thought proper to express in a letter to them those views which I entertain on the question, and in consideration of the eminent respectability and intelligence of gentlemen who represent the interests of that chamber, and the supposed commercial interests of that particular section, I now state to the House that they opposed the position I have taken as their Representative on this floor. In justice, however, to myself, and in view of the fact that that chamber did not see proper to give the same publicity to the views which I entertained that they gave to the criticism of the vote I cast on the question, I send to the Clerk to be read, as a part of my remarks, a letter which I communicated to that chamber, which they declined, for reasons best known to themselves, to lay before the public. I ask the Clerk to read the letter.

The Clerk read as follows:

WASHINGTON, D. C., February 2, 1899.

GENTLEMEN: I have seen in the public press, but not otherwise, a copy of the resolution adopted by your body some time since, requesting Senators and Representatives from Tennessee to favor the restoration of the subsidy item of \$196,000 stricken by the House from the Post-Office and Post-Roads appropriation bill. As your immediate Representative, it is always gratifying to be able to comply with any request you may make and to do anything I can to advance the interest of each and every one of our people and the commercial and business interests of our whole country. But in this instance I shall not be able to comply with the suggestions of your resolutions, and I know that you would not desire it if you understood the facts as I am certain they exist.

I favor the fast mails as one of the best means of promoting our business interests, and as a member of the Post-Office and Post-Roads Committee of the House will do all that I can that is right and lawful to retain these facilities. In deference to your views, with which I differ in the matter of the subsidy, I shall submit your resolution to the House for its fair consideration on the return of the bill from the Senate, and if that body shall deem it wise, restore the disputed item to the bill.

I never have and never shall vote for any subsidy to any individual, company, or corporation under any circumstances, as I regard the exercise of legislative power in this way as unlawful and as the most successful method of producing and hiding corruption in legislation. I think that when a contract to perform any service is made between the Government and individuals or corporations, that the Government should pay the amount of the contract price, which should always be full and adequate compensation, and that if full and adequate compensation is paid that the contract should be performed; and to demand and receive additional compensation by way of subsidy under such circumstances is morally and legally wrong. Therefore, under the facts as they exist in the matter of subsidies to railroad companies for carrying the mails, I could not on general principles vote for a subsidy item, and particularly the item in the bill mentioned, for the following reasons:

First. Because the fast mails we now have between the South and the East were not put on as the result of the subsidy, but by ordinary contract with

the Government, and paid for out of the general appropriation for that purpose, the compensation being nearly four times as much as it costs the railroad companies to transport the mails; and these mails are not held on as the result of the subsidy, but under the contract. These facts are substantiated by the testimony before the Post-Office and Post-Roads Committee and by the official statements of Mr. White, the Superintendent of Railway Mail Service, who says that the mail has not been facilitated by the subsidy and that there have been no material changes in the schedule since the subsidy was granted; and they are further and most emphatically attested by the statement, on January 19, 1899, of Second Assistant Postmaster-General Shallenberger, in response to an inquiry from a member of the House during the time the vote was taken on the subsidy item, that "the subsidy was not needed to retain fast mails South and East." These gentlemen are the Government officers in charge of this branch of the service, and theirs is the only direct proof obtainable on the subject.

Second. The Postmaster-General is vested with full power on the subject and does not ask for a subsidy, and only pays it out because he regards the act of Congress in voting it as mandatory.

Third. The contract now in force, regardless of the subsidy, as a matter of fact and of law, requires the rapid transit of the mails.

Fourth. Because the payment of this subsidy is an unprofitable, unlawful, and dishonest appropriation or gift of \$196,000 of the people's money. Legislation to appropriate public money for private uses is nearly always obtained under the pretext that such legislation is necessary to promote the business and commercial interests of the country and is a public necessity; and, unfortunately, in many instances the chambers of commerce, boards of trade, business leagues, and other commercial bodies, actuated by a desire to promote the public interest and not being possessed of full and complete knowledge of the facts, have given much aid to such legislation by influence exercised over their Representatives through petitions in advocacy thereof.

Of course, I understand that the resolution was proposed for political purposes, under the pretense of serving the public, though I would not assume that it was passed for that purpose.

Without impugning the motives of any who deem it wise to support this subsidy, or any other subsidy in or out of Congress, I have felt it proper, in response to your resolution, to give to you, my neighbors and friends, the reasons why I can not concur in its suggestions.

Very respectfully,

JOHN A. MOON.

The CHATTANOOGA CHAMBER OF COMMERCE.

Mr. MOON. Mr. Speaker, I regret the necessity which made the reading of that letter to the House a duty on my part, but it expresses, as I believe, the views of the vast majority of the constituency that I have the honor to represent, and my own reasons for opposing the subsidy. I regret that I can not gratify, as far as my vote is concerned, even a small fraction of the people of my State who are interested in this particular question. But I believe that the interests of all are better subserved by adhering to the policy which I have briefly outlined heretofore of not placing the Government under the necessity of paying out their money to accomplish a purpose which is better served without it.

Our people, some of them, are laboring under a misapprehension, as I think and as I might have stated further in that communication. Gentlemen will observe, as a matter of fact, that the particular section of the country to which I refer obtains no special benefit, if any benefit is conferred at all upon any part of the country, from the grant of the subsidy. The train—No. 35—which carries the alleged fast mail from New York City south is one of the most profitable trains, as I am informed, which is run over the lines of the Southern Railroad Company. It stops at all of the larger cities on the road and pays better, as far as passenger traffic is concerned, than any other train they run.

The schedule time of the train was not fixed by the road, nor was the train run under that schedule, for the sole purpose of carrying the Government mails and accommodating the Government in that respect. This fast mail train does not come within less than 150 miles of my district (the connection being at Salisbury, N. C., and Atlanta, Ga.); and, as a matter of fact, because of the distance mentioned, we could have little or no possible interest in it if the Post-Office and Post-Roads Committee hearings are creditable.

But, Mr. Speaker, I will not further discuss the local interests involved. I desire to return for a few brief moments to the greater interest—the question of public interest—which we must take into consideration.

The SPEAKER. The time allotted to the gentleman from Tennessee has expired.

Mr. MOON. I would like to be permitted to proceed for about five minutes longer.

Mr. LOUD. I yield five minutes to the gentleman from Tennessee.

Mr. MOON. Mr. Speaker, there are other questions involved in this controversy in which the public at large have an interest. I know it has been said that the Representatives on the line of this railway have been demanding the grant of this subsidy for political reasons, and for these reasons have been forced to support it. But I do not desire to reflect upon any Representative or make any such charge, and therefore dissent from the suggestion which is involved in that statement. I know it is said that the power of this corporation in legislative matters is so great that Members and Senators do not dare to resist it. I would not assume, sir, the truth of any such suggestion as that. I know it has been said, also, that this is a question of the country against the cities. I would not allege anything of the kind.

Although it may as well be observed in this connection that when the cities—many of them—are obtaining their mail from four to six times a day by special delivery, fully four-fifths of the people of the country, who have to earn their subsistence at 75 cents a day and who pay the bulk of the taxes to support the Government, are getting their mail not more frequently than once a day and often but twice or three times a week. But some may think that this is not a legitimate argument and bears no reference to the question under discussion; but I hope never to forget the interests and burdens of the common people, out of whose treasury this effort to subsidize the railroads is made.

The proposition here is, Does the Government of the United States derive any advantage in the transportation of mail matter for the sum which is involved in this subsidy; and does the Government of the United States now, by the present general arrangement, pay enough to this railway company for the transportation of its mail matter?

Is there a contract between the Government and the railway company for mail transportation? If there is, must the railway company be required to live to it, or shall the Government recede from its contract and pay compensation extra and above its terms? If so, the sum so paid in addition would be a gratuity or subsidy, a gift to the railroad for which no consideration would come to the people.

The hearings before the Post-Office Committee developed the fact that these identical railway companies are to-day receiving more than \$1,000,000 from the Government of the United States for carrying mails. It receives for the transportation of those mails a sum four times as great as it costs to carry them. Does not the Government then fulfill the full measure of its obligation to the railroad, legally and morally, in complying with its contract? If this is true, why add the \$196,000 by way of gift or donation to the railway company?

It is said, however, that the fast mail, this extra train, makes necessary this extra compensation. I deny it as a matter of law. I deny it as a matter of fact, on the testimony of the Post-Office Department. The Postmaster-General tells us that he does not want this subsidy, that it is not necessary, that no additional facilities come from it; but when Congress, in view of the statement that he has made in his written report to this body, comes back and says, "Mr. Postmaster-General, it may be true that you do not need this money, but we vote it nevertheless," it is an indirect dictation to the Postmaster-General to expend it for the purpose of a subsidy, and he regards it as mandatory and expends it. Thus, \$196,000 of the people's money goes to this corporation without one iota of benefit or advantage to the country at large, or substantial benefit to the country through which these mails pass, which could not as a matter of law and fact be obtained under the general appropriation.

Mr. BRUCKER. Mr. Speaker, I should like to ask the gentleman a question.

The SPEAKER. Does the gentleman yield?

Mr. MOON. Yes.

Mr. BRUCKER. I understand that the gentleman is a member of the Committee on the Post-Office and Post-Roads, and I would like to ask him this question, whether or not the general Post-Office appropriation bill reported by his committee is not made up largely upon the estimates and recommendations of the Post-Office Department?

Mr. MOON. Nearly altogether.

Mr. BRUCKER. Now, was this particular item or subsidy recommended by the Post Office Department or by any official of the Post-Office Department?

Mr. MOON. The Post-Office Department does not recommend it.

Mr. BRUCKER. I should like to ask this further question. Did the committee request the Postmaster-General or any subordinate of that Department to appear before the committee and give the committee any information on this subject?

Mr. MOON. It has been done hitherto, but I believe not at the present session.

Now, Mr. Speaker, when a contract is made between the Government and an individual for the carrying of the mail, even if nothing more were done than to say that the Government agrees to pay so much for the transportation of mail, the law comes in and supplies that contract, being a part of it, that the mail shall be transported in view of present conditions and facilities for carrying the mail. It must be carried with reasonable haste and expedition.

This Government does not pay a million dollars to this railroad company to carry mails upon a freight train. It requires, and the law requires as a part of the contract, though the terms of the contract be simply to carry the mail for a certain length of time for a certain sum, that it be carried reasonably fast. That is all we want; that is all we are entitled to; that is all we ask; that is all we get from the railroad company to-day. I believe it is a great

wrong and injustice to the people to pay this \$196,000. I believe that the granting of subsidies under any and all conditions is wrong. By what right do we abandon the contract and give away the people's money? Why should we cease to represent the people and become the agents of corporations? Let us be just enough to pay that which we ought to pay legally and morally, and no more. Do not add to the contract by way of gift to the corporation when it is already receiving four times as much as it ought to receive for the transaction of this business. This measure is in contravention to public interest and the principles of economic government. I therefore oppose it. [Applause.]

Mr. LOUD. I yield ten minutes to the gentleman from Mississippi [Mr. CATCHINGS].

Mr. SHAFROTH. I should like to ask whether some arrangement could not be made so as to determine when a vote shall be taken on this question?

Mr. LOUD. I said privately, and now I will say publicly, that if the gentleman will keep his seat we will come to a conclusion much earlier.

Mr. SHAFROTH. Well, will you agree to it in half an hour?

The SPEAKER. The gentleman from Mississippi [Mr. CATCHINGS] has the floor, and the House will please be in order.

Mr. CATCHINGS. Mr. Speaker, the people throughout the section of the country in which I reside have become so accustomed to these special mail facilities since they were inaugurated in 1893 that they were smitten with great alarm when it was telegraphed through the Associated Press that this House had refused to vote to continue appropriations for that fast mail service. The result has been that I, together, perhaps, with all members from that section, have been overwhelmed with applications from our people urging that we should stand by this appropriation.

It is singular, Mr. Speaker, how the language which has been used by the Second Assistant Postmaster-General in regard to this question has been construed to mean, as has been stated within the past few minutes by my distinguished friend from the Chattanooga district, that this special-facility fund has not improved the mail service; that it was just as good and just as fast in all particulars prior to 1893 as it has been since, and that if the special-facility fund should be discontinued he would still be able to provide just as fast mail service as we have to-day.

Now, I deny that any such words have ever fallen from the lips of that distinguished officer. I am myself a member of the postal commission and participated in his examination with respect to this subject; and I here say and affirm, and am prepared to prove by reading his exact words, that what he said was that there had been a most marked and astonishing increase of mail facilities between New England, New York, and Pennsylvania and the South and West since the special-facility fund was provided. He never has dared to affirm, and will not affirm, that we had as good service and as quick service before we had the special-facility fund as is provided now.

He admits that he might not be able to get as good a service as we have, but thinks that he could get what he is pleased to say is "substantially as good service." It is not true that there was any service at all to be compared to the present prior to 1893, when this special-facility fund was first provided. At that time there was not one fast through train from New England, New York, and Pennsylvania to the South; not one single train that connected with others as the trains do that exist to-day. It may be true, taken literally, as Captain White, Superintendent of the Railway Mail Service says, that this service existed prior to the awarding of the contract, and not by virtue of the special provision.

The statement is disingenuous; it is unfair. In March, 1893, an appropriation was made, so that this fund could be used by the Second Assistant Postmaster-General in his discretion in providing faster through-mail facilities. The contract was not awarded until October, 1893. In the meantime the Southern Railway Company, for the purpose of showing that it was entitled to it, and as a bidder in the market for it, put on these two fast trains, which have been maintained from that day to this. Not only that, but the Department fixes the schedules, and the company runs its trains at the behest and under the command of the Post-Office Department. So that it is disingenuous and unfair to make the statement that this service had been established prior to awarding the contract, and that the contract had not been the cause of the establishment of the service.

Now, Mr. Chairman, the Postmaster-General testified before the Postal Commission that prior to this arrangement there was no really through fast service from the New England States, New York, and Pennsylvania to the South; that there were as many as ten roads affected in the result, each one running upon its own independent schedule, with no connection with each other, no connection with intermediate roads, no sort of facilities for expediting through mails or expediting the mails that would go over the branch roads leading to many other points, whereas

now you have this great Southern road that has put two splendid fast trains on, and you control the movements of these trains and require them to make such schedules as the Department may prescribe; you have established connections with all the branch roads south of Washington, and the result is that you give fast mails not only to Atlanta and New Orleans, but to Tampa and Jacksonville, making a rapid transit for all of the Eastern mails, and by a train going out from Atlanta by way of Birmingham to Memphis and so on to Kansas City and other Western cities. All this results from this small appropriation which we have made, and which is attempted to be denounced in connection with this bill as a subsidy.

I think, Mr. Speaker, that this is not a subsidy in any just sense of the word, nor in the sense in which subsidies are described in the contemptuous language which politicians use. A subsidy in that sense means something for nothing. By means of this special facility fund we are making the service as good as it is anywhere in the United States. The Southern railroads are maintaining these two fast trains, and have put on a third train to supply the demand for local service. The Second Assistant Postmaster-General has never said that he could get as good service without it. On the contrary, he said that if it should be withdrawn it might prove disastrous to the service, and his opposition, in fact, is to the general principle involved, which might justify the claim that if there is to be a special fund for one road there should be to another.

Here is another thing that has resulted from this special fund according to the testimony of General Shallenberger himself. Not only has it expedited the mails on these trains, but it has compelled the seaboard lines and other lines paralleling it to expedite their own service, and run on faster schedules for the purpose of competing for passenger traffic. You have got a better schedule on the Seaboard Air Line, and every other road that runs from the North to the South, by reason of the fact that this special facility fund has been given to the Southern roads.

Why should not the people of the South be entitled to this small beneficence at the hands of the Government? It is no novel thing; for many years such funds were devoted to trains going through the West; for a great many years such funds were voted to expedite mails throughout the Western country, but as the large cities grew up, as commerce developed, rival roads became natural competitors with each other, and they no longer required a special facility fund.

It was unnecessary to single out a road to give it fast time, because the roads all competed with each other, and each was as prepared as the other to take the mails and expedite them. It is not so in our section of the country. Unfortunately we have not the dense population, we have not the great cities and great communities, and our commerce is necessarily limited. I hope we are on the uphill road and that the day will come, and be not far distant, when we can dispense with the special-facility fund, as the people of the North have been able to do.

Mr. Speaker, I can not understand why there should be any opposition to it. Is there any impropriety in it? If not, is it not the duty of the Government to take its money and expend it for the benefit of the people of the United States? It is not a subsidy; it is paying for actual value received at the hands of the railroad company, and I do hope that this House will vote to concur in the Senate amendment. We have got the service, and no man can tell what will be the result if you withdraw this aid. I will not take the time to read what General Shallenberger has said, but I assert that he is not prepared to affirm, and has not affirmed, that we could have the present service without this special-facility fund.

He thinks he could get it, but why should we take the chance and threaten the great commercial industries of the South and the far West? This service extends its influence into Texas. The Southern road makes close connection at New Orleans with others which take up the mails, and speed on their way to the great imperial State of Texas. The impulse of the service goes out through Kansas and that section of the country. I do not wish you to understand it is local in any sense. Here is a bundle of resolutions passed by all the commercial bodies in the South, and here are letters and telegrams and newspaper editorials all pleading for a continuance of the service, and I do hope and beg my colleagues to stand by the amendment. Let us concur and let our people retain the splendid service which the generosity of the Government has afforded them since 1893.

Mr. LOUD. Mr. Speaker, I yield ten minutes to the gentleman from Ohio [Mr. BROMWELL].

Mr. BROMWELL. Mr. Speaker, I know how anxious the House is to proceed with the business of public buildings, but I consider that this matter is of equal importance to this House and to this country, with the question of appropriating money for the building of any public structure. Now, this is an old story; we have gone over time and time again this fast mail subsidy, and I

say for one that if I felt for one moment that the withdrawal of this allowance to these various railroads would result in the destruction of the fast mail service to the Southern States, I would vote for it as cheerfully as any gentleman that has advocated it; but I am entirely satisfied that the same service would be performed, the same facilities would be rendered for the transportation of the mail in the South and the Southeast without this subsidy that there is to-day with it.

When we hear of chambers of commerce and other commercial bodies in the South passing resolutions and requesting the reinstatement of that item of the bill, it would give us the impression that these gentlemen had the idea that we were absolutely going to cut off all mail facilities from the South and Southeast by the withdrawal of this subsidy. Nothing of the kind. These mail trains will run on the same schedule time as now, will carry the same mail they now do, and will receive the same rate of pay as other railroads all over the United States. Now, I have here a statement which I wish to call to the attention of the House, to show that these railroads are paid, not in any niggardly way, but in a munificent way, independent of these subsidies.

In that connection I want to call the attention of the House to the fact that there are but two of these subsidies granted in the United States. One is for the line of railroad starting, practically, at New York City and ending in New Orleans, and the other at Kansas City and ending in Newton, Kans.; one carries \$170,000 and the other about \$25,000. All these great railroad systems starting out of New York City and going westward across the States of New York, Ohio, Indiana, Michigan, and Illinois, and distributing to the great West, get no subsidies. All the other railroad systems of the country, in whatever direction they send their trains, get no subsidies.

Now, Mr. Speaker, I have here a table which I will print in full in the RECORD, but some of the figures of which I shall now bring to the attention of the House. This vast subsidized line to the South is practically made up of four different routes connecting with each other. The Pennsylvania Railroad, which carries the mail from New York City to Washington, gets as its ordinary pay for transportation \$563,121.67, and for its railway postal cars \$91,435.50. The Southern Railway, carrying the mails from Washington to Atlanta, gets \$532,794.52 for ordinary transportation, and for its postal cars \$111,618. The Atlanta and West Point and Western Railway of Alabama, carrying the mail from Atlanta to West Point, gets for its ordinary transportation \$70,376.87, and for its postal cars \$17,183. The Louisville and Nashville Railroad, carrying the mail from Montgomery to New Orleans, gets \$114,570.41 for ordinary transportation, and for its post-office cars \$31,827.

Mr. Speaker, these four lines receive for ordinary transportation of the mails \$1,270,873.47, and for their post-office cars \$252,063.50. In other words, independently of this subsidy they receive, as their total transportation for carrying the mails a total distance of 1,365 miles, \$1,522,936.97—ample compensation and equal to that paid to any other railroad system in the country.

Now, Mr. Speaker, the very object for which this subsidy was originally granted has ceased. It was originally granted to expedite the delivery of the mails from New England and New York to the West Indies by way of Tampa, Fla. It no longer expedites that service, the transportation having been switched around to carry the mails from New York City through the Eastern and Southern States to New Orleans.

Whatever reason there may have been, therefore, for establishing a rapid-transit service to the West India Islands, to assist in building up our commerce with that portion of our hemisphere, no longer exists. The purposes of this subsidy having failed, it seems to me there is no longer any good reason for continuing it.

Call it what you please, it is a subsidy outright from the Government over and above what the railroad companies would receive according to the law which applies to other railroad systems. It is a free donation, made every year by Congress, upon the request and importunity of gentlemen from the States through which this system runs.

Now, Mr. Speaker, with the millions of dollars we are expending for all purposes—with the millions we are expending to-day for the construction of public buildings scattered all over the United States, many of them in the States represented by the gentlemen who are appealing to you again for this charity—it does seem to me that here is a place where we can exercise judicious economy and at the same time bring this postal service back to a legitimate basis.

Mr. Speaker, in view of the fact that the House is so impatient for its other work, I shall not occupy longer time, but will ask leave to print in the RECORD a table which I have prepared for future reference.

THE SPEAKER. Is there objection to printing in the RECORD the table referred to by the gentleman from Ohio [Mr. BROMWELL]? The Chair hears none.

The table is as follows:

Statement showing compensation for transportation of mails and for railway post-office cars on lines between New York and New Orleans receiving special facilities pay.

No. of route.	Termini.	Pay for transportation.	Pay for R. P. O. cars.
10004 113001	New York to Philadelphia..... Philadelphia to Washington (Pennsylvania R. R.).....	\$310,255.97 252,865.70	\$60,513.75 30,921.75
	Total.....	563,121.67	91,435.50
114002 118013	Washington to Danville..... Danville to Atlanta (Southern Rwy.).....	231,563.74 291,230.78	51,213.00 60,405.00
	Total.....	522,794.52	111,618.00
121003 124001	Atlanta to Westpoint..... Montgomery to Westpoint (Atlanta and Westpoint, and Western Rwy. of Alabama).....	35,930.29 34,446.58	8,630.00 8,563.00
	Total.....	70,376.87	17,193.00
124012	Montgomery to New Orleans (Louisville and Nashville R. R.).....	114,570.41	31,827.00
	Grand total.....	1,270,873.47	252,063.50

One thousand three hundred and sixty-five miles; total pay, \$1,522,936.97. The above does not include the sums paid the several companies on account of special facilities, which were as follows:

No. of route.	Termini.	Pay for R. P. O. cars.
10004 113001	New York to Philadelphia..... Philadelphia to Washington (Pennsylvania R. R.).....	\$11,331.25 17,178.75
	Total.....	28,510.00
114002 118013	Washington to Danville..... Danville to Atlanta (Southern Rwy.).....	29,775.00 51,175.00
	Total.....	80,950.00
121003 124001	Atlanta to Westpoint..... Westpoint to Montgomery (Atlanta and Westpoint and Western Rwy. of Alabama).....	10,775.00 10,708.75
	Total.....	21,473.75
124012	Montgomery to New Orleans (Louisville and Nashville Rwy.).....	30,783.75
	Total.....	170,722.50
	Mail compensation.....	1,522,936.97
	Total mail pay.....	1,693,659.47

Mr. LOUD. I yield two minutes to the gentleman from Kentucky [Mr. CLARDY].

Mr. CLARDY. Mr. Speaker, I have tried by questions to elicit information upon this subject; but I have heard no statement from the gentlemen who favor this subsidy which seems to me to justify this expense. The only advantage that they claim as resulting from this large expenditure of public money is that under this system the mails reach certain places in the South earlier than they otherwise would. Now, suppose that is true. I say if it is true, it does not show that this system benefits the communities in question to the extent of a single cent.

All the business in any given section of the country is regulated by the time the mails come in. If this subsidy were withdrawn, these communities would have just as many mails as they now have. Those mails might come in a little later, but the business of the community would soon adjust itself to the particular hour for the arrival of the mails, and nobody would be the loser in his business to the extent of a single cent. As all the business people of the community would get their mail at the same time, no one could have any advantage over another. And it does seem to me, Mr. Speaker, unwise to pay these corporations the large sum of money which is involved here simply for the purpose, as we are told, of facilitating the mails, when the contract with the Government requires the mail to be carried with reasonable dispatch and on their fastest trains.

Now, if any real benefit is to accrue, I should not stand in the way. But if there is no benefit, why should we spend the people's money in this way? Why give certain railroads this large subsidy to do that for which they already receive ample pay? No one has claimed that the Government does not pay enough. No one has claimed in the course of this discussion that the roads do not receive ample pay for all the service they render. If there is a gentleman who will stand upon this floor and say that the railroads do not get a fair compensation for the service they render the Government, that, of course, might be some excuse for the enact-

ment of a provision like that which is suggested in this bill. But as a matter of fact they are receiving all that their contracts call for. What justification, then, do we find for giving them this additional bonus in the way of compensation for such service? No sufficient reason has been given, and I shall therefore vote against this measure.

Mr. LOUD. Mr. Speaker, I yield ten minutes to the gentleman from Nebraska [Mr. GREENE]. [Cries of "Vote!" "Vote!"] Mr. GREENE of Nebraska. Oh, no; you won't vote yet. Just wait a little while now. [Laughter.]

Mr. Speaker, I believe—and yet I may be a little behind the times and somewhat antiquated in my views—but I am impressed with the idea, and have been since and before I became a member of Congress, that the public servants of the people, who were elected for that purpose, ought to handle the money of the people with just the same care as we would handle our own. I do not believe that there is a gentleman on the floor of the House, if this were a private transaction, who would favor the payment of this subsidy.

Mr. WALKER of Massachusetts. I would.

Mr. GREENE of Nebraska. If there is one, Mr. Speaker, he is peculiarly constituted.

Mr. WALKER of Massachusetts. Well, I am just that man.

Mr. GREENE of Nebraska. And I seriously doubt, Mr. Speaker, that there is more than one at all events. The gentleman from Massachusetts said that he would do it. But I think he must be an exception in this body. However, he at all times frankly says he favors monopoly and combination.

I listened particularly to the remarks of the gentleman from Mississippi in the House a few moments ago, and he stated that since the subsidy had been refused by the House to the Southern Railroad Company he had been submerged, overwhelmed, and burdened with petitions from all over the State, and resolutions from certain parties in the district in which he resides, urging the vital importance to his constituents of this subsidy. I doubt if there is a gentleman on the floor who is not familiar, however, with the methods of the railway companies and other corporations to get the necessary resolutions and petitions in cases of this kind. It is a very easy thing for them to do so. I think we have all had experience in matters of that kind, that when a railroad company wants certain resolutions or petitions it is the easiest matter in the world to get them. They send out copies of these petitions, which are signed by the people through the solicitation of their agents.

A MEMBER. Why?

Mr. GREENE of Nebraska. Why! Simply because the railroad company wants them. Why, you can go out in the gentleman's own district, I venture to assert, and get a petition to hang almost any man in the district, if you prepare the petitions in advance and pass them around for signatures. [Laughter.] People will sign matters of that kind almost without looking at them.

So, then, I claim that the petitions and resolutions to which the gentleman refers mean nothing whatever. They are inaugurated by the companies themselves, and solely and selfishly for their own benefit. They come from the men who want a subsidy granted to them. And that is all there is about the petitions and resolutions that have "submerged" and overwhelmed the gentleman from Mississippi to demand of Congress the giving away of this large sum of money.

Now, there is another suggestion of the gentleman from Mississippi to which I wish to refer and which I think is misleading. He says that the railways have increased their speed and accommodations since 1890, when the subsidy was first granted. That is undoubtedly true. Is there, I would ask you, a single line of railway anywhere in the United States which has not increased its facilities since 1890, whether the subsidy was paid to it or not? They have been compelled to do it because of other considerations. Why, you might just as well compare the speed of Noah's ark with a fast modern steamship, and then attribute the increase of speed of the steamship to some subsidy that somebody gave after Noah had given up the business. [Laughter.]

That is all nonsense. There is nothing in it. All railroads have increased their speed and shortened their time. The railroads out through the Western States that at one time received a subsidy are making better time since the subsidy was taken away from them than they ever made before and rendering better service, as good as any roads in the world.

Now, I would not pretend to say that the increased speed and better accommodations now offered are due to the fact that the subsidy was taken from them. I would not argue that; and yet I might just as well argue that taking the subsidy away from the Western roads has increased their speed since 1890 as for the gentleman from Mississippi [Mr. CATCHINGS] to argue that giving the subsidy has improved the speed of Southern roads since 1890. One is just as plausible as the other; but I would not make such an argument as that, because it is not true. There is nothing in it.

Now, the railways out West have increased their speed because of better tracks, better cars, better locomotives, and the necessity for increasing their speed to compete with other lines of railroad that operate in competition with them. Now, the Southern Railway doubtless is making better time than it made in 1890, and it would be a great pity if it did not. It would be rather disgraceful to say of the Southern Railroad that in the last nine years, with all the improvements in machinery, and the increase in the speed of other railroads in the country, that the Southern Railway had remained at a standstill, and would have remained at a standstill but for the little steal it has been getting out of the United States Government. Now, I do not believe such a thing as that, do you?

Mr. CUMMINGS. No.

Mr. GREENE of Nebraska. I think the railway has increased its speed, because it had to increase its speed, because of the increased facilities and improved machinery, and because the demands of modern civilization required that it should increase its speed.

Now, the gentleman says that the Postmaster-General has never said that we could have as good time and as good mail facilities without it as we could with it. Well, he has said that in his judgment we could.

Mr. CUMMINGS. Are not the roads bucking against each other in point of speed in friendly competition for mail contracts?

Mr. GREENE of Nebraska. Why, gentlemen, we have them bucking against each other all over the country in the matter of speed, and does not that naturally increase their time and improve their facilities? Is not that the thing that has increased the facilities and speed of all the railroads in the United States since 1890? To argue that this subsidy does it is the merest nonsense. I do not believe there is a gentleman on the floor who, in his sober, candid, honest, sincere moments, believes that it has.

Now, I want to ask any gentleman on this floor who has been contending all along that he was opposed to subsidizing corporations, I want to ask any gentleman how he can reconcile his conduct with his conscience when he stands up and votes for what he knows is an absolute gift to a corporation when it is being paid four times what it costs to perform the service which it renders to the Government? Now, how can he do that? I believe in being consistent. I am no more in favor of a steal in my State than I am in favor of a steal in the State of Kentucky or anywhere else, and I am opposed to this because I believe it is wrong. Gentlemen are voting for this vicious measure simply because it goes to their State. The railway is getting all it is entitled to and what it contracted to receive for the services which it is performing, and, as I have said, it is getting four times what the services rendered are worth to the Government. Now, why should we put our hands into the people's pockets, not into our own specially, but into the pockets of the people, to pull out \$175,000 and give it to the Southern Railway Company?

The SPEAKER. The time of the gentleman has expired. The gentleman from California [Mr. LOUD] has seven minutes.

Mr. LOUD. Mr. Speaker, I believe the gentleman from Alabama [Mr. BANKHEAD] does not desire to consume any more time, and if not, I will move the previous question after making one suggestion. I want to suggest that personally I have opposed this subsidy because I believe it to be a gift of money without return, but I do not believe, and I say it in perfect candor to the House, that the Senate will recede upon this amendment.

There is a sentiment prevailing, whether it be right or not, that this measure should await, along with some others, until the Postal Commission has reported. Having said that, Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Alabama, that the House recede and concur in the amendment.

Mr. BROMWELL. A parliamentary inquiry. The motion being that we recede and concur, a vote for the subsidy would be "yea" and a vote against the subsidy would be "nay." Is that correct?

The SPEAKER. Substantially correct. [Laughter.]

The question was taken on the motion to recede and concur; and the Speaker announced that the yeas seemed to have it.

Mr. BROMWELL and Mr. GREENE of Nebraska. Division, Mr. Speaker!

The question was taken; and there were—yeas 116, noes 52.

Mr. GREENE of Nebraska. The yeas and nays, Mr. Speaker.

The question was taken on ordering the yeas and nays.

The SPEAKER. Thirty-eight gentlemen have risen—a sufficient number—and the yeas and nays are—

Mr. UNDERWOOD. The other side.

The SPEAKER (after counting). One hundred and fifteen in the negative and 38 in the affirmative—a sufficient number—and the yeas and nays are ordered.

The question was taken; and there were—yeas 144, nays 85, answered "present" 7, not voting 114; as follows:

## YEAS—144.

Acheson,	Davis,	Jones, Va.	Ridgely,
Adamson,	Davison, Ky.	Ketcham,	Robbins,
Aldrich,	Dick,	Kirkpatrick,	Robertson, La.
Arnold,	Dorr,	Lacey,	Russell,
Baker, Md.	Dovener,	Lamb,	Settle,
Bankhead,	Driggs,	Latimer,	Shattuc,
Barham,	Elliott,	Lewis, Ga.	Sherman,
Bartlett,	Ermentrout,	Linney,	Showalter,
Belden,	Evans,	Littauer,	Simson,
Belford,	Fenton,	Livingston,	Snyder,
Belknap,	Fischer,	Loudenslager,	Smith, Ill.
Bennett,	Fitzgerald,	Low,	Smith, Wih. Alden
Berry,	Fletcher,	Lybrand,	Spalding,
Bingham,	Foot,	McAleer,	Sparkman,
Bishop,	Fowler, N. J.	McClellan,	Sperry,
Booze,	Gardner,	McDonald,	Stallings,
Bradley,	Gibson,	McIntire,	Steele,
Brantley,	Gillet, N. Y.	Maddox,	Stewart, Wis.
Broderick,	Graft,	Mann,	Strode, Nebr.
Brosius,	Graham,	Mercer,	Sulzer,
Broussard,	Greene, Mass.	Meyer, La.	Swanson,
Brownlow,	Griggs,	Miller,	Tate,
Brumm,	Handy,	Mills,	Tawney,
Burleigh,	Hartman,	Minor,	Taylor, Ala.
Butler,	Hawley,	Morris,	Thorp,
Carmack,	Hay,	Mudd,	Tongue,
Catchings,	Henry, Tex.	Newlands,	Underwood,
Clarke, N. H.	Hepburn,	Norton, Ohio	Wadsworth,
Clayton,	Hicks,	Ogden,	Walker, Mass.
Cooper, Tex.	Hill,	Olmsted,	Wanger,
Cowherd,	Hitt,	Overstreet,	Ward,
Crump,	Hopkins,	Pearce, Mo.	Warner,
Cummings,	Howard, Ala.	Peters,	Weymouth,
Curtis, Iowa	Howard, Ga.	Powers,	Williams, Pa.
Curtis, Kans.	Howell,	Prince,	Wilson,
Dalzell,	Hull,	Quigg,	Young,

## NAYS—85.

Baker, Ill.	Dinsmore,	Little,	Robinson, Ind.
Barber,	Faria,	Lloyd,	Shafroth,
Barrett,	Fleming,	Loud,	Shuford,
Bell,	Fowler, N. C.	McCleary,	Smith, Ky.
Bland,	Gaines,	McCulloch,	Spight,
Brenner, Ohio	Greene, Nebr.	McDowell,	Stark,
Bromwell,	Griffith,	Maguire,	Stephens, Tex.
Brown,	Grow,	Maxwell,	Stevens, Minn.
Brucker,	Hager,	Meekison,	Stokes,
Brundidge,	Hamilton,	Mesick,	Strait,
Burke,	Hemenway,	Miers, Ind.	Strowd, N. C.
Burton,	Henry, Conn.	Moody,	Sutherland,
Capron,	Henry, Ind.	Moon,	Talbert,
Clardy,	Hunter,	Osborne,	Taylor, Ohio
Clark, Mo.	Jett,	Parker, N. J.	Todd,
Connolly,	Johnson, N. Dak.	Payne,	Updegraff,
Corliss,	Kleberg,	Perkins,	Vinecent,
Cox,	Knox,	Pierce, Tenn.	White, Ill.
Crumpacker,	Landis,	Ray,	Williams, Miss.
Davenport,	Lanham,	Rhea,	
De Armond,	Lawrence,	Rixey,	
De Graffenreid,	Lents,	Robb,	

## ANSWERED "PRESENT"—7.

De Vries,	Henry, Miss.	McEwan,	Skinner,
Gillet, Mass.	Kitchin,	Norton, S. C.	

## NOT VOTING—114.

Adams,	Colson,	Jones, Wash.	Royse,
Alexander,	Connell,	Joy,	Sauerhering,
Allen,	Cooney,	Kelley,	Shannon,
Babcock,	Cooper, Wis.	Kerr,	Shelden,
Bailey,	Cousins,	King,	Sims,
Baird,	Cranford,	Knowles,	Smith, S. W.
Ball,	Danford,	Kulp,	Snover,
Barlow,	Davey,	Lester,	Southard,
Barney,	Davidson, Wis.	Lewie, Wash.	Southwick,
Barrows,	Dayton,	Lorimer,	Sprague,
Bartholdt,	Dockery,	Lovering,	Stewart, N. J.
Beach,	Dolliver,	McCall,	Stone,
Benner, Pa.	Eddy,	McCormick,	Sturtevant,
Benton,	Ellis,	McLain,	Sulloway,
Bodine,	Fitzpatrick,	McRae,	Terry,
Botkin,	Fox,	Mahony,	Vandiver,
Boutelle, Ill.	Griffin,	Marsh,	Van Voorhis
Brewer,	Grosvenor,	Marshall,	Vehslage,
Brewster,	Grout,	Martin,	Walker, Va.
Bull,	Gunn,	Mitchell,	Weaver,
Campbell,	Harmer,	Odell,	Wheeler, Ala.
Cannon,	Heatwole,	Otey,	Wheeler, Ky.
Chickering,	Henderson,	Otjen,	White, N. C.
Clark, Iowa	Hilborn,	Packer, Pa.	Wilber,
Cochran, Mo.	Hinrichsen,	Pearson,	Wise,
Cochrane, N. Y.	Howe,	Pugh,	Yost,
Coddington,	Jenkins,	Reeves,	Zenor.
	Johnson, Ind.	Richardson,	

So the motion to recede and concur was agreed to.

Mr. BARRETT. Mr. Speaker, I desire to know how I am recorded?

The SPEAKER. The gentleman is not recorded.

Mr. BARRETT. I desire to vote "nay."

The SPEAKER. Was the gentleman present when his name was called, and listening, and failed to hear it?

Mr. BARRETT. I was present during the entire roll call and did not hear my name called.

The SPEAKER. That does not bring the gentleman within the rule.

Mr. BARRETT. I did not hear what the Chair said.

The SPEAKER. The Chair thinks that does not bring the gentleman from Massachusetts within the rule.

Mr. BARRETT. In what respect is "the gentleman from Massachusetts" delinquent?

The SPEAKER. The rule requires the gentleman to vote during the roll call, and the Chair is not allowed to ask permission for him to vote at any other time except upon the supposition that his name failed to be called.

Mr. BARRETT. I was sitting on the floor of the House the whole time.

The SPEAKER. If the gentleman was listening, and his name was not called—

Mr. BARRETT. I was listening on the first roll call up to the time the Clerk got down to G or H; then I concluded that I should not hear my name called and therefore waited for another opportunity.

The SPEAKER. Will the gentleman answer the question of the Chair?

Mr. BARRETT. What is the Chair's question?

The SPEAKER. It is whether the gentleman was listening when his name should have been called, and failed to hear it?

Mr. BARRETT. I was listening when my name should have been called, and did not hear it called.

The SPEAKER. The gentleman's name will now be called.

The name of Mr. BARRETT was called, and he voted "nay."

Mr. McEWAN. Mr. Speaker, I have a general pair with the gentleman from New York, Mr. VEHSLEGE, but I voted "nay." The gentleman is not present, and I do not know how he would vote, and I will withdraw my vote.

Mr. HENRY of Mississippi. Mr. Speaker, I desire to withdraw my vote. I voted "nay." I am paired with the gentleman from Michigan, Mr. SNOVER.

Mr. KITCHIN. Mr. Speaker, I voted in the negative, but being paired with the gentleman from Washington, Mr. JONES, upon this proposition, and he is necessarily called from the House this afternoon, I withdraw that vote. Mr. JONES would vote in the affirmative if here. I answer "present."

Mr. SKINNER. Mr. Speaker, I am paired with the gentleman from New York [Mr. LITTAUER]. I am informed if he were present he would vote "aye." I voted "no," and I wish to withdraw my vote.

Mr. LITTAUER. I am present, Mr. Speaker, and I voted "aye;" the pair is a mistake.

Mr. SKINNER. Then I vote "no."

Mr. DOCKERY. Mr. Speaker, I voted, but I find I am paired, and I withdraw my vote.

The following pairs were announced:

Until further notice:

Mr. GROUT with Mr. DOCKERY.

Mr. WEAVER with Mr. MARSHALL.

Mr. SAMUEL W. SMITH with Mr. FOX.

Mr. COCHRANE of New York with Mr. BULL.

Mr. JOY with Mr. CARMACK.

Mr. LORIMER with Mr. BAIRD.

Mr. WISE with Mr. NORTON of South Carolina.

Mr. SNOVER with Mr. HENRY of Mississippi.

Mr. McEWAN with Mr. VEHSLEGE.

For this day:

Mr. COUSINS with Mr. DE VRIES.

Mr. YOST with Mr. SIMS.

Mr. WILBER with Mr. CRANFORD.

Mr. HOWE with Mr. McLAIN.

Mr. BARTHOLOTT with Mr. PIERCE of Tennessee.

Mr. CANNON with Mr. ALLEN.

Mr. WALKER of Virginia with Mr. BARTLETT.

Mr. HARMER with Mr. ZENOR.

Mr. BINGHAM with Mr. TERRY.

Mr. ODELL with Mr. KING.

Mr. HITT with Mr. BODINE.

Mr. MAHON with Mr. OTEY.

Mr. DANFORD with Mr. COCHRAN of Missouri.

Mr. BEACH with Mr. COONEY.

Mr. HENDERSON with Mr. WHEELER of Kentucky.

Mr. BOUTELL of Illinois with Mr. DAVEY.

Mr. SOUTHWARD with Mr. FITZPATRICK.

Mr. JENKINS with Mr. HINRICHSSEN.

Mr. KULP with Mr. LESTER.

Mr. LOVERING with Mr. McRAE.

Mr. PUGH with Mr. ROBE.

Mr. DOLLIVER with Mr. VANDIVER.

On this vote:

Mr. GILLET of Massachusetts with Mr. LEWIS of Washington.

Mr. JONES of Washington with Mr. KITCHIN.

Mr. McCALL with Mr. BREWER.

The result of the vote was then announced as above recorded.

On motion of Mr. LOUD, a motion to reconsider the last vote was laid on the table.

PROPERTY OF THE HAWAIIAN GOVERNMENT TRANSFERRED TO THE UNITED STATES.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State inclosing an inventory of the property of the Hawaiian Government transferred to the United States under the act of Congress approved July 7, 1898, providing for the annexing of the Hawaiian Islands to the United States.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,

Washington, February 23, 1899.

CHANGE OF REFERENCE.

The SPEAKER also laid before the House the following change of reference: On Senate bill 3187, for the relief of the widow and heirs of Samuel Kramer—from the Committee on Pensions to the Committee on Claims.

RETURN OF A BILL.

The SPEAKER laid before the House the following resolution from the Senate:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 438) granting an increase of pension to Elizabeth V. Litzenberg and amendment.

The SPEAKER. Without objection, the request of the Senate will be complied with, the House reconsidering its action upon the Senate amendment, if there be no objection.

There was no objection.

PUBLIC BUILDING AT BLUEFIELD, W. VA.

The SPEAKER. The gentleman from Nebraska is recognized. Mr. POWERS. I believe, Mr. Speaker, there was a report being read.

The Clerk read the report (by Mr. DORR), as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 5974) for the erection of a public building at Bluefield, W. Va., and appropriating money therefor, have had the same under consideration and report as follows:

Bluefield is a city that has sprung up in a few years and become the most important in the point of commercial activity in southern West Virginia. It is situated at the junction of the Pocahontas, Radford and Clinch Valley division of the Norfolk and Western Railway.

There were weighed, handled, and billed at Bluefield during the month of December, 1897, an average of 25,000 tons of coal and coke per day. In addition to this a large amount of cattle, lumber, and other through and local freight has to be handled at Bluefield, requiring the employment of a large number of men and necessitating a yard with 35 miles of track within the corporate limits of the city.

Bluefield has several large wholesale houses, banks, iron works, lumbering plants, flouring mills, two daily and three weekly papers, besides a large number of retail stores of all kinds.

The city has a handsome brick city hall, street lights, telephone system, and an ample water supply.

One State institution for colored people is located here. This institution was established by the State as a normal school for the colored people of the State and is kept up by the State.

The population of the city in 1896 was 7,230. The estimated population for 1898 was about 8,000.

The following data, showing the post-office receipts, show how remarkable the growth has been:

1897	\$50.20
1898	4,192.80
1897	9,916.16

In ten years 20,558 per cent advance.

The present post-office building, which is rented by the Government is totally inadequate for the service.

A lot on which to erect the building can now, we are reliably informed, be obtained at a very reasonable sum, and in view of the rapid growth of the place, its commercial importance, and the inadequacy of the present rented quarters, we think the best interests of the Government will be subserved by the erection of a public building at Bluefield.

Your committee recommend the passage of the bill with the following amendments:

Strike out the word "elevators" whenever it appears in the bill.

In line 12, page 1, strike out the word "seventy-five" and insert in lieu thereof the word "forty-five."

Strike out a" after the word "expenses," in line 11, page 3, and up to and including the word "therein," in line 19, page 3.

Mr. POWERS. Mr. Speaker, I had supposed when the title to this bill was announced to be a provision for the erection of a public building at Bluefield, that it referred to Nicaragua, but I learn from the reading of the report that it is in West Virginia. I yield such portion of my time as he desires to the gentleman from Massachusetts [Mr. BARRETT].

Mr. BARRETT. If there seemed to be any desire on the part of the House to expedite the business of these bills and to limit debate upon them, I should probably not consume any time in the discussion of the case of Bluefield. But as the Committee on Public Buildings seem to have invited and sought candid discussion on these various matters, I shall undertake, by the courtesy of the gentleman from Vermont, to take up some few moments in the discussion of the merits of the bill now before the House.

But before doing so I wish to say a few words of a general

nature in connection with this scheme of public-building improvement, and say that there would not have been so much debate, even on this bill, as is likely to occur if gentlemen like the gentleman from New York [Mr. PAYNE] had been allowed, when they desired, a fair opportunity for discussion and to present their views to the House, and to state the facts which the House is entitled to have in its possession.

I have been urged by several gentlemen on this side of the House, who discovered that I intended to make some remarks about Bluefield, not to interrupt this bill on the ground that Massachusetts has received the passage of three bills to-day; also that this Bluefield bill is so very bad that the body situated at the other end of the Capitol could be safely depended on to give it its quietus.

I wish to say in regard to Massachusetts that we have received to-day three appropriations, which are as follows: One of \$100,000 for the city of Fitchburg, a very large, thriving, and growing city, with a population of more than 30,000 people and enormous business interests, to which a very large population is tributary to the city of Lawrence, \$100,000, it being a city of more than 52,000 inhabitants, with a business contributed to by a large and wealthy surrounding territory. The third is an appropriation for \$20,000 for repairs to a public building at Springfield, a city of more than 40,000 people and one of the wealthiest and most progressive cities in the country.

Now, if all the bills brought into the House had been of that character, I undertake to say that no person on this floor would have seriously objected to their passage; but when a bill of the nature of the one under consideration is seriously brought in here it is time for some one to give the facts and let the House understand what kind of a scheme this is now under consideration.

Although I have never had the advantage of visiting Bluefield, W. Va., I call it a town, because up in our country a place of such population and circumstances would never be dignified by any other name. In fact, it would be impossible under the statutes of Massachusetts for a place of that kind even to be heard in the legislature on the subject of being made a city. In view of its small population and importance, it would not be entitled to that distinction.

But in some way or other this place gets in here with a favorable report—with a recommendation that a post-office building costing \$45,000 be erected there. The population of the place is said to be 9,000 at the present time. The report gives it something less than that, but I am willing to concede, in the absence of personal knowledge, that it has the 9,000 claimed.

I find that at this post-office, for which it is proposed that the Government erect a handsome brick building, the gross receipts last year were \$9,000. Let me say, as showing that I am not possessed of any invidious feeling in this matter, that in the district which I represent on this floor there are six different towns and cities having a larger population than Bluefield and having larger gross receipts at their post-offices—one of them a city of 45,000 people, one a city of 38,000 people, and the others, as I have said, larger than this place—which have never received, and except in one instance have never dared to ask for, a public building.

And taking the ground assumed by one gentleman on the other side early in this session, that all he asked for was a fair chance, that his district should be fairly treated in this distribution, I certainly should have reason to demand that a district so well and advantageously situated for this demand as my own should be given as much consideration as this district in West Virginia.

But I do not put the matter on that ground, Mr. Speaker.

To come back to Bluefield, I find that at that town the post-office force, according to statistics, consists of one postmaster and one clerk, and that at present the postal service of the Government is conducted in quarters for which an annual rental of \$421 is paid. I also find that in that town there is not even a free-delivery system; and I suspect that in none of the other bills now pending before the House, unless it be one that will shortly come up in regard to the town of Carrollton, Ky.—I suspect that in none of these other bills is there such a case as we have here illustrated in Bluefield, W. Va.

I can not find, from a hasty inspection of the map published by the Post-Office Department so recently as 1898, that there is any considerable amount of mail handled there. Nor can I find by reference to this map that there is any railroad junction there. It is, however, stated in the report that this town is "situated at the junction of the Pocahontas, Radford and Clinch Valley Division of the Norfolk and Western Railway."

Now, for fear I may inadvertently make some mistake in alluding to this town of Bluefield, W. Va., I will, if it be agreeable, ask the chairman of the Committee on Public Buildings and Grounds whether or not the statement in the report is correct, that this town is "situated at the junction of the Pocahontas, Radford and Clinch Valley Division of the Norfolk and Western Railroad?"

Mr. MERCER. I am informed by the gentleman from West

Virginia [Mr. DORR] who introduced this bill that that is a true statement.

Mr. BARRETT. The gentleman from West Virginia is within the sound of my voice, and in order that I may not make any misstatement I should like to ask him whether it is true that Bluefield is "situated at the junction of the Pocahontas, Radford and Clinch Valley Division of the Norfolk and Western Railroad?"

Mr. DORR. That is the fact.

Mr. BARRETT. At the junction of the Pocahontas, Radford and Clinch Valley Railroad—with what?

Mr. DORR. At the junction of the main line of the Norfolk and Western Railroad with a branch line—the Pocahontas, Radford and Clinch Valley Division.

Mr. BARRETT. The gentleman informs me—and I am very glad to be correctly informed on the matter—that there is a junction of the main line of the Norfolk and Western Railroad with a branch line known as the Pocahontas, Radford and Clinch Valley Division. Now, Mr. Speaker—

Mr. GREENE of Nebraska. Let me ask, is not that junction simply a stub or spur of the main line running out from that town?

Mr. BARRETT. The gentleman from Nebraska is so much better informed than myself as to the great—

Mr. GREENE of Nebraska. I am just informed that such is the fact—that this is simply a stub running out from the main line—not a junction of two roads at all.

Mr. BARRETT. My friend from Nebraska is so much better informed in regard to the great centers of population in this country lying west of the Alleghenies than I can possibly be from my limited knowledge, based upon a residence in New England, that I should naturally accede to any proposition on this subject that he may make.

Mr. GREENE of Nebraska. I just received the information from the gentleman who was talking to you a few moments ago that it was true.

Mr. HANDY. May I interrupt for a question?

Mr. BARRETT. I yield, of course, to the gentleman from Delaware.

Mr. HANDY. I understood the gentleman from Massachusetts to say some time ago that the population of Bluefield was about 9,000.

Mr. BARRETT. Am I mistaken in that statement?

Mr. HANDY. I think the gentleman is mistaken. I think he has been misled by the statement embodied in the report. The report may say that the population is something like 9,000. Of course the census shows nothing at all, because Bluefield has come into existence since 1890. I was told by a commercial traveler the other day, a man of intelligence who has visited Bluefield, that there are not over 5,000 people there.

In this connection, if the gentleman will permit me, there is another interesting thing that ought to be incorporated in this debate. Bluefield never can be a large town, because there is no water supply available and no possibility of giving sufficient water for drinking and other purposes in a town of any considerable size.

Mr. GREENE of Nebraska. Maybe they do not care much for water. [Laughter.]

Mr. BARRETT. I hope the gentleman from Delaware will not be interrupted. I ask for orderly proceedings in this matter.

Mr. HANDY. There is another thing, Mr. Speaker, if I may have the consent of the gentleman from Massachusetts, as to the possibility of the future growth of this town. I do not, of course, wish to trespass on the time of the gentleman without his consent.

Mr. BARRETT. I am glad to be informed by the gentleman.

Mr. HANDY. The town of Bluefield is located in a gorge between two mountains, and not only is there no water supply available, but there is no possibility of constructing a city of any size, unless you hang the houses, like bird cages, on the cliffs of the neighboring mountains. It might be possible to have two or three parallel streets through the gorge, but that is the extent to which the city can grow.

Mr. DORR. Where did you get that information?

Mr. BARRETT. Mr. Speaker, I have yielded to the gentleman from Delaware; but during the time I occupy the floor I wish orderly proceedings to prevail, and hope that, so far as possible, members will contribute to that end. I do not yield to the gentleman from West Virginia at this time, but will do so later.

Mr. HANDY. If the gentleman from Massachusetts will allow a suggestion?

Mr. BARRETT. Certainly.

Mr. HANDY. If the gentleman finds a single moment when the gentleman from West Virginia is willing to give any information about the town of Bluefield, I would suggest to him that he seize the opportunity and yield to him for that purpose. [Laughter.]

Mr. GAINES. What is the name, "Bluefield" or "Stubblefield?" [Laughter.]

Mr. BARRETT. Mr. Speaker, I again ask that the orderly procedure of the House be enforced. I have yielded to the gentleman from Delaware [Mr. HANDY]. After he concludes I will occupy a few moments myself.

Mr. HANDY. I have some information, Mr. Speaker, which, by the consent of the gentleman from Massachusetts, I will impart to the House in reference to Bluefield. When the gentleman from West Virginia questioned my authority for a statement, and wanted the source of my information, I thought it the best moment, and so suggested to the gentleman from Massachusetts, to allow the gentleman from West Virginia to give information to the House.

When this bill was before the Committee of the Whole a short time ago, I gave a review of the situation—

Mr. DORR (interrupting). And did not tell the truth.

Mr. BARRETT. Mr. Speaker, I insist that the gentleman from West Virginia shall be in order. I have not yet yielded to him.

Mr. DORR (continuing). Bluefield has more business than the whole State of Delaware, and more wealth.

The SPEAKER. The gentleman from West Virginia is out of order and will take his seat.

Mr. HANDY. Now, Mr. Speaker, if I can go on for a moment—

The SPEAKER. The gentleman from Delaware is recognized by consent of the gentleman from Massachusetts, in his time.

Mr. HANDY. The remark of the gentleman from West Virginia that I had not told the truth in dealing with this question was, in the first instance, offensive to me, but when he went on and stated that the little town of Bluefield, W. Va., has more population and more wealth than the whole State of Delaware, I realized that he is a man whose opinion as to the truth of any question was a matter of little consequence and could not possibly give offense at all, no matter how expressed.

My information, I will say, came through a gentleman—a citizen of Richmond, Va.—well known there, who is a commercial traveler, and as such has visited Bluefield frequently.

Mr. VINCENT. Let me interrupt the gentleman to ask what evidence he had that Bluefield wanted any water to drink at all? [Laughter.]

Mr. HANDY. Well, they may want water for other purposes, perhaps, than drinking.

My information was, as I was going on to state, first, as to the size of the town; second, as to its business; and third, as to the possibility of its future growth, which lead me to believe that there is no need of a public building there.

Mr. BARRETT. Now, Mr. Speaker, while I have welcomed the information tendered to me by the gentleman from Delaware, and will gladly correct myself in one detail, I am bound to say that according to my information he is wrong in another matter. I did incorrectly state the population of this town at 9,000.

That was due to the fact that in hastily jotting down some memoranda for use this afternoon I mistook the memorandum of the gross receipts in dollars of the post-office for the number of the population. I should have said that the gross receipts last year were \$9,000, and it is stated in the committee's report that the population of the city in 1896 was 7,280 and in 1898 about 8,000.

Now, as I do not understand that any general census has been taken of that town, either in 1896 or 1898, I am bound to confess that until my friend from West Virginia [Mr. DORR] shall further enlighten me, I am not entirely sure that these figures are absolutely correct, but of the fact that the gross receipts last year were only \$9,000 I suppose there can be no reasonable doubt.

Coming to another matter, in the arraignment by my friend from Delaware [Mr. HANDY] of this town, situated in the very southernmost part of West Virginia, I wish to assure him that he has done it an unintentional and grave injustice. I do not imagine that he, from his standpoint, regards a water supply as absolutely essential. [Laughter.] In fact I have been given to understand that water in Delaware is somewhat at a discount.

From my brief service on the Committee on Rivers and Harbors in this body I have been led to believe that in the various rivers and bays of Delaware they have everything that nature desires except water.

But I find in this report of the committee, made by the gentleman from West Virginia [Mr. DORR], from the Committee on Public Buildings and Grounds—and if I am not mistaken Mr. DORR is the gentleman who represents the district in Congress in which Bluefield is situated—I find the following statement, that among the other attractions of this town are "its handsome brick city hall, street lights, a telephone system, and" then, I trust not as an afterthought, "an ample water supply." Of course, I do not know what an ample water supply in that latitude is considered.

Mr. DORR. Waterworks.

Mr. BARRETT. My friend informs me sotto voce that it consists of waterworks. That being the case, and situated in a moun-

tainous region, I should presume that those waterworks included a dam; and knowing something of the hasty and impetuous temper of the people of West Virginia, as illustrated in the various stories that come to our region concerning the social conditions there, I should presume that when the people down there hear of the reflection made by the gentleman from Delaware [Mr. HANDY] upon their town they will present him, with one accord, with the chief feature of their waterworks. [Laughter.]

Now, Mr. Speaker, I would like to ask in good faith why this bill was reported.

I can understand why the Committee on Public Buildings and Grounds have brought in here a large number of bills for the great commercial centers of the country. I can understand why this Government is obliged, as a matter of necessity, to appropriate a million or more of dollars for a great custom-house in New York City.

I can understand why a great many others, if not all, of these first items which we took up this afternoon are a necessity for the carrying on of the public business; but I should like to have some member of the committee tell us frankly and fully what it was that induced the Committee on Public Buildings and Grounds to report this bill and place it in this position, where it stands ahead of other good bills, thereby neutralizing the opposition of members interested in their passage, but which (the Bluefield bill) ought not under any circumstances to be passed by this House. I should be willing to be answered either by the chairman of the committee, the gentleman from Nebraska [Mr. MERCER], or by the gentleman from West Virginia [Mr. DORR], and I yield to the gentleman ten minutes of my time for that purpose.

Mr. DORR. Mr. Speaker, these gentlemen have assailed the city of Bluefield. The city of Bluefield is only about ten years of age, but it is one of the most prosperous cities in the South and ten years ago without any population, but to-day it is one of the thriving cities of the South. There is more coal shipped from the city of Bluefield than from almost any other city in West Virginia, Kentucky, or perhaps Pennsylvania. They have 36 miles of siding tracks in the city of Bluefield. They have not only waterworks, but they have magnificent hotels. They have magnificent stores, banks, and other buildings of like character. It is in the heart of the great Flattop coal country, that was only a few years ago undeveloped.

To-day the ships of the world are using the Pocahontas Flattop coal. You could not have carried on the war with Spain without the coal from the Flattop country. [Laughter and applause.] And to-day, gentlemen, we are shipping coal, not only to the coast, but we are shipping it to the city of Chicago. [Applause.] We are supplying the city of Chicago with coal from that country. We are supplying the great Illinois Steel Company with coal. [Applause.]

Now, gentlemen, another thing. We have got to have a Federal court in that city. We are 250 miles from the nearest court, and at the last Federal court in the city of Charleston one single case cost our people \$10,000 in witness fees and other expenses. [Applause.] I have introduced a bill, and I expect it to be reported, for the establishment of a court there, with the approval of the judges, and it is necessary for us to have a Federal court in that city. [Applause and cries of "Vote!"]

Mr. SHAFROTH. I would like to be heard.

Mr. BARRETT. You can not have the floor.

The SPEAKER. The gentleman from Massachusetts has the floor.

Mr. BARRETT. Does the gentleman from Colorado desire to ask me a question?

Mr. SHAFROTH. I desire to say a few words. I would like to have about five minutes.

Mr. BARRETT. I will yield to the gentleman if he wants to ask me a question.

Mr. BERRY. I would like to ask the gentleman a question.

Mr. BARRETT. I yield to the gentleman for a question.

Mr. BERRY. How does the gentleman reconcile what he is saying when in Vineyard Haven, a place of only 2,800, they are asking for an appropriation of \$98,000 for the custom-house there, when that place has not one-third of the population that Bluefield has?

Mr. BARRETT. I will answer the gentleman, and I am very glad to have the gentleman ask me that question, before I go on about Bluefield, W. Va.

Mr. BERRY. You had better explain about Vineyard Haven.

Mr. BARRETT. The village of Vineyard Haven is situated on the island of Marthas Vineyard, and has been there a very great many years. The "custom-house" that stands there was erected before I was born, and I presume before my friend from Kentucky was born, and if in appropriating that money any wrong was done to other communities of larger size I shall say, for my part I very much regret it. Now, having yielded to my friend's solicitous inquiry courteously, I will answer his inquiry in another way. His

very affecting interrogation in regard to the custom-house at Vineyard Haven can best be answered by saying there is no custom-house there.

Mr. BERRY. It is the post-office building I am talking about.

Mr. BARRETT. There is no post-office building, but there was established a naval hospital—a marine hospital for the succor of distressed and shipwrecked mariners. My friend from Kentucky serves with me on the Committee on Rivers and Harbors, and knows that is one of the greatest harbors of refuge and is entered by more vessels than any other port of New England, except the port of Boston. This naval hospital was erected there, not with any regard to the local situation, but it was erected simply for the benefit of distressed and shipwrecked mariners, perhaps some of them there on account of the chief product of the State of Kentucky, which sometimes finds its way to New England, for we, in part, by consumption, minister to Kentucky's large, important interest that is so loved and is so abundant there. [Laughter.]

Now, in regard to the statement made by the gentleman who represents the town of Bluefield, I certainly do not want to do any injustice to his feelings.

He made the very suggestive assertion that he intends to have a Federal court established at Bluefield, and he alleges that he wants this building erected in order to be ready for the coming of that Federal court.

Now, Mr. Speaker, he has certainly been very delinquent in this matter, because in this bill which he has caused to be prepared and which he has had reported by the committee he speaks of accommodation for the United States post-office and Government offices in the city of Bluefield, in the State of West Virginia. There are no other Government offices in the city of Bluefield, and he would—

Mr. BERRY. Does not that cover the case?

Mr. BARRETT. I would say that he should have amended his bill in this way: "For the use and accommodation of the United States post-office and all the other Government offices which I intend during my term of office during this Congress to have established in the city of Bluefield, in the State of West Virginia."

Why need we make preparation for a Federal court which does not exist and probably never will exist? That reminds me of a report which I was looking over a little this afternoon in regard to the town of Carrollton, in the State of Kentucky. Now, being unwilling to do anybody an injustice in this matter, I should be glad if the gentleman would indicate to me—

Mr. BERRY. That is my district.

Mr. BARRETT. Oh, that is in the district of my friend on the left! I thank you. Now, this preparation for a Federal court, which my friend from West Virginia proposes to have established at Bluefield, is without any consultation with the other members of the House and with the 90 members of the United States Senate sitting at the other end of the Capitol and with the great statesman who presides over the destinies of this country, the Executive. Why not get them to consent to a court before we build a building to house that court in?

I now come to the town of Carrollton, Ky.

Carrollton also wants a public building. When we come to the Carrollton bill, I shall try to have time to consider it. I shall show what a great and prosperous town it is, not for post-office business, but in producing whisky, etc. The town of Carrollton has a post-office. Its gross income was three thousand one hundred and some odd dollars, and it took to run that post-office last year a postmaster and a single clerk, who received the munificent sum of \$200 per year.

The Government, through the thrift and sagacity of some Carrollton real-estate owner, was mulcted for rent and light to the tune of \$223. In order to save \$223 for rent and light, and in order to give better accommodations for the postmaster at \$1,200 a year and this single clerk at \$200 a year, the Committee on Public Buildings has reported a bill by which the United States Government proposes to give a \$25,000 post-office to Carrollton! That means \$1,250 a year rent instead of \$223. But what a chance for the postmaster and the clerk!

#### GENERAL DEFICIENCY BILL.

Mr. CANNON. Will my friend from Massachusetts allow me for a moment? I want to report a bill.

Mr. BARRETT. Certainly; at any time to report a bill. [Laughter.]

Mr. CANNON. Mr. Speaker, the gentleman from Massachusetts yields to me, and I desire, by direction of the Committee on Appropriations, to report the general deficiency bill, and I ask that it be printed.

Mr. SHAFROTH. Mr. Speaker, I desire to reserve all points of order.

The SPEAKER. All points of order are reserved. The bill will be referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

#### PUBLIC BUILDING AT BLUEFIELD, W. VA.

Mr. BARRETT. Now, Mr. Speaker, I wish to make a reservation in the remarks that I made. It might seem to the gentleman from Kentucky [Mr. BERRY] I am unkindly attacking a town in a State for whose product of men I have the greatest respect, and for some of whose agricultural products there is a considerable consumption in the State of which I have, in part, the honor to represent on this floor. [Laughter.]

I am told in regard to Carrollton that it had an income last year of \$3,100 gross in its post-office, with a postmaster who received a salary of \$1,200 a year, and whose one clerk received a salary of \$200 a year; and I think I may have left the impression that this town was hardly deserving of receiving a Government post-office building, when there are cities and towns in my district which, compared with Carrollton, in population and in post-office receipts, and in every form of activity except the manufacture of whisky, are not to be mentioned at the same time.

Mr. TAWNEY. Have you introduced any bill here?

Mr. BARRETT. I will say to the gentleman, in the language my distinguished friend from Iowa [Mr. HULL] has made classic in this House, that I never cross bridges until I come to them.

Mr. BERRY. Will the gentleman from Massachusetts allow me?

Mr. BARRETT. I will yield to the gentleman in a moment to defend his State in its manufactured products.

Mr. BERRY. I think the gentleman will have to defend some of the products of Massachusetts before I get through.

Mr. BARRETT. I trust the gentleman from Kentucky will not take what I say unkindly. I shall deal with Carrollton later on, if I get the opportunity.

Mr. BERRY. I want to say that while the gentleman's State manufactures the poorest quality of New England rum out of common New Orleans molasses, we manufacture the purest article of whisky and pay more income to the United States Government from the product in the little country of Carrollton, in which Carrollton is situated, than all Massachusetts does outside of Boston. [Laughter and applause.] And yet the gentleman is loaded down upon the river and harbor bill with millions and millions of dollars and he could hardly get enough for every little seaport town on the coast.

Mr. BARRETT. Yes; on whisky. I was waiting for that river and harbor bill fling, and I shall come to it after I get in my observation about Carrollton. I left the impression, I am afraid, from the remarks I made—

Mr. COOPER of Wisconsin. They made no impression at all.

Mr. BARRETT (continuing). That I am not in favor of an appropriation for Carrollton.

Now, I will thank my friend from Wisconsin [Mr. COOPER], for whom I have the greatest respect and whose relations with me have always been most pleasant, that if he has any remarks to make of that sort to make them on the floor and not sit in his seat and indulge in that kind of jibes. I think I can say that whatever may be the merits or demerits of my remarks on any subject here, I have never been lacking in courtesy and consideration and appreciation of all the members on the floor at any time.

Mr. SULZER. You are a paragon. [Laughter.]

Mr. SHATTUC. I would like to ask the gentleman from Massachusetts a question. How much of the time of this session has the gentleman been in the House? What proportion of the time, except when he has been on the floor speaking, has he been here? We never hear him except when he runs in and makes a speech, and then he goes back to Boston to attend to his papers. [Laughter.]

Mr. BARRETT. I shall have to attend to that question when I get to it, if I have time; and I will then attend to that matter to the entire satisfaction of the gentleman from Ohio.

Mr. SHATTUC. I would like to have the gentleman answer the question now.

Mr. BARRETT. I am afraid that I may have left the impression regarding Bluefield, W. Va., that my views were not altogether complimentary—

Mr. SIMPSON. I rise to a point of order. So many gentlemen are standing in the aisles that we are not able to hear the eloquent speech of the gentleman from Massachusetts.

The SPEAKER. Gentlemen will resume their seats, and the House will come to order.

Mr. BARRETT. I find in the report in regard to this bill—

Mr. SHAFROTH. May I ask the gentleman a question?

Mr. BARRETT. I will yield to the gentleman for a question.

Mr. SHAFROTH. I should like to know from the gentleman from Massachusetts whether he thinks it fair, after having sat in his seat and permitted to be passed without any objection on his part bills aggregating \$7,229,000, that now when bills for smaller towns, which aggregate only \$1,315,000 are reached, he should use the time of the House in filibustering against them? [Applause.]

Mr. BARRETT. Mr. Speaker, disclaiming any intention of

filibustering, I will say that when the bills for first-class post-offices, for places with custom-houses, for towns and cities where United States courts are held, were under consideration I did not interpose any objection or ask for any opportunity to be heard.

But when in this House the gentleman from New York [Mr. PAYNE], in spite of his long years of service here and his greater knowledge of the affairs of this Government than most of us possess or ever will possess, was not allowed to fully discuss a bill which he deemed detrimental to the interests of the Government, when all debate was stifled, and when the yeas and nays were refused, when every expedient was adopted to rush these bills through without consideration, I made up my mind that if the opportunity came and I should find a bill coming here of the nature of this one, I would do everything in my power to prevent it passing.

Mr. SHAFROTH. Was not the gentleman allowed twenty minutes to discuss that bill?

Mr. BARRETT. He was not.

Mr. SHAFROTH. I submit that he was.

Mr. BARRETT. I beg the gentleman's pardon. I thought he asked whether I was not allowed that time.

Mr. SHAFROTH. My question is, Was not the gentleman from New York [Mr. PAYNE] allowed twenty minutes to discuss that bill?

Mr. HENDERSON. And only used ten.

Mr. BARRETT. Has the gentleman from Colorado [Mr. SHAFROTH] concluded his question?

Mr. MERCER. Mr. Speaker, I rise to a parliamentary inquiry. Do I understand that the gentleman from Massachusetts is talking by unanimous consent?

Mr. BARRETT. Oh, no.

The SPEAKER. The gentleman from Massachusetts has been recognized to speak on the bill before the House.

Mr. MERCER. Was he recognized by the Chair or did the gentleman from Vermont yield to him?

The SPEAKER. The gentleman from Vermont yielded to him.

Mr. MERCER. When will his time be out?

The SPEAKER. He has fifteen minutes remaining.

Mr. BARRETT. Now, Mr. Speaker, the suggestion has been made by my friend from Kentucky [Mr. BERRY] here that in my position as a member of the Committee on Rivers and Harbors I have extracted, or sought to extract, from the Treasury of this country millions and millions of dollars for the benefit of the people whom I represent.

I wish to say in answer to that suggestion, which is certainly not based on information, that the river and harbor bill as it passed this House—although I had the honor, I think, to be the third member in rank on the committee—carried in appropriations for the district which I represent only \$60,000; and of that \$60,000 \$55,000 was for the improvement of a river upon which, before the lapse of another year, there will be carried freight which will pay in customs revenues, not now received by the Government, every year more than the entire amount to be expended for this improvement.

Mr. SIMPSON. I rise to a point of order. My point is that the gentleman from Massachusetts is not speaking to the bill before the House, which is a bill appropriating money for a post-office building at Bluefield. He is now talking about questions pertaining to the Committee on Rivers and Harbors.

Mr. BARRETT. I have finished that. I am going back now to Bluefield.

The SPEAKER. The gentleman from Massachusetts will confine himself to the question before the House.

Mr. BARRETT. Now, Mr. Speaker, my friend from West Virginia representing in this House the town of Bluefield, W. Va., made a statement which I think is rather calculated to mislead the House. As I listened carefully to his remarks, I understood him to say that the town of Bluefield, which is in the famous coal region of West Virginia, shipped more coal than is shipped from any other town in that State and more than is shipped from any town or city in Pennsylvania.

Now, while I am not here as the special champion of Pennsylvania in regard to the amount of coal shipped from any point in that State, yet I am inclined to believe that the gentleman was mistaken in his statement and that the town of Bluefield does not ship and has never shipped anywhere near the amount of coal that is constantly being shipped, not only from one, but from a great many towns and cities in Pennsylvania.

I find by the report upon which this bill is based, but which seems to be very fragmentary in its statements, that in the month of December, 1897—and there is no statement as to the transactions of any other month or of any other year than the month of December, 1897—there was weighed, handled, and billed at Bluefield an average of 25,000 tons of coal each day.

December, Mr. Speaker, is the best time, no doubt, during the whole period of the year in which to make an estimate of that character, because during that month more coal is handled than during any other period in the year. But on the statement of the gentleman we learn that Bluefield is also a railroad junction.

I assume, therefore, that not only has the coal which is produced there or in the immediate neighborhood been included in his estimate for the record month of December, 1897, but also the coal produced on the branch line, which was shipped through the town to other points. I do not think I am making too strong a statement when I claim that 25,000 tons shipped per day for the one month named is not a sufficient justification to entitle the town to the proud distinction of receiving an appropriation of this character for a public building such as is suggested here.

Why, sir, there is a place in my own district—a town—which manufactures more rubber boots and shoes than any other place in the world—

Mr. LACEY. Mr. Speaker, I make the point of order on rubber boots and shoes. [Laughter.]

Mr. BARRETT. Am I to understand that the gentleman objects to the statement?

Mr. LACEY. My objection is that you are not confining yourself to the bill. You are discussing the rubber-boot production of Massachusetts.

Mr. BARRETT. I can hardly discuss the merits of Bluefield unless by comparison.

Mr. SULZER. And comparisons are always odious. [Laughter.]

Mr. BARRETT. I have nothing but the kindest sentiment and feelings toward Mr. SULZER, and accept his interruptions pleasantly, hoping he enjoys making them as much as I do receiving them. [Laughter.]

The SPEAKER. The Chair thinks the gentleman from Massachusetts should not address by name another member.

Mr. BARRETT. "The gentleman from Massachusetts" accepts the suggestion of the Speaker, and apologizes to the Chair for his momentary forgetfulness.

Mr. SULZER. The gentleman from New York accepts the apology. [Laughter.]

Mr. BARRETT. I did not offer an apology to the gentleman from New York, but to the Speaker.

Mr. SULZER. But the gentleman from New York is perfectly willing to accept the apology, at all events.

Mr. BARRETT (continuing). But the rubber boot and shoe industry of this town is larger than that of any other place in the country. I was endeavoring to compare the importance of that place with this town of Bluefield. I was comparing the importance of this place—Bluefield—as a commercial center with a town in my own district, where, I repeat, there is throughout the year a larger manufacture of rubber boots and shoes than in any other place in the country; a city which has a population of over 40,000, and pays to the Treasury of the United States from its post-office business every year several times as much as Bluefield ever pays or can hope to pay.

Yet the Committee on Public Buildings and Grounds, with that careful and just consideration which I know they always give to all such matters, have considered the importance of the town, and while reporting bills favorably, such as that now under consideration for Bluefield, did not see fit to place the bill which I introduced for the city to which I am referring on this preferred list which the House is now considering. Therefore, I claim, by comparison as well as absolutely, that this bill ought not to be passed until this town of so much larger importance, and doing more business has been equally favored by the committee.

And now, sir, going back a moment—

Mr. McDOWELL. Will the gentleman allow me to interrupt him a moment for a question?

Mr. BARRETT. Certainly.

Mr. McDOWELL. Do you believe that any third-class town without a United States court is entitled to a public building?

Mr. BARRETT. The gentleman asks if I think that a third-class town, without a court-house or a Federal officer of any kind, should be entitled to a public building.

I think not. I think that no public building should be erected anywhere unless the needs of the public service demand it.

I can not imagine, for instance, the necessity for a public building to accommodate a postmaster at a salary of \$1,200 a year and a clerk at \$200 a year. Where the post-office pays practically nothing into the Treasury, where the business is already conveniently conducted in a building with an entire expense, including fuel and light, of \$421 per year, at least so long as places of importance—cities where the business of the community requires a large establishment and a considerable force of employees—are not considered at all.

But, Mr. Speaker, there is one question raised by the gentleman from West Virginia which calls for my immediate and careful consideration. I understood him to say in his eloquent remarks setting forth the need— [Applause.] If gentlemen have concluded their kindly demonstrations— [Applause.] I trust, Mr. Speaker, that when the Reporters— [Applause.]

The SPEAKER. The House will please be in order.

Mr. BARRETT. I trust that when the Reporters make up their

report of this debate they will make it clear that this applause comes from both sides of this House. [Applause.]

Mr. BRUCKER. I should like to ask the gentleman a question. Mr. BARRETT. Certainly.

Mr. BRUCKER. What is the name of that town that manufactures so very many rubber boots and shoes?

Mr. BARRETT. It is the city of Malden, Mass.

Mr. BRUCKER. And do you represent that district in which this town is located?

Mr. BARRETT. The city of Malden, Mass., Mr. Speaker, is situated in the Seventh Congressional district of Massachusetts, which I do represent on this floor.

Mr. BRUCKER. The gentleman represents it.

Mr. BARRETT. I do.

Mr. BRUCKER. Well, I never would have suspected it. [Laughter.]

Mr. BARRETT. Well, now, Mr. Speaker, I have not the honor of the gentleman's acquaintance. I am not even able to call him by name, but I wish to thank him for that very brilliant and scintillating expression that has now gotten into the RECORD. [Laughter and applause.]

My friend from Bluefield, W. Va. [Mr. DORR], made the statement that they must have a Federal court in Bluefield, and he gave as a reason that they were obliged now to travel something over 200 miles to reach a Federal court. [Applause.]

And he said that at the last term of court, if I did not misunderstand him [applause], to use his own expression [cries of "Hear!" "Hear!" and applause] it cost "our people" [applause] \$10,000 in witness fees [applause] in one case. [Applause.]

Now, as my friend [applause]—well, now, Mr. Speaker [applause], I think that I shall have to ask the Chair to call to order the gentleman from Ohio [Mr. SHATTUCK] and the gentleman from New York [Mr. SULZER]. [Applause.] Their constant interruptions make it impossible for me to proceed in that orderly way which is the foundation of all legislative decorum.

The SPEAKER. The Chair does not understand the gentleman from Massachusetts.

Mr. BARRETT. I ask the Chair to call to order the gentleman from Ohio [Mr. SHATTUCK] and the gentleman from New York [Mr. SULZER], because their constant interruptions make it impossible for me to proceed.

Mr. MERCER. Has not the time of the gentleman from Massachusetts expired?

The SPEAKER. The gentleman from Massachusetts has three minutes more. [Applause.]

Mr. BARRETT. That is just the time I shall need.

The SPEAKER. The Chair thinks the gentleman from Massachusetts is entitled to a hearing during this time, as a member of the House, and hopes that no gentleman will interrupt him.

Mr. BARRETT. If by the term "our people" the gentleman from West Virginia means the people of West Virginia, of course he is in manifest error, because of that \$10,000 paid for witness fees by his constituents the people of Massachusetts must have paid a much larger amount than did the people of West Virginia, for it came out of the Federal Treasury.

But if, as he states, the denizens of that part of West Virginia received \$10,000 in witness fees from the Federal Government because they did not have a court-house in Bluefield—

Mr. DORR. It was a civil case.

Mr. BARRETT. The gentleman corrects me and says it was a civil case instead of a criminal case, which, of course, makes the witness fees, as I understand it, to be paid by the litigants and not from the Federal Treasury. So they just paid it out of one pocket and into another.

Now, Mr. Speaker, I should like an opportunity to present more fully the various arguments, pro and con, in regard to Bluefield; and in order that the arguments pro might be fairly stated I have, from time to time, so far as possible, yielded to the various gentlemen, especially to the member who represents that district, opportunity to present that side of the case.

I wish merely to say, Mr. Speaker, in conclusion, that while I always have been and always shall be ready to vote for appropriations for Federal buildings for offices where there is the Federal business to justify it, in the case of Bluefield, W. Va., there is neither the business done by the post-office, nor the number of Federal officials employed, nor the outlook for future Federal business based on any existing state of facts which for a moment warrants the appropriation of a single dollar for the erection of a Federal building.

I challenge any man on the Committee on Public Buildings and Grounds, with the exception of my friend from West Virginia [Mr. DORR], whose position I appreciate and do not for a moment question—I challenge any other member of that committee to candidly state on the floor of this House that he believes the Government ought to expend one single cent in erecting a public building in that community.

Mr. Speaker, I thank the House for its attention [applause]; and if I have any time left, I yield it back, with thanks for his courtesy, to the gentleman from Vermont [Mr. POWERS].

The SPEAKER. The gentleman's time has expired.

Mr. MERCER. Mr. Speaker, I ask that the previous question be ordered upon the bill and amendments to its passage.

The SPEAKER. The gentleman from Nebraska asks for the previous question on the bill and amendments to its passage.

The previous question was ordered.

The amendments reported from the Committee of the Whole were agreed to.

The question being taken on ordering the bill to be engrossed and read a third time, on a division (demanded by Mr. BARRETT) there were—ayes 64, noes 62.

Mr. POWERS. Mr. Speaker, I ask for the yeas and nays.

Mr. BARRETT. I ask the gentleman from Vermont not to call for the yeas and nays, and I will ask for tellers under the circumstances.

Mr. PAYNE. This is upon the engrossment and third reading?

The SPEAKER. It is on the third reading.

Mr. PAYNE. Suppose the gentleman lets it go until we come to its passage.

Mr. BARRETT. I do not think we will come to its passage. I ask simply for tellers.

Tellers were ordered.

The SPEAKER. The gentleman from Massachusetts, Mr. BARRETT, and the gentleman from Nebraska, Mr. MERCER, will please take their places as tellers.

The House again divided; and the tellers reported—ayes 57, noes 65.

Mr. DORR. Yeas and nays.

Mr. BARRETT. I move to reconsider the last vote and to lay that motion on the table.

The SPEAKER. One moment: there is a message from the Senate. The Chair will preserve the points of all gentlemen.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1893, and commonly known as the Bowman Act, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 6. An act to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr.;

H. R. 75. An act to provide for the erection of an addition to the United States public building at Canton, Ohio;

H. R. 494. An act providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa;

H. R. 521. An act for the erection of a public building at Fitchburg, Mass.;

H. R. 524. An act to erect a public building at Lawrence, Mass.;

H. R. 1098. An act to provide for the erection of a public building at Elizabeth City, N. C.;

H. R. 1139. An act to provide for a building for the use of the post-office and other civil offices in the city of Hot Springs, Ark.;

H. R. 2129. An act to provide for the erection of a public building at Kansas City, Kans.;

H. R. 4076. An act for enlarging the public building at Topeka, Kans.;

H. R. 4306. An act for the erection of a public building in the city of Elgin, Ill.;

H. R. 4313. An act for the erection of a public building at the city of Jamestown, N. Y.;

H. R. 5536. An act providing for an annex to the Federal building at Jackson, Miss.;

H. R. 10962. An act to provide for the purchase of a site and the erection of a public building at Joliet, in the State of Illinois;

H. R. 10969. An act for the erection of a public building in the city of Blair, Nebr.;

H. R. 11056. An act authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn.;

H. R. 11530. An act authorizing the extension of the post-office building at Springfield, Mass.;

H. R. 11686. An act providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York;

H. R. 11861. An act for the erection of a public building at Elmira, N. Y.; and

H. R. 11883. An act for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 399. An act for the erection of a public building at Tampa, Fla.;

S. 5069. An act to amend an act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army;"

S. 5221. An act for the relief of Lieut. Horace P. McIntosh;

S. 5291. An act to put in force in the Indian Territory certain provisions of the laws of Arkansas relating to corporations, and to make said provisions applicable to said Territory;

S. 5487. An act to establish a Branch Home of the National Home for Disabled Soldiers at Castle Pinckney, in Charleston Harbor, South Carolina, for the use of disabled officers and enlisted men of the Volunteer Army and Navy of the United States;

S. R. 159. Joint resolution for the relief of ex-Cadet W. B. Carswell;

S. R. 207. Joint resolution to appoint E. E. West a second lieutenant, United States Marine Corps;

S. R. 209. Joint resolution to authorize the appointment of George Izard Middleton an ensign in the Navy; and

S. R. 234. Joint resolution to authorize the President to appoint to the Naval Academy acting naval cadets who served during the war with Spain.

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House was requested:

H. R. 10353. An act for the relief of International Cotton Press Company, of New Orleans, La.;

H. R. 7632. An act to remove the charge of desertion from the military record of Albert Flower;

H. R. 4253. An act granting an honorable discharge to Thomas West;

H. R. 3190. An act granting an honorable discharge to John H. Smith; and

H. R. 1213. An act granting an honorable discharge to W. G. Neeley, of Canyon City, Colo.

The message also announced that the Senate had passed with amendments bill of the following title in which the concurrence of the House was requested:

H. R. 11799. An act to amend an act of Congress approved July 8, 1898, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia," asked a conference with the House of Representatives on the bill and amendments, and had appointed Mr. McMILLAN, Mr. PROCTOR, and Mr. FAULKNER as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendments of the House to the bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GORMAN, Mr. MURPHY, and Mr. SPOONER as the conferees on the part of the Senate.

A further message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 1056) to provide for a public building at Cleveland, Ohio, asked a conference with the House on the bill and amendments, and had appointed Mr. FAIRBANKS, Mr. MANTLE, and Mr. MURPHY as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 9077. An act to supplement an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes."

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5548. An act to provide for a building for the use of the post-office, office of the superintendent of the Hot Springs Reservation, and other civil offices in the city of Hot Springs, Ark.—to the Committee on Public Buildings and Grounds.

S. 5289. An act to provide a site for a building for the Washington Public Library—to the Committee on Public Buildings and Grounds.

S. 3216. An act granting a pension to David Carroll—to the Committee on Pensions.

S. 389. An act for the erection of a public building at Tampa, Fla.—to the Committee on Naval Affairs.

S. 5069. An act to amend an act approved March 15, 1878, entitled an act for the relief of William A. Hammond, late Surgeon-General of the Army—to the Committee on Military Affairs.

S. 5221. An act for the relief of Lieut. Horace P. McIntosh—to the Committee on Naval Affairs.

S. 5291. An act to put in force in the Indian Territory certain provisions of the laws of Arkansas relating to corporations and to make said provisions applicable to said Territory—to the Committee on Indian Affairs.

S. 5487. An act to establish a Branch Home of the National Home for Disabled Volunteer Soldiers at Castle Pinckney, in Charleston Harbor, South Carolina, for the use of disabled officers and enlisted men of the Volunteer Army and Navy of the United States—to the Committee on Military Affairs.

S. R. 159. Joint resolution for the relief of ex-Cadet Engineer W. B. Carswell—to the Committee on Naval Affairs.

S. R. 207. Joint resolution to appoint E. E. West a second lieutenant, United States Marine Corps—to the Committee on Naval Affairs.

S. R. 209. Joint resolution to authorize the appointment of George Izard Middleton an ensign in the Navy—to the Committee on Naval Affairs.

S. R. 234. Joint resolution to authorize the President to appoint to the Naval Academy acting naval cadets who served during the war with Spain—to the Committee on Naval Affairs.

#### PUBLIC BUILDING AT BLUEFIELD, W. VA.

Mr. BARRETT. I move to reconsider the last vote, and also move to lay that motion on the table.

The SPEAKER. The gentleman from Massachusetts moves to reconsider the last vote, and to lay that motion on the table.

Without objection, it will be so ordered.

There was no objection, and it was so ordered.

#### PUBLIC BUILDING AT CRESTON, IOWA.

The next business was the bill (H. R. 11360) for the erection of a public building at Creston, Iowa.

Mr. MERCER. Upon that bill and amendments I move the previous question to its passage.

Mr. POWERS. I ask for the reading of the report.

Mr. MERCER. It is Creston, Iowa, and passed through the Committee of the Whole.

The SPEAKER. The gentleman from Nebraska demands the previous question.

The previous question was ordered.

The amendments recommended by the Committee of the Whole House were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC BUILDING AT ANNAPOLIS, MD.

The next business laid before the House was the bill (H. R. 11141) for the erection of a public building at Annapolis, Md.

Mr. MERCER. I move the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The amendments recommended by the Committee of the Whole House were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC BUILDING AT JANESVILLE, WIS.

The next business was the bill (H. R. 11162) to provide for the construction of a public building in the city of Janesville, Wis.

Mr. POWERS. Mr. Speaker, I call for the reading of the report.

Mr. MERCER. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

Mr. POWERS. I believe I asked the reading of the report before that motion was made.

The SPEAKER. The difficulty, the Chair will say to the gentleman from Vermont, is that the gentleman from Nebraska in charge of the bill was intended to be recognized, and the Chair accordingly recognizes him. If the House desires the report read, it can, by voting down the previous question, obtain its desire.

Mr. POWERS. I move, then, that the report be read.

The SPEAKER. That would not be in order, as the question is on ordering the previous question. If the previous question is voted down, the motion could then be made.

The previous question was ordered.

The amendments recommended by the Committee of the Whole House on the state of the Union were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC BUILDING AT ROME, N. Y.

The next bill laid before the House was the bill (H. R. 1631) to provide for the purchase of a site and the erection of a public building thereon at Rome, in the State of New York.

Mr. MERCER. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The amendments recommended by the Committee of the Whole House were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time.

Mr. POWERS. I call for the enrolled bill. [After a pause.] I withdraw the call, in deference to my friend here.

The SPEAKER. The request is withdrawn, and the question is on its passage.

The question was taken, and the bill was passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MERCER. I call up House bill 5435, for Clinton, Iowa—Mr. Speaker, it is utterly impossible for me to do any business when twenty men are talking to me at the same time.

The SPEAKER. The Chair would suggest that gentlemen should remain in their seats, otherwise the business of the House will be suspended.

#### PUBLIC BUILDING AT CLINTON, IOWA.

The next bill laid before the House was the bill (H. R. 11965) to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa.

Mr. MERCER. Mr. Speaker, I move the previous question on the bill to its final passage.

The previous question was ordered.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC BUILDING AT CARROLLTON, KY.

Mr. MERCER. Mr. Speaker, the next bill is the bill (H. R. 1663) for the erection of a public building at Carrollton, Ky.

The Clerk read the title of the bill and amendments.

Mr. MERCER. Mr. Speaker, I move the previous question on the bill and the amendments to its final passage.

Mr. BARRETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARRETT. If the previous question is ordered, will it be in order to ask for a separate vote on the several amendments?

The SPEAKER. It will be in order.

Mr. BARRETT. Has this bill been debated in the House?

The SPEAKER. It has in Committee of the Whole.

Mr. BARRETT. I understand that precludes any debate in the House?

The SPEAKER. It does if the House orders the previous question.

The previous question was ordered.

The SPEAKER. Does the gentleman from Massachusetts desire a separate vote?

Mr. BARRETT. I do not desire to delay this bill, but there are some facts in connection with it which ought to be brought to the attention of the House. If the chairman of the committee will yield to me three minutes— [Cries of "Vote!" "Vote!"] I desire a separate vote, Mr. Speaker.

The SPEAKER. The Chair is informed that there is but one amendment.

Mr. BARRETT. Let the amendment be stated.

The SPEAKER. The Clerk will report the amendment.

The amendment was read.

The amendment was agreed to.

The question was taken on ordering the bill to be engrossed and read a third time; and on a division (demanded by Mr. BARRETT) there were—83 ayes and 6 noes.

So the bill was ordered to be engrossed and read a third time.

Mr. BARRETT. Mr. Speaker, I ask for the reading of the engrossed bill.

The SPEAKER. The engrossed bill is not here, and the bill will be laid aside.

#### PUBLIC BUILDING AT JOPLIN, MO.

Mr. MERCER. I now call up the bill (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri.

The title of the bill and the amendments recommended by the Committee of the Whole were read.

Mr. MERCER. Mr. Speaker, I ask for the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The amendments were agreed to.

The bill was ordered to be read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### PUBLIC BUILDING AT STREATOR, ILL.

Mr. MERCER. Mr. Speaker, the next bill I call up is the bill (H. R. 431) to provide for the purchase of a site and erection of a public building thereon at Streator, Ill.

The title of the bill and the amendment were read.

Mr. MERCER. Mr. Speaker, I move the previous question on the bill and amendment to its passage.

The previous question was ordered.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time; and being read the third time, it was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT STOCKTON, CAL.

Mr. MERCER. I now call up bill (H. R. 11882) to increase the limits of cost for the erection of a public building at Stockton, Cal., and make provision for acquisition of additional land, or a new site therefor.

The title to the bill was read.

Mr. MERCER. I move the previous question on the bill to its passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time; and being read the third time, was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT FREEPORT, ILL.

Mr. MERCER. I now call up the bill (H. R. 84) to provide for the erection of a public building at Freeport, Ill.

The title to the bill and the amendments were read.

Mr. MERCER. I move the previous question upon the bill and amendments to its final passage.

The previous question was ordered.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time; and being read the third time, was passed.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT BRISTOL, TENN.

Mr. MERCER. I call up House bill No. 2314.

The bill (H. R. 2314) to erect a custom-house and post-office building in the city of Bristol, State of Tennessee, was read by its title.

Mr. MERCER. I move the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The amendments reported by the Committee on Public Buildings and Grounds were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The SPEAKER. Without objection, the amendment to the title will be agreed to.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC BUILDING AT ANNISTON, ALA.

Mr. MERCER. I call up the House bill No. 10804.

The bill (H. R. 10804) for the erection of a public building at Anniston, Ala., was read by its title.

Mr. MERCER. I move the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC BUILDING AT NORWICH, CONN.

Mr. MERCER. I call up House bill No. 4595.

The bill (H. R. 4595) for the erection of a public building at Norwich, Conn., was read by its title.

Mr. MERCER. I move the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The amendments reported by the Committee on Public Buildings and Grounds were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### PUBLIC BUILDING AT MENOMINEE, MICH.

Mr. MERCER. I call up the House bill No. 2056.

The bill (H. R. 2056) for the erection of a public building at Menominee, Mich., was read by its title.

Mr. MERCER. I move the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

## PUBLIC BUILDING AT SALEM, OREG.

Mr. MERCER. I call up House bill No. 5528.

The bill (H. R. 5528) to provide for the construction of a public building at Salem, Oreg., was read by its title.

Mr. MERCER. I move the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The amendments reported by the Committee on Public Buildings and Grounds were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

## PUBLIC BUILDING AT ST. CLOUD, MINN.

Mr. MERCER. I call up House bill No. 4113.

The bill (H. R. 4113) for the erection of a public building at St. Cloud, Minn., was read by its title.

Mr. MERCER. I move the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

## PUBLIC BUILDING AT LEADVILLE, COLO.

Mr. MERCER. I call up House bill 2879.

The bill (H. R. 2879) to provide for the purchase of a site and the erection of a public building thereon at Leadville, Colo., was read by its title.

Mr. MERCER. I move the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The amendments reported by the Committee on Public Buildings and Grounds were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

## PUBLIC BUILDING AT MONMOUTH, ILL.

Mr. MERCER. I call up House bill No. 8587.

The bill (H. R. 8587) for the erection of a public building at Monmouth, Ill., was read by its title.

Mr. MERCER. I move the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

## PUBLIC BUILDING AT OSKALOOSA, IOWA.

Mr. MERCER. I call up House bill 11919.

The bill (H. R. 11919) to construct a public building at Oskaloosa, Iowa, and for other purposes, was read by its title.

Mr. MERCER. I move the previous question on the bill with the amendments to its passage.

The previous question was ordered.

The amendments reported by the Committee on Public Buildings and Grounds were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

## ORDER OF BUSINESS.

Mr. MERCER. There are only two bills remaining to be considered under this order. One is for a public building at Winston, N. C., with gross receipts of \$36,272; the other is for a public building at Lockport, N. Y., with gross receipts amounting to \$27,543. I ask unanimous consent that the session of this afternoon be extended long enough to consider those two bills.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that this afternoon's session be extended till the two bills named by him can be considered. Is there objection? The Chair hears none. In the absence of objection, the session will be further extended in order that the Chair may submit a report of the Committee on Enrolled Bills.

There was no objection.

## PUBLIC BUILDING AT WINSTON, N. C.

Mr. MERCER. I call up House bill No. 1859.

The bill (H. R. 1859) to provide for a public building at Winston, N. C., was read by its title.

The amendments reported by the Committee on Public Buildings and Grounds were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

## PUBLIC BUILDING AT LOCKPORT, N. Y.

Mr. MERCER. I call up House bill No. 500.

The bill (H. R. 500) for the erection of a public building at Lockport, N. Y., was read by its title.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time; and passed.

On motion of Mr. MERCER, a motion to reconsider the vote by which the bill was passed was laid on the table.

## MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives, by Mr. PRUDEN, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On February 27, 1899:

H. R. 5715. An act for the relief of Benjamin F. Jones.

On February 23, 1899:

H. R. 7094. An act providing an additional circuit judge in the Third judicial circuit.

On February 24, 1899:

H. R. 11414. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

On February 25, 1899:

H. R. 10158. An act granting a pension to Mary A. Taylor;

H. R. 6810. An act granting a pension to Mary Luella Steele;

H. R. 10013. An act to increase the pension of Joseph H. McGee;

H. R. 5796. An act granting an increase of pension to Peter E. Shipley;

H. R. 6670. An act setting apart a certain tract of land in Oklahoma Territory to the Stella Friends Academy and Church Association;

H. R. 3425. An act for the relief of George A. Dickel & Co., at Nashville, Tenn.;

H. R. 11785. An act for the relief of certain tobaccoists of Lynchburg, Va.;

H. R. 11084. An act to amend an act entitled "An act to amend an act to grant to the Gainesville, McAlester and St. Louis Railway Company a right of way through the Indian Territory; and

H. R. 11605. An act for the widening of Nineteenth street NW.

On February 27, 1899:

H. R. 11971. An act to authorize the Commissioner of the General Land Office to cause public lands to be surveyed in certain cases.

On February 27, 1899:

H. R. 6551. An act withdrawing from entry and sale and granting unto the State of Wisconsin certain lands therein described;

H. Res. 303. Joint resolution granting a life-saving medal to Michael F. Barry, of New York City;

H. R. 9513. An act to construct a telephone from Table Bluff to Salmon Creek, in Humboldt County, Cal.;

H. R. 11736. An act granting the right and authority to the Pensacola and Northwestern Railroad Company to build bridges over certain rivers in the State of Alabama;

H. R. 11732. An act to authorize the Grand Rapids Water Power and Boom Company, of Grand Rapids, Minn., to construct a dam and bridge across the Mississippi River;

H. R. 9219. An act for the relief of the Fourth Arkansas Mounted Infantry;

H. R. 6127. An act for the relief of Henry C. Rawson;

H. R. 1217. An act for the relief of Thomas G. Tiernon, late captain of Company H, Tenth Ohio Volunteer Infantry;

H. R. 1798. An act to remove the charge of desertion against Carl F. W. Stolle, of Iron Ridge, Wis.;

H. R. 1794. An act to remove the charge of desertion now standing against George Alcott on rolls of the War Department;

H. R. 6317. An act to remove the charge of desertion against Alexander McKee;

H. R. 11717. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1900; and

H. Res. 339. Joint resolution authorizing the President of the United States to appoint Osborne W. Deignan a naval cadet at Annapolis.

## ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

H. R. 11868. An act to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes;

H. R. 5407. An act to provide for terms of the circuit and district courts of the western judicial district of the State of Texas to be held at the city of Laredo, and for other purposes;

H. R. 11217. An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling

treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes;

H. R. 3271. An act to increase the pension of Mrs. Rebecca S. Foster;

H. R. 2524. An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia;

H. R. 11266. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900;

H. R. 5326. An act for the relief of Thomas Hickey;

H. R. 3567. An act to remove the charge of desertion against Gardner Dodge;

H. R. 12013. An act to increase the pension of Delos M. Kenyon;

H. R. 11615. An act removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers;

H. R. 9502. An act granting a pension to Eliza Sickler;

H. R. 4304. An act regulating the postage on letters written by the blind;

H. R. 2374. An act authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin H. March, executor of the last will and testament of Ruth March, deceased;

H. R. 4122. An act to correct the naval record of John Hurley; and

H. R. 4790. An act for the relief of Homer D. McGraw, Lee County, Ala.

The Speaker announced his signature to enrolled bills and joint resolutions of the following titles:

S. 4483. An act granting an increase of pension to John H. Crandall;

S. 4748. An act for the relief of Charles K. Kirby and Edinger Brothers & Jacobi;

S. 5513. An act to amend an act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," and extending the time for constructing and operating the said railway for two years from the 5th day of April, 1899.

S. 5450. An act to attach Claiborn County, Miss., to the western division of the southern judicial district of Mississippi;

S. R. 230. Joint resolution authorizing the Director of the Geological Survey to prepare maps of Alaska, showing all known topographic and geologic features, etc.;

S. R. 202. Joint resolution providing for the printing of the Report on the Financial and Industrial Condition of the Philippine Islands, by Edward W. Harden, special commissioner of the United States;

S. 5435. An act granting a pension to Emma J. McIntire;

S. 5386. An act restoring to the pension roll the name of Samuel S. McDonald;

S. 5264. An act granting an increase of pension to Bartlett Corniff;

S. 5160. An act authorizing the legislative assembly of the Territory of New Mexico to create an additional indebtedness for the completion and furnishing of the Territorial capitol;

S. 4918. An act granting an increase of pension to Jehiel J. Stevens;

S. 4845. An act granting an increase of pension to George H. Lamport;

S. 4691. An act granting an increase of pension to Joseph F. Mollere;

S. 4635. An act granting an increase of pension to John B. Boggs;

S. 4485. An act granting a pension to John Lindquist;

S. 4480. An act granting a pension to Winburn Hicks;

S. 4416. An act granting a pension to Mary F. Hilliard;

S. 4382. An act granting an increase of pension to Eliza M. Miller;

S. 4306. An act granting a pension to Elizabeth M. Mead;

S. 3911. An act granting a pension to Henry C. Bedell;

S. 3766. An act granting an increase of pension to Nancy M. Lindsey;

S. 3325. An act granting a pension to Maria S. Whitney;

S. 3532. An act granting a pension to J. K. Hager;

S. 3227. An act granting a pension to John W. Lay;

S. 3136. An act granting an increase of pension to William O. Torry;

S. 2497. An act granting a pension to Elizabeth J. Cook;

S. 2335. An act granting an increase of pension to Charles Edson;

S. 2335. An act granting an increase of pension to Henry Hatch;

S. 2217. An act to increase the pension of Aaron B. Page;

S. 1976. An act granting an increase of pension to Annie E. Ruff;

S. 1918. An act granting an increase of pension to William Sharrock;

S. 1759. An act granting a pension to James H. Preston;

S. 1619. An act granting a pension to Michael Lannon;

S. 1245. An act granting an increase of pension to George W. Emery;

S. 1071. An act granting a pension to Abigail R. Ellet;

S. 1040. An act to provide compensation for a bridge and for buildings and other improvements constructed by certain persons upon public lands afterwards set apart and reserved as the Yellowstone National Park;

S. 896. An act granting a pension to Mary J. Hill;

S. 5267. An act granting an increase of pension to Charles E. Banfield;

S. 1378. An act granting a pension to William F. Gowdy;

S. 571. An act granting a pension to Susan Mellsop;

S. 1209. An act granting an increase of pension to John H. Gearkee;

S. 2904. An act for the investigation of leprosy;

S. 1968. An act granting an increase of pension to George W. Nevins;

S. 2919. An act granting a pension to Olivia T. Worden; and

S. R. 242. Joint resolution authorizing foreign exhibitors at the commercial exposition to be held in Philadelphia, Pa., in 1899, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits, under regulations prescribed by the Secretary of the Treasury.

The SPEAKER. In accordance with the special order, the House now stands adjourned until 11 o'clock to-morrow morning.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report of a preliminary survey for the construction of a lock and dam in the Ohio River at Cullum's Riffle—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, submitting a draft of a proposed law conferring on the Secretary of War authority to dispose of personal property purchased in connection with river and harbor work—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting a copy of a communication from the Quartermaster-General relating to appropriation for the repatriation of the Spanish prisoners of war in the Philippines—to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the House (H. Res. 375) granting permission for the erection of a bronze statue in Washington, D. C., in honor of Gen. Francis E. Spinner, late Treasurer of the United States, reported the same without amendment, accompanied by a report (No. 2311); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CANNON, from the Committee on Appropriations, to which was referred the bill of the House (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, reported the same, accompanied by a report (No. 2317); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HILBORN, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 2074) providing for the erection of an addition to the public building at Los Angeles, Cal., and appropriating money therefor, reported the same without amendment, accompanied by a report (No. 2318); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SOUTHARD, from the Committee on Naval Affairs, to which was referred the joint resolution of the Senate (S. R. 247) for the relief of ex-Naval Cadet George H. Mather, reported the same without amendment, accompanied by a report (No. 2309), which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Claims, to which was referred the bill of the House (H. R. 9666) directing the issue of duplicate of lost check drawn by C. C. Sniffen, major, United States Army, in favor of Fourth National Bank, New

York City, reported the same without amendment, accompanied by a report (No. 2310); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Claims, to which was referred the bill of the House (H. R. 1267) for relief of George C. Ellison, reported the same without amendment, accompanied by a report (No. 2312); which said bill and report were referred to the Private Calendar.

Mr. CARMACK, from the Committee on Claims, to which was referred the bill of the House (H. R. 11195) for the relief of L. O. Maddux, doing business as Maddux, Hobart & Co., reported the same with amendment, accompanied by a report (No. 2313); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 7234) to remove charges of desertion against William Harig, late Company C, Thirty-fourth Kentucky Regiment, reported the same with amendment, accompanied by a report (No. 2314); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 1212) for the relief of James W. Howell, late of Company H, Fifty-fourth Regiment Illinois Infantry Volunteers, reported the same with amendment, accompanied by a report (No. 2315); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7416) authorizing the placing of the name of Joseph Hooker Wood upon the retired list of the United States Army with the rank of lieutenant-colonel of cavalry, reported the same with amendment, accompanied by a report (No. 2316); which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HICKS (by request): A bill (H. R. 12199) granting rights of way through the district of Alaska to Frederick Morton Stevens and his associates for the erection and maintenance of a railway, tramway, public highway, telegraph, telephone, and cable lines, and for other purposes—to the Committee on the Public Lands.

By Mr. McLAIN: A bill (H. R. 12200) to authorize the construction of a bridge across the Back Bay at Biloxi, Miss.—to the Committee on Interstate and Foreign Commerce.

By Mr. COX: A bill (H. R. 12201) to establish a military post in or near Columbia, in Maury County, Tenn.—to the Committee on Military Affairs.

By Mr. BROMWELL: A bill (H. R. 12202) providing for the execution of new bonds and release of sureties—to the Committee on the Judiciary.

By Mr. CANNON: A bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes—to the Committee of the Whole House on the state of the Union.

By Mr. DINSMORE: A bill (H. R. 12209) granting the right to the Hot Springs Street Railway Company, its successors and assigns, to maintain and operate its railway in places along the border or edge of a portion of the Hot Springs Reservation—to the Committee on Military Affairs.

By Mr. BURTON: A joint resolution (H. Res. 376) providing for a canal connecting the Atlantic and Pacific oceans—to the Committee on Interstate and Foreign Commerce.

By Mr. DINSMORE: A joint resolution (H. Res. 377) defining the policy of the Government of the United States relating to the Philippine Islands—to the Committee on Foreign Affairs.

By Mr. ELLIOTT: A joint resolution (H. Res. 378) authorizing the Secretary of War to deliver to the mayor of Charleston, S. C., tents, cots, and mattresses in loan for the convenience of United Confederate Veterans at their annual reunion to be held this year at that city—to the Committee on Military Affairs.

By Mr. FITZGERALD: A joint resolution (H. Res. 379) tendering the thanks of Congress to the Sisters of Charity for ministering to the wants of soldiers in the Spanish-American war—to the Committee on Military Affairs.

By Mr. JOHNSON of North Dakota: A memorial favoring the promotion of commerce and foreign trade, and granting a subsidy to encourage the building of auxiliary cruisers and other vessels that could be used in time of war in the Navy—to the Committee on the Merchant Marine and Fisheries.

By Mr. BURTON: A memorial of the general assembly of the State of California, relative to the improvement of Sacramento River—to the Committee on Rivers and Harbors.

Also, a memorial from the citizens of Santa Clara County, Cal., urging improvement of Alviso Channel—to the Committee on Rivers and Harbors.

By Mr. JONES of Washington: A memorial from the legislature of the State of Washington, favoring a constitutional amendment providing for the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CLARK of Missouri: A bill (H. R. 12204) granting a pension to Jeremiah Milroy—to the Committee on Invalid Pensions.

By Mr. DRIGGS: A bill (H. R. 12205) granting a pension to Matilda and George J. Gammel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12206) granting a pension to Margaret Donovan, widow of Patrick H. Donovan, late private, Fourteenth New York Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. FISCHER: A bill (H. R. 12207) to grant a pension to Kate M. A. Mortensen—to the Committee on Invalid Pensions.

By Mr. ROBBINS: A bill (H. R. 12208) for the relief of certain State militia—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the Presbytery of Cincinnati, Ohio, and 52 persons of Underwood, Nebr., favoring the Ellis bill to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings—to the Committee on Military Affairs.

Also, petition of 34 persons of Underwood, Nebr., to maintain prohibition in Alaska, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of 48 persons of Underwood, Nebr., praying for the passage of House bill No. 11735, providing that no polygamist shall be a Senator or Representative—to the Committee on Elections No. 1.

By Mr. ARNOLD: Petition of the Baptist and Methodist Episcopal churches of Philipsburg, Pa., favoring the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. BARRETT: Petition of the First Baptist Church of Everett, Mass., favoring the passage of House bill No. 11735, in relation to polygamy—to the Committee on the Judiciary.

By Mr. BURTON: Petition of the Board of Trade of Los Angeles, Cal., favoring the speedy construction of the Nicaragua Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Missouri: Resolutions of the Epworth League of Vandalia, Mo., and protest of citizens of Cuba, Mo., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. HENRY of Connecticut: Petition of the First Congregational Church of Suffield, Conn., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. HEPBURN: Petition of R. E. Miller and 14 other citizens of Page County, Iowa, for woman suffrage in the Hawaiian Islands—to the Committee on the Territories.

By Mr. HOWELL: Protest of the Ladies' Home Mission Society of the First Baptist Church of Perth Amboy, N. J., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. JOY: Petition of the Grove Association of Ship Carpenters and Caulkers of Missouri, Branch No. 2, favoring the passage of the eight-hour bill—to the Committee on Labor.

By Mr. KETCHAM: Petition of Rev. Henry B. Warring and 33 citizens of Carmel, N. Y., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. MESICK: Protest of the Methodist Episcopal Church and citizens of Breckenridge, Mich., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. REED: Protest of York County Conference of the Free Baptist Church of the State of Maine, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. STARK: Petition of Alexander Graham and 24 citizens of Gage County, Nebr., asking for report and passage of House bill No. 11454, granting an increase of pension to G. D. Evans, of Beatrice, Nebr.—to the Committee on Invalid Pensions.

By Mr. WARNER: Petition of fourth-class postmasters in the Thirteenth Congressional district of Illinois, in favor of the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG: Petition of the Naval Veteran Legion of Philadelphia, Pa., favoring House bill No. 10403, known as the naval personnel bill—to the Committee on Naval Affairs.

## SENATE.

WEDNESDAY, March 1, 1899.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. HALE, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

## EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of certain claims allowed by the accounting officers for pay of the Navy, enlistment bounties to seamen, and surveying the public lands, and asking that they be included in the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 25th ultimo, a list of judgments rendered by the Court of Claims not heretofore reported to Congress, amounting to \$121,682.17; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 25th ultimo, a list of all judgments rendered against the United States by the circuit and district courts of the United States under the provisions of the act of March 3, 1887, etc.; which was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of January 25, certain information relative to the claim of the Old Settler Cherokees of the amount of interest alleged to be due them under the resolution of the Senate provided under the treaty of 1846, and the decision of the Supreme Court, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of State, transmitting a report on the indeterminate sentence and the parole law in the United States in answer to questions submitted by the International Prison Commission, prepared under the authority of the State Department by the Hon. Samuel J. Barrows, commissioner of the United States to the International Prison Congress; which, with the accompanying papers, was referred to the Committee on Education and Labor, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of State, transmitting reports in answer to various questions submitted by the International Prison Commission, prepared under the authority of the State Department by the Hon. Samuel J. Barrows, commissioner of the United States to the International Prison Congress; which, with the accompanying papers, was referred to the Committee on Education and Labor, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting information relative to the valuable services rendered by Mrs. Lena P. Cowden in caring for the soldiers of our country during the war with Spain, and recommending that she be granted a medal of honor; which was referred to the Committee on Military Affairs, and ordered to be printed.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, returned to the Senate, in compliance with its request, the bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 104) to increase the pension of Lucretia C. Waring; and

A bill (S. 146) for the erection of a public building at Indianapolis, Ind.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (H. R. 6) to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr.;

A bill (H. R. 75) for the erection of an addition to the United States public building at Canton, Ohio;

A bill (H. R. 407) for enlarging the public building at Topeka, Kans.;

A bill (H. R. 447) for the erection of a custom-house and post-office building at Brunswick, Ga.;

A bill (H. R. 484) providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa;

A bill (H. R. 521) for the erection of a public building at Fitchburg, Mass.;

A bill (H. R. 524) to erect a public building at Lawrence, Mass.;

A bill (H. R. 1088) to provide for the erection of a public building at Elizabeth City, N. C.;

A bill (H. R. 1139) to provide for a building for the use of the post-office and other civil offices in the city of Hot Springs, Ark.;

A bill (H. R. 2129) to provide for the erection of a public building at Kansas City, Kans.;

A bill (H. R. 2814) to accept a site as a donation and erect thereon a custom-house and post-office building in the city of Bristol, State of Tennessee;

A bill (H. R. 4306) for the erection of a public building in the city of Elgin, Ill.;

A bill (H. R. 4318) for the erection of a public building at the city of Jamestown, N. Y.;

A bill (H. R. 5536) providing for an annex to the Federal building at Jackson, Miss.;

A bill (H. R. 8587) for the erection of a public building at Monmouth, Ill.;

A bill (H. R. 10962) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois;

A bill (H. R. 10969) for the erection of a public building in the city of Blair, Nebr.;

A bill (H. R. 11056) authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn.;

A bill (H. R. 11530) authorizing the extension of the post-office building at Springfield, Mass.;

A bill (H. R. 11696) providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York;

A bill (H. R. 11861) for the erection of a public building at Elmira, N. Y.;

A bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900;

A bill (H. R. 11883) for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J.; and

A joint resolution (S. R. 189) to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia.

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the legislature of Washington, praying for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections, and ordered to be printed in the RECORD, as follows:

## Senate concurrent resolution No. 7.

Whereas the present method of electing a United States Senator is expensive, unsatisfactory, and ruinous to the best interests of the people, as also conducive to unnecessary delays in the passage of useful legislation; and

Whereas we believe the will of the people can best be ascertained by a direct vote of the people: Now, therefore, be it

*Resolved*, That the senate of the State of Washington (the house concurring) do by memorial respectfully and earnestly urge the Congress of the United States to make provisions for submitting a constitutional amendment providing for the election of United States Senators by the direct vote of the people; and be it further

*Resolved*, That the President of the United States, the President of the Senate, and the Speaker of the House of Representatives be each sent one official copy of these resolutions; and be it further

*Resolved*, That one copy of these resolutions be sent to each of our Senators and Representatives in Congress, and they be requested to use their influence to secure the object herein set forth.

Passed the senate February 2, 1899.

THURSTON DANIELS,  
President of the Senate.

Passed the house February 15, 1899.

E. HEISTER GUIE,  
Speaker of the House.

Approved by the governor February 18, 1899.

J. R. ROGERS, Governor.

Mr. FAIRBANKS presented a petition of Local Division No. 81, Amalgamated Association of Street Railway Employees, of Muncie, Ind., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

Mr. RAWLINS presented the petitions of Daniel Stark and 107 other citizens of Payson, of J. H. Ward and 97 other citizens of Salt Lake City, and of A. D. Bower and 114 other citizens of Coalville, all in the State of Utah, praying for the establishment of postal savings bank depositories; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PLATT of Connecticut presented a petition of the Humane Society of Hartford, Conn., praying for the passage of the bill (S. 1552) for the prohibition of vivisection in the public schools of the District of Columbia; which was ordered to lie on the table.

He also presented the petition of Henry O. Bailey and sundry other citizens of Norwalk, Conn., praying for the enactment of

legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

He also presented the petition of Edwin D. Mead and sundry other citizens of Boston, Mass., praying for the repeal of the act of January 14, 1889, in so far as it relates to the appointment of the Chippewa commission; which was referred to the Committee on Indian Affairs.

Mr. QUAY presented resolutions adopted by the Grand Army of the Republic at its Thirty-second National Encampment, held at Cincinnati, Ohio, September 9, 1898, favoring the establishment of a national military park at Vicksburg, Miss.; which were referred to the Committee on Military Affairs.

Mr. PERKINS presented a telegram in the nature of a petition from the legislature of California, praying that an appropriation be made for the construction of the Pacific cable, and that the material for the same be of American manufacture; which was ordered to lie on the table and to be printed in the RECORD, as follows:

[Telegram.]

CAPITOL, SACRAMENTO, CAL., February 28, 1899.

Hon. GEORGE C. PERKINS,  
United States Senate, Washington, D. C.:

In accordance with provisions of Senate joint resolution No. 20, I hereby certify that the following is a true copy of same as adopted this day by senate and assembly:

Senate joint resolution No. 20, relating to construction of Pacific cable and requesting that Congress require the same to be of American make.

Whereas there are now pending in Congress measures for the laying of a submarine cable from some point in the State of California across the Pacific Ocean; and

Whereas the construction of same will be of great benefit to the United States and to this State; and

Whereas if the cable is made by an American company in the United States it will favorably advertise our manufacturers abroad and give employment to a great number of our citizens: Now, therefore, be it

Resolved by the senate and the assembly jointly, That our Senators in Congress be instructed and our Representatives therein be requested and urged to vote for and use all honorable means to secure the passage of a bill requiring the laying of such cable and also requiring that the cable be made by an American company in the United States; and be it further

Resolved, That a copy of this resolution be forwarded by telegraph to Hon. GEORGE C. PERKINS and that he be requested to deliver a copy of the same to each member of the California delegation in Congress.

F. J. BRANDON,  
Secretary of Senate.

Mr. SEWELL presented a memorial of the congregation of the Linden Baptist Church, of Camden, N. J., remonstrating against any appropriation being made for the maintenance of contract schools, and praying that Congress open up the whole system of Indian taxation; which was ordered to lie on the table.

He also presented a memorial of the Woman's Christian Temperance Union and the Christian Endeavor Society of Hancock's Bridge, N. J., remonstrating against the seating of any polygamist in the Congress of the United States; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union and the Christian Endeavor Society of Hancock's Bridge, N. J., praying for the maintenance of the prohibition law in Alaska and the Indian Territory, and to extend it to our new half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Union and the Christian Endeavor Society of Hancock's Bridge, N. J., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

Mr. CLAY presented the memorials of J. M. Rosenfeld and 19 other citizens, of M. M. Brown and 19 other citizens, of A. A. Gorman and 19 other citizens, of T. H. Ryland and 19 other citizens, of Charles Marks and 38 other citizens, of J. W. Jackson and 19 other citizens, of C. E. Leonard and 19 other citizens, of the Notoza Furniture Manufacturing Company, of H. Van Buren and 19 other citizens, of Llewellyn J. Brown and 19 other citizens, and of N. Coleman and 19 other citizens, all of Georgia, remonstrating against the passage of the anti-scalping ticket bill; which were ordered to lie on the table.

#### DOCUMENTS ON NATIONAL POLICY.

Mr. CAFFERY. I present a paper prepared by Edward Atkinson, of Brookline, Mass., entitled "Criminal Aggression; By Whom Committed." I move that the paper be printed as a document.

The motion was agreed to.

Mr. PETTIGREW. I present a paper, being an address delivered by Charles A. Towne, of Minnesota, February 22, 1899, before the faculty and students of the University of Michigan, Ann Arbor, Mich. I move that it be printed as a document.

The motion was agreed to.

#### PUBLIC BUILDING AT INDIANAPOLIS, IND.

Mr. FAIRBANKS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 146) to provide for the erection of a public building at Indianapolis, Ind., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.  
That the Senate recede from its disagreement to amendment of the House numbered 2 with an amendment as follows: In line 17 in said amendment, strike out the word "two" and insert in lieu thereof the word "five;" and the House agree to the same.

CHARLES W. FAIRBANKS,  
GEORGE L. WELLINGTON,  
LEE MANTLE,  
Managers on the part of the Senate.  
D. H. MERCER,  
J. D. HICKS,  
J. H. BANKHEAD,  
Managers on the part of the House.

The report was agreed to.

#### FORT SMITH AND WESTERN RAILROAD.

Mr. BERRY. I desire, if I can obtain unanimous consent, to have House bill No. 11916 put upon its passage.

The VICE-PRESIDENT. Does the Senator desire to make the request now, or will he wait until after routine business?

Mr. BERRY. I prefer to do it now if I can get permission. I have been trying to get the floor for several days for this purpose.

The VICE-PRESIDENT. The Senator from Arkansas asks unanimous consent for the present consideration of the bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes.

Mr. HALE. I must call for the regular order.

Mr. BERRY. I hope the Senator from Maine will let me have this bill passed. I have tried for two days to get it up.

Mr. HALE. I will let the Senator have the bill passed, as far as I am concerned, if it does not give rise to any debate.

Mr. BERRY. If it does I will withdraw it immediately.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PETTIGREW subsequently said: I see that the Senate this morning passed House bill No. 11916, authorizing the granting of a right of way to a railroad company in the Indian Territory. We have passed a general law on this subject. There are fifteen or twenty of these bills pending. The general law covers the whole question. Therefore the passage of separate bills is unnecessary, and it is giving an unjust advantage, I think. I enter a motion to reconsider the vote by which the bill was passed.

The VICE-PRESIDENT. The Senator who called up the bill is not in his seat at this moment.

Mr. PETTIGREW. I will enter a motion to reconsider.

The VICE-PRESIDENT. The motion is entered by the Senator from South Dakota.

Mr. BERRY subsequently said: The Senator from South Dakota entered a motion to reconsider the vote by which, at my request, the Senate passed this morning House bill No. 11916. I desire to move to lay his motion on the table. The bill has already passed, and he entered a motion to reconsider the vote. I desire to make a motion now, and do make it, to lay on the table the motion of the Senator from South Dakota to reconsider the vote by which the bill was passed.

Mr. HALE. Then let the Senator from Arkansas enter the motion.

Mr. BERRY. Very well; I enter the motion to lay on the table the motion of the Senator from South Dakota, and I will call it up some time during the day. I wish to do it some time when the Senator from South Dakota is in, because the bill has already passed, and I think it is fair that it should be disposed of.

#### REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 4745) to increase the pension of George W. Detwiler, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5802) granting an increase of pension to John W. Ohngemach, reported it without amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (S. 4636) granting a pension to Vincent de Frietas, reported it with an amendment, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 8119) granting an honorable discharge to John Dinsbeer, late second lieutenant in Company

C, First Regiment of Missouri State Militia, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8506) to remove the charge of desertion from the military record of John P. Henderson, and to grant him an honorable discharge, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 4670) to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 5568) to authorize the President to place Andrew Geddes on the retired list with the rank of captain, reported it with amendments, and submitted a report thereon.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2017) for the relief of Julius C. Kloenne, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Military Affairs, to whom was referred the bill (H. R. 9669) to correct the military record of Patrick Dunphy, reported it without amendment, and submitted a report thereon.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 1677) granting a pension to Anna M. Wehe, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 1698) granting an increase of pension to Henry A. Thoburn, reported it without amendment, and submitted a report thereon.

Mr. HANNA, from the Committee on Pensions, to whom was referred the bill (S. 5456) granting a pension to Catharine Harris, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 204) granting a pension to Ann E. Cooley, reported it without amendment, and submitted a report thereon.

Mr. TELLER, from the Committee on Claims, reported an amendment proposing an appropriation for the purpose of refunding certain internal-revenue taxes illegally collected from owners of private dies, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the same committee, reported an amendment proposing an appropriation to provide for the payment of certain so-called "Utah claims," intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the same committee, reported an amendment proposing an appropriation to provide for the payment of certain "Treasury settlements," intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WARREN, from the Committee on Claims, reported an amendment proposing to appropriate \$7,780.44 to pay the State of Wyoming, being the actual amount paid out by the Territory of Wyoming during the years 1884, 1885, and 1886 for expenses incurred in preserving the formation, natural curiosities, etc., in the Yellowstone National Park, intended to be proposed to the general deficiency appropriation bill, and moved that it be printed, and referred to the Committee on Appropriations; which was agreed to.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5758) to remove the charge of desertion from the record of James Geissinger, reported it without amendment, and submitted a report thereon.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the joint resolution (S. R. 253) to authorize the appointment of Robert H. Dunlap a second lieutenant in the Marine Corps, reported it without amendment.

Mr. DANIEL, from the Committee on Foreign Relations, to whom was referred the bill (S. 2650) for the relief of James and William Crooks, of Canada, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the amendment proposing to appropriate \$5,000 to pay the legal representative or representatives of the late James Crooks, and to the legal personal representative or representatives of the late William Crooks, said James and William Crooks having been citizens of Canada, being the value of a vessel called the *Lord Nelson*, illegally seized by Lieutenant Woolsey, United States Navy, on Lake Ontario, June 5, 1812, submitted by himself on the 28th ultimo, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. TELLER, from the Committee on Claims, reported an amendment proposing to appropriate \$7,500 to enable the Secretary of the Senate to pay the persons who performed the work of arranging and preparing the index of private claims introduced

in the Senate during the Fifty-second, Fifty-third, and Fifty-fourth Congresses, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. PETTIGREW, from the Committee on Indian Affairs, reported an amendment proposing to appropriate \$177,085 to enable the Secretary of the Treasury to pay the balance of awards made to loyal Seminole Indians under the direction of the Secretary of the Interior, with interest thereon, etc., intended to be proposed to the general deficiency appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the amendment proposing to appropriate \$625.85 to pay the adjutant-general of the State of Delaware, the custodian of the State armory, for use of and damage to the armory and personal property of the State in his custody by officers and men of the United States Army, submitted by Mr. KENNEY on the 8th ultimo, intended to be proposed to the Army appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment proposing to appropriate \$25,000 for pontoon trains, trenching tools, instruments, etc., and also proposing to appropriate \$25,000 for services of surveyors, draftsmen, photographers, etc., submitted by himself on the 20th ultimo, intended to be proposed to the Army appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment proposing to appropriate \$50,000 to enable the Secretary of War, in his discretion, to purchase patent No. 539733, dated May 21, 1895, of Gregory Gerdorn, for a gas check for breech-loading guns, etc., submitted by himself on the 18th ultimo, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

#### APPROPRIATION UNDER TREATY WITH SPAIN.

Mr. ALLISON. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 12125) making an appropriation to carry out the obligations of the treaty between the United States and Spain concluded December 10, 1898, to report it without amendment, and I ask unanimous consent that it may be considered now.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. VEST. What is the bill?

The bill was read, as follows:

*Be it enacted, etc.,* That for the purpose of carrying out the obligations of the treaty between the United States and Spain concluded at Paris on the 10th day of December, A. D. 1898, to become immediately available upon the exchange of the ratifications of said treaty, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$20,000,000.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PAYMENTS TO OSAGE INDIANS.

Mr. PLATT of Connecticut. I report from the Committee on Indian Affairs the testimony taken before a subcommittee of that committee on the amendment intended to be proposed by the Senator from Nebraska [Mr. ALLEN] to the Indian appropriation bill, relative to payments to Osage Indians. I move that the testimony be printed as a document.

The motion was agreed to.

#### MUSCLE SHOALS POWER COMPANY.

Mr. HALE. I call for the regular order.

The VICE-PRESIDENT. Reports of committees are still in order.

Mr. PETTUS. I ask for the consideration of House bill 9335, if the Senator from Maine will indulge me for a moment. It is merely to extend a franchise, and is recommended by the Secretary of War.

Mr. HALE. I must insist on the regular order. I wish to get the naval appropriation bill up.

Mr. PETTUS. Will not the Senator indulge me for a moment?

Mr. HALE. I give notice that after the Senator's bill has been disposed of I shall insist upon the regular order until after the naval appropriation bill is taken up.

Mr. PETTUS. I ask for the present consideration of the bill (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama.

Mr. HALE. If it will give rise to no debate, I do not object. There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was to add as section 2 the following:

SEC. 2. That unless the work herein authorized be commenced within one year and completed within three years from the date hereof, the privileges hereby granted shall cease and be determined.

The amendment was agreed to.

The next amendment was, to add as section 3 the following:

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### JOINT RESOLUTION INTRODUCED.

Mr. PLATT of Connecticut introduced a joint resolution (S. R. 259) for the relief of Lyman B. Perkins, ex-cadet engineer, United States Navy, ex-passed assistant engineer, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

#### AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. STEWART submitted an amendment proposing to appropriate \$2,705.59 to pay certain clerks in the office of the Treasurer of the United States for extra work, etc., intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. FORAKER submitted an amendment proposing to appropriate \$195,260.43, being the amounts found due the several States for expenses incurred and paid by them under the act of July 27, 1861, as recommended by the Second Comptroller of the Treasury, November 21, 1892, and December 2, 1892, etc., intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MANTLE submitted an amendment proposing to appropriate \$385 to pay H. R. Cunningham for additional services rendered in the office of the Secretary of the Senate as acting assistant minute and journal clerk from March 12, 1898, to May 15, 1898, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JONES of Nevada subsequently reported favorably the foregoing amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. GORMAN submitted an amendment proposing to appropriate \$428.66 to reimburse Henry Temmink, postmaster at Elliott City, Md., for expenditures for office rent, for salary of assistant postmaster, fuel, light, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. VEST submitted an amendment proposing to appropriate \$15,000 for payment to W. R. Austin & Co. for materials furnished to the Interior Department for use in the Eleventh Census, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Claims and ordered to be printed.

Mr. GRAY submitted an amendment proposing to appropriate \$4,000 to pay William H. Crook as compensation for services as secretary to the President to sign land patents, etc., intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. FORAKER submitted an amendment proposing to appropriate \$23,000.33 to pay the claims (Treasury settlements) certified in Senate Document No. 60, second session Fifty-fourth Congress, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### JEHIEL J. STEVENS.

On motion of Mr. GALLINGER, it was

Ordered, That the papers in the pension claim of Jehiel J. Stevens (S. 4918) be withdrawn from the files of the Senate and transmitted to the claimant, no adverse report having been made in the case.

#### PENSION AND MILITARY RECORD BILLS.

Mr. GALLINGER. In connection with the matter of pension legislation, I desire to state that almost every private pension bill which will be reported at this session is already on the Calendar. There is a good deal of pressure in both Houses of Congress that the few bills which are now on the Calendar shall be considered.

I ask unanimous consent that, in the absence of any appropriation bill being before the Senate, the time from half past 4 to 5 o'clock this evening be given to the consideration of the Pension Calendar.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New Hampshire?

Mr. PASCO. In connection with that request I shall ask the Senator from New Hampshire to consent that the few cases on the Calendar correcting the military history of soldiers shall be considered at the same time.

Mr. GALLINGER. I think they should be considered.

Mr. PASCO. A number of those bills have passed the Committee on Military Affairs. They are House bills and they ought to be acted upon during the session. This perhaps will be the only opportunity to take them up.

Mr. GALLINGER. I think they ought to be included, and I will very gladly include them.

The VICE-PRESIDENT. The pension cases to be taken up first?

Mr. GALLINGER. I will arrange that with the Senator from Florida.

The VICE-PRESIDENT. Is there objection to the request of the Senator from New Hampshire for unanimous consent? The Chair hears none, and the order is made that half an hour shall be taken for the purpose indicated, between half past 4 and 5 o'clock this afternoon.

Mr. PLATT of Connecticut. Not to interfere with the appropriation bill.

The VICE-PRESIDENT. Not to interfere with the pending appropriation bill.

Mr. FAULKNER. The eulogies upon the late Mr. DINGLEY have been fixed for 5 o'clock.

Mr. COCKRELL. I understand that the consent extends only to 5 o'clock.

Mr. GALLINGER. From half past 4 to 5.

Mr. FAULKNER. That is right.

Mr. ALLEN. I ask the Senate to proceed to the consideration of Senate bill 5466.

#### JOSÉ G. DELGADO.

Mr. MORGAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President is requested, if it is not inconsistent with the public interests, to send to the Senate the correspondence with the Government of Spain relating to the claim of José G. Delgado against that Government, arising out of the seizure of his property in Cuba in the year 1870, and also a statement of any proceedings had between the two Governments for the adjustment and settlement of said claim.

#### ALASKAN INVESTIGATION.

Mr. HANSBROUGH submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That there be appointed by the Vice-President a select committee, to consist of nine Senators, to investigate and report upon the conditions in and needs of Alaska in respect to legislation.

That said committee consist of one Senator from each of the following committees of the Senate: Public Lands, Indian Affairs, Territories, Fisheries, Post-Offices and Post-Roads, Military Affairs, Mines and Mining, Foreign Relations, and Commerce.

Said committee shall have authority to sit during the recess of the Senate, to take testimony in Washington or elsewhere, and to send for persons and papers and administer all necessary oaths.

The expenses of said committee to be paid from the contingent fund of the Senate on vouchers to be approved by the chairman of said committee.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 4510) to correct the military record of William H. Fore; and

A bill (S. 5258) to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 631) to confirm title to lots 13 and 14 in square 950, in Washington, D. C.;

A bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1893, and commonly known as the Bowman Act, and for other purposes;

A bill (H. R. 1035) to amend section 4766 of the Revised Statutes of the United States; and

A bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of

certain public works on rivers and harbors, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS managers at the conference on the part of the House.

The message also announced that the House had passed the bill (S. 2552) to set aside a portion of certain lands in the State of Washington now known as the Pacific Forest Reserve as a public park, to be known as the Washington National Park, with amendments in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 500) for the erection of a public building at Lockport, N. Y.;

A bill (H. R. 1663) for the erection of a public building at Carrollton, Ky.; and

A bill (H. R. 1859) to provide for a public building at Winston, N. C.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

A bill (S. 88) to provide for the purchase of sites of public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes;

A bill (S. 100) for the erection of a public building at Aberdeen, S. Dak.;

A bill (S. 146) to provide for the erection of a public building at Indianapolis, Ind.;

A bill (S. 164) to provide for the construction of a public building at Butte City, Mont.;

A bill (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri;

A bill (S. 346) providing for the erection of a public building at the city of Seattle, in the State of Washington;

A bill (S. 708) to provide for the purchase of a site and the erection of a public building at Oakland, in the State of California;

A bill (S. 926) to provide for the erection of a public building at Beaumont, Tex.;

A bill (S. 927) to provide for the erection of a public building at Abilene, Tex.;

A bill (S. 1271) for a public building at the city of Wilkesbarre, Pa.;

A bill (S. 1896) to provide for the purchase of a site and for the erection of a public building thereon at Salt Lake City, the capital of the State of Utah;

A bill (S. 2048) for the erection of a public building at Fergus Falls, Minn.; and

A bill (H. R. 4113) for the erection of a public building at St. Cloud, Minn.

#### LUCRETIA C. WARING.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 104) to increase the pension of Lucretia C. Waring, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,  
GEORGE L. SBOUP,  
JOHN L. MITCHELL,  
*Managers on the part of the Senate.*  
H. C. LOUDENSLAGER,  
T. W. SIMS,  
*Managers on the part of the House.*

The report was agreed to.

#### LANDS IN THE CITY OF WASHINGTON.

Mr. KENNEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 631) to confirm title to lots 13 and 14 in square 959 in Washington, D. C., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In line 3 of the proposed amendment, after the word "Yates," insert the words "his heirs and assigns forever;" and the Senate agree to the same.

RICHARD R. KENNEY,  
J. C. PRITCHARD,  
*Managers on the part of the Senate.*  
JOHN J. JENKINS,  
CHARLES F. SPRAGUE,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*

The report was agreed to.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the Presi-

dent had, on the 28th ultimo, approved and signed the following acts and joint resolutions:

An act (S. 168) granting an increase of pension to W. P. Snowden;

An act (S. 317) granting a pension to William J. Ford;

An act (S. 409) granting an increase of pension to Sarah Gresham;

An act (S. 586) granting a pension to Mary A. Thomas;

An act (S. 730) granting an increase of pension to John N. Corgan, of McPherson, Kans.;

An act (S. 1110) granting an increase of pension to Samuel E. Liscom;

An act (S. 1031) granting a pension to Noah Pillsbury;

An act (S. 1697) granting an increase of pension to John Brown;

An act (S. 1704) to increase the pension of Mrs. Helen A. De Russy;

An act (S. 1758) increasing the pension of George W. Peters;

An act (S. 1831) granting an increase of pension to Jane V. Davidson;

An act (S. 1928) granting an increase of pension to First-Class Pilot Capt. James M. Herrington;

An act (S. 2101) granting a pension to John C. Enery;

An act (S. 2652) granting an increase of pension to Emma V. Gile;

An act (S. 2965) granting an increase of pension to Lewis E. Humpton;

An act (S. 3005) granting a pension to Zenas T. Haines;

An act (S. 3909) for the relief of Mrs. Harriet A. Ferguson;

An act (S. 4159) relative to the payment of claims for material and labor furnished for District of Columbia buildings;

An act (S. 4233) granting an increase of pension to Solomon Kline;

An act (S. 4248) granting an increase of pension to Lewis Kyle;

An act (S. 4374) granting a pension to Nellie M. Guild;

An act (S. 4414) granting a pension to Georgia H. Berry;

An act (S. 4575) granting an increase of pension to John McVicar;

An act (S. 4701) granting an increase of pension to Charles W. Tilton;

An act (S. 4744) granting a pension to Mary E. Hatch;

An act (S. 4975) granting an increase of pension to Washington Sweatt;

An act (S. 4984) granting a pension to Mary Longley Hendricks;

An act (S. 5076) authorizing the Sioux City and Omaha Railway Company to construct and operate a railway through the Omaha and Winnebago Reservation, in Thurston County, Nebr., and for other purposes;

An act (S. 5265) granting to the Clearwater Valley Railroad Company a right of way through the Nez Perces Indian lands in Idaho;

An act (S. 5342) granting a pension to John M. Palmer;

An act (S. 5391) to provide for an appropriate national celebration of the establishment of the seat of Government in the District of Columbia;

An act (S. 5514) to amend an act entitled "An act to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes," approved March 28, 1898, and to vest in the Denison, Bonham and Gulf Railway Company all the rights, privileges, and franchises therein granted to said first-named company;

A joint resolution (S. R. 34) authorizing the Commissioners of the District of Columbia to alter, amend, or repeal certain health ordinances; and

A joint resolution (S. R. 252) to prevent the spread of contagious diseases in the District of Columbia.

The message also announced that the President had on this day approved and signed the joint resolution (S. R. 242) authorizing foreign exhibitors at the commercial exposition to be held in Philadelphia, Pa., in 1899, to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits under regulations prescribed by the Secretary of the Treasury.

#### NAVAL APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of the naval appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to the consideration of the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with and that the amendments of the committee be considered as they are reached in the reading.

The VICE-PRESIDENT. The Senator from Maine asks that the amendments of the committee be acted upon as they are

reached. Is there any objection to that order of business? The Chair hears none.

Mr. HALE. The Senator from Illinois [Mr. CULLOM] desires to submit some remarks, and the present will suit his convenience better than any other time. After he has completed his remarks the naval appropriation bill will be up, and I will yield to the Senator from Nebraska [Mr. ALLEN] and one or two others, where the bills will not lead to any debate.

Mr. PRITCHARD. I hope the Senator will include me.

Mr. HALE. You will be included.

Mr. ALLEN. If the Senator will permit me, I will state that I desire to submit some remarks at the conclusion of the remarks of the Senator from Illinois.

#### GOVERNMENT OF HAWAII.

Mr. CULLOM. I desire to call up Senate bill 4893. I do not desire the reading of the bill at this moment, but I should like to have the title read.

The SECRETARY. A bill (S. 4893) to provide a government for the Territory of Hawaii.

Mr. CULLOM. Mr. President, yesterday I gave notice that I would, if convenient to the Senate, ask leave to submit some remarks to-day upon the bill now under consideration. I do so for the reason especially that it does not appear at this time that the bill is likely to be passed at the present session of Congress, and I think it is due to those people as well, perhaps, as to myself that I should say something upon the subject before this Congress passes away.

Mr. President, it is my purpose to submit to the Senate a brief explanation of the legislation recommended by Congress by the commission appointed by the President in pursuance of public resolution No. 51, entitled "Joint resolution to provide for annexing the Hawaiian Islands to the United States," approved July 7, 1898.

In a formal expression of its desire to be annexed to this country, the Republic of Hawaii consented to do the following things:

1. To cede absolutely and without reserve to the United States of America all rights of sovereignty of whatever kind in and over the Hawaiian Islands and their dependencies.

2. To cede and transfer to the United States absolute fee and ownership of all public, Government, or Crown lands, all public buildings or edifices, ports, harbors, military equipment, and all other property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining.

In due form this consent was signified to this Government, and thereupon the Congress of the United States, with the approval of the President, resolved:

1. To accept, ratify, and confirm said cession and to annex to the United States, as a part of the territory thereof and subject to the sovereign dominion thereof, the said Hawaiian Islands.

2. To vest all and singular the property and rights ceded by the Government of the Hawaiian Islands in the Government of the United States.

3. That the existing land laws of the United States should not apply to the public lands of the Hawaiian Islands, and that Congress should enact special laws for the management and disposition of said lands, and provide by such laws that all revenue from or proceeds of the same should be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other local public purposes.

4. That until the Congress should provide for the government of those islands all the civil, judicial, and military powers then being exercised by the officers of the Republic of Hawaii should be vested in such person or persons and should be exercised in such manner as the President of the United States should direct.

5. That the treaties then existing between the Republic of Hawaii and foreign nations should cease and determine forthwith, or might thereafter be concluded, between the United States and such foreign nations.

6. That the municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties thus extinguished, and not inconsistent with the annexation resolution, and not contrary to the Constitution of the United States, nor to any existing treaty of the United States, should remain in force until the Congress of the United States should otherwise determine.

7. That the Hawaiian customs laws should remain in force until superseded by tariff legislation enacted by the Congress of the United States.

8. That the public debt of the Republic of Hawaii to the amount of \$4,000,000, including amounts due to depositors in the Hawaiian Postal Savings Bank, should be assumed by the Government of the United States.

9. That there should be no further immigration into the Hawaiian Islands except under the laws of the United States, and that no Chinese should be allowed to enter the United States from the Hawaiian Islands.

Mr. PERKINS. If I do not interrupt the Senator from Illinois, I should like to ask him what provision was made, if any, in relation to the alien contract laws that are now applicable to every State and Territory of this Union?

Mr. CULLOM. If the Senator will send for Senate bill 4893 he will find in that bill a provision proposing to extend the laws of the United States on that question over that Territory.

Mr. PERKINS. I am quite familiar with the bill, it having been referred to my committee and reported favorably. But is there any provision now under the treaty?

Mr. CULLOM. None whatever.

Mr. PERKINS. And unless we take action we can import as many contract laborers as we please into those islands.

Mr. CULLOM. Yes; they have the same power that they had before we attempted to annex them.

10. That the President, by and with the advice and consent of the Senate, should appoint five commissioners, two of them at least to be residents of the Hawaiian Islands, who should recommend to Congress such legislation concerning the Hawaiian Islands as they should deem necessary and proper.

In compliance with this resolution, the President appointed as commissioners—from the Senate, the distinguished Senator from Alabama, Mr. MORGAN, and myself; from the House of Representatives, Hon. R. R. HITT, of Illinois, and as residents of the Hawaiian Islands, Hon. Sanford B. Dole, President of the republic of Hawaii, and Hon. W. F. Frear, judge of the supreme court of the republic.

The commission met at Honolulu on August 18 last, was organized, and entered at once upon an investigation of the affairs of the Hawaiian government and of the condition of the islands and of their population that extended through two months of time and resulted in the report which is now before the Senate.

All the subjects covered by that report it is not my purpose to comment upon at this time, and I shall endeavor to confine myself to a brief discussion of the legislation concerning the Hawaiian Islands that the commission has deemed it necessary and proper to recommend.

This proposed legislation is contained in three bills submitted with the report of the commission, namely:

1. A bill entitled "A bill to provide a government for the Territory of Hawaii."

2. A bill entitled "A bill relating to Hawaiian silver coinage and silver certificates."

3. A bill entitled "A bill relating to the postal savings bank in Hawaii."

The bill relating to silver coinage and silver certificates provides that un mutilated and unabraded Hawaiian silver coins shall be received at par value in payment of all dues to the government of the Territory of Hawaii and of the United States, until January 1, 1902, and shall not be issued again, but shall be received as United States silver pieces; and all Hawaiian silver certificates shall be redeemed by the Territory of Hawaii on or before January 1, 1902. These provisions are so obviously wise and necessary that no discussion of them is, in my opinion, necessary.

The bill relating to the postal savings bank provides for the repeal of the Hawaiian law establishing that bank, and directs the Secretary of the Treasury to pay the amounts on deposit in the postal savings bank in Hawaii to the persons entitled thereto, terminating the interest on all deposits on and after July 1, 1899, and forbidding further deposits after that date.

This institution was established in 1884 to encourage the deposit of small savings at interest, with the security of the government for repayment thereof, and was opened for business July 1, 1886. On August 12, 1898, the amount due to 10,553 depositors, classified by nationalities, was as follows:

Americans .....	602
British .....	526
Germans .....	329
Hawaiians .....	1,201
Portuguese .....	495
Sundry nationalities .....	221
Chinese under the board of immigration .....	7,091
<b>A total of .....</b>	<b>10,553</b>
Amounting to .....	\$836,297.34
And to 68 special depositors for sums exceeding \$500 the sum of .....	77,750.00
<b>Being a total of .....</b>	<b>914,047.34</b>

On these deposits the rate of 4½ per cent per annum is paid by the government of the islands, and interest at this rate is credited to the several accounts on December 31 every year, and is a charge on the current revenues of the government. Deposits up to \$500 only are credited with interest. Any deposit of three months' standing may, at the option of the depositor, be withdrawn and exchanged for a 5-20 government bond, with interest at 4½ per

cent. Besides these provisions the bank may, at its discretion, issue what are called "term certificates," for not over three months for any amount up to \$5,000, and not to exceed in all \$150,000 at any one time, at 4½ per cent.

Deposits amounting to over \$100 may be withdrawn at ninety days' notice; under \$100, without notice.

The cash reserve on hand August 12 last—I state August 12 last because that is the date of the raising of the American flag there and turning the government over to the United States, practically—to meet demands on the savings-bank fund of \$914,047.34 was \$112,409.23, of which amount \$105,000 was at that time on special deposit in the treasury.

In his report to the Hon. Sanford B. Dole, of the commission, Mr. Samuel M. Damon, the Hawaiian minister of finance, says that "during the twelve years of its existence every call by depositors has been promptly met, and the general confidence and usefulness to the community has been shown in its use by all nationalities."

This bank is a part of the postal service of Hawaii, under the control of the minister of finance, and although it may be a meritorious institution, it must fall with the postal service of the islands—must cease to exist when the service to which it is attached is superseded by the postal service of the United States, to which no postal savings bank feature has been yet attached by Congress.

The bill "to provide a government for the Territory of Hawaii" is of paramount importance and demands the careful consideration of the Senate.

Mr. President, it is proposed by this bill to erect the Hawaiian Islands into a Territory of the United States, to be styled "the Territory of Hawaii." The name infers the general form of the new government and indicates the possibility of the admission of Hawaii into the Union as a State.

This fact, it seems to me, requires a statement of the reasons on which the commission bases its recommendation of a Territorial form of government for this new acquisition of the United States.

The commission might have recommended a military form of government for the islands; or a government by commission, like that of the District of Columbia; or a government like that of the district of Alaska, which is indeed only a shadowy form of government, lacking the virility of sufficient authority; or the commission might have recommended the form of government which is called colonial government, a loose term which has not yet been clearly defined in its application to American governmental affairs.

Mr. President, at no time in the history of the Government has the proposition been controverted that Congress has the right to admit new States into the Union.

This right is given by a constitutional provision, and it has been exercised repeatedly in the course of our eventful history.

That this right can not be exercised unless there is territory or dominion upon which it may operate and out of which new States may be formed is a proposition so obvious that it needs no elaboration.

In the Articles of Confederation, under which the Revolutionary war was fought, it was provided that Canada might be admitted into the Union; "but"—this was the language of the articles—"no other colony shall be admitted to the same unless such admission be agreed to by nine of the States."

While I had read the Articles of Confederation, I confess that I never had my attention directly called to the fact that the question of the admission of Canada by those in legislative authority had ever been considered at all. But it seems to have been done.

In the Virginia plan of government submitted to the Constitutional Convention in session at New York in 1787 reference was made to the admission of States lawfully arising within the limits of the United States, but in neither of the original drafts of the present Constitution was any provision made to acquire new territory for any purpose.

At that time, however, the Union was possessed of a vast domain, which had been ceded to it by Virginia and other States, and just at that time the Congress of the Confederation, then in session at Philadelphia, passed the famous ordinance of 1787, entitled "An ordinance for the government of the territory of the United States northwest of the river Ohio."

Possibly this act of the Congress of the Confederation suggested to the members of the Constitutional Convention that no provision relating to the territory then owned by the States or in reference to the admission into the Union of new States that might be formed out of that domain had been incorporated into the draft of the Constitution which was then under consideration. However this may be, it is a fact that not a long time after the adoption of the ordinance of 1787 the Constitutional Convention, after consideration of a proposed amendment offered by Mr. Madison, to give the "General Legislature" power to dispose of the unappropriated lands of the United States, and to institute temporary government for new States arising therein, adopted a provision giving to Congress power to dispose of and make all needful rules

and regulations respecting the territory or other property of the United States.

After the adoption of the Constitution in 1789, the Congress of the United States affirmed the ordinance of 1787, and in pursuance of the provisions of this ordinance the northwestern territory was organized under Territorial governments, and finally was admitted into the Union as the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin.

It was decided by the Supreme Court of the United States in the Dred Scott case that the clause giving power to Congress to dispose of and make all needful rules and regulations respecting the territory of the United States had reference only to the territory which at the time of the adoption of the Constitution was owned by the Union—the territory that had been ceded to us by the treaty of peace with England or by Virginia and other States.

But before this decision was made we had acquired foreign territory by purchase, conquest, discovery, exploration, and settlement, and had organized this domain under Territorial governments, and had admitted Territories thus organized into the Union as States thereof. In one instance we had treated with a nation, the republic of Texas, as we have treated with the republic of Hawaii, and had admitted it into the Union without the formality of a Territorial government over it having been required.

I have had prepared a table or a set of statistics giving the acquisition of territory by the United States and showing every instance where territory has been acquired up to recent acquisitions, the territory acquired, the date of its acquisition, the establishment of it into governments, and so on, which I will ask to have inserted in the RECORD without taking the time to read it.

The VICE-PRESIDENT. Is there any objection? The Chair hears none.

Mr. CULLOM. I think it will be found to be a table of some use perhaps to the public hereafter.

The table referred to is as follows:

#### ACQUISITIONS OF TERRITORY BY THE UNITED STATES.

District of Columbia, and Northeastern, Northwestern, and Southwestern Territories, parts of the original domain formed out of certain States or ceded by them to the United States.	Ceded to the United States by—	Date of cession.	Date of organization as a Territory.	Date of admission to the Union as a State.
District of Columbia.....	(Maryland.. Virginia...)	Dec. 23, 1788 Dec. 3, 1790		Established as the seat of Government on July 16, 1790.
Northeastern Territory: 1. Vermont..... 2. Maine.....	New York. Massachusetts.	Mar. 6, 1790		Mar. 4, 1791 Mar. 15, 1820
Northwestern Territory: 1. Illinois..... 2. Indiana..... 3. Ohio..... 4. Michigan..... 5. Minnesota (east of the Mississippi River). 6. Wisconsin.....	Virginia*.. do..... do..... do..... do..... do.....	(Mar. 1, 1784 Dec. 30, 1788 do..... do..... do..... do.....)	Feb. 3, 1818 May 7, 1800 Jan. 11, 1805 Mar. 3, 1849	Dec. 3, 1818 Dec. 11, 1816 Nov. 23, 1802 Jan. 26, 1837 May 11, 1857 May 20, 1848
Southwestern Territory: 1. Alabama (major part thereof). 2. Kentucky..... 3. Mississippi (major part thereof). 4. Tennessee.....	(S. Carolina. Georgia.... Virginia... S. Carolina. Georgia.... N. Carolina.	Mar. 8, 1787 June 16, 1802 Dec. 18, 1790 Mar. 8, 1787 June 16, 1802 Dec. —, 1789	Mar. 3, 1817 Apr. 7, 1796	Dec. 14, 1819 June 1, 1792 Dec. 10, 1817 June 1, 1796

#### ACQUISITIONS FROM FOREIGN POWERS MADE AFTER THE ADOPTION OF THE CONSTITUTION.

Province of Louisiana (Louisiana purchase): 1. Alabama (west of Perdido and on the Gulf). 2. Arkansas..... 3. Colorado (east of Rocky Mountains and west of Arkansas River). 4. Iowa..... 5. Kansas..... 6. Louisiana..... 7. Minnesota (west of Mississippi). 8. Mississippi (west of Alabama, adjoining Louisiana on the Gulf). 9. Missouri..... 10. Nebraska.....	France..... do..... do..... do..... do..... do..... do..... do..... do..... do.....	Apr. 30, 1803 do..... do..... do..... do..... do..... do..... do..... do..... do.....	Mar. 3, 1817 Mar. 2, 1819 Feb. 23, 1861 June 12, 1838 May 30, 1851 Mar. 2, 1805 Mar. 3, 1849 Apr. 7, 1796 June 4, 1812 May 30, 1854	Dec. 14, 1817 June 15, 1836 Aug. 1, 1876 Dec. 23, 1846 Jan. 29, 1861 Mar. 8, 1821 May 11, 1853 Dec. 10, 1817 Aug. 10, 1821 Mar. 1, 1867
--	--	--	--	--

## ACQUISITIONS FROM FOREIGN POWERS, ETC.—Continued.

District of Columbia, and Northeastern, Northwestern, and Southwestern Territories, parts of the original domain formed out of certain States or ceded by them to the United States.	Ceded to the United States by—	Date of cession.	Date of organization as a Territory.	Date of admission to the Union as a State.
Province of Louisiana—Continued.				
11. Dakota .....	France .....	Apr. 30, 1803	Mar. 2, 1861	Feb. 22, 1889
North Dakota .....	do .....	do .....	do .....	Do.
South Dakota .....	do .....	do .....	do .....	Do.
12. Indian Territory .....	do .....	do .....	June 30, 1834	July 3, 1890
13. Oklahoma .....	do .....	do .....	May 2, 1890	Nov. 11, 1890
14. Wyoming (all but zone in middle south and southwest part).	do .....	do .....	July 25, 1890	Jan. 11, 1890
Florida purchase:				
Florida .....	Spain .....	Feb. 22, 1819	Mar. 30, 1822	Mar. 3, 1845
Discovery, exploration, settlement, and treaty:				
1. Oregon .....	do .....	do .....	Aug. 14, 1846	Feb. 14, 1859
2. Idaho .....	do .....	do .....	Mar. 3, 1863	July 3, 1890
3. Washington .....	do .....	do .....	May 2, 1853	Nov. 11, 1889
Annexation:				
1. Texas .....	do .....	do .....	do .....	Mar. 1, 1845
2. Hawaii <sup>10</sup> .....	do .....	do .....	do .....	Dec. 29, 1898
Conquest—treaty Guadalupe Hidalgo:				
1. California .....	Mexico .....	Feb. 2, 1848	do .....	Sept. 9, 1850
2. Colorado (west of Rocky Mountains) .....	do .....	do .....	Feb. 28, 1861	Aug. 1, 1876
3. Nevada .....	do .....	do .....	Mar. 2, 1861	Oct. 31, 1864
4. Arizona (except Gadsden purchase) .....	do .....	do .....	Feb. 24, 1863	do .....
5. New Mexico (west of Rio Grande and north of Gadsden purchase) .....	do .....	do .....	Sept. 9, 1850	do .....
6. Utah .....	do .....	do .....	do .....	July 4, 1896
7. Wyoming (zone in southwest part, etc.) .....	do .....	do .....	July 25, 1890	do .....
Conquest—treaty of Paris:				
1. Cuba <sup>11</sup> .....	Spain .....	Dec. 10, 1898	do .....	do .....
2. Porto Rico .....	do .....	do .....	do .....	do .....
3. Philippine Islands .....	do .....	do .....	do .....	do .....
Gadsden purchase—Messilla Valley:				
1. Arizona (southern part thereof) .....	Mexico .....	Dec. 30, 1853	Feb. 26, 1868	do .....
2. New Mexico (west of Rio Grande) .....	do .....	do .....	Sept. 9, 1850	do .....
Texan purchase:				
1. Colorado (southeast corner thereof) .....	Texas .....	Dec. 13, 1850	Feb. 28, 1861	Aug. 1, 1876
2. Kansas (southwest corner thereof) .....	do .....	do .....	May 30, 1854	Jan. 29, 1861
3. New Mexico (east of Rio Grande) .....	do .....	do .....	Sept. 9, 1850	do .....
4. Public Land Strip .....	do .....	do .....	do .....	do .....
Alaskan purchase: Alaska <sup>11</sup> .....	Russia .....	Mar. 30, 1867	do .....	do .....

<sup>1</sup> The original area of the District of Columbia was 10 miles square, containing 64,000 acres. By act of July 9, 1846, the county of Alexandria (the Virginia cession) was retroceded.

<sup>2</sup> Maine was admitted into the Union under the act of March 3, 1820.

<sup>3</sup> Embraced in the Northwestern Territory were the lands ceded by the several States having claims to the Western country, namely: New York, on March 1, 1781; Virginia, on March 1, 1784, and on December 30, 1788; Massachusetts, on April 14, 1785; and Connecticut, on September 14, 1786, and confirmed on May 30, 1800.

<sup>4</sup> Ohio was admitted into the Union under the act of April 30, 1802.

<sup>5</sup> South Carolina made this cession under an act March 8, 1787, and the territory ceded was conveyed to the United States on August 9, 1789, by commissioners of that State. The territory ceded by Georgia was conveyed on April 24, 1802, by commissioners of that State, and this act of conveyance was ratified by the State of Georgia on June 16, 1802.

<sup>6</sup> Kentucky was admitted into the Union under the act of February 4, 1791.

<sup>7</sup> The Indian Territory, so called, is an organized Territory formed out of the Louisiana purchase. The act of June 30, 1834, declared that all that part of the United States west of the Mississippi River and not in the States of Mississippi and Louisiana or the Territory of Arkansas, and also that part of the United States east of the Mississippi River and not within any State, to which the Indian title has not been extinguished, shall be taken and deemed to be the Indian country. The original area of this territory has been much reduced by the severance of parts in the formation of States and Territories.

<sup>8</sup> Discovery, 1792; exploration, 1804-1806; settlement, 1812; treaty (with Spain), February 22, 1819.

<sup>9</sup> Hawaii was annexed by a joint resolution approved July 7, 1898.

<sup>10</sup> In the declaration of war with Spain on April 21, 1898, the United States declared its purpose to free Cuba from the sovereignty of Spain, and then give to the island its independence under a stable form of government.

<sup>11</sup> No Territorial form of government has been established for Alaska. The Territory has a governor, appointed by the President, and the laws of Oregon that are applicable have been extended over the Territory.

Mr. CULLOM. Mr. President, admitting that the clause of the Constitution empowering Congress to make all needful rules and regulations respecting the territory of the United States had reference only to the territory that was owned by the United States at the time of the adoption of the Constitution, and that the power conferred in express terms of the Constitution to govern territory belonging to the United States became an exhausted power at the moment when the last State that had been carved out of the territory owned by the Government at the time of the adoption of the Constitution had been admitted into the Union—admitting also, that no express authority has been given by the Constitution to the Government to acquire foreign territory for any purpose, it becomes apparent that we must seek to ascertain under what implied authority of the Constitution the United States have acquired from foreign powers the immense domains to which I have called attention in the table which I have just read, and also by what implied authority Congress has continued the policy of governing territory acquired in various ways and of admitting into the Union upon terms of equality with the original States States carved out of such territory.

It may be stated in a general way that the right to govern is the inevitable consequence of the right to acquire territory, and it may be stated with emphasis that from whatever source its right to acquire territory may be derived the possession of that right by the United States can be questioned no longer.

I know, Mr. President, that Mr. Jefferson, who, while President, negotiated the treaty under which the Province of Louisiana was purchased, doubted whether he was authorized to make this purchase. Indeed, he declared that the Constitution made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union; but in the face of this belief he purchased Louisiana, and public opinion and the courts have determined that his act was not only wise, but that it was also constitutional and in every way valid.

I do not forget that the doubt that Jefferson entertained of the right of the Government to acquire foreign territory for any purpose was also entertained at one time by many of our wisest and most patriotic citizens. Mr. Webster denied the right of the Government to acquire foreign territory in any way, and I recall the fact that in 1844 the legislature of Massachusetts passed resolutions denouncing the then proposed annexation of Texas and declaring that—

As the powers of legislation granted in the Constitution of the United States to Congress do not embrace the case of the admission of a foreign state or foreign territory by legislation into the Union, such an act of admission would have no binding effect upon Massachusetts.

My honorable friend from Massachusetts, the senior Senator [Mr. HOAR], has come down to us from a former generation, with some of the old-time notions of the New England of the days that are no more, but he is only a gentle echo of the nonexpansionist sentiment of those days, and the community behind him, impelled to patriotic action and utterance, follows the President in his wise policy, and gives cheery applause of this policy in the voice of the junior Senator from the old Bay State.

Mr. President, all the doubts entertained in the past concerning the right of the United States to acquire territory, to organize governments over acquired territory, and to admit acquired territory into the Union as States have vanished. Facts have destroyed the theory. In the face of the statesmen who have said "We can not constitutionally acquire territory," we have acquired territory many times, have governed it in its territorial condition, have admitted much of it into the Union as States, and have held some of it, acquired many years ago, out of the Union even to this day.

During the discussion that resulted over the Northwestern Territory, the Louisiana and Florida purchases, and the Texan and slavery questions, the right to acquire territory, to govern it, and to admit it into the Union as States was established, and the following propositions have now the force of law—are indeed the law as it has been declared by the courts of highest jurisdiction and by the legislative and executive departments of the Government:

(1) The Government of the United States, by virtue of the constitutional provisions authorizing it to make war and make treaties, has the right to acquire territory. Under the war-making power the Government may acquire territory by conquest; under the treaty-making power, by purchase or in other ways.

(2) The Government of the United States may acquire territory by cession from a State.

(3) The Government of the United States may acquire territory by discovery, exploration, or settlement.

(4) But including all these propositions it has been established by decisions of our highest court that the United States, as a nation, has the inherent right—the right of absolute sovereignty in this matter—to acquire territory.

(5) Resulting from the right to govern, which logically and necessarily follows from the right to acquire territory, the United States

have the right to place any territory owned by the Union under any form of Government that Congress may decide upon, for, in legislating for the Territories of the United States, Congress exercises the combined powers of the General Government and of a State government; that is to say, in legislating for a Territory, which belongs to all the States, Congress has all the authority that has been delegated to it by the States, and has also all the authority that has been reserved by the States—has complete sovereignty—a sovereignty in its relations to the Territories of the Union that is absolute.

(6) Congress may hold any Territory in a Territorial condition for an indefinite period, and may admit into the Union as a State any Territory at any time.

These propositions having been crystallized into law, the denial of the right of the United States to acquire and govern territories must be abandoned, and therefore, in view of present conditions in our affairs, it has become necessary to ascertain the theory upon which the territorial acquisitions of the United States have been governed, and to inquire whether that theory should be adhered to still or whether it should be modified or abandoned.

Mr. President, the Northwestern Territory was governed under the ordinance of 1787, which, as I have stated, was affirmed by the Government after the adoption of the Constitution of 1789. A governor and a secretary of state for the Territory were appointed by the President, who also appointed three judges; and in the governor, secretary, and judges all the legislative power was vested. When the population of the Territory had increased to 5,000 free male inhabitants of full age, this absolutely undemocratic form of government was modified. A legislature was then created, composed of two houses; but the upper house, composed of five members and called the legislative council, was appointed by the President from ten members of the lower house selected by that house, the names of which members were sent to the President.

Sir, no colonial form of government now in existence anywhere is much more undemocratic than were the Territorial governments that were organized under the ordinance of 1787, which ordinance has been commended by all our statesmen as one of the wisest and most beneficent pieces of legislation ever devised by man. It has immortalized Nathan Dane. It has been, says one historian, "the exemplar by which unoccupied domain has been converted into legal territory, and then developed into perfect States."

Mr. CAFFERY. Will the Senator permit me to ask him a question?

Mr. CULLOM. I dislike to decline to yield to the Senator, but I would rather not be interrupted, as I am crowded for time.

In 1803, during the Administration of Jefferson, the Province of Louisiana, known to us as the Louisiana purchase, was acquired by treaty. This was the first foreign territory that was annexed to the United States. For a while this newly acquired domain was ruled by the governor of the Territory of Mississippi with absolute authority. "It was in effect," said an eminent judge, "a military despotism over Louisiana, and may suffice as an example of the extent to which the sovereign power over the Territories might go if a wiser policy were not the rule."

Afterwards, in 1804, the Louisiana purchase was divided by Congress into the Territory of Orleans and the district of Louisiana. The Territory of Orleans contained that part of the purchase that is now known as the State of Louisiana, and the district of Louisiana contained all the remainder of the purchase. Over the Territory of Orleans Congress established a government that was essentially undemocratic, and in the district of Louisiana it established a government that was more undemocratic than that of the Territory of Orleans.

In the Territory of Orleans the President appointed a governor and a legislative council composed of 13 persons, residents of the Territory, and those persons were required to be the holders of real estate located within the Territory. Over the district of Louisiana Congress extended the jurisdiction of the governor and judges of the Territory of Indiana, and these officials were vested with almost despotic power. After a year of this kind of government, Congress changed the district of Louisiana into the Territory of Louisiana, and gave to that Territory and to the Territory of Orleans a more liberal but by no means a very democratic government.

This was in 1805, and the government of these Territories remained as then established until in 1812 the Territory of Orleans was admitted into the Union as the State of Louisiana, when the name of the Territory of Louisiana was changed to that of the Territory of Missouri, which continued under the government of 1805 until 1816, when the people of the Territory of Missouri were allowed, for the first time, to have any voice in their own government. In that year a legislature was authorized, composed of two houses, both of which were elected by the people.

In 1819 we acquired Florida by treaty with Spain, and in 1821 we gave to this Territory a government composed of a governor, a secretary, and a legislative council of thirteen persons of the Territory, the governor, the secretary, and the members of the

council all being appointed by the President. On March 3, 1845, the Territory of Florida was admitted as a State.

After the organization of the Territory of Florida in 1821 many Territorial governments were organized, but all of these were democratic in form and marked a change in the policy of the Government. Up to the time of the change of the government of the Territory of Missouri in 1816 all our Territorial governments were undemocratic, if not despotic, but none of our Territorial governments organized after the organization of the government of the Territory of Florida were despotic even if they were not entirely democratic.

With these historical facts in relation to the government of the Territories of the United States before us, the question of the form of government that should be recommended for Hawaii gave the commission appointed by the President, under the joint resolution to provide for annexing the Hawaiian Islands to the United States, much concern; and after careful consideration thereof the conclusion was reached that the Congress could not, in good faith, give to the people of those islands a form of government like those that had prevailed before 1816, but that Congress must give to those people a government conferring upon them as complete control of their own affairs as was consistent with the commission's idea of their best interests and the best interests of the United States.

Accordingly, Mr. President, the commission prepared and submitted with its report the bill, entitled "A bill to provide a government for the Territory of Hawaii," and this bill has been reported from the Committee on Foreign Affairs with proposed amendments that do not change its character in any particular manner.

By this bill, as proposed to be amended by the committee, United States citizenship is conferred upon all persons who were citizens of the republic of Hawaii immediately prior to the transfer of the sovereignty thereof to the United States.

Inhabiting the Hawaiian Islands at this time are the following races and nationalities:

Hawaiians and mixed bloods.....	39,000
Japanese.....	25,000
Chinese.....	21,500
Portuguese.....	15,000
Americans.....	4,000
British.....	2,250
Germans and other Europeans.....	2,000
Polynesian and miscellaneous.....	1,250

A total population of ..... 110,000

By the citizenship provision of the bill as reported by the commission, the Chinese and Japanese inhabitants of the islands were excluded from citizenship; and under the amendment reported by the committee, only about 700 Chinese of the 21,500 Chinese inhabitants of the islands are admitted to citizenship of the United States. It may be estimated that of the other inhabitants of the islands—the population minus the Chinese and Japanese people, say 64,000—probably about 50,000 are citizens of the republic of Hawaii, and, therefore, will become citizens of the United States. This would give a body of about 10,000 electors, who would be entitled to participate in the government of the islands. Of these electors, the great body would be Hawaiians and mixed bloods, and in this fact many persons may see a danger—the danger that a people of this kind may not be intelligent and wise enough to govern themselves in accordance with the principles of free government.

But it must be remembered that the people of Hawaii are neither ignorant nor depraved. On the contrary, they are intelligent, liberal in their opinions, and law-abiding. For nearly sixty years the people of these islands have governed themselves, and, so far as the native Hawaiian and white population are concerned, the percentage of illiteracy is less than in many of the great European countries and less than in some of the States of the American Union. Nearly every native Hawaiian under 40 years of age can read and write his own language, and a great proportion of the Hawaiian children of school age can read and write the English language. The Hawaiian school system is an excellent one, and of the native children within school age nearly 98.50 per cent are regular school attendants.

The number of schools, teachers, and pupils in the Hawaiian schools is as follows:

	Schools.	Teachers.			Pupils.		
		Male.	Female.	Total.	Male.	Female.	Total.
Public schools, English.....	131	122	175	297	5,903	4,634	10,537
Public schools taught in Hawaiian.....	1	1		1	17	9	26
Private schools.....	60	82	127	209	2,062	1,862	3,924
Total.....	192	205	302	507	8,017	6,505	14,522

Of the children of the islands within school age, 96.20 per cent attend schools.

It can not be said of those who believe that educated people are qualified for self-government that the people of the Hawaiian Islands who would be made citizens by the bill now before the Senate are not fitted for such citizenship.

The commission's bill further provides that the legislative power of the Territory of Hawaii shall be vested in a legislature consisting of two houses, a senate and a house of representatives; that the senate shall be composed of 15 members, holding for the term of four years; that the house of representatives shall be composed of 30 members, to be elected every second year under what is known as the minority system of representation, which now prevails in the islands.

The bill, as amended by the committee, provides that a representative shall be 25 years old and be a male citizen of the United States; that he shall have resided in the Hawaiian Islands not less than three years and shall be qualified to vote for representatives.

In order to be qualified to vote for representatives a person shall—

- (1) Be a male citizen of the United States.
- (2) Have resided in the Territory not less than one year preceding and in the representative district in which he offers to register not less than three months immediately preceding the time at which he offers to register.
- (3) Have attained the age of 21 years.
- (4) Prior to each regular election, during the time prescribed by law for registration, have caused his name to be entered on the register of voters for representative for his district.
- (5) Prior to such registration have paid, on or before the 31st day of March next preceding the date of registration, all taxes due by him to the government.
- (6) Be able to speak, read, and write the English or Hawaiian language.

It is provided that the qualifications of a senator shall be that he is a male citizen of the age of 30 years who has been a resident of the Hawaiian Islands three years and is qualified to vote for senators.

In order to be qualified to vote for senators a person must possess all the qualifications and be subject to all the conditions required of voters for representatives, and in addition thereto he shall own and be possessed in his own right of real property in the Territory of the value of not less than \$1,000 and upon which legal taxes shall have been paid on that valuation for the year next preceding the one in which such person offers to register, or shall have actually received a money income of not less than \$600 during the year next preceding the 1st day of April next preceding the date of each registration.

It will be observed that both a property and an educational qualification are required for the position of senator and also for voters for senators, and that an educational qualification is required for the position of representative and also for voters for representatives.

Mr. President, the laws of Hawaii now in force require a property qualification for the positions of both senator and representative, and this commission concluded that this feature of the present law was wise and recommended its retention; but the committee has modified it somewhat, and to this modification I shall suggest no objection.

Sir, the theory of our political system is based upon the fundamental proposition that the ultimate sovereignty is in the people, from whom springs all legitimate political authority. Basing this assertion upon this theoretical idea, it has been said recently by an eminent citizen, that "our nation must give up any intention of entering upon a colonial policy such as is now pursued by European countries, or it must abandon the doctrine that governments derive their just powers from the consent of the governed."

It would be difficult to find in any form of European colonial government more of the essential elements of despotic government than were to be found in the Territorial government system of the United States from the time of the organization of the government for the Northwestern Territory, under the ordinance of 1787, down to the final abandonment of that system. However, notwithstanding the harsh features of our early Territorial government system, liberty did not perish from the earth, and in the end the fundamental theory of our Government was not destroyed.

On the contrary, it was strengthened by the harsh enactments which sought to prevent the possibility of the government of the Territories passing into the control of classes whose capacity or moral fitness to govern was generally denied; and this fact suggests that while the political maxim that government rests on the consent of the governed not only glitters as a generality and is essentially true, it seems to have been modified, in its practical application, into the formula that government rests on the consent of the governed whenever the governed are qualified to participate in the operations of the government and have the opportunity, the desire, and the power so to do.

In our own Government it is observed that sovereignty rests in the voters, and the voters are a special class of citizens, that class of citizens the members of which are permitted by the constitution of the State in which they reside to govern the governed without their consent and to deny representation to citizens upon whom heavy burdens of taxation are imposed. Indeed, the horn-books of American constitutional law all show that certain classes in all free governments have been almost universally excluded from the right to participate in governmental affairs. According to one great authority the theory in these cases is that classes are excluded because they lack either the intelligence, the virtue, or the liberty of action essential to the proper exercise of the elective franchise.

The rule by which the presence or absence of these qualifications is to be determined—

I quote from Cooley's Constitutional Limitations (pages 27, 28, 29)—

is not easy to establish on grounds the reason and propriety of which shall be accepted by all. It must be one that is definite and easy of application, and it must be made permanent or an accidental majority may at any time change it so as to usurp all power to themselves. But to be definite and easy of application it must also be arbitrary. The infant of tender years is wanting in competency, but he is daily acquiring it, and a period is fixed at which he shall conclusively be presumed to possess what is requisite.

The alien may know nothing of our political system and laws, and he is excluded until he has been domiciled in the country for a period judged to be sufficiently long to make him familiar with its institutions; races are sometimes excluded arbitrarily; and there have been times when in some States the possession of a certain amount of property or the capacity to read was regarded as essential to satisfactory proof of sufficient freedom of action and intelligence.

Since this exposition of the fundamental principle of our Government was penned certain States of the Union have adopted the educational test of qualification to exercise the right of suffrage, and, according to certain politicians, have thus made an advance away from the fundamental principle of the Republic—what is, indeed, the true theory of our Government when properly asserted—that government derives its just powers from the consent of the governed. In some local elections it is quite common still to require property qualifications or the payment of taxes in the voter. Many special statutes referring to the people of a municipality the question of voting and to internal improvements have confined the right of voting on the question to taxpayers. (*State vs. Woodruff*, 2 Day, 504; *Catlin vs. Smith*, 2 S. & R., 267; *Opinions of Judges*, 18 Pick., 575.)

In view of the many precedents for such a rule, and in view, too, of the conditions now confronting us in Hawaii and our other newly acquired territory, the provisions of the Hawaiian bill in reference to the qualifications of members of the legislative branch of the government and for voters are, in my opinion, both wise and timely.

The legislative powers and limitations provided by the bill are as follows:

- (1) To legislate upon all subjects of legislation not inconsistent with the Constitution and laws of the United States.
- (a) But the legislature shall not grant to any corporation, association, or individual any special or exclusive privilege, immunity, or franchise without the approval of Congress.
- (b) Nor shall the legislature grant private charters. But—
- (2) The legislature may, by general act, permit persons to associate themselves together as bodies corporate—
  - (a) For manufacturing, agricultural, and other industrial pursuits;
  - (b) For conducting the business of insurance, savings banks, banks of discount and deposit (but not of issue), loan, trust, and guaranty associations;
  - (c) For the establishment and for conducting cemeteries;
  - (d) For the construction and operation of railroads, wagon roads, vessels, and irrigating ditches, and the colonization and improvement of lands in connection therewith;
  - (e) For the construction and operation of colleges, seminaries, churches, libraries, or any other benevolent, charitable, or scientific association.
- (3) No divorce shall be granted by the legislature, and the legislature shall not authorize the courts of the Territory to grant any divorce unless the applicant for the divorce shall have resided in the Territory for one year next preceding the application.
- (4) The legislature shall not authorize nor allow any lottery or sale of lottery tickets.
- (5) No public money shall be appropriated for the support or benefit of any sectarian, denominational, or private school, or of any school not under the exclusive control of the Government.
- (6) The legislature shall not authorize the Territory, or any political or municipal corporation or subdivision thereof, to make any subscription to the capital stock of any incorporated company, or in any manner to lend its credit for the use of any such company.
- (7) The legislature shall not authorize any debt to be contracted by the Territory, or any political or municipal corporation or subdivision thereof, except to meet a casual deficit in the revenues or to pay the interest on any existing indebtedness, to suppress insurrections.

rection, or to provide for the common defense; provided that in addition to any indebtedness created for any of the purposes thus recited loans may be authorized for the erection of penal, charitable, and educational institutions, and for public buildings, wharves, roads, and harbor and other public improvements, but the total of such indebtedness incurred in any one year shall not exceed 1 per cent upon the assessed value of taxable property of the Territory or subdivision thereof, as the case may be, and the total indebtedness of the Territory shall not at any time be extended beyond 7 per cent of the assessed value, and the total indebtedness of any subdivision shall not at any time be extended beyond 3 per cent of the assessed value; nor shall any such loan be made upon the credit of the public domain or any part thereof; nor shall any bond or other instrument of any such indebtedness be issued unless made redeemable in not more than five years and payable in not more than fifteen years from the date of the issue thereof.

(8) The legislature is authorized to create counties and town and city municipalities, and provide for the government thereof. The governor and secretary of the Territory are to be appointed by the President, by and with the advice and consent of the Senate, and the Territory is to be allowed to send a Delegate to the Congress of the United States.

Mr. President, to this provision of the bill permitting a Delegate in Congress no objection should in my opinion be made.

It may be laid down as a general principle of our form of government that no body of people existing within the jurisdiction of our laws and governed by us should be denied the right of representation in the popular branch of the Congress. "No taxation without representation" was a popular cry of the American colonists, and the arguments which justified this demand as a sound general principle and vindicated it finally in the appeal to arms made by our Revolutionary forefathers is as vital to-day as it ever was, and it should not be disregarded by us in our treatment of any people over whose destiny the results of diplomacy or war have made us a dominant force.

I am aware, as I have stated, that this general rule of republican government, a twin of the rule that government derives its just powers from the consent of the governed, is necessarily subject to certain exceptions which I have already briefly enumerated, but the exceptions I have referred to do not weaken the rule, and it is certainly our duty to allow representation to every community living under our jurisdiction and not in a condition of statehood, provided the people of the community are submissive to our authority, have intelligence enough to consider their own affairs, and possess a sufficient knowledge of our form of government to exercise under it the ordinary functions of its citizenship.

That the people of the Hawaiian Islands are qualified to manage their own affairs, and are entitled to a Delegate in the House of Representatives to voice their will, no one who has a knowledge of the Hawaiian question should deny. The native Hawaiians are, as it has been expressed in the report of the commission, "a kindly, affectionate people, confiding, friendly, and liberal," and they are intelligent to a degree of intelligence that has not been attained by many of the communities of the Union. For nearly sixty years they have enjoyed a constitutional form of government based on the American system, and, tested by any reasonable test, Hawaii will show that she has a right to come under the principle that entitles every intelligent, American-spirited community to representation in the Congress of the United States.

To this statement it is objected that to permit Hawaii to have a Delegate in Congress is a step in the direction of permitting the Territory to have at some time Senators and Representatives in Congress; that it is a step, in fact, in the direction of her admission into the Union. This consummation is undesirable, in the opinion of some, because, as they assert, no Territory separated from the mainland should ever be admitted as a State. These objectors insist that all Territories of this kind should be held as colonies. It may be said in reply to these colony advocates that it would be a waste of words to attempt to distinguish between a Territorial and a colonial form of government under the Constitution of the United States.

The only distinction that, in my understanding, can be urged between a Territorial and a colonial form of government is that the former contemplates ultimate statehood and the latter permanent dependency. But this distinction can rest only in the intention of Congress, and one Congress can not bind another, and a mere question of intention as to what shall be done ultimately with new territory can not be considered in passing upon the constitutionality of the suggested form of government. So far as the form of government is concerned, as distinguished from the intention as to what ultimately shall become of the territory, this is a mere question of name and not of substance. No name or form of government can prevent a Territory or colony from ultimately becoming a State, nor can any name or form of government lead to statehood necessarily.

It is all a question of intention or policy for the time being. It

is immaterial whether the government is called Territorial or colonial. In either case the Territory or colony may or may not become a State. A mere name or length of time does not determine this, but other circumstances, such as population, the character of the inhabitants, location, and so forth, determine this. There is no more limit to the life of a Territory than there is to the life of a colony. A Territory may continue indefinitely. Alaska is not much, if any, nearer statehood to-day than it was when first acquired thirty years ago. If it is undesirable to make States of Territories separated from the mainland, such Territories may be kept in a dependent position, and that, too, whether they are called Territories or colonies. There may be no difference between the form of government of a Territory and that of a colony. As a matter of fact, the United States has adopted a number of forms of government for its Territories, and England has adopted a number of forms of government for its colonies. The question of real importance is what form of government is best suited to the country—whether it is called a Territory or a colony. The question is not by what name shall that form of government be called. As a matter of fact, both the United States and the United Kingdom have always acted on the principle of adapting the government of their Territories and colonies to the circumstances and needs of the particular case for the time being. The United Kingdom has established all grades of government for its colonies, from that in which the local inhabitants have no voice whatever to that in which there is the most liberal representative government.

Some of the British colonies approach statehood, in respect of independence and representative government, even more than some of the organized Territories in the United States. In the United States for many years, as under the ordinance of 1787 and succeeding ordinances and statutes, the Territorial governments were much less organized than some of them are at present, and yet that did not prevent them from afterwards becoming States; and there is nothing to prevent Alaska becoming a State, if circumstances in time shall justify this, even though at the present time it has practically only a partially organized Territorial government. The whole history of Territorial government in this country, in fact, shows that neither the name nor the form of government for the time being has been material upon the question of ultimate statehood.

If Hawaii were made a colony, this would not prevent it from becoming a State at some future time if circumstances so demanded and Congress should so determine. If, on the other hand, it is made a Territory, this will not insure that it will become a State. In either case it might be given a government, by whatever name called, either more or less liberal than the governments of British colonies or some American Territories. The real question is, What is the best form of government for the islands at the present time, considering both the needs of the islands and the form of government already existing there and the interests of the United States and the forms of government approved by American opinion?

It is obvious that Congress should be troubled as little as possible with legislation for the islands on the one hand, and that for this reason as well as because it is in harmony with American and republican institutions, the islands should be given as liberal and representative a government as can safely be given them. Hawaii does not ask to be admitted as a State. If the time ever comes when the number and character of her population are such as to otherwise entitle her to statehood, it will then be time enough to consider whether it is good policy to admit as a State a Territory separated from the mainland.

Whatever is done with Hawaii can not be regarded as a precedent as to what shall be done with the other islands recently acquired. Hawaii stands alone. Her case is unique. Hawaii is already an American country and has been for many years. Her people are American in spirit and totally different from the vast numbers who inhabit the other newly acquired islands and who do not appreciate or understand republican institutions. Hawaii has enjoyed a constitutional government for nearly sixty years framed on the American system. In the very nature of the case none of the other islands could expect the same degree of local self-government as Hawaii, even though it may be thought best that Hawaii, as well as those other islands, should not, because of separation from the mainland, ever become a State.

Mr. President, Hawaii, an independent nation, has come to us upon her own motion, and we have dealt with her as an equal. We have accepted her sovereignty upon terms agreed upon, and, in view of this fact, it will become us to deal with her liberally, and give to her an opportunity to develop her resources under the operations of our republican form of government. Whatever may be done with our other new acquisitions, acquired by conquest in a war remarkable in the annals of history, it is a duty which we owe to ourselves, as well as to Hawaii, to receive her in the manner suggested by the commission.

Mr. President, it may be possible that the counsel of some who

are halting patriots may prevail, and the flag of the Republic may be lowered in Porto Rico and in the Philippines, and we may leave the people thereof to the disasters of civil conflict and the rapacity of monarchical government. We may refuse, in the instance of these blood-bought acquisitions, to do our duty as a nation that boasts of its sympathy with the down-trodden peoples of the earth, but this I do not believe. Certainly the patriotic impulses of the people, even if there were not other consideration than national pride to affect our actions, would not permit any administration to lower the flag, either in Porto Rico or the Philippines.

But, however this may be, no one, not even the most ultra of the leaders of the party of stagnation, would dare now to challenge the right of the flag of the American Republic to float in the sunlit air of the Hawaiian Islands. In Hawaii the flag has been raised to the top of the staff, and it has been nailed there, and therefore no one, speaking with the voice of this Government, will ever dare to say to Hawaii: "Return from following after us; go your own way!" We have accepted Hawaii, and henceforth she must walk with us along the pathway of our manifest destiny.

Mr. President, I simply desire to say that I called up the bill this morning for the purpose of making these remarks. After the appropriation bills are disposed of—and one Senator is now upon his feet to take the floor to call up an appropriation bill—I should like to secure the consideration and passage of the Hawaiian bill, but I can not ask it at this time, and I therefore will let it go over for the present.

#### NATIONAL POLICY.

Mr. ALLEN. I ask that Order of Business No. 15, subjects on the table, be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the joint resolution (S. R. 191) declaring that under the Constitution of the United States no power is given to the Federal Government to acquire territory to be held and governed permanently as colonies.

Mr. ALLEN. Mr. President, within a very few hours the Fifty-fifth Congress will become a thing of the past, and my service here will be at an end. March 4, 1893, without any previous parliamentary experience, and representing to a certain extent a new and thitherto unknown political party, I took my seat in this Chamber as a Senator from Nebraska. I was at that time, as I have since been and am now, a Populist, believing in the doctrines of the party as promulgated by its national platform, and giving to it my undivided allegiance. At this time, and when I am soon again to take my appropriate place among the people of my State, who honored me beyond my merits in sending me to the Senate as one of their representatives, it is fitting that I should say a word.

To be the pioneer of a new political party in the United States Senate, which in its inception incurred the bitter hostility of the two old parties, was by no means an easy or satisfactory task. It required some fortitude and stability, some determination, to stand by the principles of the organization whatever might betide the individual.

The first years of my service here were spent in combating assaults on the party to which I belong. It was at that time freely held by many opposition Senators to be the advocate of nihilism and anarchy, and all that is bad in politics and in political thought. But such has been the progress since then that during the last two years and a half or more I have heard none of these epithets used against it.

It would be unjust for me to take my leave of the Senate without acknowledging a debt of personal gratitude to those with whom I have for the last six years been associated in the discharge of the public business. Personal friendships have sprung up, not bounded by party lines or tainted by political opinions, which, so far as I am concerned, will remain through life. Fifty changes have taken place in the personnel of the Chamber since I entered it, there having died during my service Joseph H. Earle, of South Carolina; Leland Stanford, of California; Daniel W. Voorhees, of Indiana; Edward C. Walthall, of Mississippi; Z. B. Vance, of North Carolina; Calvin S. Brice, of Ohio; Joseph N. Dolph, of Oregon; John R. McPherson, of New Jersey; Nathan F. Dixon, of Rhode Island; A. H. Colquitt, of Georgia; Francis B. Stockbridge, of Michigan; J. Z. George, of Mississippi; Justin S. Morrill, of Vermont; Richard Coke, of Texas; and Isham G. Harris, of Tennessee.

All these gentlemen occupied desks during my incumbency. I knew them personally, and shall always count them among my important and valued acquaintances. I not only acknowledge the general and almost uniform courtesy I have received at the hands of Senatorial associates, but I must also acknowledge my debt of gratitude to the late Vice-President, Mr. Stevenson, and the present Vice-President, Mr. HOBART, for uniform courtesy, fairness of treatment, and impartiality of rulings.

Mr. President, I shall retire from the Chamber with mingled feelings of pleasure and regret. I have not thus far in my life

sought a seat in this or in the other branch of Congress. My election came to me six years ago without solicitation, and if I should again at any time be elected it will be when my fellow-citizens believe that I can represent them to advantage, and without my seeking the office.

I shall retire with the consciousness of having discharged my duties as faithfully and conscientiously as I was capable of doing, and feeling that I have cast no vote and uttered no word in debate that I would not again cast or utter under like circumstances. I will go from here with a sense of freedom from the responsibility of the great office I have held, and will with pleasure again turn my face westward to dwell among a people with whom I have lived for so many years, and who have so signally honored me and for whom I have the deepest feelings of affection.

Mr. President, over forty years of my life have been spent west of the Mississippi River. I am peculiarly a Western product, of Western birth, raising, and education. My language and manners are those of the West, and while I feel myself broad enough to take within my patriotic vision and duly appreciate every section of the Union, frankness compels me to admit that I have a keener affection for the West than for any other locality of our common country.

I will leave this Chamber with the single regret that I am compelled to sever pleasant personal associations with those for whom I have formed a strong personal attachment. Unaided and alone during my life, I have sought the acquisition of useful knowledge that would not only be of benefit individually, but would benefit those around me. I have not, as some, enjoyed the schools, but my education has been drawn from the world and from close contact with the masses of my kind, supplemented by reading of my own selection.

Mr. President, I will carry with me very different ideas of the United States Senate from those I entertained when I came here. Great and important as is this body, I do not doubt that it can be duplicated by any State in the Union, and I do not say this in a disparaging sense, nor do I intend to lessen the respect due to the Senate as a whole, or to each member of this honorable body. I regard it rather as a compliment to the Senate, and certainly it is a tribute to the American people, to say that any State can furnish 90 men possessing all the knowledge and mental equipment necessary for the transaction of the public business in this branch of Congress. A sense of relief from the perplexing duties of official life and of joy in returning to those I honor and respect, and with whom I shall spend the remainder of my days, will greatly compensate for the severance of the pleasant association with Senators which I would enjoy if I remained in the Chamber.

Mr. President, during my stay here political events have been rapid, radical, and important. Mistakes have been made by both the Republican and the Democratic party that will require years to repair, if indeed they can ever be undone. In 1893 the Democratic party made its first fatal blunder by an unconditional repeal of the purchasing clause of the Sherman silver act. It bowed to the caprice of Grover Cleveland, who was elected President on a free-silver platform, when it should have stood as firm as a rock and resisted every encroachment upon that act unless it were accompanied by a provision for the free and unlimited coinage of silver and gold at the present legal ratio. I knew then, as I know now, that it was a mistake, and it was with some chagrin that I saw a portion of the Democratic party here bow in humble submission to the will of Wall street.

In 1894 the Democratic party made another mistake in failing to give tariff reform to the country in accordance with its platform pledges of 1892. Conflicting and divergent interests were warring in the Chamber, and the result was the Wilson tariff act of 1894 proved in many respects more onerous and burdensome to the people than the "war act" bearing the name of the late venerable Senator from Vermont, Mr. Morrill.

There was a partial attempt to atone for the error of repealing the purchasing clause of the Sherman act by the enactment of the seigniorage bill, but a horde of bankers and brokers from New York came down upon the President and it was promptly vetoed; and now it is openly and boldly declared by the advocates of the single gold standard that silver is a dead issue. But, sir, that remains to be again tested.

Mr. President, during Mr. Cleveland's Administration there were added to the interest-bearing debt of the United States, in round numbers, \$263,000,000, and thus far during Mr. McKinley's Administration there have been added \$200,000,000, with the bright prospect of \$300,000,000 additional before the close of his term.

It may be admitted that there has been some change for the better in the industrial affairs of the country, but it is temporary and as deceptive as the flush that mounts the cheek of the consumptive, deceiving him into the belief that he is speedily recovering to the moment dissolution is reached. Existing conditions are unnatural. They have been unnaturally stimulated by the war, by a prodigal expenditure of money, and by an increase in various ways in the public debt that will have to be paid by the

taxpayers in the future. Then the truth will be known and the burden will be felt by all.

Mr. President, in the war between the United States and Spain there was no party line in this Chamber. Every Senator advocated the granting of, and cheerfully voted for, all the men and money necessary to successfully conduct it, and in the field and on the ship Populists, Democrats, and Republicans stood shoulder to shoulder in the discharge of their duties as soldiers and seamen in defense of the honor of our country and the integrity of our flag. It was decidedly an American war, and no political party is entitled to, or will receive, any special advantage growing out of it.

But, Mr. President, the Republican party has reached the edge of the precipice. It stands confronted with a serious problem in the Philippine Archipelago, by an act of its own Administration. To-day we are engaged in warring with those who a few months ago were our friends and allies—warring with a people who do not seek to trespass upon the United States or on our rights, but who, like our ancestors and ourselves, claim the inalienable right to select for themselves the form of government and political institutions under which they will live. They seek to enforce the doctrine of the Declaration of Independence.

We hold—

It is there said—

these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends it is the right of the people to alter or to abolish it and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

This statement is not confined to the people of the United States. It is without limitation, and applies to the people of all distinct territories seeking to re-form their government or to institute new government adapted to their conditions and wants. If the Republican party shall undertake to hold permanently the Philippines without the consent of the American people, and without the consent of the Filipinos themselves, they will be guilty of overturning the very foundation on which this Republic rests. That there is such a purpose at this time no one keenly alive to the situation will for a moment doubt. The nation is to be cast upon the dangerous and uncertain sea of imperialism, with all the complications and evil consequences that may follow; and if, in the stretch of years to come, this shall in any degree change our Government and make its burdens heavier, and entail upon the people new complications and new dangers, they will be directly traceable to the maladministration of the Republican party and to the unbridled and unpatriotic ambition of its leaders.

Mr. President, I hold it to be true that ours should be a purely domestic policy that will build up the home Government and make our people stronger, richer, and happier, and at the same time strengthen and fortify them against every foe within and without, and that our foreign policy should be incident to a strong home policy and not independent of it. If we are to change a domestic policy for one of imperialism, we will be subject to the complications and dangers of the most reckless European government, past or present.

It should not be thought by any that the Populist party is not a compact, well-equipped political organization. It represents two million and a half votes. Its platform of 1896 is the test of its faith, and that platform remains intact in every sentence, plank, and provision. It will not be materially changed. Monetary reform, anti-imperialism, and other great issues will be submitted by the party to the people in 1900, and they will be called on to determine at the ballot box whether they are willing to throw away, in the mad race for the forcible colonization of foreign peoples and alien territories, the principles of liberty won by their ancestors and maintained by themselves, that should be transmitted untainted to their posterity. What their verdict will be after the issue is fully presented to them I have no doubt.

Mr. President, in what I have said I have in no manner undertaken to discuss connectedly any of the questions referred to, but I have spoken in a general way, partly personal, partly prophetic, and somewhat reminiscent.

Mr. President, in the great gallery of the ancient and modern world hangs the picture of this Union of States, the most beautiful and lovely of all nations. More than a century ago it was painted by master hands, and its colors, dimmed by years, have been touched to life by the blood of our ancestors and our sons, battling for freedom and its maintenance for all time.

Doubtless years will again dim its hues and dust obscure its beauties, or it may be neglected and a blotch find lodgment on it; but a quickened intelligence and a renewed patriotism will raise up others to wield the brush and bring it new life and cause its beauties to show forth in greater splendor than before; and for numberless ages to come we may confidently hope it to remain the fairest of all the earth.

The memories of dead patriots in every nook and hamlet, in the busy marts of trade, and on every spot of this great continent, are sacred to all, and the blood of battle fields, stretching from Lexington to Santiago, will again weld the affections of the people, for on these fields, in the cause of the human race, the blood of thousands of our soldiers has been shed, while on the ocean our sailors have freely laid down their lives in the defense of the flag.

Sir, may we not confidently hope that there will be a new baptism of patriotism in public life and that every man will renew his faith in our institutions and again dedicate his life to the cause of popular freedom on this continent? God grant that our country may live for all time, the hope and refuge of the oppressed who seek its free institutions and the protection of its flag. I join Longfellow in his beautiful apostrophe to the Ship of State—

Sail on, O Union, strong and great!  
Humanity, with all its fears,  
With all the hopes of future years,  
Is hanging breathless on thy fate!  
We know what Master laid thy keel,  
What Workmen wrought thy ribs of steel,  
Who made each mast, and sail, and rope,  
What anvils rang, what hammers beat,  
In what a forge and what a heat  
Were shaped the anchors of thy hope!  
Fear not each sudden sound and shock—  
'Tis of the wave and not the rock;  
'Tis but the flapping of the sail,  
And not a rent made by the gale!  
In spite of rock and tempest's roar,  
In spite of false lights on the shore,  
Sail on, nor fear to breast the sea!  
Our hearts, our hopes, are all with thee,  
Our hearts, our hopes, our prayers, our tears,  
Our faith triumphant o'er our fears,  
Are all with thee—are all with thee!

BET-SUGAR INDUSTRY.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a communication from the Secretary of Agriculture, covering a report on the progress of the beet-sugar industry in the United States during the year 1898. It embraces the results of numerous chemical analyses and the observations made by a special agent in various parts of the United States.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, March 1, 1899.

CONSTRUCTION OF PENSION ACT OF 1890.

Mr. HALE. Mr. President, in two or three cases I have consented that Senators may bring up small bills that will lead to no debate.

Mr. PRITCHARD. Will the Senator from Maine yield to me to have a short bill passed?

Mr. HALE. If it is a short bill, I will yield.

Mr. PRITCHARD. If it leads to any debate, I will withdraw it. I ask unanimous consent for the present consideration of the joint resolution (S. R. 216) construing the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution; which was read, as follows:

*Resolved, etc.*, That the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," is construed and held to include all persons who served for ninety days in the military or naval service of the United States during the late war of the rebellion, and who have been honorably discharged therefrom: *Provided, however*, That the foregoing shall not apply to those who served in the First, Second, Third, Fourth, Fifth, and Sixth regiments United States Volunteer Infantry who had a prior service in the Confederate army or navy, nor to those who had a prior Confederate service who did not enlist in the Union service prior to December 1, 1864.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RECKNAGEL & CO.

Mr. HALE. For the Senator from Illinois [Mr. MASON], who has gone out of the Chamber, I ask for the present consideration of the bill (S. 2409) for the relief of Recknagel & Co., if it gives rise to no debate.

The Secretary proceeded to read the bill.

Mr. PLATT of Connecticut. I should like to have the bill lie over until I can look at it and the report. It is not a bill that ought to be taken up and passed without examination.

The VICE-PRESIDENT. Objection is made, and the bill goes over.

Mr. HALE. I yield to the Senator from Tennessee [Mr. BATE].

FOURTH OF JULY CLAIMS.

Mr. BATE. With the consent of the chairman of the Committee on Naval Affairs, who has charge of the naval appropriation bill, I ask for the consideration of the bill (H. R. 1959) for the

allowance of certain claims reported by the accounting officers of the United States Treasury Department.

The Secretary proceeded to read the bill.

Mr. HALE. If it is a long bill, I must object.

Mr. BATE. Oh, no; it is only a couple of pages.

Mr. PLATT of Connecticut. What is the nature of the bill?

Mr. BATE. It is to pay some small claims which have been audited and disposed of by the Treasury Department. It is a House bill, and it will take but a moment. There is no objection to it.

The reading of the bill was concluded; and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. SPOONER. Has the bill passed the House?

Mr. BATE. Oh, yes; it is a House bill.

Mr. SPOONER. Are these Fourth of July claims?

Mr. BATE. Yes. The bill was favorably reported by the committee of the Senate without opposition. The claims have been passed upon by the Department.

Mr. SPOONER. Have all the cases been passed upon by the Court of Claims?

Mr. BATE. All have been passed upon by the Treasury Department.

Mr. SPOONER. They are Fourth of July claims?

Mr. BATE. Yes; Fourth of July claims. They amount to only \$3,600 in all.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### UNITED CONFEDERATE VETERANS' REUNION.

Mr. TILLMAN introduced a joint resolution (S. R. 260) authorizing the Secretary of War to lend 10,000 cots, 2,000 tents, and 10,000 mattresses to the executive committee of the United Confederate Veterans' Reunion to be held at Charleston, S. C., May 10, 1899; which was read the first time by its title.

Mr. TILLMAN. I ask for the present consideration of the joint resolution. I have conferred with the chairman of the Committee on Military Affairs in reference to it.

The joint resolution was read the second time at length, and considered as in Committee of the Whole, as follows:

*Resolved, etc.*, That the Secretary of War be, and is hereby, authorized to lend to the executive committee of the United Confederate Veterans' Reunion to be held at Charleston, S. C., May 10, 1899, 2,000 tents, 10,000 mattresses, 10,000 cots, or as many as may be available without detriment to the public service, and that said cots, tents, and mattresses shall be shipped to the quartermaster of the United States Army on duty at Charleston, who shall take the receipt of the representative of said executive committee, guaranteeing their safe return: *Provided*, That no expenditure of money for freight or storage of these cots shall be made at the charge of the United States while thus used.

The resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### NAVAL APPROPRIATION BILL.

Mr. HALE. Now I hope the Senate will allow me to go on with the naval appropriation bill. Senators have the same interest that I have in getting the appropriation bill through.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the subhead "Pay of the Navy," on page 2, line 7, before the word "thousand," to strike out "twenty" and insert "fifteen;" in line 10, after the word "law," to insert "and for men to be enlisted to fill vacancies, this last item to be immediately available;" and in line 14, before the word "dollars," to strike out "twelve million seven hundred and twenty-six thousand four hundred and forty" and insert "thirteen million five hundred thousand one hundred and seventy-one;" so as to make the clause read:

#### PAY OF THE NAVY.

For the pay of officers on sea duty; officers on shore and other duty; officers on waiting orders; officers on the retired list; clerks to commandants of yards and stations; clerks to paymasters at yards and stations; general storekeepers, receiving ships and other vessels; extra pay to men reenlisting under honorable discharge; interest on deposits by men; pay of petty officers, seamen, landsmen, and apprentice boys, including men in the engineers' force and for the Coast Survey Service and Fish Commission, 15,000 men and 2,500 apprentices under training at training stations and on board training ships, and for men detailed for duty with naval militia at the pay prescribed by law, and for men to be enlisted to fill vacancies, this last item to be immediately available, \$13,500,171.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Ordnance," on page 13, line 15, after the word "dollars," to insert "and no other fund appropriated by this act shall be used in payment for such service;" so as to make the clause read:

In all, civil establishment, Bureau of Ordnance, \$32,634; and no other fund appropriated by this act shall be used in payment for such service.

The amendment was agreed to.

The next amendment was, under the subhead "Depots for coal," on page 16, line 1, to increase the appropriation for the establishment of suitable depots of coal and other fuel, for the supply of steamships of war, from \$250,000 to \$400,000.

The amendment was agreed to.

The next amendment was, under the subhead "Civil establishment, Bureau of Equipment," on page 17, line 4, after the word "dollars," to insert "and no other fund appropriated by this act shall be used in payment for such service;" so as to make the clause read:

In all, civil establishment, Bureau of Equipment, \$17,475; and no other fund appropriated by this act shall be used in payment for such service.

The amendment was agreed to.

The next amendment was, under the subhead "Civil establishment, Bureau of Yards and Docks," on page 22, line 15, after the word "cents," to insert "and no other fund appropriated by this act shall be used in payment for such service;" so as to make the clause read:

In all, civil establishment, Bureau of Yards and Docks, \$83,442.23; and no other fund appropriated by this act shall be used in payment for such service.

The amendment was agreed to.

The next amendment was, under the subhead "Public works—Bureau of Yards and Docks—Navy-yards and stations, Naval Academy, and new Naval Observatory," on page 23, line 15, after the word "dollars," to insert "electric elevators in four storehouses, \$12,000;" and in line 17, before the word "thousand," to strike out "sixty-seven" and insert "seventy-nine;" so as to make the clause read:

Navy-yard, Boston, Mass.: New gate and entrance house to yard, \$25,000; new railroad system, \$40,000; locomotive and cars, \$10,000; constructing new piers and extending old ones, and dredging, \$100,000; coal-storage and coal-handling plant, \$130,000; repairing drainage system and connecting with metropolitan sewer, \$12,000; electric-light building with coal-storage and coal-handling appliances for same, \$50,000; electric elevators in four storehouses, \$12,000; in all, navy-yard, Boston, \$379,000.

The amendment was agreed to.

The next amendment was, on page 26, line 23, after the word "numbered," to strike out "twenty-one" and insert "twenty-two;" in line 25, after the word "dollars," to insert "restoring steam engineering buildings destroyed by fire February 15, 1899, \$375,000, to be immediately available;" and on page 27, line 5, before the word "thousand," to strike out "six hundred and twelve" and insert "nine hundred and eighty-seven;" so as to make the clause read:

Navy-yard, Brooklyn, N. Y.: Removing crib work, etc., Whitney Basin, \$100,000; extending quay wall, Cob Dock, \$62,500; extending building No. 33, \$48,000; erecting shop, wing of building No. 28, for steam engineering, \$47,250; coppersmith shop for steam engineering, \$15,112; administration building for steam engineering, \$37,000; paving streets, \$50,000; extending yard sewers, \$18,000; extending railroad system, \$30,000; extending electric plant, \$20,000; new roof for building No. 12, \$3,000; new floor for building No. 14, \$12,000; 2 officers' quarters, \$14,000; reconstructing and enlarging building No. 22, \$70,000; coal-storage and coal-handling plant, \$60,000; restoring steam engineering buildings destroyed by fire February 15, 1899, \$375,000, to be immediately available; in all, navy-yard, New York, \$987,062.

The amendment was agreed to.

The next amendment was, on page 27, line 24, after the word "dollars," to insert "fireproof storehouse, \$45,000;" and on page 28, line 1, before the word "thousand," to strike out "seven hundred and fifty-five" and insert "eight hundred;" so as to make the clause read:

Navy-yard, League Island, Pa.: Dredging and filling in Delaware water front, \$50,000; extension of reserve basin, \$125,000; new roads and walks about yard, \$15,000; extension of drainage system, \$7,000; commandant's office, \$53,733; water-closets, \$4,712; east wall of causeway, \$73,920; railroad tracks about yard, \$20,000; artesian well, \$5,400; four officers' quarters, \$25,000; locomotive crane about dry dock, \$65,000; retaining wall about reserve basin, \$100,000; storehouses for ships' equipment along reserve basin, \$36,000; continuation of sea wall west of new dry dock, \$50,000; plate-bending shop, construction and repair, \$75,000; coal-storage and coal-handling plant, \$50,000; fireproof storehouse, \$45,000; in all, navy-yard, League Island, \$900,767.

The amendment was agreed to.

The next amendment was, on page 31, line 9, after the word "dollars," to insert "storehouse for equipment materials, \$45,000; workshop and boiler house for Bureau of Equipment, \$35,000; chain shed for Bureau of Equipment, \$4,500;" and in line 14, before the word "thousand," to strike out "eight hundred and fifty-one," and insert "nine hundred and thirty-five;" so as to make the clause read:

Navy-yard, Mare Island, Cal.: Quay wall, \$72,000; crematory, \$7,500; additional tools for machine shop (yards and docks), \$4,000; extension and renewal of railroad and its equipments, \$50,000; fire-engine house, \$7,000; additional storehouse for supplies and accounts, \$40,000; block-makers', coopers', and varnishers' shop (construction and repair), \$14,000; dredging channel and anchorage ground, \$100,000; timber shed (supplies and accounts), \$36,250; apartment house for junior and other officers, \$15,000; sidewalks and roads, \$5,000; boat shops (construction and repair), \$72,000; machine shop (construction and repair), \$34,000; grading and paving streets, \$6,000; building for storing and handling guns, \$22,000; moving back ferry slip, \$80,000; shipwrights' shop (construction and repair), \$75,000; steam engineering, machine shop, and foundry, \$150,000; grading yard, \$10,000; storehouse for equipment materials, \$45,000; workshop and boiler house for Bureau of Equipment, \$35,000; chain shed for Bureau of Equipment, \$4,500; in all, navy-yard, Mare Island, \$965,750.

The amendment was agreed to.

The next amendment was, under the subhead "Repairs and

preservation at navy-yards and stations," on page 32, after line 12, to insert:

The provisions of "An act making appropriations for the naval service for the fiscal year ending June 30, 1899, and for other purposes," approved May 4, 1898, relating to the construction of dry docks, are hereby modified so that the Secretary of the Navy may, in his discretion, contract for the construction of the four dry docks named in said provision, to be built of granite, or of concrete faced with granite, and in such case the limit of the cost of each of said dry docks is fixed at \$1,100,000. Toward the construction of said dry docks there is hereby appropriated the sum of \$900,000 in addition to the appropriations contained in said provisions of the act of May 4, 1898, which may be used in carrying out the terms of this provision.

The amendment was agreed to.

The next amendment was, on page 46, after line 2, to insert:

Steam engineering plant, navy-yard, Brooklyn, N. Y.: To replace necessary machine tools, power plant, and experimental implements and outfit for the Bureau of Steam Engineering shops at the Brooklyn, N. Y., Navy-Yard, destroyed by fire February 15, 1899, as follows: Machine tools, traveling cranes and lifts, with installation for new machine shop, \$535,000; power plant, with steam, electric, and pneumatic installation, \$95,000; boiler and blacksmith shops, partial rehabilitation, and installation of extensions, \$95,000; implements and outfit for experimental and testing laboratories, drafting rooms, and offices, \$25,000; in all, \$750,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 46, after line 22, to insert:

Navy-yard, Boston, Mass.: For one clerk to department, \$1,300.

The amendment was agreed to.

The next amendment was, on page 47, line 17, to increase the total appropriation for civil establishment, Bureau of Steam Engineering, from \$11,900 to \$13,200.

The amendment was agreed to.

The next amendment was, under the head of "Marine Corps," on page 51, line 16, to increase the total appropriation for pay of officers on the active list in the Marine Corps, etc., from \$183,820 to \$344,900.

The amendment was agreed to.

The next amendment was, on page 52, line 10, to increase the total appropriation for pay of noncommissioned officers, musicians, and privates in the Marine Corps from \$569,888 to \$1,112,548.

The amendment was agreed to.

The next amendment was, on page 52, line 21, to increase the appropriation for mileage of officers of the Marine Corps traveling under orders without troops, from \$8,000 to \$12,000.

The amendment was agreed to.

The next amendment was, on page 52, line 23, to increase the appropriation for commutation of quarters to officers on duty without troops where there are no public quarters, from \$4,000 to \$8,000.

The amendment was agreed to.

The next amendment was, on page 54, line 9, to increase the appropriation for provisions, Marine Corps, from \$131,911.50 to \$366,071.50.

The amendment was agreed to.

The next amendment was, on page 54, line 17, to increase the appropriation for clothing, Marine Corps, from \$145,199.54 to \$260,199.54.

The amendment was agreed to.

The next amendment was, on page 54, line 23, to increase the appropriation for fuel, Marine Corps, from \$19,500 to \$25,000.

The amendment was agreed to.

The next amendment was, on page 55, line 16, to increase the appropriation for military stores, Marine Corps, from \$23,297 to \$46,297.

The amendment was agreed to.

The next amendment was, on page 55, line 20, to increase the appropriation for transportation and recruiting, Marine Corps, from \$15,000 to \$25,000.

The amendment was agreed to.

The next amendment was, on page 56, line 24, to increase the appropriation for forage, Marine Corps, from \$3,000 to \$6,000.

The amendment was agreed to.

The next amendment was, on page 57, line 4, to increase the appropriation for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, etc., from \$4,500 to \$9,000; and in line 14, to increase the total appropriation for hire of quarters, etc., Marine Corps, from \$8,124 to \$12,624.

The amendment was agreed to.

The next amendment was, on page 57, after line 15, to insert:

For provisions, clothing, fuel, military stores, transportation and recruiting, forage, and hire of quarters for officers and men to be commissioned and enlisted previous to June 30, 1899, \$30,400, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 59, line 2, to increase the appropriation for contingent expenses, Marine Corps, from \$37,500 to \$57,500.

The amendment was agreed to.

The next amendment was, under the head of "Increase of the Navy," on page 59, line 7, before the word "seagoing," to strike out "three" and insert "two;" in line 15, before the word "armored," to strike out "three" and insert "two;" in line 21, before the word "protected," to strike out "six" and insert "four;"

on page 60, line 6, after the word "delivery," to insert "and not more than two of the four battle ships and armored cruisers herein provided for and not more than two of the protected cruisers herein provided for shall be built in one yard or by one contracting party;" in line 16, after the word "aforesaid," to strike out "seagoing battle ships, and one and not more than one of the aforesaid armored cruisers," and insert "four seagoing battle ships and armored cruisers;" in line 23, after the word "said," to strike out "vessels, or either of them," and insert "vessel;" and on page 61, line 3, after the word "said," to strike out "vessels, or either of them," and insert "vessel;" so as to make the clause read:

That for the purpose of further increasing the naval establishment of the United States the President is hereby authorized to have constructed by contract two seagoing coast line battle ships, carrying the heaviest armor and most powerful ordnance for vessels of their class upon a trial displacement of about 13,500 tons, to be sheathed and coppered, and to have the highest practicable speed and great radius of action, and to cost, exclusive of armor and armament, not exceeding \$3,600,000 each; two armored cruisers of about 12,000 tons trial displacement, carrying the heaviest armor and most powerful ordnance for vessels of their class, to be sheathed and coppered, and to have the highest practicable speed and great radius of action, and to cost, exclusive of armor and armament, not exceeding \$4,000,000 each; and four protected cruisers of about 2,500 tons trial displacement, to be sheathed and coppered, and to have the highest speed compatible with good cruising qualities, great radius of action, and to carry the most powerful ordnance suited to vessels of their class, and to cost, exclusive of armament, not exceeding \$1,141,800 each; and the contracts for the construction of each of said vessels shall be awarded by the Secretary of the Navy to the lowest best responsible bidder, having in view the best results and most expeditious delivery; and not more than two of the four battle ships and armored cruisers herein provided for, and not more than two of the protected cruisers herein provided for, shall be built in one yard or by one contracting party; and in the construction of all said vessels all of the provisions of the act of May 4, 1898, entitled "An act making appropriations for the naval establishment for the fiscal year ending June 30, 1899, and for other purposes," shall be observed and followed; and subject to the provisions hereinafter made, one and not more than one of the aforesaid four seagoing battle ships and armored cruisers shall be built on or near the coast of the Pacific Ocean or in the waters connecting therewith: *Provided*, That if it shall appear to the satisfaction of the President of the United States, from the biddings for such contracts when the same are opened and examined by him, said vessel can not be constructed on or near the coast of the Pacific Ocean at a cost not exceeding 4 per cent above the lowest accepted bid for the other battle ships or cruisers provided for in this act, he shall authorize the construction of said vessel elsewhere in the United States, subject to the limitations as to cost hereinbefore provided.

The amendment was agreed to.

The next amendment was, on page 61, line 20, after the word "expended," to insert "for armor;" so as to make the clause read:

Armor and armament: Toward the armament and armor of domestic manufacture for the vessels authorized by the act of July 26, 1894, of the vessels authorized under the act of March 2, 1895, of those authorized by the act of June 10, 1896, of those authorized by the act of March 3, 1897, of those authorized by the act of May 4, 1898, and of those authorized by this act, \$4,000,000: *Provided*, That no part of said sum shall be expended for armor, except in procuring armor of the best obtainable quality at an average cost not exceeding \$445 a ton of 2,240 pounds including royalties, and in no case a price in excess of the price paid to any manufacturer in this country, for such armor, by any other government.

The amendment was agreed to.

The next amendment was, on page 62, line 8, to increase the appropriation toward the completion of the equipment outfit of the new vessels heretofore and herein authorized from \$200,000 to \$400,000.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. HALE. I have one or two formal amendments. Will the Secretary turn to page 33? After the word "available," in line 9, I move to insert as a caption "Public buildings and grounds at the Naval Academy, Annapolis, Md." It does not change the text.

Mr. CHANDLER. Do I understand that the paragraph between lines 10 and 16 relates to the Naval Academy?

Mr. HALE. Yes; and to nothing else. It might not be known what it referred to without that caption.

The amendment was agreed to.

Mr. HALE. On page 9, after the word "dollars," in line 12, I move to insert the language of existing law, which I send to the desk. It was omitted by mistake.

The SECRETARY. After the word "dollars," in line 12, page 9, it is proposed to insert:

*Provided*, That the Secretary of the Navy may, in his discretion, purchase by contract all or any part of such guns.

The amendment was agreed to.

Mr. GRAY. Mr. President, in lines 5 and 6, on page 9 of the pending bill, is the following language:

Purchase and manufacture of smokeless powder, \$1,000,000.

That would seem to involve a great deal, and I wish to call the attention of the Senate to the fact that in its present phraseology it means much more than any of us intend. Heretofore the policy of this Government has been pretty well fixed, not only in regard to expenditures for the Navy, but in most other branches of expenditure, that the Government was not to bring itself unnecessarily into competition with the private enterprise of the country.

This policy has been pursued, with very little deviation from it, from the foundation of the Government, and all seem to have recognized that our great growth in wealth and industrial activity has been largely promoted by a steady adherence to that policy.

This country has been built up by the free play of the economic forces that have been promoted and brought into activity by private enterprise and by individual initiative; and if we are now, at this late day, to enter upon a different policy, we ought to do it with our eyes open, for the consequences are far-reaching and may be very serious.

I do not know what is intended precisely by this provision in regard to the manufacture and purchase of smokeless powder nor why this very large appropriation of a million dollars of the people's money should be employed in order to set up manufacture in opposition to the private enterprise of the people themselves. We have no experience, in the first place, in the matter of Government manufacture and Government construction, the carrying on of any business apart from merely governmental business, that would justify such a resort to Government manufacture in this case.

Happily our experience has been that with the free play of competition the Government has been able to provide for itself in a much more economical way by calling upon its citizens who are engaged in various enterprises in the country to supply its wants. It has taken less of the people's money, it has encouraged a diversity of industry in our country itself, and has promoted all those business activities which go to make up a great and prosperous industrial people. I therefore hope that in this matter some such amendment as this which I shall offer at the end of line 6, after the word "dollars," may be adopted. I should like to insert the words:

Of which not more than \$150,000 shall be expended in manufacture.

So that the clause would read:

Purchase and manufacture of smokeless powder, \$1,000,000, of which not more than \$150,000 shall be expended in manufacture.

There is no objection, of course, and I have no objection, to the proper expenditure of money in the proving grounds down at Indian Head and in testing experiments which can be properly carried on by the Government, but I have very serious objection to the Government entering into competition with the powder manufacturers of the United States, some of whom are in my own State. They have for a hundred years been carrying on this industry with great skill, with great usefulness, and with great probability, and have established a plant there that has been useful to the Government and useful to the people at large. They have built up for themselves a character which redounds to the credit of this country, and their commercial honor and their manufacturing skill are a part of the character of the country and go to make up in the total the public estimate of this country, of which we should all be proud. I therefore propose some such language as an amendment to the bill. I do not know that anything else is intended.

Mr. HALE. Mr. President, I am glad the Senator from Delaware has called the attention of the Senate to the matter of supplying the Navy Department with smokeless powder. The Committee on Appropriations, and also the Committee on Naval Affairs, are thoroughly in accord with the Senator, believing that almost all of the work requisite in building up the Navy can be secured at better advantage in private establishments than in Government establishments.

In this case the amendment which the Senator from Delaware has offered was before the committee. The reason why it was not inserted was that we summoned the head of this Bureau, the Bureau of Ordnance, and asked him how he proposed to expend the million dollars. He said that only a small portion of it, perhaps \$150,000, could be expended in the Government plant, that the capacity of that plant was not great, and that the intention was that the balance should be purchased from manufacturers under contracts or under bids. On his assurance that that would be done the Senate committee did not put in the amendment.

I have no doubt, I will say to the Senator, that what he desires to accomplish will be accomplished without the amendment. I should myself be restive if I supposed that the Government establishment was going on and intended in the future to manufacture all this powder. It can not do it as reasonably or cheaply as private establishments can.

Mr. CHANDLER. I think the object which the Senator from Maine says he wishes to accomplish can be best secured by the adoption of the amendment proposed by the Senator from Delaware. I have no powder factories in my section of the country, but I do have an interest in the question of policy, and that question should be settled by Congress and not by the statements made by the executive officers of the Government.

Mr. HALE. If the Senator from New Hampshire will forego the rest of his good speech I will accept the amendment.

Mr. CHANDLER. I would rather have that than the speech, of course.

Mr. HALE. I accept the amendment.

Mr. CHANDLER. I wish I could always make an impression so quickly upon the Senator from Maine.

Mr. HALE. The Senator is constantly making impressions upon me, and very good ones.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on agreeing to the amendment proposed by the Senator from Delaware [Mr. GRAY].

The amendment was agreed to.

Mr. STEWART. I offer the amendment I send to the desk.

The SECRETARY. It is proposed after line 9, on page 44, to insert:

The act of June 10, 1896, authorizing the construction, in the discretion of the Secretary, of two submarine boats, is hereby amended so as to permit the Secretary to contract for three submarine boats of the Holland type, similar to the submarine boat *Holland*, if, in the judgment of the Secretary, this boat is more efficient than the submarine boat *Plunger* now being constructed for the Department.

Mr. STEWART. The section to be amended reads as follows:

The Secretary of the Navy is hereby authorized to contract for the building of two submarine torpedo boats of the *Holland* type, at a cost not exceeding \$175,000 each; said boats to be constructed and delivered to the Navy Department within four months from the date of contract: *Provided*, That the *Holland* boat now being built for the Department shall be accepted by the Department as fulfilling all the requirements of the contract, and as being satisfactory to the Secretary of the Navy; but no action shall be taken therein until said *Holland* boat now being built for the Department shall have been fully tested to the satisfaction of the Secretary of the Navy, and thereupon accepted.

I should like to have read the letter of the Secretary of the Navy in regard to the amendment. The amendment simply enlarges the discretion of the Secretary of the Navy.

The Secretary read as follows:

NAVY DEPARTMENT, Washington, D. C., February 28, 1899.

SIR: Acknowledging receipt of your letter of the 27th instant, inclosing a copy of an "amendment intended to be proposed by Mr. STEWART to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900," I have the honor, in response to your request for the views of the Department with regard to the proposed amendment, to submit the following statement:

Under date of November 4, 1898, the Department appointed a board for the purpose of inspecting the submarine torpedo boat *Holland*. While the report of the inspection made by the board so appointed was, with respect to many features of the operation of the *Holland* as a submarine boat, favorable, it was not altogether satisfactory, and the board recommended that a further examination of the qualities of the vessel be made.

The vessel thus inspected and reported upon—the *Holland*—was built by the company, is, it is understood, a more modern boat than the submarine boat *Plunger*, and is probably better in all respects. Although smaller, the *Holland* is less complex in her machinery, and is constructed according to plans involving less expense than those upon which the *Plunger* was built.

In view of the foregoing, the Department perceives no objection to the adoption of an amendment authorizing the two submarine boats already provided for be made of the *Holland* type, but is not prepared to say that there are necessary until further trial. It is of the opinion that the conditions respecting the satisfactory construction and performance of the boats embodied in the act of June 10, 1896, should be explicitly prescribed. It is, however, believed that the limit of cost, \$175,000 each, as fixed in the original act, should certainly not be exceeded, and that it might in all probability be reduced. It is observed that the amendment contains no specific provision upon the point of cost.

A press copy already in the possession of the Department of the report of the board of inspection, above mentioned, is herewith transmitted for the information of the committee, the copy being transmitted in that form in order to avoid the delay of recopying.

Very respectfully,

JOHN D. LONG,

Secretary.

HON. EUGENE HALE,  
Chairman Committee on Naval Affairs,  
United States Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nevada [Mr. STEWART].

The amendment was agreed to.

PUBLIC BUILDINGS AT LOCKPORT, N. Y., AND NEW BRIGHTON, PA.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 500) for the erection of a public building at Lockport, N. Y., which was read the first time by its title and the second time at length.

Mr. QUAY. I ask unanimous consent for the present consideration of the bill, temporarily displacing the present measure.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. QUAY. I offer an amendment, to come in at the end of the bill.

The SECRETARY. It is proposed to add at the end of the bill, as a new section, the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the borough of New Brighton and State of Pennsylvania, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$75,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. QUAY. I move to modify the title so as to correspond with the body of the bill.

The title was amended so as to read: "A bill for the erection of public buildings at Lockport, N. Y., and New Brighton, Pa."

Mr. QUAY. I move that the Senate request a conference with the House of Representatives upon the bill and amendments.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. QUAY, Mr. WARREN, and Mr. MONEY were appointed.

#### RIVER AND HARBOR BILL.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and requesting a conference with the Senate upon the disagreeing votes of the two Houses thereon.

Mr. FRYE. I move that the Senate insist upon its amendments and agree to the conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. FRYE, Mr. ELKINS, and Mr. WHITE were appointed.

#### REIMBURSEMENT OF STATES FOR WAR EXPENSES.

Mr. WARREN. Thanking the Senator from Maine for yielding, I ask permission to submit a conference report on the bill (S. 5260) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898.

Mr. HALE. If the report will give rise to any debate, I must insist that it shall lie over. But I will not interpose objection now.

The Secretary proceeded to read the report.

Mr. WARREN. I will say it is about the same as passed by the Senate, but a little more liberal, perhaps, using the text of the House. I think it is well understood, and I move the adoption of the report.

Mr. PLATT of Connecticut. It seems to me the conference report ought to be read.

The PRESIDING OFFICER. The Chair did not understand that it was not read. The Secretary stopped reading.

Mr. PLATT of Connecticut. It has not been read.

The PRESIDING OFFICER. The reading will be proceeded with.

Mr. HALE. I think it had better go over.

Mr. CULLOM. Let it be printed in the RECORD.

Mr. HALE. Let it be printed, so that everybody can read it.

Mr. WARREN. If the Senator objects, it will follow that course and be printed. It will take a little time. I feel that it is of more importance than the appropriation bills, because it provides for the settlement of standing claims amounting to some \$3,000,000.

The PRESIDING OFFICER. The Chair would rule that the conference report had a right to be read. As to consideration, that is another question.

Mr. CHANDLER. Is it not entitled to be proceeded with until disposed of?

The PRESIDING OFFICER. Under the rule the Chair holds that it is a privileged question to be presented and read. Consideration is not privileged.

Mr. CHANDLER. I suggest to the Senator from Wyoming that he have it printed as a document and call it up later in the afternoon.

Mr. WARREN. There is no necessity to have it printed as a document. It can be printed in the RECORD.

Mr. CHANDLER. The Senator can have it printed, and perhaps get it through later in the afternoon.

The PRESIDING OFFICER. The Secretary will continue the reading of the report, unless it be dispensed with, and it will be printed in the RECORD. Is there objection? The Chair hears none.

Mr. COCKRELL. Why not have it printed as a document? It will not appear in the RECORD until to-morrow morning, whereas the Senator can have it printed and returned here in two hours.

Mr. CHANDLER. That is the suggestion I made, but the Senator did not respond to it.

Mr. WARREN. I ask that that course may be pursued and that it be printed and returned at the earliest possible hour. Later I will ask the indulgence of the Senate to bring it up, and if I am not here one of my colleagues will.

The PRESIDING OFFICER. Is it to be printed as a document or as a bill?

Mr. WARREN. As a bill.

Mr. COCKRELL. As a bill.

The PRESIDING OFFICER. The Senator from Wyoming asks that the order previously made be reconsidered, and that the conference report be printed as a bill. Is there any objection to the

request of the Senator from Wyoming? The Chair hears none, and the order is made.

#### PUBLIC BUILDING AT CARROLLTON, KY.

Mr. LINDSAY. I ask unanimous consent for the present consideration of a bill which has just come from the House of Representatives, providing for a public building at Carrollton, Ky.

Mr. HALE. I hope the Senator will not do that. It is very essential that we should get the appropriation bill through, and every interruption makes it liable to be thrown over until to-morrow. I hope the Senator will wait and see if we can not finish the naval appropriation bill.

Mr. LINDSAY. I believe everybody has given way to everybody else, and I do not see why an exception should be made in this case. It is the only public building bill in which Kentucky is interested.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 1663) for the erection of a public building at Carrollton, Ky., which was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Several Senators addressed the Chair.

Mr. HALE. I must object to any further interruption until the appropriation bill is passed.

#### NAVAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes.

Mr. CHANDLER. I offer the following amendment to the pending bill.

The SECRETARY. At the bottom of page 61 add:

And in no case shall a contract be made for the construction of the hull of a battle ship or armored cruiser until a contract has been made for the armor for such vessel.

The amendment was agreed to.

Mr. TILLMAN. In line 3, page 30, after the word "dollars," I move to insert what I send to the desk.

The SECRETARY. In line 3, page 30, after the word "dollars," insert:

The Secretary of the Navy is hereby authorized to procure, by purchase, in his discretion, at such price as he may deem fair and reasonable, not to exceed the sum of \$25,000, the following described property adjoining and contiguous to the United States Naval Station, Port Royal, S. C., being lots in township No. 2 south of Beaufort base line, range No. 1 west of the St. Helena meridian, in section No. 5, according to the survey thereof made by the United States direct-tax commissioners for South Carolina and recorded in their office, namely: 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, and 64; also section No. 8, lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38.

The amendment was agreed to.

Mr. HANNA. By direction of the Committee on Naval Affairs, I desire to offer an amendment, to come in on page 9, after line 4.

The SECRETARY. On page 9, after line 4, insert:

The Secretary of the Navy is hereby authorized to purchase from the Gathmann Torpedo Gun Company, of Chicago, Ill., the gun equipment for one or more of the harbor-defense monitors authorized by the act approved May 4, 1893, such equipment to consist of two guns for each vessel, of not less than 10-inch bore and not less than 40 feet in length, capable of throwing the Gathmann type of shell containing about 500 pounds of wet gun cotton; said guns to cost not more than \$32,500 each, and the workmanship and material to be equal to the present standard now used in the Navy, and subject to the usual inspection of the Bureau of Ordnance, and the sum of not exceeding \$250,000 is hereby appropriated for said purpose.

Mr. HALE. Is that the amendment agreed to by the committee?

Mr. HANNA. Yes, it was agreed to by the committee.

Mr. BACON. I hope that before the amendment is adopted we may have some explanation of the item. As I understand it, it proposes that certain armament shall be purchased from a particular manufacturer.

Mr. HANNA. The amendment authorizes the Secretary of the Navy in his discretion to substitute this armament in place of the guns usually provided. The purpose of the purchase of it from this particular company is that they are the patentees and the only concern in the United States that can manufacture it.

The decision arrived at by the committee in reporting the amendment favorably is the result of experiments lasting over a year and a half, both by the Navy Department and the War Department. This invention first brought the progressive stage of high explosives to notice in this country.

The cost of one of these guns will not be greatly in excess of the cost of a 12-inch gun firing the ordinary shell that is used in the Navy and that would otherwise be provided for the monitors. About four or five thousand dollars additional will be the expense necessary for these guns.

The effect of this explosive is more than a compensation for the difference in the cost of the guns. Its great destructive power, in my opinion, will revolutionize the offensive and defensive contests now going on between high explosives and protection against them. This question has been before our committee for more than a year, and the amendment is the result of the best judgment

of almost every member of the Committee on Naval Affairs, and it is recommended by that committee unanimously.

Mr. CULLOM. I should like to inquire of the Senator whether there has ever been any test called for by the Government from this company that has not been met and more than met by the company in doing what it undertook to do?

Mr. BACON. I hope we may be able to hear the Senator from Illinois.

Mr. HANNA. Have I answered the question of the Senator from Georgia?

Mr. BACON. I understood the Senator from Illinois to propound an inquiry to the Senator from Ohio.

Mr. CULLOM. The inquiry I made was whether or not this company, in every test that has been asked for, has not more than met the expectations of the Government in favor of their device in the trials which have been had?

Mr. HANNA. In reply to that question I will state that the result of all the experiments has more than fulfilled the predictions of the inventor and the expectations of both the War and the Navy Departments.

The firing of high explosives is not a new question. The firing of wet gun cotton has been known for twenty years, but how to fire it safely has been the difficulty which experience and ingenuity have up to within a short time been unable to overcome. The invention of the Gathmann fuse, a mechanical device by which they can use the fulminate of mercury in the firing of dry gun cotton by percussion, is the only safe means to detonate or explode the wet gun cotton, the destructive force of which is beyond the conception almost of those who are unfamiliar with the subject.

The experiments in the Navy Department were commenced under Secretary Herbert; appropriations were made for experiments in the use of this projectile. Those experiments have been carried on by the Navy and by the Army in their respective departments for the last two years.

Mr. BACON. This particular patent?

Mr. HANNA. Yes, sir; this particular patent. The Ordnance Department of both the Army and the Navy admit that this mechanical fuse is the only safe fuse ever invented for the firing of gun cotton. They pronounce it absolutely perfect and absolutely safe. The experiments at Indian Head and at Sandy Hook have verified the predictions of the inventor and have carried this project beyond the experimental stage, so that now the anxiety of the Department is to avail ourselves of the invention and put it into practical use, to a limited extent, in both the Army and the Navy.

The amendment proposes to leave it optional with the Secretary of the Navy. It simply gives him the authority to substitute on the monitors guns constructed for the purpose of firing these high-explosive shells.

Mr. BACON. I desire to ask the Senator, and I do so solely for information, whether the patent to which he refers is one which is confined to the fuse. Is it a patent on the fuse or on the gun?

Mr. HANNA. On both.

Mr. BACON. One is adapted to the other?

Mr. HANNA. It is on both.

Mr. BACON. Now, one other question. I have only heard the amendment read casually, of course. Does it provide for the substitution of all the armament?

Mr. HANNA. Oh, no.

Mr. BACON. Or only a certain proportion of it?

Mr. HANNA. The Senator will remember that the monitors authorized in the act of the last session were four coast-defense monitors of the one-turret type, and an appropriation was made for the armament on those vessels. The amendment proposes to substitute these Gathmann guns for two 12-inch guns in one or two of those monitors, at the option of the Secretary of the Navy. The cost of it will not exceed that of the 12-inch guns more than four or five thousand dollars. Therefore it is not an increased expense except to that amount.

Mr. BACON. The object of my inquiry was not to antagonize the amendment, but I thought it was due to the Senate, in view of the peculiar nature of it and the amount involved, that there should be an explanation of it.

Mr. HANNA. I am very glad to have had an opportunity to explain it.

Mr. BACON. I think I have done the Senator a favor in giving him an opportunity to make his maiden speech in the Senate. I wish to say further that in addition to the explanation which has been so clearly made by the distinguished Senator from Ohio, the statement made by him that it is unanimously approved by the Naval Committee would be sufficient to command my support for it, for I have every confidence in that committee, on which I once had the very great pleasure to serve as a member.

The amendment was agreed to.

Mr. McBRIDE. I wish to offer an amendment that has been favorably reported by the Committee on Naval Affairs. In view

of that favorable report, I trust the Senator in charge of the bill will interpose no objection to it.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. After line 2, page 33, add the following:

And the Secretary of the Navy is hereby authorized and directed to appoint a board of naval officers to determine the desirability of locating and constructing a dry dock on the Columbia River, Oregon, and to report such finding to the next session of Congress; and the sum of \$1,000, or so much thereof as may be necessary, is hereby appropriated to defray the expenses of said board.

The amendment was agreed to.

Mr. PERKINS. I offer an amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the amendment just adopted, on page 33, after line 2, add:

The Secretary of the Navy is hereby authorized and directed to appoint a commission to examine and locate a proper site for the establishment of a naval coaling and repair station in California, south of San Francisco, as recommended by the Chief of the Bureau of Yards and Docks, and the sum of \$2,000 is hereby appropriated for conducting the necessary operations.

Mr. TILLMAN. Mr. President—

Mr. HALE. The Senator from Florida [Mr. MALLORY] has an amendment like the one which has just gone on the bill. I hope the Senator from South Carolina will yield to him.

Mr. TILLMAN. I am perfectly willing to give way to any Senator who wishes to introduce amendments about which there is no contest.

Mr. MALLORY. I desire to offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 9, page 33, insert:

The Secretary of the Navy is hereby authorized and directed to appoint a board of naval officers to determine the desirability of locating and constructing a dry dock of sufficient capacity to take the largest naval ship in the harbor of Key West, Fla., or in the waters about Key West, and the sum of \$1,000, or so much thereof as may be necessary, is hereby appropriated to defray the expenses of said board.

The amendment was agreed to.

Mr. TILLMAN. Mr. President, I offer an amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 61, line 22, after the words "not exceeding," strike out "four hundred and forty-five" and insert "three hundred;" so as to make the proviso read:

Provided, That no part of said sum shall be expended for armor except in procuring armor of the best obtainable quality at an average cost not exceeding \$300 a ton of 2,240 pounds, including royalties, and in no case a price in excess of the price paid to any manufacturer in this country for such armor by any other government.

Mr. TILLMAN. Mr. President, this question of armor and the proper price to pay for it has been in the Senate and has excited debate every session since I have been a member of this body. We thought we had settled it on two previous occasions, and the Senate did settle it by an overwhelming vote, refusing to pay more than \$300 a ton. But last year, when the war fever was on us and we all felt that though the battle ships which were then on the stocks could not be used in that war it was necessary to display a warlike readiness to equip the Navy and to hurry forward as rapidly as possible additional vessels, the Senate agreed to raise the price from \$300 a ton to \$400 for the seven new vessels ordered last July.

Now we have a proposition sent here from the House to pay \$445 a ton, under conditions and limitations which, considering the exposure which has been made on this floor time and again of the robbery of the Government by the armor trust, is to me most astonishing.

In order that this question may be opened up and Senators have the fullest information before they vote, I shall presently send to the desk some communications from the Navy Department addressed to the chairman of the Naval Committee, in which the Secretary presents the views of the Chief of the Bureau of Ordnance as to the reasons which should influence this body, if it shall be influenced, to go back to the original proposition of the House of Representatives, or rather that of the House committee, to give \$545 a ton instead of \$445, as proposed in this bill.

Those letters will show, when they are read, that we are informed that if we pay \$445 a ton we will not get what we expect to get, because the armor trust, represented in these letters by two communications from the Carnegie Company and from the Bethlehem Iron Works, the only manufacturers of armor in the United States, indicate that they will not sell us the Krupp armor at a less price than the one which was proposed by the House committee—\$545 per ton.

I am not proposing to consume the time of the Senate, Mr. President, because I never filibuster without announcing that I am filibustering, and there is nothing in this proposition to make it warrantable on my part to delay the Senate any longer than is necessary to present the facts fully for its consideration and to put them in the CONGRESSIONAL RECORD for the use of the country,

to let the people see what is being done here, and how these millions and other hundreds of millions of dollars are being squandered if we shall accede to this proposition.

I therefore send to the desk and ask to have read Senate Document No. 141, a communication from the Secretary of the Navy, transmitting the letters from Captain O'Neil. I should like Senators to send for that document and follow the reading, because if they do not they can not understand just what kind of a steal is on here.

Mr. CHANDLER. Does the Senator want to have the full document read?

Mr. TILLMAN. I want to have the full document read. Otherwise there are many Senators here who will not know anything about it. There are a great many who will sit here and not know anything about it after it is read; but I feel that I am in duty bound to give them the opportunity to see whether they will vote for a palpable fraud on the Government and to put the hands of these people into the pockets of the taxpayers of this country or not.

Mr. CHANDLER. I suggest to the Senator that it is a very interesting document, but the Senate will be more likely to listen to it if he will read it himself.

Mr. TILLMAN. Now, I suggest that my friend from New Hampshire has a magnificent voice and he is very fresh. If he will take the trouble to read it and comment on it, I do not think there will be any need for me to say anything, because to him, if to anyone, is due the credit—and I think it is great credit—that we first struck down these frauds in armor where the Government was robbed. He is the man who introduced the resolution to investigate the cost of armor. He is the man who reported here, after the fullest investigation, that \$300 is more than enough. If the Senator will simply elucidate this proposition by reading that document and commenting on it, I think there will be no further need for me to say anything.

Mr. CHANDLER. I am going to vote with the Senator. I am anxious to have this proposition adopted.

Mr. TILLMAN. If the Senator will vote to stand by it, of course I am not going to consume the time of the Senate in any further speaking, but let the reading proceed. There are a great many new Senators who have never heard the subject discussed.

Mr. CHANDLER. What amendment has the Senator moved?

Mr. TILLMAN. I have moved to reduce the price of armor to \$300 a ton.

Mr. CHANDLER. I am going to vote with the Senator. I am anxious to vote. I think this document should be read by Senators, but I should like to save the time it will take to read it from the desk.

Mr. TILLMAN. I can not consent that the document shall not be read, because, if I do, Senators who feel that they must be swept along under party discipline here, or those who vote as a matter of principle or policy with the Committee on Appropriations, will not at all understand the question.

The PRESIDING OFFICER. Without objection, the paper referred to by the Senator from South Carolina will be read, as requested by him.

The Secretary read as follows:

#### KRUPP ARMOR FOR BATTLE SHIPS.

February 27, 1899.—Ordered to be printed. Mr. HALE presented the following memorandum and correspondence regarding Krupp armor for battle ships, monitors, etc.

NAVY DEPARTMENT, Washington, D. C., February 20, 1899.

SIR: I have the honor to inclose herewith a memorandum concerning Krupp armor, which may be of use to your committee in considering the question of armor for the battle ships of the *Maine* class, the four harbor-defense monitors now under contract, and any future armored vessels that may be authorized.

Respectfully,

HON. EUGENE HALE,  
Chairman Senate Naval Committee.

CHARLES O'NEIL,  
Chief of Bureau of Ordnance.

NAVY DEPARTMENT, Washington, D. C., February 20, 1899.

SIR: On February 2, 1898, in company with the Secretary of the Navy, I appeared before the Senate Naval Committee for the purpose of furnishing information with reference to armor made by the so-called Krupp process, about which several notices have appeared in technical and military journals, and in the daily prints, your committee desiring full information as to whether armor made by such process could be utilized for battle ships *Illinois*, *Alabama*, and *Wisconsin*.

In my remarks on that occasion I stated that from the best information obtainable it was learned that experimental plates only, made by the Krupp process, had been presented; that up to that time it had not been introduced into service, unless, perhaps, in the exceptional case of the Russian battle ship *Poltava*, for which Krupp made the armor, which cost \$52.64 per ton delivered in St. Petersburg.

Nothing is known as to the ballistic requirements pertaining to that contract, but it is understood that Krupp received this order on account of the good showing of his 11.8-inch trial plate, which was tested at Meppen on September 15, 1895. I further stated to your committee that while the American armor manufacturers had acquired the Krupp process and the right to use it on payment of a sum in the nature of a royalty (which they now claim is \$45 per ton), they were then unable to say when they would be able to submit experimental plates for test, and consequently they could not undertake its manufacture, or, in fact, the manufacture of any armor of higher ballistic qualities than the nickel-steel face-hardened armor they were then furnishing the Government.

It therefore became necessary to order for the *Illinois*, *Alabama*, and *Wisconsin* armor made under practically the same specifications as was that for

the two preceding battle ships, namely, the *Kearsarge* and *Kentucky*. It may be said, however, as a matter of certainty that the armor contracted for for the five foregoing vessels represented the best state of the art of manufacture at the time the contracts were made, and that its quality is equal to the best supplied by any nation for its contemporaneous vessels.

During the past year the manufacture of armor made by the so-called Krupp process (which is sometimes referred to as the improved Harveyized) has passed the experimental stage and is being manufactured commercially on a large scale abroad and on a moderate scale in the United States. In this country the Carnegie Company presented for test at the naval proving ground at Indian Head in July, 1898, a 6-inch Krupp plate, and in October of the same year a 12-inch plate made by the same process, and while these were its first efforts, and naturally not as good as may be expected when greater experience is had in manufacture, they showed marked qualities of excellence and of superiority to the ordinary face-hardened armor.

In November, 1898, the Bethlehem Company gave a test at its proving ground at Reddington, Pa., of a 6-inch experimental Krupp plate, which was witnessed by an officer from the Bureau of Ordnance. This plate was attacked with 8-inch armor-piercing projectiles, and withstood six shots having a total energy of 30,668 foot-tons, but one of the projectiles getting through the plate and backing, and that one being entirely broken up. This projectile struck with a velocity that should have carried it through 13 inches of wrought iron or through nearly 8 inches of ordinary face-hardened armor. This plate undoubtedly made as good showing as any plate of its size and thickness ever presented for test.

These results were so conclusive that the two American companies referred to announced that they were prepared to manufacture Krupp armor commercially, and would submit such armor to a ballistic test 25 per cent more severe than that now required; and in the latter part of last year they contracted to furnish Krupp armor for a Russian battle ship now being built at the Cramps works in Philadelphia. The tests for this armor are severe, and are to be made at Indian Head by the Navy Department as a matter of courtesy to the Russian Government (which pays all costs of the same).

The peculiar qualities of the Krupp armor are its depth and hardness of face, extreme toughness of back, and immunity from cracks under numerous heavy impacts.

The process of manufacture is not patented, but is a so-called trade secret, though it is not wholly so. The chemical composition of Krupp plates is known to be practically as follows:

	Per cent.
Nickel, not less than.....	3.5
Chromium, not less than.....	1.3
Carbon, not less than.....	.2
Manganese, not more than.....	.4
Copper, not more than.....	.07
Phosphorus, not more than.....	.03
Sulphur, not more than.....	.03
Silica, from.....	.05 to .15

The above formula differs but little from that which governs the manufacture of the ordinary nickel-steel armor as now made, there being a slight difference in the percentage of nickel, namely, 3.5 per cent as against 3.25 per cent now used by us, and the addition of chromium to the extent of 1.3 per cent, which we do not employ. One of the features of chromium is that it possesses the property of keeping carbon in the form of "hardening carbon;" another is that it raises the limit of saturation for carbon, and therefore its presence undoubtedly greatly facilitates the process of carburization, which has to be performed prior to tempering.

The hardening of chromium steel is much more difficult than that of ordinary steel; it is liable to crack during the process, thus necessitating the use of oil as a cooling medium, whereas the ordinary nickel-steel armor is water tempered. The process of carburization, which is accomplished in the Harvey process by charcoal under a high and prolonged heat, is accomplished by means of a hydrocarbon gas in the case of the Krupp plates, and requires furnaces specially adapted for the purpose.

Krupp armor, being excessively tough, requires a longer time in the machine shop to cut and grind its edges to final dimensions and to drill for bolts, etc.

As regards the cost of manufacture, but little can be said except by those engaged in the business. They claim that their output is smaller and that the risks of losses are greater with Krupp than with the ordinary armor, and that they are under agreement to pay \$45 per ton as royalty. Both the American armor companies have informed the Bureau of Ordnance, in writing, that the lowest price for which they will undertake the manufacture of Krupp armor is \$45 per ton, including royalty. They argue that if \$400 (with royalty for face-hardening process) is a fair price per ton for the present quality of armor, \$300 per ton is a fair price for armor 25 per cent more resisting in quality, the Government paying the royalty in either case, and that this price is less than they are now receiving for the armor for the Russian battle ship, and is less than is being paid abroad.

So far as concerns the adoption of Krupp armor abroad, I have positive information from one of the largest manufacturers of armor in Great Britain, who has large contracts for the British and foreign governments, that they are making nothing but Krupp armor; and it is understood that in England alone the following vessels are being supplied, or are to be supplied, with this quality of armor: For the British Government, four battle ships, namely, the *Vengeance*, *Canopus*, *Albion*, and *Glory*; also four armored cruisers. For the Japanese Government, four battle ships and three armored cruisers. In addition to the above the British Admiralty has asked for tenders for battle ships and two large armored cruisers, all of which are to have armor of similar quality. Russia, Germany, and France are also using Krupp armor.

The question is frequently asked whether, because a better quality of armor is used, less in weight will be needed, and the reply is, not to any material extent, because it is recognized that armored vessels should be given the best, that is, the greatest amount of protection which their displacement warrants. A certain percentage of the displacement in all armored vessels is allowed for the weight of hull and machinery, for coal, for equipment, and for armament and ammunition, stores, etc., and for hull and gun protection.

The latter is 25 per cent in the new *Maine* class—that is, 25 per cent of 12,500 tons, or about 3,125 tons for protection; and while this weight might be considerably reduced and still leave the vessels relatively as well protected as their predecessors having ordinary nickel-steel face-hardened armor, it would not be practicable to make an all-round deduction of 25 per cent in weight, as it would only be practicable to reduce the heavy plates in thickness. The thin plates—that is, those of about 6 inches—would not have sufficient mass to resist a heavy impact, no matter how good they were, if they were materially reduced.

What is expected to be gained by the use of Krupp armor is better protection on the same weight than is now allowed, and by a different distribution of armor to cover a larger area of the vessel, by reducing the thickness of the very heavy belt, diagonal, barbettes, and turret armor and applying the weight thus saved to hitherto unprotected portions of the vessels, and by thickening up those parts which from necessity have heretofore been comparatively lightly protected, namely, the casemates and superstructure, in which the rapid-firing guns are placed.

As regards the price now being paid abroad for Krupp armor, I have positive information from one of the principal British armor-making establishments, which now has large domestic and foreign orders, that they are not selling it to anybody for less than £117 sterling (\$598.63) per ton. Whatever the price, the Navy Department can take but one attitude, namely, that the best and only the best armor obtainable should be supplied to United States vessels, and in order that their prestige may be maintained and that they may be in all respects the equals of the ships of war of other nations.

Respectfully,

HON. EUGENE HALE,  
Chairman Senate Naval Committee.  
(Through Office of Assistant Secretary of Navy.)

CHARLES O'NEIL,  
Chief of Bureau of Ordnance.

NAVY DEPARTMENT,  
Washington, February 25, 1899.

SIR: In addition to the matter sent you yesterday, with regard to the price of armor plate, I inclose two communications this day received from the Bureau of Ordnance.

Very respectfully,

JOHN D. LONG,  
Secretary.

HON. EUGENE HALE,  
Chairman Committee on Naval Affairs,  
United States Senate, Washington, D. C.

NAVY DEPARTMENT,  
Washington, D. C., February 25, 1899.

SIR: As further bearing on the quality of armor manufactured by the Krupp process, as compared with the ordinary nickel-steel, face-hardened armor as now manufactured, the Bureau incloses a table prepared to illustrate the difference between the tests now applied and those that would be applied to Krupp plates, column 7 showing the present required velocity of the projectile on impact, and column 4 the proposed velocities for Krupp plates.

To summarize, it may be briefly stated that the proposed tests for Krupp plates are such as are now applied to plates of 25 per cent greater thickness; that is, the same test will be applied to a 6-inch Krupp plate that is now applied to a plate of 7½ inches in thickness; to an 8-inch Krupp plate that which is now applied to one of 10 inches in thickness; to a 10-inch Krupp plate that which is now applied to one of 12½ inches, and to a 12-inch Krupp plate that which is now applied to one of 15 inches.

It is respectfully suggested that the within information be communicated to the Senate Naval Committee.

Respectfully,

CHARLES O'NEIL,  
Chief of Bureau of Ordnance.

THE SECRETARY OF THE NAVY.

Memorandum.

Caliber of gun. 1.	Thick- ness of plate. 2.	3.	4.	5.	6.	7.
	Inches.	Ft. sec.	Ft. sec.	Ft. sec.	Ft. sec.	Ft. sec.
4-inch.....	4	1,318	1,819	1,599	2,180	1,676
	5	1,541	2,127		2,577	
	6	1,750	2,415	1,754	2,843	1,717
5-inch.....	5	1,492	2,045	2,016	2,683	1,904
	6	1,684	2,324	1,848	2,578	1,659
6-inch.....	6	1,366	1,885	1,947	2,323	1,816
	7	1,522	2,100	2,012	2,579	1,908
	8	1,671	2,306	2,079	2,668	1,672
8-inch.....	8	1,313	1,772	1,759	2,227	1,786
	9	1,430	1,925	1,735	2,392	1,897
	10	1,535	2,072	1,867	2,573	
10-inch.....	11	1,641	2,215	2,005	2,760	1,595
	12	1,735	2,355	2,187	2,919	1,635
12-inch.....	12	1,278	1,687	1,545	1,696	

Column 3 is the velocity for perforation of homogeneous steel by De Marro formula.

Column 4 is the velocity proposed for ballistic test for Krupp armor, uncapped projectiles.

Column 5 is corresponding velocity for capped projectiles.

Column 6 is velocity required for perforation face-hardened armor (Bureau formula).

Column 7 is present high velocity for ballistic acceptance test.

With 6-inch gun the proposed velocity for acceptance test of 6-inch plate is about same as for 7½-inch plate of high velocity shot of present specifications.

With 8-inch gun the proposed velocity for 8-inch plate is the same as for 10-inch plate of present specifications.

With 10-inch gun the proposed velocity for 10-inch plate is the same as for 12½-inch plate, present specifications.

With 12-inch gun proposed velocity for 12-inch plate is same as for 15-inch plate, present specifications.

The 4-inch gun to be used against plates below 5 inches in thickness.

The 5-inch gun against 5-inch plates and below 6 inches.

The 6-inch gun against 6-inch plates and below 8 inches.

The 8-inch gun against 8-inch plates and below 10 inches.

The 10-inch gun against 10-inch plates and below 12 inches.

The 12-inch gun against 12-inch plates and above.

The Bureau reserving the right to use a gun of smaller caliber with correspondingly increased velocity.

The ballistic test to be three shots, with velocities as given in column 5, no shell or part thereof to fall in rear of skin plate and no through crack to develop.

In case of perforation by capped shell, no through cracks developing, uncapped shell shall be used in such number as shall make the number of impacts at least four, the velocity for such uncapped shell being taken from column 4, the acceptance or rejection ballistically of the group of armor represented by the plate being determined by its resistance to such attack under the same conditions as noted above for capped projectiles; each point of impact being at least 3½ calibers from each other point of impact, and at least the same distance from an edge.

The data for the use of capped projectiles are taken only from information derived from the tests of armor treated by the face-hardening process now in use. It is believed, though, that the velocities for heavy armor should be increased, as with a thicker hard face the cap will lose to an extent, the limit of which can be determined only by experiment, its value.

NAVY DEPARTMENT.

Washington, D. C., January 31, 1899.

SIRS: Referring to Bureau's letter No. 14118, of November 21, 1898, with reference to the price of armor made and treated by the so-called Krupp process, and to a subsequent interview at which this matter was discussed and at which you stated that you considered \$545 per ton would be a fair price, but did not state whether that was the lowest price you would accept, the Bureau finds it necessary, in order that correct estimates may be furnished to Congress, to know definitely the lowest sum that will be accepted for the so-called Krupp armor. This matter will soon be under consideration by the Naval Committee, and an early reply is requested.

As the Bureau recalls the interview above referred to, your attitude was that if \$400 a ton was a proper price for armor under present contracts, \$500 per ton would be a fair price for armor 25 per cent better in quality; and that as the Government now agrees to pay such royalty as has to be paid for the face-hardening process, so it ought to pay the royalty on the Krupp process, if used.

The Bureau does not hesitate to say that it does not regard such reasoning as at all conclusive, and does not think the Department should take any cognizance of the question of royalty in any future armor contracts; and also thinks that \$545 per ton is a considerably greater sum than is likely to be authorized.

Respectfully,

CHARLES O'NEIL,  
Chief of Bureau of Ordnance.

CARNEGIE STEEL COMPANY, Munhall, Pa.  
(Sent also to the Bethlehem Iron Company.)

THE BETHLEHEM IRON COMPANY,  
South Bethlehem, Pa., February 3, 1899.

SIR: Answering the Bureau's letter of the 31st ultimo:

The lowest price we are willing to accept for Krupp armor is \$545 per ton. We base this price on an average royalty we will be obliged to pay of \$45 per ton, and on the fact that so far as our experience goes the additional cost of manufacturing Krupp armor over the cost of manufacturing Harvey armor will not be less than \$100 per ton.

As already stated to you in conversation, we would prefer to manufacture Harvey armor at \$400 per ton rather than Krupp armor at \$545 per ton, not only on account of the increased cost of the latter, but also on account of the increased risk.

Respectfully,

THE BETHLEHEM IRON COMPANY,  
ROBT. P. LINDERMAN, President.

CHIEF OF BUREAU OF ORDNANCE,  
Navy Department, Washington, D. C.

(Through Inspector of Ordnance, The Bethlehem Iron Works, South Bethlehem, Pa.)

THE CARNEGIE STEEL COMPANY, LIMITED,  
Pittsburg, Pa., February 4, 1899.

SIRS: We acknowledge the Bureau's letter No. 14118—98 of the 31st ultimo, concerning price of armor manufactured by the Krupp process, and, after most careful consideration, beg to inform you that the price named at the interview referred to therein, i.e., \$545 per ton, is the minimum we could accept for this type of armor.

Owing to the great increased cost and difficulties of manufacture and the high rate of royalty required to be paid on this quality of armor, together with our product considerably curtailed in tonnage, with our present equipment, by reason of the above-mentioned difficulties, we consider the price quoted as being fair and equitable, and the lowest we could afford to accept.

We also desire to reiterate our statement that we prefer to manufacture ordinary face-hardened armor at a net price of \$400 per ton than Krupp armor at the price given above.

It is not specially desired that the Bureau pay the royalty on armor manufactured by this process, as in the case of ordinary face-hardened armor, the verbal proposition only being made as an alternative one; that is to say, we would accept a price of \$500 per ton provided the Bureau would assume the royalty, as in the case of the armor we are manufacturing for \$500 per ton.

While it is now considered that Krupp armor is 25 per cent better in quality than the best harveized armor, continued improvement in manufacture will no doubt result in a product still considerably better.

Respectfully,

THE CARNEGIE STEEL COMPANY, LIMITED,  
ALEX. R. PEACOCK, First Vice-President.

THE CHIEF OF BUREAU OF ORDNANCE,  
Navy Department, Washington, D. C.

NAVY DEPARTMENT.

Washington, D. C., February 25, 1899.

SIR: It appears in the CONGRESSIONAL RECORD of yesterday's date that the naval appropriation bill, as it passed the House of Representatives, contains a provision with reference to the purchase of armor, etc., as follows, under the heading of "Armor and armament":

Insert in line 12, page 61, after the word "dollars," the following: "Provided, That no part of said fund shall be expended except in procuring armor of the best obtainable quality at an average cost not exceeding \$445 per ton of 2,240 pounds, including royalties, etc."

The above provision applies to an item of \$4,000,000 appropriated for "armor and armament" of certain vessels. As amended the sum of \$4,000,000 becomes available for the purchase of armor only, the provision being "that no part of said fund shall be expended except in procuring armor of the best obtainable quality," etc. This would prevent the use of any part of this fund for the purchase of armament—that is, gun forgings and labor and material for making guns, mounts, and other articles of ordnance outfit—for which a part of the \$4,000,000 is required.

The paragraph is badly worded, as it was undoubtedly intended to refer to the quality and price of armor rather than to restrict the use of the fund to the purchase of armor alone. It would be better if the phraseology were: "Provided, That no armor shall be purchased from this fund at an average price exceeding \$445 per ton," etc.

There is also a degree of ambiguity in the language of the amendment which may lead to great embarrassment hereafter; that is, whether the Department is restricted to procuring armor of the best obtainable quality, or to procuring the best armor that can be obtained for \$445 per ton, there being a wide difference between such requirements. The language of the law should be unequivocal, in order that the intention of Congress may be clearly defined.

If the Department is required to supply armor of the best quality and which costs more than \$445 per ton, it can not do so, and therefore would not be justified in entering into any contract at all, as it could not, under such restriction, contract for any armor. If, on the other hand, the Department is required to supply armor of the best quality that can be procured for \$445

per ton, it can do so; but such armor will be practically the same as is now supplied, and which can be had for \$400 per ton (plus royalty of \$11.50, if it has to be paid).

The Department has already informed the chairmen of the Senate and House Naval Committees that a better quality of armor than that heretofore supplied can and ought to be procured. The price named for such armor is \$545 per ton, including royalty of \$45. The accompanying letters from the armor manufacturers are put in evidence as to the cost.

The Bureau is informed to-day by a representative of the Carnegie Steel Company that the price paid by the Cramps for the Krupp armor they have ordered from the American manufacturers to use on the Russian battle ship now building at their works is \$575 per ton.

It is most important that by July next the Department shall contract for about 10,000 tons of armor for the battle ships *Maine*, *Missouri*, and *Ohio*, and for the four harbor-defense monitors, as these vessels are now under contract, and unless provision is made at the proper time for their armor it is to be considered whether the shipbuilders will not have grounds for claims arising out of delays due to the nonreceipt of armor. It must not be supposed that the manufacturers are trying to force on the Government the so-called Krupp armor, for such is not the case. They have stated that they prefer to make armor as at present, at present prices, rather than the Krupp armor at proposed prices.

The Bureau of Ordnance desires to be placed on record as recommending to the Department that only the best quality of armor that can be obtained in this country shall be placed on vessels of the United States Navy, regardless of price. To do otherwise will destroy the prestige of our naval vessels, and the Bureau trusts that such steps will be taken by the Department as will absolve it entirely from responsibility in the matter if it is forced to procure armor of a quality inferior to the best that can be manufactured.

Very respectfully,

CHARLES O'NEIL,  
Chief of Bureau of Ordnance.

The SECRETARY OF THE NAVY.

Mr. MARTIN. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The Senator from Virginia suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll; and the following Senators answered to their names:

Allen,	Gear,	Mason,	Shoup,
Baker,	Gray,	Mills,	Simon,
Bate,	Hale,	Mitchell,	Smith,
Berry,	Hanna,	Money,	Spooner,
Butler,	Hansbrough,	Morgan,	Stewart,
Caffery,	Harris,	Nelson,	Sullivan,
Carter,	Hawley,	Pasco,	Teller,
Chandler,	Jones, Nev.	Penrose,	Thurston,
Chilton,	Kenney,	Perkins,	Tillman,
Clark,	Kyle,	Platt, Conn.	Turley,
Clay,	Lindsay,	Pritchard,	Turner,
Daniel,	McBride,	Proctor,	Warren,
Fairbanks,	McMillan,	Rawlins,	Wellington,
Faulkner,	Mallory,	Roach,	Wilson,
Foraker,	Mantle,	Ross,	Wolcott.
Gallinger,	Martin,	Sewell,	

The PRESIDING OFFICER. Sixty-three Senators have answered to their names. A quorum of the Senate is present. The Senator from South Carolina [Mr. TILLMAN] has the floor.

Mr. TILLMAN. Mr. President, there are a few facts brought out in great prominence by these several communications which have just been read, and I ask that Senators shall bear them in mind.

The first is that our own experts at the Navy Department tell us officially that if we want the "best armor obtainable" we can not get it at the rate fixed in the bill—\$445 a ton.

The second is that if we pay \$445 a ton, the Department will be compelled to give \$45 more for the same armor it is now getting under contract at \$400 a ton, and that no armor which the Department can obtain for \$445 a ton will be better than what we are now getting.

The third is that the Senate on two previous occasions, after a full and exhaustive debate on this subject, decided once by a two-thirds vote and another time with practical unanimity, without the roll being called, that \$300 was enough for the armor we now get, and which, judging by the Spanish war, is good enough.

The question then presents itself to the mind of every Senator, and I will ask the representatives of the Appropriations Committee to explain why it is that we are asked to pay \$445 for armor which is no better than we are now getting for \$400?

Mr. GALLINGER. Will the Senator permit me?

Mr. TILLMAN. With pleasure.

Mr. GALLINGER. I want to vote intelligently on this matter, and I want to ask the Senator if the Government has ever procured any armor as low as \$300 a ton? What are the facts? I myself do not know.

Mr. TILLMAN. We have never got any armor at \$300 a ton for the reason that the two armor factories in this country are in collusion; they have formed a trust; and having a monopoly and with legislation compelling us to buy from them or from nobody, they come to Congress and say, "We will not make armor for that sum, because we intend to make you give us more."

Mr. GALLINGER. Now, one other question. As I remember this matter—I have not taken any special interest in it, and certainly I have not engaged in the debates upon it, but as I remember the matter there was a concern in Chicago, the Illinois Steel Company, which made an offer to furnish armor at \$300 a ton. Does the Senator know why the Illinois Steel Company did not do so, or was the opportunity given to it?

Mr. TILLMAN. I will tell the Senator, to the best of my recollection, why. They contended that they could not afford to go to the heavy expense of constructing an armor plant under a small contract, but that if the Government would give them a contract, which would go on for several years, to manufacture from thirty to forty thousand tons in all, they would furnish it at that price.

Mr. GALLINGER. I simply want to get light on the subject.

Mr. TILLMAN. I now say to the Senator that there is embraced in this very bill appropriations for enough armor, together with the armor for the three battle ships and the four monitors ordered at the last session of Congress, to make up about the number of tons which the Illinois Steel Company proposed to contract for if we would enter into a contract with them on the basis of \$300 a ton.

Mr. GALLINGER. Just there, if the Senator will permit me, could the Illinois Steel Company construct its plant and furnish the armor in time?

Mr. TILLMAN. Will the Senator explain what he means by "in time?" Then I may be able to answer his question.

Mr. GALLINGER. I confess that I do not know exactly when the armor will be required, but I take it that some of it will be required very soon, will it not? If we are going to authorize new battle ships and new cruisers, it can not be a great while before the armor will be needed, can it?

Mr. TILLMAN. I am very glad the Senator has presented that question, because it enables me to recall to the minds of Senators the time and the reasons which caused it when we first passed this proposition by a vote of 24 to 12. It was the first time in the history of the Senate, since I have been in it, when we turned down the Appropriations Committee—the great committee which control this body—and gave them to understand that the Senate would not stand responsible for the figures they presented here. We had as the basis of that action the exposure, first, of this monopoly; second, the report of our then Secretary of the Navy that it did not cost \$300 a ton to make it.

Mr. GALLINGER. I think I voted with the Senator.

Mr. TILLMAN. I believe the Senator from New Hampshire did. I am going to read the list to remind Senators that they were once in favor of honesty and economy in this body, if they are not this afternoon.

I will say further that the Senator's colleague [Mr. CHANDLER], who was instrumental in having the investigation made by the Naval Committee, had figured out that \$300 allowed for the cost of the armor and 33 per cent profit. I will state further, for the Senator's benefit, that we had evidence coming before us that when armor was first contracted for in this country the price was put at a high figure for the purpose of enabling large capitalists to invest in an expensive plant—two or three million dollars to start a plant—and that we fixed the price at a rate which would enable them to recoup themselves on the first contract.

So we have bought the plant and paid for it, and have given it to them, and yet they stand and demand that we shall give them as much or more than we did at the beginning. That is the situation.

Like Oliver Twist, their cry is for "more," always "more."

We have provision in this bill, and have already authorized in previous bills, enough armor, at the difference between \$445 and the \$300 which I propose, to build a plant and equip it and let the Government own its own plant, so that it will have these people at least in a position where they can not say, "You must pay us whatever we demand or you can not build any ships."

We have said so in two votes in the Senate. The only reason why we went to \$400, the present contract price, on the vessels now under construction was because the war was on, and it was contended that we could not afford to delay the completion of the *Wisconsin* and the other two battle ships and the two on the stocks, the *Kearsarge* and the *Kentucky*, by haggling over a pittance of a hundred dollars a ton on armor, even if it did involve two or three million dollars of fraud on the Government.

Now, we have this situation: The four monitors ordered and under contract have not had the armor provided for them by any contract.

Mr. BUTLER. I call the attention of the Senator from South Carolina to the fact that a year ago certain Senators in this body charged the Senator from South Carolina and myself with treason because we dared to take enough time to discuss this amendment, saying that in the face of war we ought not to wait one hour to provide armor for those battle ships. Yet those battle ships have not had the armor ordered. The Senate did not want to give us one hour for discussion in the face of the war.

Mr. TILLMAN. I recall the hurry with which the appropriation bill passed last July under the stress of the war feeling which was on us. I myself did not enter into the controversy with the same spirit I do now. But the war is happily ended. We have no use for an army, although we have just provided for 100,000 men. We have no enemies; but still we go on killing people in

the East who have, fortunately for them, as expansionists contend, and unfortunately for us, as I believe, fallen under our control.

So far as the word "treason" is concerned, I have just this feeling about it. I do not remember that we were denounced a year ago as being traitors because we presumed to discuss the question of the frauds on the Government, but the word "treason" has become of such common use in this body and in the newspaper press by those who are urging the imperialistic policy and who continue to rob the Treasury, if we stand here and propose to protect it, that I have become accustomed to it and do not care. I rather think it is a badge of honor to be called a traitor now.

Mr. CHANDLER. Will the Senator from South Carolina allow me?

Mr. TILLMAN. With pleasure.

Mr. CHANDLER. When I vote for the Senator's amendment I do not want to be understood as agreeing to his views upon the Philippine question. I hope he will refrain from discussing that matter in this connection.

Mr. TILLMAN. I wish I could, but if we have any special use for this great fleet which we are ordering other than to protect those possessions I do not see it myself just now; and under the greatest possible pressure it will be impossible, according to the reports of the Secretary of the Navy, for the vessels already ordered to be completed before 1901, two years and a half and more, nearly three years, while the vessels ordered in this bill can not possibly be laid on the stocks before December next and will not be finished before 1903.

The armor will not be needed until year after next, and I propose, before I get through, to offer an alternative proposition to let the Government establish its own armor plant and make its own armor, and then be able to say to the private corporations which it has built up and made rich, "If you will not sell us armor at a decent price while we let our plant lie idle, we will run our plant and make the armor for ourselves while your plants lie idle."

I have heard Senators this evening and I have heard them before argue that the Government can not profitably carry on any manufacturing processes or compete with private corporations and capital in the manufacture of munitions of war or anything else. But we have in the navy-yard here in Washington a gun factory where we are making the most improved ordnance in the world, equal to that made at Krupp's, or anywhere else, and with it our Navy is armed. It is made under Government control by the Government, and naval officers are in charge of the work.

Why can we not make armor in the same way? Simply because, so far as I can see, these two Pennsylvania corporations have a "pull" at the other end of the Capitol, and they send their bill here for \$445 a ton and we do not reduce it. I do not know what the word "pull" means. I see it in the press. Somebody who understands it will please explain it. I do not know whether it is bribery or what it is. It is something that ought not to be used or have any efficacy in the Congress of the United States.

I will call the attention of the Senator from New Hampshire [Mr. GALLINGER], as he has seemed to want some light on this question, to another exposure which was brought out in the debate the first time this matter was before the Senate. According to the sworn testimony of the officials of the Carnegie Company, that company had put off on this Government armor that was full of blow holes, armor that was plugged up, armor that was not up to the standard of ballistic tests, armor that was inferior; and we do not know, if we had had a navy pitted against ours that was at all equal in strength and in armament, what would have been the consequences.

Suppose those had been German or English vessels at Santiago, and in anything like equal numbers, confronting ours, would we have had the glory and would this spread-eagle feeling be abroad in this country as it exists to-day? It might or it might not. I for one feel that we ought to have our own armor plant, and if we are not going to have that, then we ought to demand of these people that they shall sell us armor at a fair price, as arrived at by our own experts, or they shall not sell us any. As I said a little while ago—

Mr. GALLINGER rose.

Mr. TILLMAN. Does the Senator wish to interrupt me? If so, I shall be glad to hear him.

Mr. GALLINGER. I remember we had a discussion here about the matter of the Government establishing an armor plant, and I think I voted in favor of that proposition, if I had an opportunity.

Mr. TILLMAN. The Senator had an opportunity, and we lost it by only four votes.

Mr. GALLINGER. But I am not by any means persuaded that we will make armor any cheaper if we have a plant than we can purchase it. The Senator says we are making guns in the Washington Navy-Yard, and that is true.

Mr. TILLMAN. And we are making them at the Watervliet Arsenal, too.

Mr. GALLINGER. There is the other fact that almost every one of our navy-yards—we have a little one in our State, and it is so there—is idle, and the great private shipyards are busy, because they build ships cheaper than the Government can.

Mr. TILLMAN. Has the Senator any proof to substantiate that statement?

Mr. GALLINGER. Mr. President—

Mr. TILLMAN. He has simply the statement that has floated around in the air, if the Senator will excuse me, sent abroad by interested parties themselves, and sustained on this floor because people advocate the policy that the Government can buy things cheaper than it could make them. This bill is loaded down with expansion in every navy-yard. I am trying to get a little for Port Royal, because if you are going to steal, I want my share, as I have said before.

Mr. GALLINGER. The Senator did not give me an opportunity to answer the question. He asked me if I had any proof. I have more proof than the vague vaporings or rumors that are floating around. I have statements from naval experts that such is the fact. I have the assurance that it has cost us a great deal more to build ships at navy-yards than it costs at private yards, and I think the record will bear that out. I think the chairman of the Committee on Naval Affairs, who must have knowledge on that point, will say that such is the fact.

Mr. HALE. It is undoubtedly true.

Mr. GALLINGER. It is undoubtedly true, the Senator from Maine says.

Mr. TILLMAN. I have great respect for my friend the chairman of the committee, and he is very expert on all naval matters and is very full of facts, but I deny it. I will say that the *Texas*, the vessel which had a "hoodoo," the one which we all said never would amount to anything, and which the naval people all tabooed, won as much glory in the battle of Santiago as any other vessel except the *Oregon* and the *Brooklyn*. She behaved splendidly and is one of our best ships to-day.

Mr. GEAR. Will the Senator permit me?

Mr. TILLMAN. I will be very glad to have any Senator elucidate this question and give us the benefit of anything he wants to say.

Mr. BUTLER. The Senator from South Carolina will remember—

Mr. TILLMAN. The Senator from Iowa has the first turn.

Mr. GEAR. The repairs to the *Chicago* in the navy-yard cost as much as it did to construct the vessel originally.

Mr. TILLMAN. I will explain my understanding of that. The exigency of politics in certain parts of this country required large forces to be kept at the navy-yards doing nothing or at least pretending to work. They must be kept on the rolls. Therefore we build ships and turn around and tear them all to pieces and build them over as we have done in two or three instances.

But the Senator from New Hampshire [Mr. GALLINGER], I believe, poses here and at home and everywhere—that is, if he ever poses; he is a handsome man, and I do not intend discourtesy—as the special champion of labor. He wants to protect American labor against the pauper labor of Europe. Therefore we can not buy our armor in the markets wherever we can get it the cheapest, or anything else. Now, suppose it does cost more to build a vessel in the Government navy-yards than at Cramps' or the Union Iron Works or any other establishment.

Mr. GALLINGER. I will answer the question.

Mr. TILLMAN. Let me get through. The Senator must not be so quick on the trigger.

Suppose it does cost more, I say, to build vessels in the Government navy-yards than it does in the private shipyards. Who will get the money? The capitalist? No; the mechanics whose brains and hands fashion the steel and iron into the vessels; and if you are an honest friend of labor, you would say the Government itself should build all its ships, let them cost double or treble what they would cost at a private yard, because the American laborer would get the benefit rather than the American capitalist.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from New Hampshire?

Mr. TILLMAN. With pleasure.

Mr. GALLINGER. I will answer the Senator on that point, and I will promise him that I will not prolong this discussion by interrupting him further—

Mr. TILLMAN. I enjoy these interruptions.

Mr. GALLINGER. Or by asking any further questions. I have never particularly posed as a friend of labor or any other class.

Mr. TILLMAN. I apologize for the word.

Mr. GALLINGER. I will say to the Senator that if I had the authority, I would do precisely what he suggests ought to be done, even though it costs 20 per cent more—build the ships in the navy-yards of this Government. I would have them built in navy-yards instead of in private yards. That is what I would

have done. But that is not the system which seems to be in vogue. We have our idle navy-yards. There is one in my State. Letters and telegrams are coming to me every hour of every day almost begging me that work shall be sent there. The men are idle. Some of the most expert mechanics in any part of the country are there; and the private yards are busy. That is all I wanted to suggest. I understand that condition to be due to the fact that the Department takes the ground that ships can be built cheaper in private yards than in navy-yards.

Mr. TILLMAN. Will the Senator please go further and use his excellent common sense by analyzing that proposition and state how it can possibly be when eight hours is the Government rate both in the navy-yards and in the private yards for Government work?

Mr. GALLINGER. I will not undertake to analyze it. I think we have had some very striking object lessons in the city of Washington on the way the Government does work. I do not believe—

Mr. TILLMAN. As chairman of the District of Columbia Committee the Senator is competent, no doubt, to exploit that whole thing.

Mr. GALLINGER. I do not chance to be chairman of the committee.

Mr. TILLMAN. I beg pardon. The Senator from Michigan [Mr. McMILLAN] is.

Mr. GALLINGER. I am on the committee.

Mr. TILLMAN. The Senator is on the committee and knows all about it.

Mr. GALLINGER. I know something about the Washington post-office, for instance, and I do not think any contractor in South Carolina or New Hampshire would have been guilty of dragging that job along as it has been dragged along here, involving the country in the great expense that has been incurred in constructing that building. That is my opinion.

Mr. TILLMAN. Will the Senator tell us who the contractor is?

Mr. GALLINGER. I take it that the building was constructed under the direction of the Supervising Architect of the Treasury Department.

Mr. TILLMAN. Who is the contractor?

Mr. GALLINGER. I do not know.

Mr. TILLMAN. I want to know whether he lives among these outcasts in the District who can not vote, and who seem to get everything they want, while those who live in the outlying provinces, and who do vote, can not get anything they ought to have.

Mr. GALLINGER. It is Government work. That is all I wanted to say.

Mr. TILLMAN. I would emphasize, before I leave that subject, that if we do pay more in public yards for these things we ought to pay it, because the labor would get it instead of the capital. That is all there is in this proposition; and if you gentlemen are consistent with your professions as to protecting labor and standing up here as its champions you will immediately stop the system of building ships in private yards and have our navy-yards put to work.

We have possibly \$75,000,000 invested in docks and various appliances for shipbuilding and ship repairing in the various naval stations and navy-yards of the United States. They are comparatively idle; and I will say to the Senator right here that we have a little orphan of a naval station down in South Carolina for which I am trying to get a few crumbs of this money which is being wasted, for the proper development of that yard.

There is nothing south of the Potomac or Hampton Roads clear around to the Gulf of Mexico except that station, and when the great fleet went to the Gulf and came back with colors flying, needing repairs and wanting the bottoms of the ships cleaned and painted, they went by Port Royal, the only dock in that vicinity that would hold a battle ship, and only sent there some old scows and deadhead boats which were not considered as worth anything until the war broke out. They said, "You have no mechanics there."

That is like my friend the Senator from Kentucky, who the other day wanted us to swim without water. No mechanics to do the work? If you will send us some vessels we will guarantee that the mechanics will come, and as good as you have got anywhere else. But that is all apart from the armor business. I will get back to my mutton.

I wish to repeat what I stated once before, that the Senator from New Hampshire [Mr. CHANDLER], who was once Secretary of the Navy, and who, I do not hesitate to say, knows more about the Navy than any man in Washington whom I have met, whether he is a naval officer or not, and farther, as I am in a humor to say something sweet about somebody, having said so much that is bitter, to whom I believe belongs the honor of having been the father or the founder of the new Navy—I say the Senator from New Hampshire [Mr. CHANDLER], finding and knowing that there were fraud and robbery of the Government in the armor business, brought a resolution in here authorizing and requiring the Naval Committee to investigate it.

We did investigate it fully, and the further we went into it the less we liked it. He has on record a report here in which, after figuring on the most liberal scale, he shows that \$300 is ample and more than enough to pay for armor. The Senator, while so sweet and lovable and bright and able, did not always fight it out on that line, but I hope he will stand up to this proposition this afternoon.

When that debate was over and we had exposed the origin of the armor monopoly, proving that the Government had built the armor plants and then given them to these parties, and they continued to ask the same price, showing by the confessions of their own sworn witnesses—nobody else being brought in—that they had put off on us fraudulent armor, blowhole armor, and all that kind of thing, the Senate reduced the rate from the then price of \$550 down to \$300 by the vote which I will now ask the Secretary to read.

I want to remind Senators, as I have said before, how they did vote on this question once. The question was on the motion to lay on the table an amendment reducing the price to \$300.

The Secretary read as follows:

The PRESIDING OFFICER. The question is on the motion of the Senator from Pennsylvania to lay upon the table the amendment of the Senator from New Hampshire reducing the price to be paid for armor from \$400 to \$300 per ton.

The result was announced—yeas 12, nays 36, not voting 42; as follows:

YEAS—12.			
Aldrich,	Cullom,	Hale,	Murphy,
Allison,	Gibson,	Hawley,	Squire,
Brice,	Gorman,	McMillan,	Wetmore.
NAYS—36.			
Allen,	Carter,	Gray,	Platt,
Bacon,	Chandler,	Hill,	Proctor,
Baker,	Chilton,	Kenney,	Shoup,
Bate,	Clark,	Lindsay,	Smith,
Berry,	Daniel,	Lodge,	Stewart,
Brown,	Dubois,	Mills,	Teller,
Barrows,	Faulkner,	Pofter,	Thurston,
Butler,	Frye,	Perkins,	Tillman,
Cannon,	Gallinger,	Pettigrew,	White.
NOT VOTING—42.			
Blackburn,	Hansbrough,	Mitchell, Wis.	Sherman,
Blanchard,	Harris,	Morgan,	Turpie,
Caffery,	Hoar,	Morrill,	Vest,
Call,	Irby,	Nelson,	Vilas,
Cameron,	Jones, Ark.	Palmer,	Voorhees,
Cockrell,	Jones, Nev.	Pasco,	Walthall,
Davis,	Kyle,	Pritchard,	Warren,
Elkins,	McBride,	Pugh,	Wilson,
Gear,	Mantle,	Quay,	Wolcott.
George,	Martin,	Roach,	
Gordon,	Mitchell, Oreg.	Sewell,	

So the motion was not agreed to.

Mr. TILLMAN. These amiable gentlemen at Bethlehem, pioneers in armor manufacture, in the letter which has been read, make this confession:

We would prefer to manufacture Harvey armor at \$400 a ton rather than Krupp armor at \$345.

I should like to remind Senators, who may feel disposed to vote against the reduction from four hundred and forty-five to three hundred dollars, that when we fixed the limit at \$300 this monopoly stood out, and for two years we passed successive appropriation bills providing for ships and providing for armor, limiting the price to \$300, and these people said, "We will not make you one pound of armor at that price, because we can not."

Then they came forward and proposed to make it for \$450. The Senate refused. Finally when the war was on we were appealed to not to let the pitiful sum of \$100 a ton stand between us and the completion of the great battle ships, and we went to \$400. These people have at last conceded that they can afford to make it at \$400. We have their letters on file in which they declared they could not do it. Now they say, "We would rather make the \$400 armor than the \$445." They are such delightful gentlemen when they want to reach out and get two or three millions more for a contract!

I wish to say that the Naval Committee, which voted to reduce the number of ships to be ordered in this bill, almost unanimously agreed that the reason why it was not necessary to order any ships now was because we could get none built; that all of our private shipyards were fully occupied and had all the work that they could do.

I have a list of the ships that are being constructed at this time and are on the stocks, ordered by previous Congresses. There are eight battle ships of the first class—no; I am mistaken in that statement. There are only five on the stocks, although there are three authorized, making eight in all. The *Maine*, *Missouri*, and *Ohio* have not been contracted for yet, but were ordered last July.

Then there are four monitors for coast defense which have not had the armor ordered for them, but which are on the stocks. Then we have sixteen torpedo-boat destroyers, and we have twenty-five torpedo boats, and then four or five other little vessels, tugs, water boats, etc. In other words, if we sink every vessel that is

now afloat which flies the Stars and Stripes, when we have completed the new Navy which we have already authorized we shall have a navy which will be the equal of the one we now have in fighting qualities, though not in numbers.

We propose to increase the Navy still more. I am willing to have and I want a big navy. We need it; but we do not need any big army. But I never want to continue to yield tribute to these armor thieves, these robbers, this monopoly which stands and says, "We have you by the throat; you can not help yourselves. If you do not buy armor from us, you can not build ships. The patriotism of the country demands them, and therefore you will pay our price after a while."

What is the remedy? To fix the limit here back at \$300, the original price fixed by the Senate twice on previous occasions; and I have an alternative proposition, if the Senate shall vote that down—to establish an armor factory of our own.

The Senator from New Hampshire to whom I have alluded, the former Secretary of the Navy [Mr. CHANDLER], when I was urging these views last July, said to me, "Who knows whether we are going to build any more ships or not?" I was working for an armor factory then. I said to him, "You know it. Every sensible man knows it." We all know now that we are going to increase the Navy largely, to treble or quadruple its present strength, including vessels already afloat and those already ordered. And are we to continue to have these armor people, these armor thieves, say, "Stand and deliver?" There is only one remedy. We have got to fix the price and give them an alternative proposition that if that price is not accepted and the contract entered into we will build our own factory.

Holding these views, Mr. President, I felt it to be my duty to offer the amendment, and I ask the Senate earnestly to consider it. Let the cost of the factory be what it may, and let the cost of the armor made in it be ever so high, I am in favor of building it. Let us remember the answer of the patriot Pinckney, "Millions for defense; not one cent for tribute."

Mr. CHANDLER. Mr. President, I will state briefly the reasons why I shall vote for the amendment of the Senator from South Carolina.

The first price the United States paid for armor, when it began to build battle ships, was \$600 a ton. Secretary Herbert reduced the price for the *Kentucky* and the *Kearsarge* to \$550 a ton. That was done at about the time when the Bethlehem Iron Company took a Russian contract amounting to \$600,000 at \$240 a ton. The investigation into the price of armor was made largely in consequence of that contract at \$240 a ton. The contract was made deliberately by the Bethlehem Company with the Russian Government and proclaimed by that company as a great triumph of an American manufacturer.

In connection with the investigation instituted by the Senate Naval Committee an inquiry was made by direction of Congress by the Secretary of the Navy, Mr. Herbert. The conclusion he reached after an exhaustive examination at home and abroad was that \$400 would be a fair price for armor. The conclusions reached by the Secretary were presented to the Senate Naval Committee, and it was found that after taking about \$167.50 as the actual cost of making the armor he added for incidentals and 33½ per cent profit enough to bring the price up to \$400 a ton.

The Senate committee reported that a fair price for armor would be between \$300 and \$400 a ton, without giving the exact figures. An estimate was made by me, as the Senator from South Carolina says, based upon data which had been procured by Secretary Herbert and upon the evidence taken by the Senate committee, which made a fair price, with 25 per cent profit, I think, \$300 a ton. After much controversy in the Senate \$300 a ton was adopted, and it was adopted in the House as the limit. The result was that the ships were not built.

At the next session of Congress a compromise was effected, and \$400 a ton was fixed upon by Congress as the maximum price for armor. That is the existing statutory price to-day.

The Senator from South Carolina has correctly stated the number of battle ships which have been authorized and which are not yet completed. There are eight of them—the *Kentucky* and *Kearsarge*, the *Alabama*, *Wisconsin* and *Illinois*, and the *Maine*, the *Missouri*, and the *Ohio*. The contracts have been made for the armor for the *Alabama*, the *Wisconsin*, and the *Illinois* at \$400. They have not been yet made for the *Maine*, the *Missouri*, and the *Ohio*.

Mr. President, under these circumstances, as it was probable that Congress would authorize the building of more battle ships, three as recommended by the Secretary of the Navy, three as authorized by the present bill coming from the House, and two as it is proposed to amend the bill in the Senate, it would not have been at all feasible for the armor manufacturers to propose a larger price for the same kind of armor that has been used than \$400 a ton.

But the armor manufacturers of this country—the two great concerns, the Bethlehem Company and the Carnegie Company—

are in combination with each other. They are also in combination with the European manufacturers of armor, and a desperate effort has been made to keep the price of armor up to between \$500 and \$600 a ton. It would not do to make a combination and continue to demand that price for the same kind of armor, and so the device has been resorted to of proclaiming that there is a better armor; that the United States can not afford to put inferior armor upon its ships, and that the superior armor can not be obtained for less than \$540 a ton.

Mr. STEWART. I should like to inquire of the Senator if there has been any investigation showing that that is the best armor? What evidence exists as to its being the best armor?

Mr. CHANDLER. The whole testimony on the subject, so far as the Senate is concerned, is in Senate Document No. 141, which the Senator can get from the document room, and which has been read to-day in the hearing of the Senate at the request of the Senator from South Carolina.

Mr. STEWART. That is all the evidence you have on the subject?

Mr. CHANDLER. The whole evidence is there, and it is all summed up in a few words. This new armor that we are called upon to take on the ground that it is a superior armor and pay \$545 a ton for instead of \$400 a ton is thus spoken of by Captain O'Neil, Chief of the Bureau of Ordnance:

The peculiar qualities of the Krupp armor are its depth and hardness of face, extreme toughness of back, and immunity from cracks under numerous heavy impacts.

The process of manufacture is not patented, but is a so-called trade secret, though it is not wholly so. The chemical composition of Krupp plates is known to be practically as follows:

Then the statement is that there is 3.5 per cent of nickel, 1.3 per cent of chromium and some minor ingredients, which make up the body of the article.

The above formula differs but little from that which governs the manufacture of the ordinary nickel-steel armor as now made, there being a slight difference in the percentage of nickel, namely, 3.5 per cent as against 3.25 per cent now used by us, and the addition of chromium to the extent of 1.3 per cent, which we do not employ.

Now, that is all there is to it. In the absence of more evidence that it is better armor, in the absence of more evidence that it is more expensive armor, I for one decline to be enticed away from the solid basis upon which the Senate has placed itself upon previous occasions to consent to spend several million dollars in purchasing this new armor at an additional cost of \$145 a ton.

Mr. President, I must be excused for distrusting the armor manufacturers of this country and of Europe when they demand these prices. It is to be borne in mind that a year ago, when we consented to compromise this question by agreeing to pay \$400 a ton for armor, the manufacturers protested that that was a great injustice to them; that they could not make the armor at a profit; that they only consented to do it because of the exigency which was upon the country—three battle ships having been authorized, the hulls contracted for, and no armor authorized or contracted for. And so, reluctantly, they told us they would build armor for these three ships at \$400 a ton, but they said there was no profit in it and the idea was distinctly carried that they were building the armor at \$400 at a loss.

Now, what do they say, Mr. President, on the sixth page of Document No. 141? Mr. Linderman, president of the Bethlehem Iron Company, says:

The lowest price we are willing to accept for Krupp armor is \$545 per ton.

As already stated to you in conversation, we would prefer to manufacture Harvey armor at \$400 per ton rather than Krupp armor at \$545 per ton.

Mr. Peacock, the first vice-president of the Carnegie Steel Company, informs the Chief of the Bureau of Ordnance—

that the price named at the interview referred to therein, i. e., \$545 per ton, is the minimum we could accept for this type of armor.

We also desire to reiterate our statement that we prefer to manufacture ordinary face-hardened armor at a net price of \$400 per ton than Krupp armor at the price given above.

Mr. TILLMAN. Mr. President—

Mr. CHANDLER. Either the statements which are now before us are misstatements or they misstated to us a year ago when they told us they could not manufacture armor at \$400 a ton at any profit. I yield to the Senator from South Carolina.

Mr. TILLMAN. Was it not the opinion of the Senator, based on the testimony and all the facts available before the committee when we had this matter up, that there was an armor trust in which Krupp and the English manufacturers, the French manufacturers, and the American manufacturers were all combined, and that the entire world stood in such a situation that the nations of the earth were compelled to pay whatever that trust asked?

Mr. CHANDLER. The Senator is right. Secretary Herbert said in his report that in his belief the armor manufacturers of Europe and of this country were in a combination. I think there is no doubt about the fact.

Mr. TILLMAN. Then, if that be true, and Krupp is a partner

with these men in this new process, supposing that it is an improvement on the harveyized armor, will not Krupp draw his part, aside from the so-called royalty, as a partner in the trust, and are we not asked to contribute to a trust rather than build our own plant and give a profit which, according to the Senator's own liberal figuring, will amount to upward of \$100 a ton unless we go back to \$300; and he had to strain himself to reach \$300 as a limit?

Mr. CHANDLER. Nobody believes that when the Bethlehem Company made a Russian contract for \$240 a ton they did not get their money back. I never heard anyone who pretended that they did not get their money back when they made that contract. They claimed that they made no profit. If we yield to the present demands of these armor manufacturers, we shall have to pay, as the Senator from South Carolina has said, \$45 a ton royalty. They say that it will cost \$100 a ton more to make the Krupp armor than it will cost to make the harveyized armor.

Mr. President, I simply do not believe it, and the reason why I do not believe it is because these gentlemen a year ago told us they could not make this armor at a profit at \$400 a ton, and now they say they would rather make that same armor at \$400 a ton than to make the new armor at \$345 a ton, \$45 a ton of which is royalty.

Now, Mr. President, I go right back to the original position assumed by me when the Senate investigated this subject. I believe that there is a fair profit in armor of this kind at \$300 a ton, and I am not willing to pay 27 cents a pound for every armor plate that is put upon the sides of our battle ships. With the eight ships which we shall very soon have completed and in commission, I had rather wait with the two new battle ships and the armored cruisers, if necessary, until we can investigate this subject and find out what is a fair price for armor and whether or not we are to be obliged to submit to the demands of this combination of American and foreign manufacturers.

Mr. TILLMAN. Before the Senator takes his seat, I should like to ask if he is entirely satisfied that the Krupp armor is any better than the harveyized armor?

Mr. CHANDLER. I am not, Mr. President. I am in doubt on that subject. I think the way to deal with the subject is to fix a price at \$300 as the maximum rate. I am prepared to say further that I think, in addition to doing that, we should do what I have never yet voted to do—provide that if we can not get the armor for that price we will establish a Government armor-plate factory.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on the amendment of the Senator from South Carolina [Mr. TILLMAN].

Mr. CHILTON. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. In line 23, page 61, strike out "four hundred and forty-five" and insert in lieu thereof "three hundred."

Mr. BUTLER. I should like to have the full amendment read.

The PRESIDING OFFICER. The Chair will state to the Senator that the amendment has been reported. It is to strike out "\$445" and insert "\$300."

Mr. BUTLER. I thought the Senator from South Carolina had presented an alternative proposition.

Mr. CHANDLER. He has not offered that yet.

Mr. BUTLER. I understand the Senator from South Carolina has offered an amendment proposing to reduce the price from \$445 to \$300 a ton, and then has an alternative proposition.

Mr. TILLMAN. My idea was to reduce the price in the pending bill to \$300, the same old price we agreed upon once, and in the event the Senate votes that down I am going to offer as an alternative proposition that we shall order an armor plant and simply buy no more armor from these people except what will be necessary to complete the ships which are to be completed between now and the time when our armor factory would make our own armor.

Mr. BUTLER. The Senator will remember that the Senate has twice reduced the price of armor from \$400 a ton to \$300 by a large vote, a vote 36 to 12 on one occasion, and on the other by a majority nearly as large. But what was the result? A year rolled around and no armor had been contracted for, and we were asked to increase the price more than \$400 a ton.

Mr. TILLMAN. The trouble was this, that we would always in the mean time order ships and the ships would be put on the stocks, and then some patriot would get up here and say, "We can not afford to present the spectacle to foreign nations of having this great country held up and its vessels on the stocks and be made a laughingstock of because we will not pay \$400; in such a case the payment of the pitiable sum of a million dollars to two corporations is not worthy of our consideration."

Mr. BUTLER. I call the Senator's attention to the fact that even if we were to adopt this amendment we would a year from to-day be faced with that argument and with a great deal more force than we can be faced with it now, because we have some ships now authorized and others which are being built that will

soon need armor. If to-day we adopt the Senator's amendment, one year from to-day there will be more force in the argument that all these vessels are waiting for their armor, and we will be subject to fines for not having them ready and the armor in place. We have made that mistake twice, and I appeal to the Senator not to let us make it again. If the Senator will turn to the RECORD—

Mr. TILLMAN. Mr. President, we have not made the mistake, at least the Senator from North Carolina has not made it, because we always said we would never get relief from the armor trust until the Government built its own factory. But the Senate would not agree with us. He and I do not form the Senate. More is the pity sometimes, I think.

Mr. BUTLER. If the Senator will refer to the CONGRESSIONAL RECORD of the Fiftieth Congress, first session, page 2553, he will find that the very Senators who a year before had voted for \$300 a ton testified to the mistake that they had made. After the provision for the armor plate was cut out and we had reduced the price to \$300 without a provision for an armor plant and we could not get it, the Senator from Nebraska [Mr. THURSTON] used the language which I shall read. This is what he said:

Mr. THURSTON. I do not wish to detain the Senate, Mr. President, and I should not speak on this amendment except for the fact that I endeavored to say a word before the last vote was taken.

I wish to make the prediction now that the striking out of the amendment on page 51—

Providing for the building of an armor plant—

has undone all the beneficial effects of the adoption of the amendment proposed by the Senator from New Hampshire [Mr. CHANDLER]. In my judgment, the striking out of the amendment on page 51 has emasculated the whole provision.

It leaves the country at the mercy of the armor-plate manufacturers, and, in my judgment, with that provision stricken out, the armor-plate manufacturers of this country will refuse to contract at a rate of \$300 per ton.

The Senator was right, and events have proved that he was right. If we were to adopt this amendment to-day without coupling with it a proposition that we will build an armor factory if the companies will not contract, then we shall find ourselves in the same fix that we were in one year ago, two years ago, and three years ago.

Mr. TILLMAN. I understand that; but, if the Senator will allow me, I will call his attention to the fact that in ten years from now we will be equally at the mercy of these people, although in the meantime we should have built one hundred battle ships and given these people an exorbitant profit—enough to build ten armor factories.

Mr. BUTLER. The Senator does not understand what I am driving at. If the Senator will not object to it—

Mr. TILLMAN. I have no objection to the Senator perfecting my amendment; and if he proposes to insert anything in the amendment which will meet the exigency, let us pass upon it and vote upon it.

Mr. BUTLER. Then, as a substitute for the amendment of the Senator from South Carolina, which the experience of three successive sessions of Congress has shown to be absolutely necessary for us, to be able to make a contract at all, I offer this amendment.

Mr. TILLMAN. I suggest that we have a vote on that amendment. If that is voted down I shall lament it very much, but I will then go back to my own amendment, hoping to hold these people up for twelve months, if for no longer.

Mr. BUTLER. I will say to the Senator that the amendment which I have offered, in addition to providing for \$300 a ton, provides further that in the event the companies will not agree to furnish armor of the best quality for \$300 a ton then at once the Secretary of the Navy shall proceed, under the plans and specifications which have already been prepared under the direction of Congress, to build an armor plant, not waiting a year for further instructions from Congress. That is what the Senator would desire, I know. I offer the amendment and ask that it be read.

Mr. ALLISON. I ask the Senator from North Carolina [Mr. BUTLER] to yield to me for a moment.

Mr. BUTLER. Certainly.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. MOODY, and Mr. DOCKERY managers at the conference on the part of the House.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 11803) directing the issue of a check in lieu of a lost check drawn by H. C. Newcomer, captain of engineers, in favor of Stone & Stansell; and

A bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes.

#### HOUSE BILL REFERRED.

The bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask the Chair to lay before the Senate the action of the House of Representatives on the sundry civil appropriation bill.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist on its amendments disagreed to by the House of Representatives and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. ALLISON, Mr. HALE, and Mr. GORMAN were appointed.

#### MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE NORTHWAY.

Mr. FORAKER. A day or two ago I gave notice that on Friday, March 3, I would present resolutions on the death of Hon. STEPHEN A. NORTHWAY, late a Representative from the State of Ohio. I desire, in consideration of the state of business in the Senate, to change that notice, and I will present the resolutions to-morrow, March 2, at some convenient hour.

#### WASHINGTON NATIONAL PARK.

Mr. CARTER. I ask that the bill providing for a national park in the State of Washington, which has passed the House of Representatives with certain amendments, may be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2552) to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park to be known as the Washington National Park; which were, on page 2, line 21, to strike out "Washington" and insert "Mount Ranier;" on page 4, after "States," in line 23, to insert:

*Provided, That any settlers on lands in said national park may relinquish their rights thereto and take other public lands in lieu thereof to the same extent and under the same limitations and conditions as are provided by law for forest reserves and national parks.*

And to amend the title so as to read: "A bill to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Mount Ranier National Park."

Mr. CARTER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### NAVAL APPROPRIATION BILL.

Mr. HALE. Let us have the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes.

The VICE-PRESIDENT. The Chair understands the pending question to be on the amendment offered by the Senator from North Carolina [Mr. BUTLER] to the amendment of the Senator from South Carolina [Mr. TILLMAN].

Mr. HALE. Let that be stated.

Mr. BUTLER. I offer the amendment as a substitute to cover the amendment of the Senator from South Carolina and also to cover the question of an armor plant.

Mr. HALE. Let the amendment be stated.

The SECRETARY. On page 61, line 19, after the word "act," it is proposed to strike out:

Four million dollars: *Provided, That no part of said sum shall be expended for armor except in procuring armor of the best obtainable quality at an average cost not exceeding \$445 a ton of 2,240 pounds, including royalties, and in no case a price in excess of the price paid to any manufacturer in this country, for such armor, by any other government.*

And in lieu thereof to insert:

Two million seven hundred thousand dollars: *Provided, That no part of said sum shall be expended except in procuring armor of the best obtainable quality, at an average cost not exceeding \$300 a ton of 2,240 pounds, including royalties. In case the Secretary of the Navy shall find it impossible to make*

contracts for said armor within the limits as to the price above fixed, he shall be, and is hereby, authorized to lease, purchase, or establish a Government armor factory of sufficient capacity to make such armor and to proceed to the manufacture of the armor necessary for said battle ships and armored cruisers. In executing this authority he shall prepare a description and plans and specifications of the land, buildings, and machinery suitable for the factory, and shall advertise for proposals to furnish such land, buildings, and machinery as a whole plant, or separately for the land or buildings or the whole or any part of said machinery; and he shall make a contract or contracts for such land, buildings, and machinery with the lowest and best responsible bidders: *Provided, however, That he shall not purchase any of the land, buildings, or machinery of the two existing armor-plate factories.*

The Secretary shall also appoint an armor factory board, to consist of competent naval officers of suitable rank, to advise and assist him in executing the authority hereby conferred. For the establishment of said armor factory the sum of \$1,500,000, or so much thereof as may be necessary, is hereby appropriated, and in addition the sum of \$2,000,000 is appropriated, or so much thereof as may be necessary, to be used in making the armor for said battle ships at said factory.

Mr. HALE. I move to lay the amendment on the table.

Mr. BUTLER. I hope the Senator will not do that. I was not through with the discussion of the amendment.

Mr. HALE. Had not the Senator yielded the floor?

Mr. BUTLER. I did not suppose that I had. I was still standing.

The VICE-PRESIDENT. The Senator from North Carolina must answer for himself. The present occupant of the chair was not in the chair at the time, and so he does not know whether the Senator from North Carolina had yielded the floor. The Chair understands the Senator to say that he was stopped in the midst of his speech.

Mr. HALE. If the Senator desires to submit remarks to the Senate I do not propose to insist on moving to lay the amendment on the table so as to cut him off. I hope, however, the Senator will bear in mind—I do not propose to discuss the matter—that these are all old questions which the Senate has passed upon heretofore, and that it is at this stage of the business of the Senate essentially important that this bill shall be passed in some form between now and 5 o'clock.

Mr. TILLMAN. Will the Senator from Maine allow me to ask him a question?

Mr. HALE. Yes.

Mr. TILLMAN. If we do not now appropriate for either armor or vessels, will the Navy of the United States be crippled in the slightest degree? In other words, is there a thing in this bill in regard to armor for the new ships that will possibly be of any use to us until 1902?

Mr. HALE. Is the Senator referring to the provisions in reference to the increase of the Navy?

Mr. TILLMAN. Yes. If you strike out everything in regard to the increase of the Navy and armor, would it cripple either this country or our Navy?

Mr. HALE. I suppose there would be some delay in the forwardness of getting the new ships into the condition of being contracted for, but I do not suppose that it would be very essential.

Mr. TILLMAN. Could we not wait until December next just as well as now to order the new vessels?

Mr. HALE. The committee has cut down the House proposition very materially as to the number of ships, and I think the Senate is ready to vote for a moderate increase. One of the reasons the committee cut it down was, as the Senator knows, that with all the ships which are now being built it was not essential to carry out the extensive programme of the House of Representatives. Still I think it would be better, and the Senate is probably ready to vote for a moderate increase.

Mr. TILLMAN. Did not the Senator accept the amendment offered by the Senator from New Hampshire [Mr. CHANDLER] that none of these vessels should be contracted for until the armor was contracted for?

Mr. HALE. No; I did not; but the Senate adopted that amendment.

Mr. TILLMAN. That is liable, then, to die in conference?

Mr. HALE. I can not tell the Senator what will die in conference. The Senate will try to do the best it can, through its conferees, to carry out its own action here. I consider myself more bound in conference, if the Senate adopts a provision that I do not agree to, to stand by that than I do as to a proposition which I had agreed to, because I am then representing the Senate in what is in the form of instruction. So far as the conference goes, the Senate conferees will enforce, so far as it is possible to do, what the Senate does in this whole matter.

Every Senator has his views upon this subject, and I am willing to take the action of the Senate. It being so desirable in the present condition of business, with the few remaining days of the session, that the bill should be got through, as it carries the whole support of the Navy upon it, I do not propose to discuss these matters, but simply to ask a vote of the Senate.

Mr. STEWART. I should like to ask a question right in this connection. The Senator is about to move to lay the amendment of the Senator from North Carolina on the table.

Mr. HALE. I have withdrawn that.

The VICE-PRESIDENT. The Chair desires to say to the Senator from Maine [Mr. HALE] that he is now informed that the Senator from North Carolina [Mr. BUTLER] was interrupted in his remarks by a request of the Senator from Iowa [Mr. ALLISON], who asked that the sundry civil appropriation bill should be laid before the Senate.

Mr. HALE. I have already stated that I do not propose to enforce the motion to lay the amendment on the table against the Senator from North Carolina if he desires to proceed.

Mr. BUTLER. Of course I appreciate that; but I hold the floor as a matter of right.

Mr. STEWART. Will the Senator from North Carolina allow me to ask a question?

Mr. BUTLER. Certainly.

Mr. STEWART. I should like to inquire if the committee has altogether abandoned the idea of the Government construction of works for the purpose of manufacturing armor?

Mr. HALE. Yes; it is abandoned by the committee. There are members of the committee who believe in it, but both the Committee on Appropriations and the Committee on Naval Affairs are against the Government manufacture.

Mr. STEWART. I should like to remark in connection with the subject that it matters not whether it be a good scheme or a bad scheme so much as it matters to have the good opinion of the country. The country believes that the armor monopoly has taken advantage of the situation and is extorting money from the Government. That is the general conviction. I do not suppose you could find 100 men on the outside who are not of that opinion. I think it would be better to sacrifice \$1,000,000, \$2,000,000, or \$5,000,000 in attempting to build Government works to compete with the present armor factories than to have this impression continually upon the minds of the people.

The objection that I hear everywhere against the Navy is to this armor-plate swindle, for it really involves a swindle in the armor-plate manufacturing for the Navy. If anything can be done to remove the impression that there is an armor-plate swindle to which the Government is subjected, that it controls legislation, that it has its own way because it has a monopoly, and that the Government is under the necessity of having this armor, it ought to be done. The country regards this monopoly in the light of a highwayman, with pistol in hand, holding up the Government and ordering it to stand and deliver.

We should make an effort, it seems to me, to build a factory of our own, if we can not do any better, for the purpose of removing an impression which brings the Government into disrepute.

Mr. HALE. If the Senator will allow me, that is just what the Senator from North Carolina [Mr. BUTLER] is trying to do.

Mr. BUTLER. Exactly.

Mr. HALE. And I am quite willing to take the sense of the Senate upon the proposition. It is an old matter. We have been over it time and time again. If the Senate decides that it wants now to embark upon the experiment of the Government manufacture of armor plate, I will take my instruction from the Senate's action, and the Senate can settle that question.

Mr. CHANDLER. I want to vote, if I can get a chance to do so, first, on the price of armor, separate and distinct.

Mr. HALE. The Senator can get that opportunity.

Mr. CHANDLER. That is the amendment of the Senator from South Carolina [Mr. TILLMAN].

Mr. TILLMAN. That was the purpose of my first amendment.

Mr. CHANDLER. You do not want to put the cart before the horse.

Mr. HALE. The Senator can get what he desires if the Senator from North Carolina will withdraw his amendment, but he can only get it in that way. If the Senator from North Carolina insists on his amendment, that is first in order.

Mr. CHANDLER. I shall call for a division of the amendment.

Mr. TILLMAN. I ask the Senator from North Carolina to withdraw his amendment until we can get a vote on the bald proposition as to the price which the Government shall pay, whether \$300 or \$445 a ton, and then we will take up the alternative proposition of the establishment of an armor factory in the event that the amendment I propose goes through. If the Senator from North Carolina will kindly consent to do that, it will facilitate the passage of the bill, and we shall arrive at some instructions to our conferees as to what the Senate wants them to do.

Mr. BUTLER. Let me ask the Senator from South Carolina, in case the Senate adopts the price of \$300 per ton, as it has done twice before, if he does not think it would be necessary to build an armor factory in order to get armor plate at that price?

Mr. TILLMAN. I do.

Mr. BUTLER. If that be so, why shall we divide the question?

Mr. TILLMAN. If the Senator will allow me, we should divide it for this reason: We are now in a war, and a great many Senators feel that they can not afford to occupy an attitude which will

in the slightest degree commit them to a refusal to furnish anything the Navy may want, whether this year or next year or five years hence; whereas by next December we hope we shall be at peace with the Filipinos and everybody else, including ourselves [laughter], and then we can discuss this question as a calm and practical one of business, without any war fever to influence the votes or the action of Senators.

Mr. BUTLER. Does the Senator think that there are Senators who are willing to vote for an armor plant, and yet at the same time are opposed to fixing the price at \$300 a ton?

Mr. TILLMAN. I do. It may be that they will deceive themselves, as they have done twice before. It is a postponement of the evil day when we have got to say to these monopolies, "You have got us by the throat, and we will fall down and surrender and let you sell armor to us for a hundred dollars a ton more than it is worth."

Mr. BUTLER. I had not supposed it possible that there was a single Senator who was opposed to the price of \$300 a ton who was not also opposed to an armor factory. If there are such Senators and they have such opinions, I have no quarrel with them about how they form such peculiar opinions, but I am perfectly willing, if there are such Senators, and if it will gain another vote for the reduction of the price of armor, to withdraw my amendment temporarily, and let a vote be taken upon the amendment of the Senator from South Carolina.

Mr. TILLMAN. I will be very much obliged to the Senator if he will do that. He can afterwards renew his proposition.

Mr. HALE. Let us have a vote.

Mr. BUTLER. I have not yet finished my remarks. I temporarily withdrew my amendment at the request of the Senator from South Carolina [Mr. TILLMAN] in the hope that we might thereby secure more votes for his amendment, and possibly for both propositions.

As to the amendment of the Senator from South Carolina, I simply wish to say a word. Senators know—for it has been gone over and it has been proven at every session of the Senate; at any rate, no facts have been introduced to contradict it—that armor can be made for \$225 per ton, and that when we pay \$300 a ton, we are paying at least \$75 a ton profit. That is proven by the reports made by Secretary Herbert; it is proven by two different experts, who were sent to visit these factories and to report upon this subject.

In addition to that, I have this large report in my hand [exhibiting], which shows that the armor we buy from these companies, whether we pay \$300 a ton or \$600 a ton for it, is defective. I will discuss that on my alternative proposition of a Government armor plant. I think we should have a Government armor plant even if the factories will agree to furnish armor at \$300 a ton.

I will withhold any further remarks until after a vote upon the proposition to buy armor at \$300 a ton.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from South Carolina [Mr. TILLMAN], on page 61, line 23, to strike out "\$445" and insert "\$300" as the cost of armor.

Mr. TILLMAN. I call for the yeas and nays on the amendment. The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. McLAURIN], and therefore withhold my vote.

The roll call was concluded.

Mr. GALLINGER. I inquire whether the senior Senator from Texas [Mr. MILLS] has voted?

The VICE-PRESIDENT. The Senator has not voted.

Mr. GALLINGER. I am paired with that Senator, and therefore withhold my vote.

Mr. GEAR. I am paired with the senior Senator from New Jersey [Mr. SMITH]. If he were present, I should vote "nay."

Mr. CLAY (after having voted in the affirmative). I am paired with the junior Senator from Massachusetts [Mr. LODGE]. He is not present, and I do not know how he would vote. I transfer my pair to the senior Senator from Indiana [Mr. TURPIE] and will let my vote stand.

Mr. BACON. I transfer my pair with the junior Senator from Rhode Island [Mr. WETMORE] to the senior Senator from Arkansas [Mr. JONES], and will vote. I vote "yea."

Mr. BERRY. If my colleague [Mr. JONES of Arkansas] were present, he would vote "yea."

Mr. PETTIGREW. The Senator from Utah [Mr. CANNON] who is absent would vote "yea" if present.

Mr. PASCO (after having voted in the affirmative). At the suggestion of the Senator from South Dakota I will transfer my pair with the Senator from Washington [Mr. WILSON], and will allow my vote to stand as it is recorded.

Mr. TILLMAN. My colleague [Mr. McLAURIN] is absent. If he were present, he would vote "yea." He is paired with the Senator from North Carolina [Mr. PRITCHARD].

The result was announced—yeas 34, nays 26; as follows:

## YEAS—34.

Allen,	Cockrell,	Money,	Thurston,
Bacon,	Daniel,	Pasco,	Tillman,
Bate,	Hansbrough,	Pettigrew,	Turley,
Berry,	Harris,	Pettus,	Turner,
Butler,	Kennedy,	Rawlins,	Vest,
Caffery,	Kyle,	Roach,	Wellington,
Chandler,	Lindsay,	Ross,	White,
Chilton,	Mallory,	Stewart,	
Clay,	Martin,	Sullivan,	

## NAYS—26.

Allison,	Foraker,	McEnery,	Sewell,
Barrows,	Gray,	McMillan,	Shoup,
Carter,	Hale,	Mantie,	Spooner,
Clark,	Hauna,	Penrose,	Teller,
Deboe,	Hawley,	Perkins,	Warren,
Fairbanks,	Hoar,	Platt, Conn.	
Faulkner,	McBride,	Proctor,	

## NOT VOTING—30.

Aldrich,	Gear,	Mills,	Simon,
Baker,	Gorman,	Mitchell,	Smith,
Cannon,	Heitfeld,	Morgan,	Turpie,
Cullom,	Jones, Ark.	Murphy,	Westmore,
Davis,	Jones, Nev.	Nelson,	Wilson,
Elkins,	Lodge,	Platt, N. Y.	Wolcott,
Frye,	McLaurin,	Pritchard,	
Gallinger,	Mason,	Quay,	

So the amendment proposed by Mr. TILLMAN was agreed to.

Mr. BUTLER. I offer an amendment to come in at the bottom of page 61.

The SECRETARY. After line 25, page 61, it is proposed to insert:

In case the Secretary of the Navy shall find it impossible to make contracts for said armor within the limits as to the price above fixed, he shall be, and is hereby, authorized to establish a Government armor factory of sufficient capacity to make such armor, and to proceed to the manufacture of the armor necessary for said battle ships and armored cruisers. In executing this authority he shall prepare a description and plans and specifications of the land, buildings, and machinery suitable for the factory, and shall advertise for proposals to furnish such land, buildings, and machinery as a whole plant or separately for the land or buildings or the whole or any part of said machinery; and he shall make a contract or contracts for such land, buildings, and machinery with the lowest and best responsible bidders: *Provided, however,* That he shall not purchase any of the land, buildings, or machinery of the two existing armor-plate factories. The Secretary shall also appoint an army factory board, to consist of competent naval officers of suitable rank, to advise and assist him in executing the authority hereby conferred. For the establishment of said armor factory the sum of \$1,500,000, or so much thereof as may be necessary, is hereby appropriated, and in addition the sum of \$2,000,000 is appropriated, or so much thereof as may be necessary, to be used in making the armor for said battle ships at said factory.

Mr. BUTLER. Mr. President, I desire the attention of the Senate for a few moments only. I have gathered some facts which I desired to present to the Senate in support of this amendment, but on account of the lateness of the hour and the press of business demanding consideration and action before the adjournment of Congress, I will content myself with a brief statement. The amendment is the same one that I offered a year ago, and which was carefully considered, and was discussed for part of two days in the Senate. I say that much to assure Senators that the amendment is carefully worded and has been closely scrutinized.

In 1897, when I offered this same amendment, just as we were about to take a vote several Senators came to me and suggested that I modify the amendment so as to provide, not for the building of a plant, but for the Secretary of the Navy, in the event that he could not get armor for \$300 a ton, to appoint a board to make plans and specifications and estimates of the cost of an armor plant.

That was adopted. The report was made, and here it is. This shows that an armor factory can be built for about \$1,000,000. One estimate was as high as a million and a half. Another estimate was as low as \$700,000. The Secretary of the Navy, Mr. Herbert, investigated this question, and reported that a complete plant could be built for less than a million and a half. The amendment provides for a million and a half dollars to build it, or so much thereof as may be necessary, and that is the outside limit of what it will cost.

Mr. PLATT of Connecticut. How long will it take?

Mr. BUTLER. We can have a factory built in fifteen months at the outside, I think. Certainly before the vessels that we have now authorized are ready for the armor. The vessels that you have authorized in the pending bill can not be ready for their armor sooner than the Government will be ready to make it. But if we adopt this amendment, we will, no doubt, be able to buy all the armor we want at \$300 a ton without building a plant, and we will never get it at that price till we show the trust that we will make our own armor if they will not furnish it at that price.

All of this talk about a new and secret process is all rot. The Krupp armor is no more expensive than the Harvey armor.

I have here copies of the process of making Krupp armor and the Harvey armor. They claim that the Krupp armor is something extraordinary. Anyone who will examine these specifica-

tions will find that there is very little difference between them and that one should not cost more than the other. With the permission of the Senate I will put these specifications in the RECORD, so that Senators can see them. Here are a number of illustrations of each process which I will not put into the RECORD, but Senators can examine them.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The papers referred to are as follows:

## KRUPP PROCESS.

[United States Patent Office. Albert Schmitz and Emil Ehrensberger, of Essen, Germany, assignors to the firm of Fried. Krupp, of same place. Process of manufacturing armor plates. Specification forming part of Letters Patent No. 531178, dated February 12, 1893. Application filed January 24, 1893. Serial No. 456693. (No specimens.) Patented in Germany November 10, 1892, Nos. 72547 and 74242; in France December 9, 1892, No. 236280; in Belgium December 10, 1892, No. 102321; in England December 16, 1892, No. 23228; in Italy December 31, 1892, XXVII, 50130, LXV, 104, and in Spain February 9, 1893, No. 14054.]

To all whom it may concern:

Be it known that we, Albert Schmitz and Emil Ehrensberger, subjects of the King of Prussia, residing at Essen, in the Kingdom of Prussia, German Empire, have invented new and useful improvements in processes of and apparatus for or relating to the manufacture of armor plates (for which we have obtained letters patent in Germany, Nos. 72547 and 74242, dated November 10, 1892; in France, No. 236280, dated December 9, 1892; in Belgium, No. 102321, dated December 10, 1892; in Great Britain, No. 23228, dated December 16, 1892; in Spain, No. 14054, dated February 9, 1893; and in Italy, Reg. Gen., Vol. XXVII, No. 50130, Reg. Att. Vol. LXV, No. 104, dated December 31, 1892), of which the following is a specification.

It is known that iron deficient in carbon can be very quickly carburized by passing hydrocarbon gases over the same, and according to our invention we utilize this knowledge as hereinafter described for the purpose of giving a hard surface to one face of otherwise soft armor plates of all kinds.

Our invention will be readily understood from the following description having reference to the accompanying drawings, in which—

Figure 1 is a vertical, longitudinal section of a furnace adapted for carrying out our process. Fig. 2 is a transverse section and Fig. 3 is a horizontal section of the same furnace.

Similar letters of reference designate corresponding parts.

The furnace A is heated by gas which enters through the passage a, while the air is supplied through the passage b. The products of combustion escape through two passages c that are situated on either side of the door d. The hearth B of the furnace is capable of being drawn out from the latter, say on rails as shown.

The first plate C to be carburized is laid with the face to be carburized uppermost, upon supports or pillars e on the hearth of the furnace, the said hearth having been drawn out of the said furnace, while a second plate D is laid with the face to be carbonized toward the first plate, and is held at a small distance from the latter by means of intermediate pieces of iron f, stone, or other suitable material. When so placed both plates have walls g g h i built round them, so that the space between the two armor plates is completely closed with the exception of two holes k in the wall h and two larger holes l in the wall i, while the furnace gases can pass freely above and below the exterior surfaces of the respective plates, the gases passing under the plate C through openings m formed in the walls h and i.

After the two plates have been built up in this manner on the hearth, the latter is pushed into the furnace and the latter is heated until the plates are at about the melting temperature of copper, whereupon pipes n and o, the positions of which are indicated at fig. 1, are passed through two openings in the furnace door into holes l in the wall i, and hydrocarbons, illuminating gas, paraffine vapor, petroleum gases, or the like, are passed through said pipes in between the plates.

The surfaces of the plates become carburized by the action of these gases in a comparatively short time, while the used gases, deprived of a large proportion of their carbon, pass through the openings k into the wall h in the furnace and burn there. As soon as the carburization of the plates has reached the desired degree, the hearth is run out and the plates are hardened by dipping into or by spraying the parts to be hardened with water or oil.

The same arrangement as employed, according to our invention, for carburizing with hydrocarbon, may be also employed for carburizing with solid carbon or the like, by merely fitting with the same the space between the two armor plates into which the gas would otherwise enter. The holes k and l, and the supports between the plates, are dispensed with in this case. This method of hardening two plates together with solid carbon is an important improvement on the heretofore usual method of carburizing one plate only at a time.

The faces of the plates exposed to the frame are in both methods preferably protected by a light suitable covering of fire clay or the like.

Having now particularly described and ascertained the nature of our said invention and in what manner the same is to be performed, we declare that what we claim is—

1. The described process of cementation of plates or articles to be carbonized on one side only, said process consisting in forming in a furnace a gas-tight chamber or inclosure, having the surface of the plate to be cemented for a portion of the wall thereof, heating the plate and admitting to said chamber gaseous cementing agents, substantially as set forth.

2. The herein-described process for the manufacture of armor plates, etc., hardened on one side only, consisting in building the same into a furnace with the faces to be hardened opposite to each other and with an intermediate space, heating said plates, then admitting a gaseous hydrocarbon into the inclosed space and discharging the used gases deprived of a large proportion of their carbon.

3. The herein-described process for the manufacture of armor plates, etc., hardened on one side only, consisting in building the same into a furnace with the faces to be hardened opposite to each other and with an intermediate space, heating said plates, then passing a gaseous hydrocarbon into the inclosed space, and finally hardening, substantially as described.

4. The herein-described process for the manufacture of armor plates, etc., hardened on one side only, consisting in building the same into a furnace with the faces to be hardened opposite to each other and with an inclosed intermediate space; heating said plates, then introducing a gaseous hydrocarbon at one side of the intermediate space and discharging it at the other, and finally hardening the carburized side, substantially as described.

5. The herein-described process for the manufacture of armor plates hardened on one side only, consisting in building said plates into a furnace with the faces to be hardened opposite to each other and an intermediate space; heating said plates while in contact with carbonaceous matter filling said intermediate space and then removing the plates from the furnace and hardening.

In testimony whereof we have signed our names to this specification in the presence of two subscribing witnesses.

ALBERT SCHMITZ.  
EMIL EHRENSBERGER.

Witnesses:  
ALBERT KLINGHAMMER.  
CHRISTIAN SORMENREHIN.

#### HARVEY PROCESS.

[United States Patent Office. Hayward A. Harvey, of Orange, N. J., assignor to the Harvey Steel Company, of Newark, N. J. Manufacture of flanged tires for car wheels. Specification forming part of Letters Patent No. 560160, dated May 12, 1896. Application filed October 9, 1893. Serial No. 565160. No specimens.]

To all whom it may concern:

Be it known that I, Hayward A. Harvey, of Orange, N. J., have invented certain improvements in the manufacture of flanged tires for car wheels, of which the following is a specification.

The object of this invention is the production for use on a car or locomotive wheel of a flanged tire, the main body of which is composed of tough metal and is integral with the excessively hard metal upon the face or tread of the tire and with a somewhat less excessively hard metal upon the side of the flange adjacent to the tread.

In the common process of manufacturing car-wheel tires the first step is to cast or forge a steel ingot in the form of a truncated cone, which is technically called a "cheese." The present invention requires that this cheese shall be made of low steel containing not to exceed, say, 0.3 per cent of carbon. In the ordinary process of manufacture the center of the cheese is punched out and the remaining annulus is subjected to the operation of rough rolling, in the course of which the flange is developed.

The present invention requires that the part of the said cheese or annulus which is to form the tread, as the case may be, either before or after the rough-rolling operation, shall be impregnated upon its convex surface to the depth of from 2 to 3 inches with a prescribed additional quantity of carbon, while the part which is to form the flange is impregnated to a less extent.

This is effected by subjecting the cheese or the annulus either before or after it has been rough rolled to intense heat while its convex face is in contact with a granular material rich in carbon, the side of its flange, or of the metal which is to form the side of the flange adjacent to the tread, is in contact with a material lean in carbon, and the remaining portion of the surface of the cheese or annulus is in contact with sand or other noncarbonaceous material, said granular materials being contained in a suitably shaped receptacle, the walls of which are made of fire clay or other refractory substance, and which is arranged within the heating chamber of a suitable furnace.

The period of time required for such impregnation will of course vary with different furnaces and different fuels, and must therefore be determined by previous tests of the particular furnace and the particular fuel employed.

In prior patents granted to Hayward A. Harvey, No. 376194, dated January 10, 1888, and No. 460262, dated September 29, 1891, the intense heat above referred to necessary for supercarburization has been indicated in connection with the treatment of ingots or other bodies of steel, and also in connection with armor plate.

In the first-named patent there is specified a temperature above 1,500° F., and excellent results are stated to be produced by raising the raw steel to a temperature upward of 3,000° F. In the last-named patent a temperature above the melting point of cast iron (1,930° to 2,300° F.), or approximately such heat, is specified. All these temperatures can only be stated approximately, first, because it is difficult to measure the same exactly, and, secondly, because a prolonged heating at a somewhat lower temperature will produce results which are similar to those obtained by a less prolonged heating at more intense temperatures.

The extent of supercarburization effected should be such that the metal upon the surface of the tread will be made to contain at least 0.9 per cent and possibly 1.25 per cent of carbon. If the supercarburization has been performed upon a cheese, the central portion of the cheese will subsequently be punched out in the usual manner. The cheese, or the annulus, may be slowly cooled down and thus annealed in the furnace, but preferably after having cooled down is reheated and carefully annealed preparatory to being rolled and machined to its finished form, and subsequently again reheated in a suitable furnace for the purpose of being hardened.

When its convex surface is observed to have the color which indicates the degree of temperature suitable for hardening steel of the particular quality used, it is chilled by being submerged in or copiously sprayed with a cold chilling liquid. Copious spraying is important where the mass of heated metal is large, and the degree of hardening produced by chilling is to be properly proportioned to the degree of carburization at different depths in the body of the tire. As the main body of the resulting tire is composed of tough metal, any warping which it may acquire during the described treatment can easily be taken out of it by the use of the ordinary appliances for that purpose. If desired, the convex face and flange of the tire can then be finished by grinding.

The accompanying drawings, conventionally representing the heating chamber of a furnace containing the receptacle in which the supercarburizing operation is performed, are as follows, to wit:

Figure 1 is a vertical section of the annular receptacle filled with the granular material, in which two cheeses are embedded. Figure 2 is a vertical section showing the strata of granular materials and affording a view in section of two tires embedded therein.

Figure 1 represents in central vertical section the cylindrical receptacle B, the interior of which constitutes a cell C of suitable dimensions for conducting the supercarburizing operation upon two cheeses. At the bottom of the cell is a stratum D of sand, upon which is deposited the punched cheese E, the periphery of which is inclosed by an annular mass F of granular carbonaceous material. Preferably a thin stratum F' of mixed sand and granular carbonaceous material is interposed between the stratum D of sand and the annular mass F of carbonaceous material.

The interior E' of the punched cheese is filled with sand, and a stratum D' of sand surmounts the cheese E and the annular mass F of carbonaceous material. An unpunched cheese G rests upon the stratum D' of sand, and has nearly all its periphery inclosed by the annular mass H of granular carbonaceous material. A relatively thin stratum H' of mixed sand and carbonaceous material is arranged above the annular mass H of carbonaceous material, and together with the unpunched cheese G is surmounted by the uppermost stratum D'' of sand, above which is the cover I, made of fire clay or other refractory material.

It will be seen that the portions of the cheese which are ultimately worked into the flange of the tire are those which are in contact with the strata F' and H', which are lean in carbon.

Fig. 2 represents a cylindrical receptacle, B, proportioned with reference to effecting the supercarburization of two such rough-rolled tires as would be made from cheeses of the proportions indicated in fig. 1. In this case the

lower tire e is deposited upon the lower stratum d of sand, and its interior e' is filled with sand.

Instead of arranging a stratum of granular material lean in carbon immediately around the flange of the tire c, the tire e is placed flange downward and is embedded into the stratum d of sand to a depth equal to rather more than one-half of the thickness of its flange e'. The remainder of the periphery of the tire is inclosed by the annular mass f of granular carbonaceous material, which, together with the tire, is surmounted by the stratum d' of sand or other noncarbonaceous material.

The tire g, arranged with its flanged side upward, is deposited upon the stratum d' of the sand, and the interior g' of the tire g is also filled with sand. The periphery of the tire g, with the exception of rather more than one-half of its flange g', is inclosed by the annular mass h of granular carbonaceous material, which, together with the tire g, is surmounted by the stratum d'' of sand, above which is the cover i.

The expedient of exposing only portions of the flanges of the tires e and g to contact with the carbonaceous material is to be regarded merely as the alternative of the expedient illustrated in fig. 1, of surrounding the corresponding parts of the cheeses with mixtures of sand and carbonaceous material.

In both cases the object is the same—to wit, to prevent the supercarburization of the flange of the wheel to the extent to which the remainder of the tire is supercarburized, so that the flange will not be impregnated with sufficient carbon to be in danger of being made brittle in a subsequent process of hardening the tire. It is preferred to so conduct the operation of supercarburization that the finished tire will be impregnated upon its face or tread with the added carbon ordinarily to the depth of 1½ inches.

In such case it will be necessary to impregnate the face or tread of the rough-rolled tire to a greater depth—that is, to such greater depth as is inversely proportional to the difference between the diameter of the rough-rolled tire and the diameter of the finished tire. Similarly, if the supercarburizing operation is performed upon the cheese, the depth of impregnation must be still greater.

For example, if the rough-rolled tire is one-quarter less in diameter than the finished tire, then it should be impregnated to a depth of, say, 2½ inches in order that the finished tire produced from it shall have upon its tread or face a depth of impregnation of 1½ inches; or, for example, if the supercarburizing operation is performed upon a cheese the mean diameter of which is one-half that of the finished tire, then the depth of impregnation of the cheese should be twice that required for the finished tire.

It is also to be understood that the supercarburizing operation may, if preferred, be performed upon the finished tire after it has been subjected to the final rolling operation by which it is brought to its ultimate diameter, and in such case the process of supercarburization will be so regulated as to secure in the finished tire the depth of impregnation of added carbon which may be desired.

In conducting the supercarburizing operation upon the finished tire the operation is similar to that described with reference to the treatment of the rough-rolled tire, especially in respect of the fact that the flange is prevented from absorbing too much carbon by protecting the greater portion of it with sand or by inclosing it in a mass of material lean in carbon.

What is claimed as the invention is—

1. The herein-described improvement in the manufacture of flanged tires for car wheels, which consists in constructing such tires from steel low in carbon by the usual methods, and in the course of manufacture impregnating the metal ultimately composing the tread with a prescribed excess of carbon, and in impregnating with a relatively smaller excess of carbon the metal ultimately composing the side of the flange adjacent to the tread, and in finally hardening the tire while it is at a suitable temperature by immersing it in, or spraying it with, a cold chilling liquid.

2. The improvement in the manufacture of flanged tires for car wheels, which consists in subjecting a low steel tire to heat while its face or tread is in contact with a body of powdered charcoal, or other carbonaceous material, and while the side of its flange adjacent to its face or tread is in contact with a body of material comparatively lean in carbon and in subsequently hardening the tire while it is at a suitable temperature by immersing it in, or spraying it with, a cold chilling liquid.

HAYWARD A. HARVEY.

Witnesses:  
A. M. JONES.  
E. GATTERER.

Mr. BUTLER Now, as to the harveyized and the Krupp armor. There is nothing in the bill to provide for better or different armor from that already in use by our Government. The friends of the armor trust will, however, probably try to assume that a more expensive armor will be used. This is a myth, for even should the Krupp process be used, it is no more expensive than ours—the Harvey. The Krupp process is covered by two patents in the United States (No. 503446, October 10, 1893, and No. 534178, February 12, 1895, which I have just put into the RECORD), together covering two and one-half pages of text and one and one-half pages plates, with no specimen submitted in either case.

The Harvey processes are covered by four patents (No. 376194, January 10, 1888; No. 460262, September 29, 1891; No. 498390, May 30, 1893; and No. 560160, May 12, 1896. A copy of the specifications of this last patent I have also put into the RECORD). These patents include 10 pages of text and 4 pages of plates, so that it will be seen that the Harvey process is more complex. The Krupp process is operated by the use of natural gas, or gas which can be produced from gasoline, which is far cheaper than the wood charcoal used in the Harvey process. The Krupp patents also state that their armor can be made by practically the same method as the Harvey process. With the Harvey patents some specimens are exhibited in some cases. The absence of specimens from the Krupp patents weakens their case as to quality. The evidence tends to show from the official records that the Harvey process is better and fully as expensive, so that the claim that the Krupp armor ought to be used or is intended to be used is contrary to fact.

It will also be seen that no satisfactory tests have been made by our Government of the Krupp. (See Senate Document No. 127, Fifth-fifth Congress, second session, pages 13 to 15.) It will be seen they have not been tested with the best American projectiles, but with inferior ones. It was claimed in the House of Represent-

atives that the Krupp process is secret, and presuming this claim would be made here I secured copies of the specifications and have put them in the RECORD. No official information is obtainable, to my knowledge, that the Krupp Company are actually making in a practical way any armor which is equal to ours, excepting it is made by our process.

So far as I can learn, only thin plates—not exceeding 6 inches—have been produced by the so-called Krupp process. This phase of the question is discussed on pages 12 to 18, Document 127, Senate, Fifty-fifth Congress, second session. In short, there is nothing in the claim but a last effort to still further fool Congress and to still further rob the Treasury by furnishing a defective article at a very high price, a quality of armor that we do not want at any price.

One word further. Even if we could buy armor at \$300 a ton from this armor trust, it seems to me every American citizen would prefer to see it made in his own factory, where the best material can be gotten without any blowholes or plugging, so that the best armor that could be made would go on our battle ships and armored cruisers. Even if it costs more, we can not afford to have the armor on our ships defective, with blowholes and plugs, so that if a shot from the enemy should strike that spot we would lose several millions of dollars and hundreds of our sailors.

Here is a Government report showing that on a large number of our vessels afloat to-day there are more or less blowholes and plugs in the armor, and we are indebted to either a kind Providence or to the bad marksmanship of the Spanish gunners that no shot hit a plate with a blowhole in it. In the finest vessels we have afloat, as the report shows, there are blowholes and plugs in the armor, and if one of the Spanish shots had hit that spot the battle ship would have gone down in the middle of the engagement at Manila or at Santiago.

Mr. President, we are being robbed by a big trust. We want and must have a big navy. Will we continue to put our country at the mercy of this trust, which not only robs us by charging an exorbitant price, but which is guilty of the most dangerous kind of treason by fraudulently and treacherously palming off on us defective armor? Those who knowingly and willfully support this conspiracy are guilty of treason, if anybody in this country ever has been or is now guilty of treason. We want a big navy, but we want on each ship the best armor that money can buy and that human skill and genius can make. If we make our own armor, it will be the best. National honor and national safety demand it. It is our highest duty to do it. To do it we must adopt this amendment.

Mr. HAWLEY. Mr. President, I wish to enter my protest. I will not undertake to make anything like an elaborate argument, but I am very much opposed to the Government undertaking to build great plants for the manufacture of articles that can be bought of the highest excellence in private factories. The experience of foreign governments has not, as a rule, been favorable to government factories. They can not make them so cheaply. They have never done so. Krupp's establishment is furnishing the guns for Germany. There are other corporations in France; so in Great Britain.

I am very sorry to see the very undemocratic doctrine gaining ground that everything for the Government ought to be done by the Government; that we should set up factories for the manufacture of every article required. It would simply add to the enormous force employed by the Government. It has not been thought desirable heretofore. It has been considered good policy to keep down to the lowest figure the number of men employed and not to enter upon schemes like this. It will cost an enormous sum and will employ a great number of men, and in the end not be as satisfactory.

Mr. STEWART. Mr. President, I am in favor of breaking the corner that this monopoly, to speak in common parlance, has on our Navy and on our patriotism. I believe, in common with the great mass of the American people, that they are extorting money unreasonably because they have the power. This Government ought not to be in the power of Carnegie or any other man. It ought to have the power to create its own Navy, and I am satisfied that the country will justify almost any expenditure to free the Government from the rod that this concern holds over it. It is a stand-and-deliver policy. If this concern had treated us right, there would have been two more ships in the late war; and we do not know what they may do in any war. If they do not get their way, they may cripple the Government seriously. Now they have put it to \$540. How do you know that they will not go to \$1,000? Where will they go? I say freedom from this monopoly at any cost.

Mr. HALE obtained the floor.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. The Senator from Maine is entitled to the floor.

Mr. FORAKER. Will the Senator from Maine yield to me for a moment?

Mr. HALE. Certainly.

Mr. FORAKER. I shall not detain the Senate more than a moment. I voted against the amendment to reduce the price to \$300, but I did so upon the theory that under the circumstances I thought I was justified in voting for a price that is perhaps higher than it ought to be. Now that that amendment has carried, and if we can not pay more than \$300, and we are advised that we can not get any armor plate for \$300, I know of no alternative except to provide a plant of our own. Therefore I shall vote for the amendment that is now proposed, on the theory that in no other way is it possible to get the armor.

Mr. PETTIGREW. Mr. President, it seems to me that there is a question involved in this amendment graver and broader than the question whether or not private individuals shall do the Government work. In fact, that question need not be involved, and yet we would be justified in passing this amendment. The theory of our civilization is competition, but where competition is destroyed the argument in favor of the individual doing the Government work disappears. We have in this case two armor factories in the United States which are in combination, admitted by them, denied by nobody, and together they divide the amount of plates to be manufactured, together they agree upon the price they will charge the Government. They do not undertake to say or to pretend to claim that they are doing the work at the lowest possible cost. They simply say, "We will fix such a price, and you must pay it."

If the armor plate to be manufactured should cost the Government in a Government plant twice what we are paying these people, it would be our duty to establish the plant and disapprove this method of combination. If we approve of it, if with our eyes open we continue to patronize these people, then every man who votes for it votes to approve of the policy of trusts and combinations in this country. They have already reached alarming proportions.

To such an extent have they developed that to-day they menace our institutions and threaten the very life of the Republic. Are we, then, under these circumstances, going to vote with our eyes open to encourage this sort of combination and admit that we are powerless? Then we might as well abandon the idea that we propose to continue to be a Republic and surrender to the forces of plutocracy and combination. These are the reasons why I shall vote for the amendment. I think the work ought to be pushed right along and the plant ought to be built.

Mr. HALE. Mr. President, the Senate has had this project before it repeatedly. It has always voted it down. In the mind of every thoughtful man there has been objection to any more great governmental establishments. The construction of the Navy has gone on almost entirely in the works, yards, and places outside of Government establishments. It has gone on cheaper, it has gone on more economically, it has gone on without scandal, all of which will be involved when we create an immense governmental establishment for the manufacture of this armor.

The opinion of the Senate has been so decided in this matter that I do not care to discuss it longer. I am willing to take the action of the Senate upon this proposition, that at this day, after having gone on as we have, we are to build an immense governmental affair to do this work. I have no fear that Senators will do it. Instead of it costing a million and a half, it will cost every dollar of ten million before it is done. It will linger and hang along as Government work does, and in the meantime we will be bound hand and foot and will do nothing.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from North Carolina [Mr. BUTLER].

Mr. BUTLER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I again announce my pair with the junior Senator from Rhode Island [Mr. WETMORE]. I transfer my pair to the senior Senator from Arkansas [Mr. JONES], and will vote. I vote "yea."

Mr. CLAY (when his name was called). I am paired with the junior Senator from Massachusetts [Mr. LODGE]. If he were present, I should vote "nay."

Mr. HOAR. I think I am justified in releasing the Senator from Georgia [Mr. CLAY] from his pair. I have had no conversation with my colleague, but I feel very sure he would vote with the committee. I will take the responsibility of saying so.

Mr. CLAY. Under the circumstances, I will vote. I vote "nay."

Mr. FAULKNER (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I do not know how he would vote on this question. If I were not paired, I should vote "yea."

Mr. GALLINGER (when his name was called). I am paired with the senior Senator from Texas [Mr. MILLS], and I suggest to the Senator from West Virginia that we transfer our pairs.

Mr. FAULKNER. Very well. I vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. SEWELL (when his name was called). I am paired with the Senator from Wisconsin [Mr. MITCHELL]. If he were here, I should vote "nay."

Mr. SULLIVAN (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MASON]. As he is absent and I do not know how he would vote, I will withhold my vote.

The roll call was concluded.

Mr. GEAR. I am paired with the Senator from New Jersey [Mr. SMITH]. If he were present, I should vote "nay."

Mr. PASCO (after having voted in the affirmative). I am paired with the Senator from Washington [Mr. WILSON], but I have transferred that pair as before, to the Senator from Utah [Mr. CANNON], and I will let my vote stand.

The result was announced—yeas 89, nays 27; as follows:

## YEAS—89.

Allen,	Foraker,	Nelson,	Teller,
Bacon,	Hansbrough,	Pasco,	Thurston,
Bate,	Harris,	Perkins,	Tillman,
Berry,	Jones, Nev.	Pettigrew,	Turley,
Butler,	Lindsay,	Pottus,	Turner,
Caffery,	McLaurin,	Rawlins,	Vest,
Chandler,	Mallory,	Roach,	Warren,
Cockrell,	Mantle,	Ross,	Wellington,
Daniel,	Martin,	Simon,	White,
Faulkner,	Money,	Stewart,	

## NAYS—27.

Allison,	Deboe,	Hawley,	Penrose,
Barrows,	Fairbanks,	Hoar,	Platt, Conn.
Carter,	Frye,	Kenney,	Pritchard,
Chilton,	Gallinger,	Kyle,	Proctor,
Clark,	Gray,	McBride,	Shoup,
Clay,	Hale,	McEnery,	Spooner,
Cullom,	Hanna,	McMillan,	

## NOT VOTING—24.

Aldrich,	Gorman,	Mitchell,	Smith,
Baker,	Hettfield,	Morgan,	Sullivan,
Cannon,	Jones, Ark.	Murphy,	Turpie,
Davis,	Lodge,	Platt, N. Y.	Wetmore,
Elkins,	Mason,	Quay,	Wilson,
Gear,	Mills,	Sewell,	Wolcott,

So the amendment proposed by Mr. BUTLER was agreed to.

Mr. HALE. Now let us finish the bill.

The bill was reported to the Senate as amended.

The VICE-PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. PETTIGREW. I wish to object to one of the amendments. We adopted an amendment which provides for the purchase of some Gathmann guns. I want that amendment reported. It seems to me that it is unnecessary and we ought not to adopt it; and I think the Senate will agree with me when the facts are known.

Mr. HALE. That amendment was adopted after discussion.

Mr. BACON. I was about to make a motion to reconsider the amendment. I do not know whether the Senator from South Dakota was in the Chamber or not when I asked the Senator from Ohio [Mr. HANNA] to explain it. He made a statement to the Senate and I withdrew my opposition to the amendment on that account. Since then I have been furnished with a report made by Capt. Charles O'Neil, Chief of the Bureau of Ordnance, in which I think it is very clearly demonstrated that this is not a proper appropriation. That is the matter to which the Senator from South Dakota is now referring.

Mr. PETTIGREW. I will say that in the fortifications bill, which passed the House and has been reported favorably to the Senate, there is a provision for the construction of one 18-inch Gathmann gun, \$65,000, and \$10,000 for powder and projectiles for testing the 18-inch Gathmann gun. The report of the Ordnance Department is to the effect that these guns are experimental; that the tests made more often failed than they were successful, and that the invention has not passed beyond the experimental stage. We appropriate enough for this experiment in the fortifications bill, and therefore it ought not to be in this bill. That is the point I make.

Mr. HALE. If the Senator calls for a separate vote on that amendment, let us have a separate vote at once.

Mr. BACON. That is what I want, and that is why I was about to ask for a reconsideration.

Mr. HALE. The Senator does not need to do that. He can have a separate vote on the amendment.

Mr. BACON. I will postpone the vote, then, if need be; but I want to call the attention of the Senate to what is found in this report, because I may not be able to be present at that time. I will detain the Senate but a very short time.

Mr. HALE. If the Senator reserves that amendment, we can take a vote on it at once.

The VICE-PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole, with the excep-

tion of the amendment which has been reserved for a separate vote.

The amendments were concurred in.

The VICE-PRESIDENT. The amendment which has been reserved will be stated, so that a vote may be taken upon concurring in it.

The SECRETARY. After line 4, page 9 of the bill, the Senate, as in Committee of the Whole, inserted the following:

The Secretary of the Navy is hereby authorized to purchase from the Gathmann Torpedo Gun Company, of Chicago, Ill., the gun equipment for one or more of the harbor-defense monitors authorized by the act approved May 4, 1898, such equipment to consist of two guns for each vessel, of not less than 16-inch bore and not less than 40 feet in length, capable of throwing the Gathmann type of shell containing about 500 pounds of wet gun cotton; said guns to cost not more than \$62,500 each, and the workmanship and material to be equal to the present standard now used in the Navy, and subject to the usual inspection of the Bureau of Ordnance, and the sum of not exceeding \$250,000 is hereby appropriated for said purpose.

Mr. HALE. Now let us have a vote on concurring in the amendment.

Mr. PETTIGREW. We can vote on it now.

Mr. HALE. The vote is right before us.

Mr. BACON. I desire to ask the attention of the Senate for just a moment, while I state the reasons why the amendment ought not to be adopted.

The committee has been furnished with a report from Capt. Charles O'Neil, Chief of the Bureau of Ordnance, under date of February 13, 1899, so that this is the most recent investigation. I would be very glad if the entire report could be read to the Senate; but that is not practicable, in view of the necessity for economy of time, and I simply want to read two or three extracts from the report.

Captain O'Neil discusses the whole question. He describes each and every experiment and the result of it. He shows that it is an absolutely immature project; that the experiments have shown that it fails as often as it succeeds, and that it not only fails to accomplish its purpose, but that it endangers the gun and absolutely endangers the ship upon which it is used. There has already been spent by the United States Government \$50,000 in experimenting upon the use of this particular invention. While the appropriation, as stated in this report, was of a general character, this officer says that it was understood that it was to be used for this particular invention and for this particular explosive. His conclusion, after going through and discussing the whole question, is as follows:

Therefore I am of the opinion that before we embark in so perilous and uncertain an enterprise exhaustive trials should be made on shore to demonstrate the safety, accuracy, and efficiency of any weapon it is proposed to use afloat.

Now, Mr. President, this particular amendment offered by the Senator from Ohio is not only one which proposes that the Government shall invest \$250,000 in the purchase of guns in a matter which may prove to be utterly abortive, but it is proposed by the amendment to locate them on the gunboats which are now in process of construction. Here is the report of the Chief of Ordnance of the Navy Department advising against it, not only on the ground that it may prove to be a failure, but that it will be an absolute danger to the ships upon which the guns shall be placed.

Of course, as I said, there is a great deal in the report that I could go through with which I think absolutely demonstrates the impropriety of it, but I will not detain the Senate.

Mr. PETTIGREW. Mr. President, I think it is fair to presume that it was not within the knowledge of most Senators that we provide for an experiment with these guns in the fortifications bill, where there is an appropriation of \$65,000 for the construction of one 18-inch Gathmann gun and then \$10,000 for the material for making the experiment. I presume the amendment would not have been offered by the Senator from Ohio if he had been aware of this fact. I am not sure that he was not aware of it. It seems to me that provision covers the whole ground as far as we can go this year. If it is a good thing, next year we can buy the patent. We have a chance to experiment under the fortifications bill, which was reported favorably to the Senate after having passed the House.

Mr. HANNA. Mr. President, I was fully aware of that appropriation in the fortifications bill and of the purpose of it. I want to reiterate the statement I made when I offered the amendment, that as far as this explosive is concerned, it has passed the experimental stage. That statement can be substantiated by a number of the officers of both the Army and the Navy who have had charge of and superintended these experiments.

It has the approval of Admiral Sampson, one of the best experts in the Navy on matters relating to the use of explosives; of Major Heath, of the Army, who has charge of the experiments at Sandy Hook and who made the experiments there with this shell; of Commander Hall, who superintended and had charge of the experiments at Indian Head made under the supervision of Secretary Herbert, who was the first Secretary of the Navy who from

his knowledge and investigation upon this subject undertook to enlist the interests of the Government to prosecute the experiment.

I repeat that this, as far as the analysis is concerned, has passed the experimental stage by more than a dozen experiments, the results of which have been before the Committee on Naval Affairs and have been thoroughly considered and thoroughly investigated. We have had before that committee several experts of the Navy, one within the last week, Mr. Dashiell, assistant naval constructor, who was fully posted about all the experiments made in the Navy.

He knows all about them, and he gave his testimony, which is in writing and with the secretary of the committee to-day, to the effect that he believes this Gathmann shell is the beginning of a revolution in high explosives which will bring all the nations of the world to a realization of the offensive and defensive contest that is now going on between an explosive and resistance to it by the very armor plate we have been talking about to-day.

The United States Government have been fortunate to be the scene of action and to take advantage of the inventive genius of a man who has made a life study of this subject, who has known for twenty years, from the incipency of it, all about the manufacture of gun cotton and the wonderful results produced from its explosion. Every nation on the globe has been striving during all that time to find a practical method for using this high explosive. This man, Gathmann, after twelve years of constant study, has devised a fuse which makes it entirely safe, and that is verified by the Army and Navy experts, with this one exception.

The Senator from Georgia [Mr. BACON] makes the statement that in nearly every instance these experiments have been failures. In not one instance have they been failures, save in one of the experiments at Indian Head, when by the advice of a naval officer a change was made in the fuse, and the result was that it burst the gun. That was two years ago. Since that time there has not been a single failure. Every experiment made has been better than the preceding and has more than filled the expectation of the inventor.

Now, my interest in this matter is only to see the United States in the foreground in these experiments in which, under the present conditions, the Government is leading. We are leading the world in our munition and armament, in our Navy and Army. I want to see the Government go forward in that direction. We are appropriating millions of dollars for building fortifications and battle ships, and I want to state my honest opinion from a very careful study of more than one year upon this subject that one of those Gathmann shells against a war ship will sink any war ship in the world. One of the Gathmann shells would blow this Capitol into atoms.

The cost of this gun is only three or four thousand dollars more than that of the 12-inch gun, of which we are building hundreds for our Navy and coast fortifications. Why should we hesitate to avail ourselves of the ingenuity of this inventor? It is not going to cost the Government more than two or three thousand dollars extra to place the gun on one of these vessels. Why should not the Navy have the opportunity to avail themselves, just as the Army have availed themselves, of these experiments?

This amendment was not intended to direct the Secretary of the Navy to do anything, but to authorize him to do it. If before these vessels are constructed and armored he shall be convinced that Captain O'Neil or any other captain is wrong and others are right, and that the experiment has verified the claims of the invention, I want the Secretary of the Navy to have the power and the right to put these shells on every vessel.

Mr. President, there is not a vessel in the United States Navy to-day that is not carrying the Whitehead torpedo on its deck. If it is dangerous to have a Gathmann shell on a naval vessel, it would be equally dangerous to carry a Whitehead torpedo. The whole secret of the safety of this thing lies in the fact that the mechanical fuse, which is part of it, makes it absolutely impossible for the gun cotton to explode except by the fulminate of mercury and dry gun cotton.

Mr. President, I was fully aware of the opposition to this invention. This is not the first time I have heard of it. But the faith that I have had in it and the faith that the members of our committee have had in it was such that after thorough investigation several members of the committee visited the scene of these experiments and satisfied themselves upon this point. After a calm and deliberate investigation and consideration of the subject, the committee recommend that the Secretary of the Navy shall have the right to avail himself of this great improvement, which, I will repeat, can not help but revolutionize the present system.

Mr. GRAY. May I ask the Senator a question?

Mr. HANNA. Certainly.

Mr. GRAY. Do I understand him to say that this amendment is not mandatory upon the Secretary of the Navy?

Mr. HANNA. Not at all.

Mr. GRAY. And that it merely authorizes the Secretary to use the money for the purpose of experimentation?

Mr. HANNA. That is all.

Mr. STEWART. Let me suggest an amendment, to insert after the word "authorized" the words "in his discretion;" so that it will be left with the Secretary of the Navy to determine whether or not the experiments shall be made.

Mr. HANNA. I accept that amendment.

The VICE-PRESIDENT. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. BACON. Mr. President, the Senator from Ohio [Mr. HANNA] apparently speaks from personal knowledge. I have none whatever. The Senator says he has heard before of this objection; that this is not the first time he has heard it. So far as I am concerned, it is the first time I have heard of the Gathmann gun, one way or the other. So I can not be presumed to have any prejudice in regard to it.

When the Senator offered his amendment, it struck me as being rather a peculiar one, and I asked him to give some explanation of it, which he very kindly did. In that explanation I understood the Senator to say—I may do him an injustice—that this project had the indorsement and approval of the Army and Navy officers, that the experiments which had been made by the Government demonstrated the efficiency of this thing, and that we were on the eve of a great revolution in the war between projectiles and resisting fortifications or battle ships, or whatever they might be.

I understood the Senator further to say that the proposition had the unanimous approval of the members of the Naval Committee; and therefore I withdrew any further objection with reference to it. Under the approval of the Department of the Navy and of the War Department and under the approval of the committee, I supposed it would be perfectly safe to let the matter go. Since that time, however, I find that I must have been mistaken in my understanding of the Senator as to the fact that the proposition had the unanimous approval of the committee. I understand that, while there is no minority report, there are members of the committee who do not agree to it, and therefore I have not the same disposition—

Mr. HANNA. May I ask the Senator a question?

Mr. BACON. Certainly.

Mr. HANNA. I wish he would name the members of the committee who are not in favor of it.

Mr. BACON. The members of the committee are present, and I prefer that they themselves should speak.

Mr. HANNA. The amendment is on file with the indorsement of every member of the committee.

Mr. BACON. That may be, but, as I say, Senators, members of that committee, who do not give it their personal approval are within the sound of my voice, and I prefer that they themselves should indicate the facts that the Senator desires to have developed.

Mr. HALE. Perhaps the Senator is referring to what I said to him.

Mr. BACON. Yes, among others.

Mr. HALE. For one, I do not want any misunderstanding as to my position. I was not present at the examination in this case by the Naval Committee. I had read Captain O'Neil's letter, and that letter convinced me that I did not know enough about this matter to oppose or sustain it.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. BACON. Certainly.

Mr. TILLMAN. I am another member of the committee who was not present when this examination was made, and I know nothing about the matter. I consented, I think, to have the amendment reported by the Naval Committee, relying upon my colleagues upon that committee, as we have usually not reported anything that was not just and proper.

Mr. BACON. Mr. President, of course it is not my object to put members of the committee on the witness stand.

Mr. HALE. The Senator has done that precisely.

Mr. BACON. In what way? I do not understand the Senator.

Mr. HALE. I say the Senator has by what he has said called upon members of the committee to state their individual positions.

Mr. BACON. Mr. President, it was not a voluntary matter on my part. I made a statement, which the Senator from Ohio challenged, and it was not for me to name Senators in the Chamber. I was about to say that I am not accusing the Senator from Ohio of any intentional misrepresentation in regard to the matter. I said I presumed I had misunderstood him; that he meant that the report came here as a unanimous report, not that it received the support of each and every member of the committee. I do not think there is any impropriety in my statement. Certainly, I did not intend any such.

But what I was going to say is that while I have had no personal knowledge in regard to this matter, I have in my hand the report of the Chief of Ordnance of the Navy Department, in which he very clearly gives his disapprobation to the proposition to use this

gun and this particular explosive. I do not know whether his report was called for by the Naval Committee or not. I simply have here his letter transmitting it. It is as follows:

DEPARTMENT OF THE NAVY, BUREAU OF ORDNANCE,  
Washington, D. C., February 13, 1899.

SIR: As I understand that your committee proposes to give a hearing for the purpose of considering the merits of the so-called Gathmann system of throwing high explosives and for its use on the new coast-defense monitors, I inclose a memorandum on the subject, which expresses the views of this Bureau, and which may be of interest to the committee.

Very respectfully,

CHARLES O'NEIL,  
Chief of Bureau of Ordnance.

HON. EUGENE HALE,  
Chairman Senate Naval Committee, Washington, D. C.

I can not take the time to read all of his memorandum, although every line of it would be instructive. I have no desire to submit any argument with reference to this matter. I simply desire to submit the opinion of the Chief of the Bureau of Ordnance. He says:

Mr. CHAIRMAN: I take it for granted that this committee desires such information as will enable it to pass an intelligent judgment as to the merits of the devices and system of the Gathmann Torpedo Company for throwing high explosives, with special reference to their adaptability, or otherwise, for use in the Navy; and in this connection I beg to state that I have no preference or prejudice for or against any particular system or method, being concerned simply for the welfare of the Navy in general and for the branch of the service I represent in particular.

I am anxious that our Navy should possess the most powerful and efficient guns that can be used to advantage and with safety to ourselves, and that can inflict the greatest amount of damage upon our enemies in time of battle, and, to this end, have within the past few months had new designs made for guns of all calibers, calculated to place our naval artillery in the front rank and equal to any in the world; but these are not guns for firing high explosives.

I read that for the purpose of showing that this officer approaches this subject in a thoroughly impartial spirit, and with no other desire except to promote the public good. I can not, as I said, take the time to read it all; it is a pamphlet of 9 pages. I can only read some extracts from it.

Mr. PETTIGREW. Will the Senator please read from page 7?

Mr. BACON. I have several places marked from which I am going to read.

Mr. PETTIGREW. The Senator will find the result of some experiments stated there.

Mr. BACON. They are stated in several places.

Mr. CAFFERY. Before the Senator reads further, will he allow me to ask him a question?

Mr. BACON. Certainly.

Mr. CAFFERY. If the amendment of the Senator from Ohio only looks to giving authority and is not a direction to the Secretary of the Navy to try this explosive, what harm is there in the amendment?

Mr. BACON. I will answer the Senator a little later if he will pardon me for the present.

I want to show, Mr. President, that my objection to this matter is well founded. The Chief of the Bureau says, on page 7:

On July 5, 1898—

I ask the attention of Senators to this statement, in order that they may determine whether or not it is a fact that this thing has the approval of the War and Navy Departments—

On July 5, 1898, the Chief of the Bureau of Ordnance of the Navy recommended to the Secretary of the Navy that a joint board of Army and naval officers be ordered "to consider the question of firing projectiles charged with high explosives from the guns of the military service of the United States." The Gathmann Torpedo Company requested to be heard by this board and were accorded the opportunity, and in making its report, on July 14, 1898, the board concludes with the following remark:

This board, I beg the Senate to remember, was a joint board of Army and Navy officers. After this Gathmann Company had submitted its project, and after having this examination from this joint board, the board concludes its report as follows:

It is considered proper and pertinent to record its [the board's] opinion that the Gathmann system, if successful, would have a limited field of action as compared with modern ordnance, and the tests thus far made with this system have not shown results that warrant any further expenditure by the Government in its development.

After this, in October, 1898—

A very recent date—

at the request of the parties interested in this scheme, two naval officers of marked ability were directed by the Secretary of the Navy to visit Sandy Hook to investigate the extent of success that had attended the Gathmann experiments. These officers reported to the Secretary of the Navy, under date of November 4, 1898, the result of their investigations, and conclude as follows:

"We are therefore of the opinion that the Gathmann shell is not sufficiently developed to justify its adoption by the Government."

Mr. President, this officer not only cites the reports of these two distinguished boards, but he goes on and gives detailed accounts—a half dozen of them—of the various experiments which have been made with this particular gun and projectile, in no single one of which was there a decided success, in a large majority of which there was a very great failure, and in all of which this officer says

that the same results would have been much better accomplished by the ordinary powder-exploding projectiles.

In the course of this report, on page 5, he uses this language:

The only thing I can see now to which the Gathmann Torpedo Company has any legitimate claim is the safety device for containing a detonator and primer and a new shape of shell, which may turn out to be a good thing, or otherwise.

I have yet to learn of any official approval of any of the Gathmann devices of the kind now under consideration for service use, and I am of the opinion that nothing has been developed by them which is of practical value for naval purposes.

I do not wish to be understood as being opposed to the use of high explosives for naval purposes, but I do not think we have yet reached a point in the development of the art which warrants our proceeding to do so without the utmost caution and much further investigation of the subject.

As regards the adoption of the 15-inch Gathmann gun and projectiles for the harbor-defense monitors now under construction—

The very thing which this amendment authorizes—

I am constrained to say that such a scheme does not meet with my approval, because it would, in my opinion, be an unwarrantable proceeding to introduce into the service, without the most exhaustive and conclusive tests, a new type of gun and projectiles differing so radically in character from those now in use and which are so thoroughly understood. In the first place, special guns designed for a particular use are not likely to be as useful as those intended to meet the ordinary requirements of the service.

Secondly, no new type of gun or shell should be put in service until after an exhaustive test at the proving ground, nor is it safe to say that experiments safely conducted on a small or even on a large scale can be as safely done on a much larger scale.

Therefore I am of the opinion that before we embark in so perilous and uncertain an enterprise exhaustive trials should be made on shore to demonstrate the safety, accuracy, and efficiency of any weapon it is proposed to use afloat.

Mr. President, the Senator from Louisiana [Mr. CAFFERY] has made an inquiry of me, which I now will answer. I should not have detained the Senate after the adoption of the amendment offered by the Senator from Nevada [Mr. STEWART] but for the very emphatic assertion made by the Senator from Ohio [Mr. HANNA], which seemed to indicate that the statements made by me were utterly without foundation, and, therefore, I was bound to present to the Senate the high authority upon which I based those statements.

I have no objection to the amendment offered by the Senator from Nevada, and do not propose to move to strike it out. If, with the information which this officer of the Navy Department gives to the Secretary of the Navy, he stills thinks it is well to continue the experiment, then the responsibility will rest upon him.

Mr. HANNA. Just one word, Mr. President. I still think, as I thought in the beginning when I introduced the amendment, that this experiment was well worth being made by this Government.

I want to refer once more to the action of the Naval Committee. In my first statement to-day I said that this amendment had the support of nearly every member of that committee. The amendment is on file at the desk, with the indorsement of every member of the committee except the chairman, who was not present at the time the investigation was had. Of course if I could have known that the Senator from Georgia [Mr. BACON] or any other Senator would bring in statements of the character which have been presented here, I could have produced evidence in reply which I am sure would overwhelm and overcome any statement which has been made on the other side.

The experiments which were made at Sandy Hook have, without a single exception, been eminently successful—every one of them. If the officer who makes the statement that he does not think this shell or this gun has gone far enough beyond the experimental stage to be practically used could have had his way it would not go any further, and, indeed, it would not have gone so far as it has. I know all that.

I again repeat that every statement I have made can be verified by the facts which have been before the Naval Committee. However, Mr. President, I am perfectly willing to abide by the vote of the Senate upon this proposition.

Mr. WHITE. Mr. President, I desire to make a single observation. I think the amendment proposed by the Senator from Ohio should be adopted. When we examine carefully and ascertain that we are to have "two guns for each vessel of not less than 16-inch bore and not less than 40 feet in length, capable of throwing the Gathmann type of shell containing about 500 pounds of wet gun cotton," it seems to me obvious that we should not linger in disputation. If we are to be able to kill men by the thousand, why should we not adopt this amendment? If this is in furtherance of assimilation or annihilation, it certainly accords with our present policy. I am enthusiastically in favor of the amendment, and trust it may eventuate in the fondest aspirations of the Senator from Ohio. [Laughter.]

The VICE-PRESIDENT. The question is on concurring in the amendment as amended.

The amendment as amended was concurred in.

Mr. DANIEL. On page 40, line 10, I move to strike out the word "thirty" and insert "forty."

The SECRETARY. In line 10, page 40, it is proposed to strike out "thirty," before "five," and insert "forty;" so as to read:

The age limit may be increased to 45 years.

Mr. DANIEL. I will state the object of the amendment.

Mr. HALE. Let us have a vote on the amendment.

Mr. DANIEL. I want to state the object of it.

Mr. President, the clause to which this amendment refers is as follows:

The active list of passed assistant and assistant paymasters of the Pay Corps shall hereafter consist of 30 and 40, respectively: *Provided*, That when such appointments of assistant paymasters are made from among those who served honorably in the late war with Spain the age limit may be increased to 35 years.

The object of the amendment is to increase it to 45 years. I do not think it wise, Mr. President, to hamper and restrict the President of the United States in his selection of these officers to such a degree that he must necessarily consider as disfranchised and ineligible those men who have reached the maturity of their faculties and who are just at that stage of life in which they are prepared to render the Government the most efficient and experienced service. Scarcely any distinguished officer of the United States Army or Navy in the recent war with Spain, though he might come back to this country with honors thick upon him, would be eligible under this provision to be appointed as paymaster in the Navy.

Mr. HALE. If we can have a vote, I shall be very glad.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Virginia.

Mr. MALLORY. I ask that the amendment may be stated.

The Secretary again stated the amendment.

Mr. PETTIGREW. I should like to have the paragraph read, so as to show the connection.

The SECRETARY. If amended, the paragraph will read as follows:

The active list of passed assistant and assistant paymasters of the Pay Corps shall hereafter consist of 30 and 40, respectively: *Provided*, That when such appointments of assistant paymasters are made from among those who served honorably in the late war with Spain the age limit may be increased to 45 years.

Mr. PETTIGREW. It seems to me there ought to be no limit. Leave the discretion open. I know a most excellent man who served as assistant paymaster and who is 54. I do not believe he should be shut off. He was in Cuban waters all during the difficulty.

Mr. HALE. Why not go a little further and not have any paymasters?

Mr. PETTIGREW. I am not sure but that would be a good plan. If the Senator from Maine will offer the amendment, I will vote for it. I move to amend by changing the age limit to 55 instead of 45 wherever they served in the war with Spain.

Mr. HALE. The Senator had better put it at 65.

Mr. PETTIGREW. I will not object to that. I think there should be no limit where they served in the war with Spain.

The VICE-PRESIDENT. The Secretary will read the clause as proposed to be amended.

The SECRETARY. It is proposed to amend the clause by striking out "forty-five" and inserting "fifty-five;" so as to read "fifty-five years."

The amendment was rejected.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### FORT SMITH AND WESTERN RAILROAD.

Mr. BERRY. Mr. President—

Mr. HALE. There was a special order for 5 o'clock, and we have already exceeded the time by three-quarters of an hour. The Senator from Arkansas will see clearly I can not yield.

Mr. BERRY. It is a very small matter. A bill came up this morning which occupies a peculiar relation, and I have been waiting here the entire day to have it corrected, and I should like very much to do so.

Mr. HALE. We can take it up to-morrow morning.

Mr. BERRY. Very well.

Mr. PETTIGREW. I shall be very glad to be present when the Senate convenes to-morrow morning, and I think the matter can be disposed of in five or ten minutes.

#### HOOR OF MEETING.

Mr. ALLISON. I move that when the Senate adjourn to-day it be to meet at half past 10 o'clock to-morrow morning.

The motion was agreed to.

#### DEATH OF LORD HERSCHELL.

Mr. FAIRBANKS. Mr. President, I rise to announce the death of Lord Herschell in this city at 7 o'clock this morning. Lord Herschell was born in England sixty-two years ago, and had a most illustrious and honorable career. He was called to the bar in 1860, and became Queen's counsel in 1872. He represented a Liberal

constituency in Parliament from 1874 to 1885, was knighted in 1880, and was made solicitor-general in Mr. Gladstone's ministry in the same year. He was raised to the peerage and became lord high chancellor in 1886, and again entered Mr. Gladstone's cabinet as lord high chancellor in 1892. He was one of the two British members of the Venezuelan Arbitral Tribunal, and last year was commissioned as a member of the United States and British Joint High Commission.

Mr. President, in the death of Lord Herschell the United States loses an intelligent and steadfast friend and the Kingdom of Great Britain a wise and loyal public servant. Lord Herschell was one of the most distinguished subjects and statesmen of Great Britain, a trusted friend and counselor of Mr. Gladstone. He came to this country in August last upon a mission which had for its purpose the promotion of the mutual welfare and good neighborhood of the United States and Great Britain.

He entered upon the work of the Joint High Commission established by these two great governments with an earnest desire to cooperate in removing the causes of difference between them and of bringing the two peoples into closer and more cordial relations. He was gratified with the recent evidence of increased sympathy between them and with the prospect of promoting a spirit of mutual good will which would redound to their future honor and power.

Sir, his untimely death most deeply touches not only his colleagues upon the commission, but the American people, who jointly share with the people of Great Britain the great bereavement.

Mr. President, I now offer the resolutions which I send to the desk.

The VICE-PRESIDENT. The resolutions will be read.

The Secretary read the resolutions, as follows:

*Resolved*, That the Senate has heard with profound sensibility of the death of Lord Herschell, an eminent jurist and statesman of Great Britain, formerly lord high chancellor; a member of the United States and British joint high commission.

*Resolved*, That the President of the Senate is requested to convey to Her Majesty the Queen of Great Britain the sympathy of the Senate of the United States in the great loss which she and the people of Great Britain have sustained by the death of Lord Herschell.

Mr. GRAY. Mr. President, in rising to second these resolutions, I can find only a few words in which to express the very great shock that came to me as it did to all who either knew Lord Herschell personally or had heard of his presence amongst us on the high mission with which he had been intrusted by his own country. It was my privilege to know Lord Herschell upon the commission which met the British commission in Quebec in August last; and I want to bear testimony to the great pleasure that that opportunity of knowing the deceased British statesman gave me, and how eminently he illustrated to my mind, as well as to the minds of my colleagues, all that is best in the traditions of English statesmanship and English character.

Thoroughly an Englishman, loyal to his trust, he was friendly, conciliatory, and, above all, anxious that the commission of which he was the most distinguished head should be instrumental in bringing the relations between the two countries that we represented to a basis of permanent friendship and mutual respect. He was broad, statesmanlike, and intelligent, with a mind admirably equipped for the great work he had undertaken. He had a great opportunity for usefulness, and he most signally improved it. I can hardly conceive of anyone who had attributes that were more calculated to assist in bringing to a proper conclusion the great work in which we were all engaged.

His death is not only a great loss to Great Britain, but it is a great loss to the people of the United States, and it is eminently fitting that we should unite with his countrymen in heartfelt mourning for his untimely death.

Mr. HOAR. Mr. President, it has been suggested that, as chairman of the Law Committee of the Senate, I should add a word to what has been said. Of course, at this stage of the public business it should be but a word.

It is a very proper exception to our usual custom that is proposed by the Senator from Indiana [Mr. FAIRBANKS] when he asks the Senate to express its respect for the distinguished English lawyer and statesman who has died here. He came to this country on a friendly errand. He was one of the very best among the great roll of English chancellors; and English chancellors are almost as much authority here as in Great Britain itself. So, although the particular parties to the suit may be Englishmen and not Americans, yet everything else that belongs to the judgment as a rule in jurisprudence for the future is spoken equally with authority and weight to our forty-five American States as it is to Her Majesty's realm.

Lord Herschell was eminent among chancellors, English lawyers, and jurists for his practical wisdom. The practice of the chancery court as administered by him, the principles of equity jurisprudence were stripped of their ancient obscurities and formalities and delays and technicalities, and became a living, simple

rule for the administration of justice. Lord Chancellor Herschell was not only famous for that quality, but he was eminent among English statesmen and legislators as a law reformer.

The code of laws that affects the transfer of estates, the settlement of estates, the simplification of land titles, proper systems of record, all the vast administration which affects the right, liberty, life, and property of a great civilized people, he was constantly striving to improve and to perfect; and his name is inseparably connected with the wonderful reforms in pleading, practice, jurisprudence, local administration, as well as the larger administrations of the whole realm for which the present generation in England has been so much distinguished.

He introduced or helped to introduce into England many reforms of that kind which have been adopted here in many of our States. He was a very careful and diligent student of the local improvements in State, township, and city which have been made in this country, and he introduced them to his own countrymen without the prejudice that sometimes exists against everything foreign.

This was not his first visit to the United States. He made a visit to Boston some years ago, in which it was my privilege to form a brief but extremely delightful acquaintance with him, and to get infinite instruction from his account of what he was interested in at home, and his wise suggestions about our matters of legislation, jurisprudence, and administration.

I desire to bear my hearty tribute to his illustrious memory, and to join in the expression of sympathy to be conveyed to his countrymen and his family by the Senate.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the Senator from Indiana [Mr. FAIRBANKS].

The resolutions were unanimously agreed to.

#### MEMORIAL ADDRESSES UPON THE LATE REPRESENTATIVE DINGLEY.

Mr. HALE. Mr. President, I ask that the resolutions of the House of Representatives upon the death of Hon. NELSON DINGLEY be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read. The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, February 11, 1899.

*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. NELSON DINGLEY, late a member of the House of Representatives from the State of Maine.

*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.  
*Resolved*, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

Mr. HALE. Mr. President, I submit the resolutions which I send to the desk.

The VICE-PRESIDENT. The Senator from Maine submits resolutions, which will be read.

The Secretary read the resolutions, as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. NELSON DINGLEY, late a Representative from the State of Maine.

*Resolved*, That the business of the Senate be now suspended in order that fitting tribute be paid to his memory.

*Resolved*, That as an additional mark of respect the Senate, at the conclusion of these ceremonies, do adjourn.

Mr. FRYE. Mr. President, the duty rests with me, as the fellow-citizen and neighbor for a great many years of the Hon. NELSON DINGLEY, my successor in the National House of Representatives, to place in the records of Congress a brief sketch of his life, leaving to my colleague and other Senators having knowledge only of his public career the eulogistic tributes to which that career is so justly entitled.

Governor DINGLEY was born February 15, 1832, in the farming town of Durham, a few miles only from the city where he spent the greater part of his life and achieved his remarkable success as a journalist. His ancestors were rugged, honest, sensible folk—economical, hard working, and successful. His boyhood promised the manhood we admire. Whatever work was given him to do was well done. In the public school, in the academy and college he was studious, diligent, and obedient, ever standing at the head, finally graduating at Dartmouth College with the highest honors. Fortunately for him, his mother had been before her marriage a school-teacher, and undoubtedly gave direction to his school life.

In 1851 he entered the college in Maine, then known as Waterville, now as Colby University, remained there two years, then entered the junior class of Dartmouth. While at Waterville he connected himself with the Congregational Church and was a faithful, consistent member to his death. He early espoused the cause of temperance, was connected with several associations organized for its promotion, and was an earnest advocate of the principles of prohibition.

In 1853 he became a resident of the town of Auburn, now a

beautiful and thriving city, situated on the Androscoggin River, just opposite Lewiston, where his active business life was spent. In 1857 he married Miss Salome McKenney, and was as successful in this venture as in everything else, for she proved a most affectionate, devoted wife to the end, and was a wise though indulgent mother to his children.

I think he had determined on journalism as his life work even before his graduation. He studied law, but only to broaden the foundation of the structure he proposed to build. In 1858 he became a part owner in the Lewiston Journal, then a weekly of limited circulation. Subsequently he and his brother acquired the sole ownership. The paper is now a daily and weekly, with the largest circulation of any in the State, and probably as well conducted as any in New England. That his interest in this enterprise was intense is clearly indicated by this allusion in his will:

I regard the Lewiston Journal, to the building up of which the most of my life was given, as the best monument which can be preserved to my memory.

However devoted he may have been to this his favorite work, the people were not disposed to leave him to its exclusive enjoyment. He was elected to the legislature of his State in 1862, 1863, 1864, 1865, 1868, and 1873. He served two of these terms as speaker of the house.

He was elected governor of Maine in 1874 and 1875. It is unnecessary to say that he filled all these public positions with credit to himself and to the entire satisfaction of his constituents. I having resigned my seat in the House in 1881, Mr. DINGLEY was elected to succeed me and served well his country and his State in that distinguished body until his death, January 13, 1899.

It was a most remarkable service. The arena into which he entered is one where a man wears only what he wins. He was apparently not well equipped for the contest before him, for he was not an orator, never indulged in eloquent periods, had but little imagination, was without that persuasive, magnetic power possessed by some, was not physically strong; and yet, from the speech he made on the restoration of the merchant marine in the earlier days of his service to the end his growth in influence was constant, until I think it is safe to assert that as its leader in the Fifty-fifth Congress he led more effectually than any man has within my memory.

He had the entire confidence of the House, it being well understood that he never debated any question without first having made himself master of the subject; that he never attempted any deceptive reasonings, nor indulged in any sophistry; never misstated nor distorted facts. He served on the most important committees in the House—on Banking and Currency, Appropriations, and Ways and Means, as chairman of the last. The act known as "the Dingley tariff," both in committee and in the House, owed its success to his knowledge of affairs, his sagacity in management, and his skill as a parliamentarian.

Appointed by the President a member of the United States and British Joint High Commission, he became at once a most influential participant in its deliberations, and his death before the conclusion of its work was a most serious loss to both commission and our country.

At a time when the existing conditions in our country required for the great office of the Secretary of the Treasury extraordinary qualifications, and President McKinley had the Republic to select from, he, having personal knowledge of his eminent fitness, tendered the position to Governor DINGLEY, who, knowing well the exacting duties of the office and his physical condition, felt that the burden would be greater than he could carry, and declined the appointment.

Am I not fully justified in my assertion that Mr. DINGLEY's public career was a most remarkable one? Governor DINGLEY's private life, though from the very nature of the man not conspicuous, may well be commended as a model. As a husband, he was devoted and faithful; as a father, wise, generous, and indulgent; as a citizen, never shrinking from the duties of citizenship; an active friend of education, temperance, and religion; an earnest promoter of every good work. To crown all, he was himself a follower of his Lord. In a letter of instructions accompanying his will he closes with these words:

My strongest desire is that my children may maintain such pure, noble, and Christian life and character as will honor their father, make happy the last days of their mother, and fit them for the life of heaven, where I hope through Christ's love to meet our reunited family.

A life here abounding in the rewards man can bestow has there been crowned with "Well done, thou good and faithful servant; enter thou into the joy of thy Lord."

Mr. COCKRELL. Mr. President, in paying our last sad tribute of friendship, affection, and honor to the memory of Hon. NELSON DINGLEY I shall indulge in no extravagant eulogy, which I know would be extremely distasteful to him were he living and present to hear it.

The simple, truthful statement of his life works and true character are amply sufficient to justify all I can say.

Mr. DINGLEY was born at Durham, Me., February 15, 1832, on one of the rugged farms of Maine.

His father was an agriculturist and country merchant of unquestioned worth, energy, and steadfast purpose.

His mother, prior to her marriage, had been a teacher and was a lady of rich attainments and most exemplary character.

He inherited the noblest and best traits of character of both his parents.

He graduated from Dartmouth College in the class of 1855. Studied law and was admitted to the bar, and possessed a strong judicial character. His tastes led him from the law to become the proprietor and editor of the *Lewiston, Me., daily and weekly Journal*, in 1856, which he maintained to the day of his death. He was a terse and forceful writer and made his paper the leading and an influential journal not only in Maine, but in all the New England States.

He soon entered the political arena, and was elected a member of the State house of representatives in 1862, 1863, 1864, 1865, four successive terms, and again in 1868 and in 1873. He was chosen speaker of the house in 1863 and again in 1864, and declined a reelection, preferring his place upon the floor.

In these positions of honor and trust he endeared himself to the people of the whole State, and they elected him governor of the State in 1873. His administration of State affairs was honest and acceptable, and he was reelected governor in 1874, and declined a renomination in 1875.

He was elected a Representative in Congress in 1881 to fill the vacancy caused by the election of Hon. WILLIAM P. FRYE to the United States Senate, and was reelected a Representative at large to the Forty-eighth Congress, and was elected to the Forty-ninth, Fiftieth, Fifty-first, Fifty-second, Fifty-third, Fifty-fourth, and Fifty-fifth Congresses. The degree of LL. D. was conferred upon him by Bates College in 1874 and by Dartmouth College in 1894.

He was a delegate to the National Republican Convention in 1856, and was at the time of his death a member of the commission to adjust the differences between the United States and Canada.

I became quite closely associated with Governor DINGLEY while he was a member of the Committee on Appropriations of the House, and a member of the legislative commission, commonly known as the "Dockery Commission," created by the act approved March 3, 1893, and composed of Hons. A. M. DOCKERY, chairman, and NELSON DINGLEY and JAMES D. RICHARDSON on the part of the House, and Senators CULLOM, and JONES of Arkansas, and myself on the part of the Senate, with Messrs. James C. Courts and Thomas P. Cleaves, clerks respectively of the House and Senate Committees on Appropriations, serving as invaluable aids.

In the exceedingly important and successful work of that commission, Mr. DINGLEY was a most potential factor. I heartily endorse the words uttered by my colleague in the House, Hon. A. M. DOCKERY, touching the part performed by Mr. DINGLEY:

In pursuing its labors the commission largely relied upon the sound judgment of Mr. DINGLEY. He united in a peculiar degree legislative and executive capacity of the highest order.

This retrospect of the public positions filled by Mr. DINGLEY during a period of thirty-seven years is most instructive, and shows that in a preeminent degree he held and enjoyed the respect, the confidence, and the friendship of the good people of his native State, who gladly bestowed upon him positions of honor, trust, and responsibility one after another in almost continuous succession.

Few men in public life have ever so fully met the expectations of their constituency in so many trying positions for so long a period of time.

The Rev. G. M. Howe, his pastor, in his sermon on the occasion of the burial of Mr. DINGLEY, at Lewiston, Me., in speaking of his public life, said:

As we contemplate his remarkable career, beginning here in this city, where he has made his home, extending throughout the country, covering the State which he so ably and honorably served as governor, and then enlarging until it extended over a nation of 70,000,000 people.

Nor was his influence limited by the confines of the Republic. It swept beyond these, commanding the respectful attention of the world's leading statesmen and affecting directly or indirectly the legislation of all the nation. While he was thus pressing his way upward to the high position which he filled his influence was deepening and broadening in the community where he began his eventful career. This commanding influence was not the result of fortune or adventitious circumstances, but was the legitimate outcome of a life "laid in deep and solid foundations and reared in harmonious and endearing proportions."

Such results could have been achieved only by fidelity to duty and an unflinching faith in the rectitude of his purposes. From the beginning of his active life he must have been dominated by the loftiest and noblest of moral ideals.

It could not have been otherwise, for while it is possible to so order one's conduct as to deceive here and there an individual, it is impossible for a public servant to deceive millions of people for a generation. No craft, however skillfully employed, could for so long a time disguise the hypocrisy or hide the corruption.

As President Lincoln said:

You can fool all of the people some of the time and some of the people all the time, but you can't fool all the people all the time.

Quoting again from his pastor's sermon:

How is this constantly increasing and enduring strength with the vast majority of our people to be accounted for? What enabled our distinguished citizen to pass without a single stain upon his fair fame through the varied experiences of a long and peculiarly trying public life?

It was not great intellectual ability, for his was not a preeminent endowment. It was not eloquence, for he had no special gifts as an orator. It was not the charm of a polished manner, for, while he was ever affable and courteous, he had not cultivated the "arts of grace as a means to an end." What, then, was it that enabled him to attain unto and hold so long the position he occupied in the thought, esteem, and affection of his countrymen? The answer to these questions is found in his loyalty to principle, his devotion to truth, his thorough preparation, and conscientious work. Thus he was ever ready for and equal to the demands of the hour and the occasion.

By his earnest application to the task in hand and by his signal success in his chosen field of effort, he proved to the young men of this Republic that—

"The heights by great men reached and kept  
Were not attained by sudden flight,  
But they while their companions slept  
Were toiling upward in the night."

Wherein lay the secret of his character, the strength and beauty of which all recognize? Does not the secret lie in his implicit faith in Christ and His atonement? From early manhood to the day of his death it was his cherished and avowed purpose not only to know but to do the will of his Divine Master.

What a testimony his consecrated life has been all these years to the influence and power of the Lord Jesus Christ!

Our friend, our collaborator in the Halls of our National Congress, has been taken from us and can not return to us.

While we mourn our great loss in his death, we can but feel that he has left us and the people of our great country a rich, inspiring, and ennobling legacy in his noble, exemplary Christian life and labors, a light to shine and guide, to elevate and encourage; for—

Were a star quenched on high,  
For ages would its light,  
Still traveling downward from the sky,  
Shine on our mortal sight.  
So when a great man dies,  
For years beyond our ken,  
The light he leaves behind him lies  
Upon the paths of men.

In politics Governor DINGLEY was an ardent Republican and devoted to the maintenance of his party. Few able leaders of his party have been members of the House, and yet he made no pretensions to leadership, no effort to dictate, and no appeals merely to partisan prejudice. His party friends followed him because they knew he was honest, sincere, thoroughly informed, and reliable, and earnestly devoted not only to what he believed to be for the best interests of the country but also to the best interests and success of his party.

While an ardent Republican, he was not offensively or obtrusively partisan, was not abusive or extravagant in his expressions in regard to political opponents and measures. To a remarkable degree he enjoyed the respect, confidence, friendship, and affection of his political opponents. While they recognized him as an able Republican leader, they knew that in all matters not political he was a patriot and devoted to good government and what he believed to be best for his country and people.

They had confidence in him and trusted him. Governor DINGLEY was the true gentleman in all the relations of life and in the discharge of all the duties of public positions. In debate he was conservative in expression, relying upon facts and figures presented and sustained by reason and logic.

Personally and socially he was always gentle, unobtrusive, courteous, and polite, and won the respect and confidence of those with whom he met.

He was true and faithful to his friends, and they were true, faithful, and devoted to him.

In his Christian home he was the devoted and faithful husband, the kind and affectionate father, the friendly, obliging, and beneficial neighbor. His character, his services, and his record, private and public, are without a stain of immorality, deception, fraud, or corruption, and are worthy of the imitation and emulation of all the young men of our great Republic.

Mr. PLATT of Connecticut. Mr. President, we pause to-day in the stress and strain of important and absorbing public business to do honor to the life and memory of NELSON DINGLEY. For the hour clashing debate is hushed, all controversies forgotten, and we gladly unite in paying tribute to his memory.

Mr. DINGLEY was a remarkable man. Nature, sometimes so lavish in its special gifts and graces, bestowed but few on him. He was not endowed with a charming personality, with great eloquence, or with that quality which for want of a better term we call personal magnetism; there was in his presence and bearing, in speech and style, less to attract and win favor than is usual in the case of men who reach high position and acquire a commanding influence in national affairs.

It may, I think, be fairly said of him that nature put him at a disadvantage in the struggle for eminence, but that in spite of all disadvantages he had long before his death reached a preeminent place in the councils of the nation and in the estimation, regard, and affection of its people. The estimation in which he was held by the public was truly reflected when, in anticipation of his

death, there passed from lip to lip all over the land the words "No one can take his place."

He was the acknowledged leader of the House of Representatives in the Congress of the United States. Whoever becomes chairman of the Committee on Ways and Means of that body is recognized, nominally at least, as its leader. In our history a few only occupying that position have left behind them a reputation for real leadership, but of such real leaders NELSON DINGLEY was a most conspicuous example. He possessed many of the elements of true greatness, but was so modest and unassuming that it required the second thought to appreciate that greatness.

The public has a very inadequate conception of the real labor, responsibility, and struggle through which and by which a member of Congress comes to be recognized as entitled to a place in the front rank of legislators. Few people, I think, appreciate the wonderful extent of our country, the multiplicity and importance of the measures considered in its Congress; fewer still have any conception of the weary mental processes by which they are so comprehended as to be wisely considered.

Nor is justice done by the public to the ability of the House of Representatives. No other popular legislative body in the world represents so large or so intelligent a constituency, and I am sure it is not pride of country alone which induces me to say that the standard of ability is higher in the Congress of the United States than in any other representative legislative body.

Oratory, conflict, and sensation attract the public, and our people too largely judge the House of Representatives by the notices of its proceedings which through the press reach the public eye and influence the public mind. They scarcely stop to think that amid all its eloquence, conflict, and sensational scenes there is a real, practical, earnest, and full appreciation of the wants and needs of the people and an intelligent and able direction of its great purposes and interests.

They do not fully appreciate that what our country is has been the result of carefully considered and wisely enacted legislation; and I may, I trust, be pardoned when I say that they have a very inadequate conception of the "patient search and vigil long" of the member of House or Senate who comes to have national recognition as one prominent in the molding of such legislation.

But here was a man with few natural gifts, with nothing of adventitious circumstance to aid him, with little power to charm by eloquence, or to attract attention by traits which excite personal admiration, who came to be foremost in the legislative councils of the country. His opinions were accepted, his conclusions followed, by a great and able body of legislators with almost implicit reliance and faith.

How did he acquire such preeminence? What was the secret of his great influence? Why was his the directing mind and purpose in legislation? There must have been something unusual in the man which thus enabled him to lead and direct, and it is most interesting to seek the source of such influence and power.

I think it may be found in two conspicuous qualities of the man. First, in his intense, unquestioned honesty; second, in his unwearied, never-ceasing application. Absolute honesty and untiring industry were the secrets of his great success. I think I never knew a man with greater accuracy of information, and this was so generally recognized that his statements of fact upon any topic were scarcely ever disputed. How easy it is now to give utterance to this truth, and yet how little we can realize through what laborious study, intense and patient application he came to be possessed of this wide and accurate information.

I think I never knew a man in public life who followed more unswervingly his convictions of right and duty than NELSON DINGLEY. How easy it is now to say this, and yet men little realize how hard it is for one in public life to live up to his convictions of public duty, never to be swayed by the importunities of friends, never to be deterred by the fear of personal or political criticism. What an example for the youth of our country is presented in the triumph of NELSON DINGLEY over the lack of natural advantages by strict adhesion during all his life to these two guiding forces—honesty and industry.

We are apt to speak of training in life without really estimating the value of training. Mr. DINGLEY was fortunate in his training. He was a journalist and a lawyer. Any lawyer worthy of the name learns to weigh all questions presented to him with the utmost care, to investigate fully, carefully consider the application of legal rules and principles to facts, and then reach conclusions which to him are just and final; a lawyer's processes are therefore slow and hesitating.

The journalist, on the other hand, seizes the facts in a moment, and forms his conclusions instantly. Electricity brings daily to his sanctum the news of the globe. It must be digested and commented upon in the morning issue of his paper. As a wide landscape is imprinted as with a flash of lightning upon the retina of his natural eye, so the transpiring events of the whole world are imprinted upon the mental retina of the journalist, and like the

conceptions resulting from natural vision, so the conceptions of his mental vision are instantly taken up in his consciousness.

In Mr. DINGLEY's case the swift processes which came from his journalistic training were affected by the slower processes of his legal experience, and vice versa; the mental habits of the journalist and lawyer were united, and the result was most happy.

But, after all, whether as lawyer, journalist, or legislator, his greatest power lay in the fact that he was ever true to himself and his convictions. How appropriate to his life is that scriptural phrase, "patient continuance in well-doing." How it marks and explains every step in his career; and when we consider the life work, reputation, and triumph of Mr. DINGLEY, another message and injunction of the Sacred Book comes to us most impressively: "Be thou faithful unto death and I will give thee a crown of life."

We all know that Mr. DINGLEY was "faithful unto death," and we are equally sure that his is now the "crown of life."

Mr. FAULKNER. Mr. President, the Senate, even in the closing hours of its session, can well afford to suspend its legislative labors to pay a fitting tribute to the life and character of NELSON DINGLEY.

Reflection upon the death of this good man may thus be made the means of elevating and strengthening the purpose and character of those who may follow his successful career. Man is imitative. When a life of virtue and industry has been crowned with success, it arrests attention and commands consideration. Whose life, among our public men, could more strikingly illustrate those elements of power than that of this beloved representative of the State of Maine?

Let those familiar with the record of this quiet, unobtrusive, yet determined character, in the language of truth and not of extravagance, tell the youth of our country how, by the exercise of his natural endowments and acquired habits, he gradually but surely overcame every obstacle and surmounted every difficulty found in his pathway until at the hour of his death he was seen standing upon an eminence sufficiently lofty to gratify the highest ambition—the recognized and honored leader of so distinguished a body as that of the House of Representatives. Will not such a recital tend to stimulate the aspirations and encourage the loftiest sentiments of others to follow in his footsteps, to be influenced by his example, and to be strengthened by his virtues in their efforts to reach that plane of confidence and honor which has marked the career of this distinguished American?

Mr. DINGLEY was not a man who, on the hustling or in a deliberative body, would arouse admiration by his wit or excite enthusiasm by the brilliancy of his conceptions. He had not the gift of the orator. He carried his audience with him, not by arousing their emotions and then temporarily direct them, but by an appeal to their intellectual integrity. As a speaker he possessed none of those physical characteristics which add so much to the effectiveness of the orator, nor did he indulge in those figures of rhetoric so frequently relied upon by the advocate.

His voice was low and at times harsh. His presence was not commanding. With these disadvantages, I am not using the language of exaggeration when I assert that when he addressed that distinguished deliberative body of which he was so prominent a member no man deserved or secured more respectful or closer attention than Mr. DINGLEY.

The reason for this is not difficult to understand. Mr. DINGLEY was a leader possessing strong convictions and a large storehouse of information. He never sought to direct and guide others until he himself had first mastered the subject. His mind was not only logical, but essentially analytical. His premise, from which he reasoned to a conclusion, was never assumed until, by analysis, he had proved its correctness.

He never relied upon the arts and tricks of the orator. He planted himself upon the solid foundations of conviction and knowledge, and builded his arguments by a direct appeal to the conscience and intellect of his hearers. His method of presenting a subject was directed by the skill of the logician, the tactics of the strategist, and his arguments bristled with an array of facts and statistics which, if admitted to be true, rendered his conclusions impregnable.

Mr. DINGLEY must have appreciated early in life the wisdom of the philosopher who held that as an essential element of success the individual must first know and appreciate his weakness and defects, as well as the elements of his strength. He understood the scope of his capacity better than even his most intimate friend. He did not seek to overcome the impossible, but concentrated his indomitable energy in an effort to develop and improve every faculty and gift with which nature had endowed him. His patience was inexhaustible. His confidence in himself never wavered. Realizing that he was not possessed of the weapons of brilliancy, wit, and satire, he determined to lead and command by the accuracy of his information, the fullness of his knowledge, and in the skill and tact with which he presented his subject.

Mr. DINGLEY possessed one of the most essential elements of a successful parliamentary leader. His phlegmatic temperament gave him complete control over all his faculties and emotions. The aggressive assault of an adversary, either directed against himself or the subject he championed, failed to irritate him beyond perfect self-control, and no measure in his charge was ever lost by irritability or mismanagement. He declined to meet such an attack with a harsh rejoinder or by an unkind retort. Cool, self-possessed, earnest, he persistently kept his mind directed to the accomplishment of the object he had in view, permitting all irrelevant subjects brought into the debate to pass unnoticed. These qualities made him both a great leader and a dangerous opponent.

Personally, Mr. President, I became better acquainted with Mr. DINGLEY in my service with him as a member of the joint high commission between Great Britain and this country, to settle the differences existing between the United States and Canada. My close association and frequent conference with him upon that commission enabled me to form a better judgment of his true mental stature and his social qualities.

In the consultations which were held and in the discussions which followed upon the important questions involved in those negotiations I learned to appreciate how thoroughly equipped he was upon all of the great public questions involved and which bore so directly upon the interest of the people of this country. His information was full and accurate. His views were broad, wise, and statesmanlike. His temperament was calm and judicious. His intellectual processes were clear and penetrating, and his power of both analysis and construction unusual.

During the progress of those negotiations I appreciated fully one of his most striking characteristics, and which is essential in a great leader. I refer to his confidence in his final judgment and conclusions.

Mr. President, the conclusion reached by Mr. DINGLEY, after a mature consideration of a subject, always rested upon a broad, not a narrow, view of the question. He did not permit his judgment to be influenced by sectional or local considerations when considering a question involving national interest.

As a master of the subject under consideration, confident in his own judgment as to the public sentiment of the American people, like a well-trained lawyer who had prepared his case with thoroughness and ability, he knew almost intuitively the extent that he could go in the compromise of conflicting interests, with an assurance that his action would be sustained by an enlightened public sentiment. Sir, none of his associates in public life will feel more deeply the loss of his wise counsel, his well-equipped mind, his broad and sound views upon public questions, his firmness and patriotism, than those who were associated with him on the British-American Commission.

Mr. President, Mr. DINGLEY in his social relations in life was one of the most agreeable and charming men that it has been my fortune to meet since I entered the public service. Although never idle, he was never too busy to greet any who approached him with a genial welcome that would remove at once any doubt in the mind that your interruption was an intrusion. His greatest delight seemed to be in conveying information from that well-stocked storehouse of knowledge which he had so luxuriously furnished in many years of laborious work.

To him all questions of life in the political, moral, and social world demanded of him serious consideration, and found him possessed, when they were discussed, with earnest convictions. Although a man of great firmness of character, I have never heard a harsh word or one of unkindness escape his lips. The malice of weakness, the envy of littleness, and the jealousy of inferiority were foreign to his nature and to the rounded development of his character.

In the consciousness of a pure and the contentment of a successful life, surrounded with the fond affections of a noble wife and the devotion of his children, he pursued his duties and met his responsibilities with confidence in his ability to fully measure up to every position which a long and honored life of public service imposed upon him.

Mr. President, Mr. DINGLEY was a wise and far-seeing statesman, a firm and faithful friend, a courteous and genial companion, a safe and conservative leader, a devoted husband, and an affectionate and indulgent father, a pure and consistent Christian, and one of the best types of the American politician.

May his memory be preserved in the hearts and affections of his people, and the record of his life encourage and sustain those who are seeking to attain the eminence that he reached. Let those who shall seek to occupy his place in the public eye emulate his virtues and win their honors by the employment of those pure and manly methods which from early manhood to the hour of his death guided and directed his honored career as he advanced step by step in the confidence and esteem of his country.

Mr. CHANDLER. Mr. President, not long after Mr. DINGLEY became a Representative in Congress I discovered and had public occasion to extol his remarkable powers of research, arrangement, and exposition in dealing with economic questions. Whenever he wrote or spoke on any important subject it was certain that he had thoroughly investigated it and that his presentation would be full and complete, neglecting no fact and avoiding no possible view of the question discussed. It is no slight compliment to him to say, as was often said when inquiry for information was made upon complicated subjects, "Mr. DINGLEY has investigated it. Look at his conclusions. You may be sure you will learn the whole case."

Mr. DINGLEY had important characteristics which thus made him exceedingly useful in his public career as a journalist, as governor, and as a legislator. His industry was untiring. He gave his whole time to his work. He enjoyed it, and it seemed as if he had adopted working as a principle. Work, indeed, has been commended as the highest wisdom as well as the greatest enjoyment of life. One writer says:

We enjoy ourselves only in our work, and our best doing is our best enjoyment.

Carlsle says:

Blessed is he who has found his work. Let him ask no other blessedness. He has a work, a life purpose; he has found it and will follow it.

Thus believing, Mr. DINGLEY was "never idle a moment, but thrifty and thoughtful of others."

He unwisely, like too many others, neglected exercise and the proper care of his health in order that he might press on with the duties he owed and the labors he loved. Such constant and unrelaxed training of the brain, without due physical culture, tends to shorten life, and therefore to lessen the sum of one's achievements, which could be made much greater by more care and prudence. But Mr. DINGLEY thus labored incessantly with all his mental resources and made himself one of the most industrious men the country ever saw.

Mr. DINGLEY also made his work in life a serious one. Not that he was not genial in his associations with mankind, but he did not stop for frivolity or even for humor. His earnestness in pursuing what he sought would not allow him to tolerate diversions of fun or fancy. He had, I think, the highest conception of the obligations which fall upon every man worthily to do his part in life, to account for his talents, to make a profitable use of himself, to serve helpfully his fellow-men; and soberly, seriously, and persistently he pursued his ideals.

Moreover, he was in the highest degree unselfish. No thought of personal aggrandizement entered into the zeal with which he performed his chosen work. Whatever of success came to him, whatever of distinction and honor from his fellow-men, was not eagerly sought for, but came naturally and almost without desire. He worked not for his own profit and glory, but only in order that he might serve his State and his country.

So Mr. DINGLEY walked the straight and direct pathway of life, industrious, serious, and unselfish. He became the leading journalist of Maine. He grew to be highly influential through his editorials and through his political addresses, which were unornate, plain, straightforward, and convincing to the voters, and led to his nomination and election as governor. When his friend and townsman, the present junior Senator from Maine [Mr. FRYE], left the House of Representatives to enter upon a long and honorable career in the Senate, Mr. DINGLEY naturally became his successor in the House.

Soon his unostentatious ability, his cheerful patience, his untiring zeal, his unrivaled sagacity, and his marvelous common sense began to distinguish him upon the national field. Fortunately for this modest gentleman, as well as fortunately for the country, he became chairman of the House Committee on Ways and Means, and his name became associated with the tariff act of 1897, to the construction of which he gave the best possible work of his full and fertile brain.

Every country owes a great debt of gratitude to those of its public servants who, like Mr. DINGLEY, untiringly work out the details of the legislation of the Government, which it is so important to the public welfare to have perfectly and completely arranged. This part in the work of Congress our most brilliant orators, our most famous statesmen, are apt to neglect. That such details are willingly and patiently taken up and disposed of wisely and safely by legislators like Mr. DINGLEY, ever present, ever active, and ever self-sacrificing in their country's service, is one of the most encouraging features of our method of government.

How often do we see such a man giving to his official work all the waking hours of his days and his nights, the whole of his mental powers exhaustively exerted far more than they ever were or ever would be in his private business, and frequently to the neglect and destruction of such private business and the diminution or loss of his private fortune. Such cases are not rare and have been

noticed by every Senator now present. Many members of Congress and Senators work hard and die poor in the public service.

They have their compensations—the consciousness of faithful labor, the honor of Congressional eminence, and the mental growth which public life stimulates; but the rewards of wealth, which the same exercise in the field of business doubtless would have given to them, are not theirs. To this noble class of men, of whom too much praise can not be spoken, Mr. DINGLEY belonged, and to them and to him is due every possible tribute of appreciation and affection which a grateful country can bestow.

New England is proud of her sons who have achieved distinction in various forms upon national fields. The State of Maine cherishes and persistently sustains her chosen Representatives and Senators in Congress, among whom have been seen profound thinkers, eloquent speakers, and patriotic statesmen of the highest order of merit. Mr. DINGLEY was a worthy member of the noble Congressional group to which he belonged.

Faithful in life to every duty to his fellow-men, the best yet remains to be said of him, that he was, above all, a devoted servant of the living God in whom he believed. Constantly maintaining his faith in the invisible, he always looked hopefully forward to the time of his translation to higher duties in another sphere.

We are accustomed to speak of death as giving rest, and we wisely believe that it does give rest—rest from the weariness of the flesh and from the disappointments and sorrows of this earthly life. But we do not think that we shall rest perpetually. We believe that our souls shall be divinely renewed and that we shall be re-inspired to higher and grander activities.

The friend we mourn is already rested and refreshed by angelic ministrations. We can not tell how long he must wait before he can clasp hands with the Master or look upon the great white throne and Him who sits upon it, but we feel sure that even now, in happy companionship with those whom he loved and lost on earth, he is entering with joy and felicity into noble service for God in the mansions of the blessed in heaven.

Mr. FAIRBANKS. Mr. President, in the death of NELSON DINGLEY the State of Maine lost one of her most eminent sons and the nation one of her most distinguished and useful statesmen. The Senate of the United States does well to pause in the great work committed to it and place upon its enduring records fitting tribute to his memory. The ceremony of the hour is always impressive, but never more impressive than now.

When the Fifty-fifth Congress convened, one of the most conspicuous figures among its members was NELSON DINGLEY. Much was demanded of him in the public exigency, much was expected. To-day we stand at the close of a Congress which will remain memorable in the annals of the Republic and express our estimate of his worth and work.

I would not presume to enter upon an extended account of the career or analysis of the character of this eminent and worthy statesman in the presence of those who wrought with him in the public service for almost a lifetime. There are those here whom it would better become to speak of him at length than myself, but none can express a more profound admiration for his life and character than I.

His chief monument, the great measure with which his name is forever associated, was enacted by the present Congress. The work was arduous, but he did not avoid it. The more difficult the task the greater his devotion. His ample experience, his profound judgment, his mastery of detail, his comprehension of economic principles were summoned to the work.

I know from his own lips with what keen satisfaction he looked upon the fruit of his labors and saw the fulfillment of all his prophecies.

My personal acquaintance with Mr. DINGLEY began but a comparatively short period before the opening of the present Congress. It was my good fortune to have been intimately associated with him in the public service, where I had opportunity to appreciate the high qualities which he possessed in abundant degree. As a member of the United States and British Joint High Commission he displayed in full measure those attributes which gave to him the leadership of the House of Representatives and made his name indeed a household word throughout the Republic.

My preconceived estimate of his character was only heightened by closer and more intimate association. He addressed himself to the work of the commission with consummate skill and unflagging zeal. His information was large, his patience and industry a fitting complement. He was exhaustless in research, accurate and logical in statement, and withal possessed of a judicial temperament. He was disposed to investigate, then decide. His conclusions were deliberately reached and not hastily abandoned.

His modesty was a conspicuous trait. It was the modesty of wisdom. He avoided all vulgar display, and was at all times actuated by a sense of the highest duty, a duty which ever seemed to be his perfect master.

I can not conceive that he was ever influenced by an ignoble or

debased motive. He delighted to serve the people. The major part of his life was devoted to their cause. No task in their behalf was too heavy. He did not seek the applause of the moment, but the approving judgment of mature reflection. He sought that which endured as the solid rock, not that which was as fleeting as the summer clouds.

The dedication of his life to the public service was free from any taint or thought of mere personal gain. Whether occupying the exacting position of speaker of the house of representatives, or the chief executive office of his State, or a place in the leadership of the national House of Representatives, he regarded himself as merely an agency in the promotion of the public welfare. His editorial experience was correlated to his public service. His love for the State of Maine and her people was intense; his admiration of his country and of his countrymen was profound.

He had been an accurate and critical student of his country's history, of its industries, of its opportunities, of its possibilities, and believed that under the inspiration of the policy and principles of which he was so loyal and able an exponent, a mighty destiny lay before us.

He easily and instantly impressed one with an abiding sense of loyalty to his convictions. He was direct in his mental processes; he was incapable of dissimulation.

He was not a brilliant man; he was a safe man. He possessed the highest moral courage, and followed fearlessly wherever conscience and duty, which were synonymous with him, led.

He was a plain man—plain in habit, plain in manner. He came from the farm where the best citizenship and statesmanship are nurtured. There he learned the invaluable lessons of conservatism, economy, labor, and an abiding faith in his fellow men. There he learned to love the fields and hills about him, and the institutions of his country which secured him in their enjoyment.

He was a man of infinite culture. He had indeed been an apt student of men and measures. While he accomplished great works, he did not claim extraordinary gifts. He possessed all the essential qualities of virile manhood and of vigorous and robust statesmanship.

He was charitable in his judgments. He was not quick to condemn, but eager to forgive.

He controlled men not by artifice, not by demagogic appeal, but by the force and merit of his own cause. His genius was patience.

Mr. DINGLEY died when his great services were most needed. He was a man of constructive statesmanship, and his experience and qualities were such that his country had much need of him. His was the wisdom which it was safe to follow in paths untrod; his lamp could well light the way.

He died bravely at the post of duty. His last moments were filled, as he could have wished, with thoughts of the State. In the delirium of disease he debated great affairs. His last thoughts were of public duty and of country. His last hours were devoted to the cause for which he had most lived—the cause of his countrymen.

Mr. DINGLEY arose to the full measure and stature of a statesman, and his name will long abide as one of the benefactors of his time.

Mr. McLAURIN. Mr. President, we pause a moment in the closing hours of one of the most momentous sessions of our Congress to pay a tribute of respect to one of our comrades who fell at his post of duty. He died full of years, full of honors, and in the full maturity of his manhood. He has paid the debt of nature which sooner or later all of us must pay. His earthly duties were about fulfilled and his ordained life work about accomplished when, like the golden grain ready to be harvested, he was garnered to his home on high. NELSON DINGLEY was taken in the midst of a useful life to his State and country, but not until he had made his impress as a public man upon the history of the times.

As chairman of the Ways and Means Committee, his name is connected with one of the great tariff bills of the country.

The State of Maine has been peculiar in the production of influential and illustrious public men. There is to-day possibly no State in the Union that exercises so dominating an influence in public affairs. The secret of this lies not only in the ability of those who represent her, but in their long continuance in public life. A long and varied experience has made the Representatives from Maine potential factors in the national councils, and the State has reaped the full reward of her policy of retaining her Representatives in office for a lifetime.

The great of earth, even from a human standpoint, are not always the most illustrious. Bismarck defined greatness as being the capacity for heroic work.

Gladstone, Washington, Bismarck, and Napoleon were all great and illustrious because their life work and achievements challenged the attention and admiration of the world and formed a part of the history of their times and countries. They strove not only to impress themselves upon the minds of cotemporaries, but

looked to the bestowal of permanent blessings upon their race. Others whose names have not been so eulogized upon the pages of history have been as truly great, because in silent and heroic work they have been true benefactors of the human race.

It has been said that he who makes two blades of grass grow where one grew before confers a blessing upon the world. How transcendently greater is the blessing conferred upon human kind by the statesman, poet, or philosopher who gives birth to some beautiful thought that through the ages refines, ennobles, and elevates mankind, making two virtues flourish instead of one.

The cultivation of the intellect and the development of the soul—these are the silent, unseen forces that have transformed the world into a fit abode for civilized man.

I shot an arrow into the air,  
It fell to the earth—I knew not where;  
For so swiftly it flew the sight  
Could not follow its flight.

I breathed a song into the air,  
It fell to the earth—I knew not where;  
For who has sight so keen and strong  
That it can follow the flight of song?

Long afterward, in an oak  
I found the arrow, still unbroke!  
And the song, from beginning to end,  
I found again in the heart of a friend.

NELSON DINGLEY was great because he unceasingly worked for the good of his country and was patriotic and sincere in his devotion to the people. His knowledge of finance and tariff was phenomenal. His strong, rugged mind, retentive memory, large capacity for work, indomitable perseverance, and methodical habits well fitted him for delving into and mastering such intricate subjects. There was no superficiality about him, and nothing ever satisfied him but a perfect mastery of every subject that he undertook to investigate. He had a logical mind, a great fund of hard, common sense, and, while not an orator, whenever he addressed the House his well-reasoned speeches, replete with information, commanded the closest attention. Without ostentation or apparent effort he was a leader in all debates upon subjects which came within the range of his line of study.

Mr. DINGLEY was somewhat of a partisan, but he always subordinated party to the great principles underlying our republican institutions. Partisanship with him was esteemed a necessary quality of a public man, and whenever the storm of party passions were aroused and party interests were at stake he rose to a high plane of leadership, and others blindly followed his counsels. And yet, with all this intense partisanship, he was conservative; and his absolute honesty of mind and purpose, his irreproachable integrity of character, and his zeal and enthusiasm in any measure he advocated made him appear the faithful and conscientious public servant that he was.

I had the honor of serving for several years with Mr. DINGLEY upon the Ways and Means Committee of the House. I was on the committee while the Dingley bill was being framed, and I believe that he was an honest and incorruptible man. I learned to respect and admire his candor and sense of justice. Honestly and unreservedly he on all occasions expressed his convictions upon any public question, and while he enforced them with great earnestness he was courteous and respectful to those who differed with him. I am satisfied, however much I differed with some of his views, that in all that he did he sincerely believed that he was promoting the best interests of the country.

The allurements of public station could never swerve him from the line of duty. At the capital he lived a quiet life, industriously working for his constituents and country.

Had he lived a few months longer he would have grappled with and mastered some of the vexed problems growing out of the war with Spain, and thus added another chapter to his great life work.

As a man he was affable and approachable.

What he pretended to be he was. There was no duplicity in his nature. No one ever questioned his veracity or the sincerity of his professions. All admired his qualities of head and heart, his kindness of disposition, his unswerving integrity and uprightness of conduct. He had the simplicity of a child, with all the firmness of a stoic; the equanimity and gentleness of a Christian, with a subdued fierceness of feeling, when aroused in debate, of a strong partisan. He lived as he died, a valuable citizen, an honest Representative, a pure statesman, and a great and good man. He has laid aside his earthly duties and gone to his long rest. What and where this we do not know.

Sometimes I think there is only a thin but impenetrable veil between the here and the hereafter. It may be that the spirit world is everywhere in this great universe, and that spirit forms take cognizance of earthly things and move invisible amid the scenes of their mortal career. Dreams sometimes reveal to our senses the dead as living realities.

In sleep it may be that the unfettered soul wanders into the spirit realm; it may be that angel faces kiss the sleeper and woo for a season from this material world. If this be true, the spirit of NELSON DINGLEY will love to linger around the scenes of his public career and achievements.

Mr. HALE. Mr. President, death has again invaded the Maine delegation. In the early days of this Congress, Mr. Milliken, after a long and honorable service in the House of Representatives, was taken away; and now, at the height of his influence and in the plenitude of his power, Governor DINGLEY has fallen. So great a figure had he become in public life that the civilized world took notice of his death. The Republic mourns the loss of one of her greatest and best public servants. In the State where he was born and which had so honored him, as he had honored the State, there has been everywhere a sense of personal loss. In his district men look appealingly in each other's face and say, "How shall we fill his place?"

Few men, Mr. President, in either House of Congress have attained the distinction and influence upon large national affairs acquired by Governor DINGLEY, and it is interesting to note that the great place which he filled in the other branch of Congress and in the public eye came to him by no luck or happening. It was in no degree fortuitous. From the day on which he entered the House of Representatives and took the positions assigned to him upon the committees of that body, I or anyone looking on could see plainly that he began to be considered and accepted as an authority on any subject which he investigated.

Those of us who were his personal friends and who watched his course closely were gratified to see that his sphere of influence was constantly widening. He did nothing by halves. He studied every proposition that came in his way intently. He went to the bottom of all things that came before him. He spared neither body nor mind in the labor which he devoted to important matters before arriving at his conclusions.

So, as he grew older in service and occupied higher positions upon leading committees, it began to be seen that, among all his fellows, he was one of the best equipped men in the body. He knew more about shipping than anyone else, and about the fisheries, and banking, and currency. And when he was, for a time, assigned to the great Committee on Appropriations, he mastered the details of the work of that committee, which gives a better education as to the workings of all branches of the Government than any other service in Congress. Many a time, when I have met him in conference committee, has he put the older members from either House of Congress to the blush by the extent and accuracy of his information.

When later, in an important crisis, which involved the great question of the revenues of the country being made adequate to its expenditures, the distinguished Speaker of the House called Mr. DINGLEY to the head of the great Committee on Ways and Means, there was but one voice in Congress and in the country as to the wisdom of the Speaker's act, and the trust and confidence of the country waited on Mr. DINGLEY in the new and important work he had undertaken. But, conspicuous as was this advancement, the governor had earned it all. Toilsome days and the midnight lamp, a life given almost entirely to hard work in the public service, were the price he had paid for his promotion.

How well he met every duty of the occasion is known to all men. The tariff act which goes under his name is speaking for itself to-day, and will continue to speak in the years to come. It was, of course, a Republican measure, founded on Republican policies and principles, but it has proved a bill for the good of the whole country, and, if ever this people recovers from its mad war delirium and settles back to the enjoyment of peace and the prosperity that can only come with peace, the revenue measure known as the "Dingley bill" will, in its operation, be its own vindication.

Mr. President, if Governor DINGLEY was not imaginative, he always was reasonable; if he was not fervid, he was logical; if he was not sensational and theatrical, he was wise and sensible, and the world of public life would be better if there were more such men. He had character, which is better than many accomplishments, in which indeed he was not lacking. He had the integrity which is priceless, which is beyond all assailants and all suspicion, and he had a firmness of conviction that carried him steadily on while other men wavered and changed.

Some of us feel deeply our personal loss in his death. I had known him well for thirty years, and during this long time we had always been friends. We did not always agree upon public measures, although not often differing, but the older I grew in intercourse with him, the more I saw of him, I learned the more to appreciate his good sense, his conscientiousness, his rectitude. He has gone from among us and his work must be taken up by other hands; but public life has been the better for his service in it, and it will be a long day before the gap which NELSON DINGLEY's death has made will be filled.

Mr. President, I ask for the adoption of the resolutions.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). The question is on agreeing to the resolutions submitted by the Senator from Maine [Mr. HALE].

The resolutions were unanimously agreed to; and the Senate (at 7 o'clock and 15 minutes p. m.) adjourned until to-morrow, Thursday, March 2, 1899, at 10.30 a. m.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 1, 1899.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendments a bill of the following title; in which the concurrence of the House was requested:

H. R. 12008. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 2056. An act for the erection of a public building at Menominee, Mich.;

H. R. 10804. An act for the erection of a public building at Anniston, Ala.;

H. R. 4595. An act for the erection of a public building at Norwich, Conn.;

H. R. 5528. An act to provide for the construction of a public building at Salem, Oreg.;

H. R. 11141. An act for the erection of a public building at Annapolis, Md.;

H. R. 11360. An act for the erection of a public building at Creston, Iowa;

H. R. 11965. An act to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa;

H. R. 11162. An act to provide for the construction of a public building at the city of Janesville, Wis.;

H. R. 8587. An act for the erection of a public building at Monmouth, Ill.;

H. R. 4118. An act for the erection of a public building at St. Cloud, Minn.;

H. R. 2314. An act to accept a site as a donation and erect thereon a custom-house and post-office building in the city of Bristol, State of Tennessee;

H. R. 2879. An act providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo.;

H. R. 12125. An act making an appropriation to carry out the obligations of the treaty between the United States and Spain, concluded December 10, 1898;

H. R. 431. An act to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois;

H. R. 84. An act to provide for the erection of a public building at Freeport, Ill.;

H. R. 1079. An act to enlarge and improve the United States public building at Columbus, Ga.;

H. R. 10753. An act to provide for enlarging and improving the United States Government building at Macon, Ga.;

H. R. 11919. An act to construct a public building at Oskaloosa, Iowa, and for other purposes;

H. R. 477. An act to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin;

H. R. 1631. An act to provide for the purchase of a site and the erection of a public building thereon at Rome, in the State of New York;

H. R. 2598. An act for the erection of a public building at Newport, Vt.; and

H. R. 11314. An act to provide for a public building at New Iberia, La.

The message also announced that the Senate had passed joint resolution of the following title; in which the concurrence of the House of Representatives was requested:

S. R. 196. Joint resolution for the relief of J. T. Bootes, late lieutenant (junior grade), United States Navy.

The message also announced that the Senate had passed with amendment the bill (H. R. 11882) to increase the limit of cost for the erection of a public building at Stockton, Cal., asked a conference with the House of Representatives on the bill and amendment, and had appointed Mr. QUAY, Mr. WARREN, and Mr. MONEY as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 414) for the erection of a public building at Tampa, Fla., asked a conference with the House of Representatives on the bill and amendments, and had appointed Mr. QUAY, Mr. MONEY, and Mr. WARREN as the conferees on the part of the Senate.

The message also announced that the Senate had passed the bill (S. 5462) to authorize certain persons who have intermarried with

Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded.

The message also announced that the Senate had passed with amendments the bill (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Ala.; in which the concurrence of the House of Representatives was requested.

## SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the House nonconcur in all of the amendments of the Senate to the sundry civil appropriation bill, ask for a committee of conference on the disagreeing votes of the two Houses, and have the bill printed with the Senate amendments numbered.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. CANNON, Mr. MOODY, and Mr. DOCKERY.

## OMNIBUS CLAIMS BILL.

Mr. MAHON. Mr. Speaker, I desire to submit a privileged report. I send to the desk a report from the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4936) for the allowance of certain claims due by the Government, and move its adoption.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

An act (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to claimants in this act named the several sums appropriated herein, the same being in full for, and the receipt of the same to be taken and accepted in each case as a full and final release and discharge of, their respective claims, namely:

## CLAIMS ALLOWED UNDER THE BOWMAN AND TUCKER ACTS BY THE COURT OF CLAIMS.

## ALABAMA.

To James McPeters, administrator of Nelson G. Allen, deceased, late of Lauderdale County, \$1,320.

To John H. Vaught, administrator of Jeremiah Arnold, deceased, late of Jackson County, \$1,706.

To John W. Belcher, administrator of John Belcher, deceased, late of Jefferson County, \$220.

To Elizabeth C. Bibb, of Huntsville, \$1,644.

To S. V. Biggers, administrator of Robert P. Biggers, deceased, late of Cherokee County, \$610.

To James T. Broadfoot, administrator of Charles W. Broadfoot, deceased, late of Lauderdale County, \$124.

To Joseph A. Clark, of Madison County, \$500.

To A. J. Bentley, administrator of Joseph Commons, deceased, late of Madison County, \$700.

To James McPeters, administrator of Lemuel Corum, deceased, late of Lauderdale County, \$388.

To Henry H. Coulson, of Jackson County, \$250.

To Nancy C. Comer, administratrix of A. F. Comer, deceased, late of Cherokee County, \$200.

To G. S. Curtin, administrator de bonis non of Lewis Curtin, deceased, late of Lawrence County, \$965.

To James A. Barton, administrator of Henry Ferguson, deceased, late of Walker County, \$1,568.

To Abner T. Fuller, of Crenshaw County, \$100.

To John B. Hardman, of Cherokee County, \$2,220.

To Thomas J. Hargies, of Jackson County, \$1,637.

To Bartley Harris, of Madison County, \$1,020.

To John S. Hays, of Walker County, \$380.

To Samuel B. Herston, administrator of William C. Herston, deceased, late of Lauderdale County, \$425.

To John Higgins, of Lauderdale County, \$174.

To William B. Hill, administrator of C. B. Hill, deceased, late of Jackson County, \$480.

To T. L. Bryant, administrator of William H. Huff, deceased, late of Etowah County, \$528.

To L. D. McCallum, administrator of Stephen Hurley, deceased, late of Cherokee County, \$795.

To Philip M. Jones, administrator of Philip R. Jones, deceased, late of Lee County, \$1,354.

To John Kachelman, of Lauderdale County, \$288.

To Hugh G. Kirby, administrator of Richard Kirby, deceased, late of Jackson County, \$615.

To W. F. Laxson, administrator of William G. Laxson, deceased, late of Madison County, \$725.

To Samuel H. Lemaster, administrator of John W. Lemaster, deceased, late of Lauderdale County, \$411.

To John F. Lewallen, administrator of Madison Lewallen, late of Jackson County, \$205.

To W. H. Grimes, administrator of William H. Linam, deceased, late of Wilcox County, \$575.

To Benjamin E. Moody, of St. Clair County, \$390.

To William B. Owens, of Cherokee County, \$630.

To E. W. Miller, administrator of Elizabeth A. Palmer, deceased, late of Walker County, \$665.

To Henry Patton, of Lauderdale County, \$300.  
 To Solon D. Moore, administrator of Caroline Pollard, deceased, late of Cherokee County, \$445.  
 To George W. Roberts, of Morgan County, \$150.  
 To Henry H. Golight, administrator of Robert Rollins, deceased, late of Cherokee County, \$231.  
 To Mary E. Saffold, of Dallas County, \$2,033.  
 To Solon D. Moore, administrator of John C. Scroggins, deceased, late of Cherokee County, \$750.  
 To Thomas L. Shamblin, of Tuscaloosa County, \$65.  
 To William P. Shelton, of Jackson County, \$230.  
 To William B. Smithson, administrator of John G. Smithson, deceased, late of Lauderdale County, \$537.  
 To Solon D. Moore, administrator of Wiley B. Starling, deceased, late of Cherokee County, \$1,202.  
 To John B. Steadman, administrator of James Steadman, deceased, late of Walker County, \$240.  
 To John H. Vaught, administrator of Frederick Stearns, deceased, late of Jackson County, \$125.  
 To Mrs. H. H. Stevens, executrix of Wilkins Stevens, deceased, late of Randolph County, \$750.  
 To George W. Stutts, of Lauderdale County, \$590.  
 To William B. Taylor, administrator of John E. Taylor, deceased, late of Dekalb County, \$537.  
 To Eliza H. Tenge, administratrix of Charles A. Tenge, deceased, late of Lauderdale County, \$501.  
 To W. B. M. Leo, administrator of Mordecai Tipton, deceased, late of Cherokee County, \$155.  
 To John V. Ezzell, administrator of Clark M. Tompkins, deceased, late of Franklin County, \$533.  
 To Thomas J. Denson, administrator of Stephen J. Townsley, deceased, late of Lauderdale County, \$396.  
 To Robert E. Tweedy, of Lawrence County, \$1,579.  
 To Harriet Y. Wakeley (formerly Gordon), of Cherokee County, \$230.  
 To John W. Wesson, of Dekalb County, \$441.  
 To Thomas J. Whitson, of Tuscaloosa County, \$154.  
 To Nathan L. Williams, administrator of Martha R. Williams, deceased, late of Madison County, \$1,200.  
 To Thomas B. Woosley, administrator of William Woosley, deceased, late of Jackson County, \$1,322.80.  
 To Seborn E. York, administrator of William York, deceased, late of Lime-stone County, \$249.  
 To Samuel M. Weaver, administrator of George W. Yuckley, deceased, late of Huntsville, \$900.

## ARKANSAS.

To Cynthia C. Baker, of Benton County, \$455.  
 To the heirs at law of Charlotte C. Bancroft, deceased, late of Phillips County, \$9,970.  
 To Samuel L. Black, administrator of John P. Beasley, deceased, late of Monroe County, \$2,965.  
 To Mary J. McCall, administratrix of James Bridgman, deceased, late of Crawford County, \$1,575.  
 To John Campbell, late of Independence County, now a resident of Columbia County, Oreg., \$1,165.  
 To Samuel M. Carson, administrator of William Carson, deceased, late of Monroe County, \$3,740.  
 To Henry T. Cate, of Washington County, \$335.  
 To Pryor D. Chism, administrator of Robert Chism, deceased, late of Monroe County, \$235.  
 To William R. Clark, administrator of James W. Clark, deceased, late of Benton County, \$3,610.  
 To Charles Crowell, of Benton County, \$963.  
 To Alexander Davis, of Conway County, \$505.  
 To W. F. Davis, administrator of George W. Davis, deceased, late of Sebastian County, \$505.  
 To Phil Davis, of Woodruff County, \$453.  
 To William Y. Fain, of Phillips County, \$500.  
 To Benjamin F. Greer, administrator of Hugh Flinn, deceased, late of Benton County, \$655.  
 To E. M. Ford, administrator de bonis non of Richard L. Ford, deceased, of Phillips County, \$3,159.  
 To Peter L. Freezer, of Mississippi County, \$125.  
 To Samuel Gallaher, administrator of Henry Gallaher, deceased, late of Washington County, \$575.  
 To Benjamin E. Gambill, of Benton County, \$248.  
 To John N. Hays, of Benton County, \$1,115.  
 To J. W. Frazer, administrator of William J. Hendricks, deceased, late of Monroe County, \$1,612.  
 To John B. Hogue, administrator of Powell E. Hogue, deceased, late of Pulaski County, \$1,680.  
 To Warren Holtzclaw, administrator of Elijah Holtzclaw, deceased, late of Phillips County, \$900.  
 To Henry A. Houghton, administrator of Jeffrey Houghton, deceased, late of Craighead County, \$643.  
 To James H. Humphreys, of Phillips County, \$233.20.  
 To George H. Johnson, administrator of Elisha Johnson, deceased, late of Benton County, \$120.  
 To T. D. Kinman, administrator of Riley Kinman, deceased, late of Jackson County, \$380.  
 To Mary R. Kirkpatrick, of Jefferson County, \$325.  
 To Thomas J. Lavender, administrator of Jacob Lavender, deceased, late of Hempstead County, Ark., \$591.  
 To Charles E. Littleton, of Yell County, \$944.  
 To John McCracken, of Madison County, \$2,105.  
 To Andrew Nathaniel McEver, administrator of Andrew McEver, deceased, late of Polk County, \$350.  
 To David Maberry, jr., of Washington County, \$719.  
 To R. E. Sanford, administrator of Jesse Martin, deceased, late of Monroe County, \$1,050.  
 To John L. Murphy, of White County, \$1,240.  
 To Samuel W. Fryor, administrator of Admiral N. Nunn, deceased, late of Dallas County, \$1,297.  
 To Walter Orme, of Crawford County, \$1,593.  
 To W. O. Anderson, administrator of Walter L. Otey, deceased, late of Phillips County, \$4,047.  
 To Abijah T. Phelan, of Washington County, \$235.  
 To William L. Taylor, administrator of William M. Powell, deceased, late of Crawford County, \$2,865.  
 To Margaret Ray and Joanna Summers, of Phillips County, \$2,942.  
 To Frank Rhodes, of Phillips County, \$935.  
 To David Robbins, late of Hot Springs, \$175.  
 To Fred Roesch, administrator of Christian Roesch, deceased, late of Pulaski County, \$1,755.  
 To Juber Russell, of Crawford County, \$433.

To A. M. Scott, administrator of Sarah Slate, of Phillips County, \$910.  
 To L. P. Featherstone, administrator of John R. Sembler, deceased, late of St. Francis County, \$955.  
 To Margaret Singleton, administratrix of Andrew J. Singleton, deceased, late of Franklin County, \$480.  
 To Morocco D. Smith, of Phillips County, \$610.  
 To T. E. Hendricks, administrator of Catherine E. Sumner, deceased, late of Lonoke County, \$1,125.  
 To James C. Tappan, administrator of Samuel J. Sutton, deceased, late of Phillips County, \$2,105.  
 To W. E. Williams, administrator of Pleasant H. Thompson, deceased, late of St. Francis County, \$649.  
 To Mary Turner, administratrix of Sterling M. Turner, deceased, late of Sebastian County, \$560.  
 To Thomas H. Webb, of Lonoke County, \$542.  
 To Harriet A. Womack, administratrix of John P. Womack, deceased, late of Ashley County, \$2,680.  
 To A. J. Maxwell, administrator of S. P. Woods, deceased, late of Benton County, \$1,185.  
 To D. C. York, administrator of William York, deceased, late of Woodruff County, \$708.

## DISTRICT OF COLUMBIA.

To James C. Brooke, \$591.  
 To Stephen M. Golden, \$540.  
 To Joseph T. Jenkins, \$1,517.  
 To James R. D. Morrison and William H. Morrison, executors of William M. Morrison, deceased, and administrators of Charles J. Morrison, deceased, \$6,100.  
 To Robert S. Perkins, \$1,090.  
 To James W. Sears, administrator of Rebecca Sears, deceased, \$1,800.  
 To Louis P. Shoemaker and others, executors of Abner C. P. Shoemaker, deceased, \$2,450.  
 To P. E. Dye and W. S. Hoge, administrators of David Shoemaker, deceased, \$1,255.  
 To Barnett T. Swart, \$9,012.

## GEORGIA.

To Thomas J. Anderson, administrator of David B. Anderson, deceased, late of Fulton County, \$704.  
 To Thomas G. Barker, of Chattooga County, \$634.  
 To John Brooks, of Henry County, \$754.  
 To Richard Butler, of Chatham County, \$122.  
 To John A. Carter, of Chatham County, \$730.  
 To William Chasteen, of Carroll County, \$280.  
 To W. S. and J. N. Cheney, executors of Andrew J. Cheney, deceased, late of Cobb County, \$1,703.  
 To William P. Conine, administrator of William Y. Conine, deceased, late of Clayton County, \$430.  
 To William L. Connally, of Walker County, \$670.  
 To John P. Davidson, of Floyd County, \$1,830.  
 To William G. Ebbs, administrator of William Ebbs, deceased, late of Savannah, \$1,252.  
 To Natalie Epstein, administratrix of John B. Epstein, deceased, late of Chatham County, \$595.  
 To Henry Field, of Savannah, \$451.  
 To Maria J. Fowler, executrix of Edward Fowler, deceased, late of Catoosa County, \$1,645.  
 To Margaret Garrison, of Atlanta, \$600.  
 To Margaret Giebelhouse, administratrix of Philip Giebelhouse, deceased, late of Atlanta, \$1,565.  
 To Jane Gilbert, administratrix of Evan S. Gilbert, deceased, late of Newton County, \$597.  
 To Sarah E. Nicholas, administratrix of William P. Hackney, deceased, late of Whitfield County, \$538.  
 To Myra M. Harbin, administratrix of Nathaniel P. Harbin, deceased, late of Whitfield County, \$12,400.  
 To Frank J. Henderson, executor of William Henderson, deceased, late of Whitfield County, \$764.  
 To James W. Hill, of Gordon County, \$1,905.  
 To S. D. Holland, administrator of Archibald Holland, deceased, late of Paulding County, \$1,080.  
 To James L. Anderson, administrator of Walter T. Hollingsworth, deceased, late of Bibb County, \$2,273.  
 To Thomas L. James, administrator of William M. James, deceased, late of Walker County, \$427.  
 To James P. Johnston, of Chattooga County, \$254.  
 To A. Thornburgh, administrator of John C. Lee, deceased, late of Walker County, \$941.  
 To Andrew P. McCool, of Fulton County, \$75.  
 To George Wagner, administrator of Henry Mastick, deceased, late of Savannah, \$3,103.  
 To Richard Mayse, of Atlanta, \$380.  
 To Charles Wesley Morris, administrator of William Morris, deceased, late of Floyd County, \$810.  
 To Charles V. Neidlinger, of Effingham County, \$1,015.  
 To Minerva J. Nichols and others, executors of Frank D. Nichols, late of Cummings, \$2,255.  
 To Nicholas Rawlins, of Floyd County, \$348.  
 To William B. Rogers, administrator of Benjamin P. Rogers, of Douglas County, \$410.  
 To James M. Smith, administrator of John Smith, deceased, late of Chattooga County, \$460.  
 To William B. Taylor, of Walker County, \$1,655.  
 To Francis Tillman, administrator of Francis Tillman, deceased, late of Chatham County, \$952.  
 To William C. Parker, administrator of Moses Trimble, late of Campbell County, \$270.  
 To Christian Ubele, administrator of Christian Ubele, deceased, late of Chatham County, \$585.  
 To George W. Hendricks, administrator of John Weitinger, deceased, late of Bartow County, \$597.  
 To William R. Welborn, of Morgan County, \$250.  
 To Sarah F. Maddux, administratrix of Creed T. Wise, deceased, late of Butts County, \$1,490.  
 To Samuel P. Woods, of Chattooga County, \$205.

## ILLINOIS.

To Daniel K. Tenney, of Cook County, \$546.87.

## KANSAS.

To Joseph Danlap, of Greenwood County, \$2,160.  
 To Benjamin F. Raiff, late a private of Company H, Fifth Regiment Kansas Cavalry Volunteers, \$260.  
 To Josiah C. Ury, of Bourbon County, \$1,550.

## KENTUCKY.

To Catherine Anderson, administratrix of John Anderson, deceased, late of Nelson County, \$161.  
 To Edward H. Taylor, administrator de bonis non of the estate of Lucy A. Barker, late of Louisville, \$1,440.  
 To Martha Brashear, administratrix of Obadiah Brashear, late of Nelson County, \$225.  
 To Jefferson Brownfield, of Larue County, \$97.  
 To William P. Barnes, administrator of Peyton Burdette, deceased, late of Bullitt County, \$440.  
 To Abijah M. Cartmell, of Nelson County, \$449.  
 To Margaret Carter, administratrix of Thomas Carter, deceased, late of Marion County, \$1,780.  
 To James Doolin, of Pulaski County, \$218.  
 To Robert Hartz, of Jefferson County, \$215.  
 To Morris J. Harris, Jr., administrator of Morris J. Harris, deceased, late of Lincoln County, \$777.  
 To William J. Marshall and others, executors of John G. Holloway, deceased, late of Henderson County, \$2,620.  
 To Austin Hough, of Bullitt County, \$185.  
 To H. W. McCorkle, administrator of Pleasant W. Huff, deceased, late of Hart County, \$247.  
 To Richard M. Isler, of Fulton County, \$750.  
 To Henry E. Jenkins, of Warren County, \$90.  
 To Thomas W. Campbell, assignee of Miles Kelly, of Warren County, \$5,142.  
 To Sarah G. Cofer, administratrix of Alfred H. Kennedy, deceased, late of Hardin County, \$81.85.  
 To James P. Layne, administrator of Elizabeth P. Layne, deceased, late of Floyd County, \$1,250.  
 To George Leonhart, of Campbell County, \$410.  
 To Elizabeth M. Pateson (formerly Lewis), in her own right and as administratrix de bonis non of William H. Lewis, deceased, late of Hart County, \$2,825.  
 To Squire H. Bush, administrator of Edward C. Lucas, deceased, late of Hardin County, \$720.  
 To John C. Lummis, of Kenton County, \$150.  
 To Lemuel S. McHenry, of Daviess County, \$150.  
 To Sallie J. Mannakee, administratrix of Elisha Mannakee, deceased, late of Nelson County, \$705.  
 To Samuel B. Merrifield, of Nelson County, \$404.  
 To Susan E. Miller, in her own right and as widow of and administratrix of Jacob M. Miller, deceased, late of Marion County, \$910.  
 To Samuel D. Glasscock, administrator of William C. Moore, deceased, late of Hardin County, \$630.  
 To F. M. Joplin, administrator of Thomas B. Munford, deceased, late of Hardin County, \$140.  
 To Buford Mussen, of Marion County, \$897.  
 To John G. Mussen, administrator of Susan Mussen, deceased, late of Marion County, \$438.50.  
 To the Nazareth Benevolent Institution, of Nelson County, \$319.  
 To Mary E. Neel, administratrix of Pearce Noland, deceased, late of Shelby County, \$9,520.  
 To Mary Orendorff, of Breckinridge County, \$250.  
 To Benedict Pash, of Nelson County, \$350.  
 To Dent S. Pash, of Nelson County, \$480.  
 To John A. Raine, of Hardin County, \$644.  
 To John W. Rowlett, of Jefferson County, \$970.  
 To Jacob H. Russell, of Lincoln County, \$145.  
 To Mary Sisco, executrix of William Sisco, deceased, late of Nelson County, \$269.05.  
 To George W. Smith, of Hardin County, \$667.  
 To C. C. Howard, administrator of George W. Smith, deceased, late of Larue County, \$30.  
 To T. S. Mayes, administrator of Mary A. E. Smith, deceased, late of Washington County, \$234.  
 To Thomas M. Beeler, administrator of David Standiford, deceased, late of Jefferson County, \$85.  
 To James H. Taylor, administrator of Thomas W. Taylor, deceased, late of Nelson County, \$99.  
 To William C. Kennedy, administrator of William Thixton, deceased, late of Jefferson County, \$430.  
 To James W. Smith, administrator of Miles H. Thomas, deceased, late of Hardin County, \$235.  
 To Abel A. Thompson, of Marion County, \$124.  
 To W. C. M. Travis, of Crittenden County, \$140.  
 To Mary Unseld, administratrix of John Unseld, deceased, late of Nelson County, \$250.  
 To Harrison Hughes, Jr., administrator of David Unseld, deceased, of Ballard County, \$5,000.  
 To Alfred B. Vernon, of Hardin County, \$82.25.  
 To James E. Evans, administrator of Coleman Wells, deceased, late of Nelson County, \$130.  
 To John H. West, of Larue County, \$150.  
 To Germania Safety Vault and Trust Company, administrator of William Wirtz, deceased, late of Jefferson County, \$597.

## LOUISIANA.

To Henry L. Garland, administrator of Mary T. Anderson, late of St. Landry Parish, \$10,610.  
 To Nannie A. Badley, administratrix of Henry Badley, deceased, late of Baton Rouge, \$3,442.  
 To Lowesky Bouvillian, of Terrebonne Parish, \$900.  
 To Lucile Tounier, administratrix of Arnaud Decuir, deceased, late of Pointe Coupee Parish, \$575.  
 To Jasper Gall, of Iberia Parish, \$704.  
 To L. J. Smith, executor of Elbert Gantt, deceased, late of St. Landry Parish, \$3,500.  
 To Abram A. Harvey, guardian, etc., of the children of Abram A. Harvey, deceased, of Washington Parish, \$1,990.  
 To Benjamin R. Keaton, of Washington Parish, \$799.  
 To George Walker, administrator of Michael Knight, deceased, late of New Orleans, \$7,714.  
 To Luke Madden, administrator of Patrick Madden, deceased, late of Madison Parish, \$845.  
 To Alphonse Meullon, administrator of Antoine Donato Meullon, deceased, late of St. Landry Parish, \$3,490.  
 To Alphonse Meullon, administrator of Susanne B. Meullon, deceased, late of St. Landry Parish, \$1,767.  
 To J. A. Oubre, administrator of Eugene Oubre, deceased, late of Pointe Coupee Parish, \$6,983.  
 To Marie Eliza Payne, of Natchitoches Parish, \$5,476.  
 To Mary O. Planché, Natchitoches Parish, \$9,025.

To John A. Porche, of Pointe Coupee Parish, \$550.  
 To Joseph Saint Amand, administrator of Alphonse Saint Amand, deceased, late of Pointe Coupee Parish, \$612.  
 To Fanny B. Randolph and Dora L. Stark, of Avoyelles Parish, \$16,500.  
 To the heirs of Augustine M. Swain, deceased, late of New Orleans, \$6,530.

## MARYLAND.

To Franklin A. Ash, administrator of John Ash, deceased, late of Washington County, \$750.  
 To William T. Beeler and others, administrators of David Beeler, deceased, late of Washington County, \$437.  
 To H. Harrison Beeler, of Washington County, \$134.  
 To William M. Blackford, of Washington County, \$6,206.  
 To Benjamin Brown, of Washington County, \$450.  
 To Jacob Brubaker, of Washington County, \$245.  
 To Thomas Corbett, of Washington County, \$315.  
 To Mary E. Correll, executrix of Christian Correll, deceased, late of Carroll County, \$538.  
 To Isaac Gruber, executor of John Cowton, deceased, late of Clearspring, Washington County, \$295.  
 To Thomas W. Crampton, of Washington County, \$1,378.  
 To Ezra Daub, of Washington County, \$248.  
 To John F. Dellinger, administrator of William Dellinger, deceased, late of Washington County, \$1,775.  
 To James H. Elgin, of Washington County, \$5,978.70.  
 To James R. Ferrell, of Frederick County, \$590.  
 To Alexander Garrett, administrator of William Garrett, deceased, late of Montgomery County, \$894.  
 To John Grice, of Washington County, \$240.  
 To Samuel Grim, administrator of Jacob Grim, deceased, late of Washington County, \$742.  
 To Elizabeth Grosh, administratrix of Lewis A. Grosh, deceased, late of Washington County, \$495.  
 To Samuel D. Piper, administrator of Elias S. Grove, deceased, late of Washington County, \$809.  
 To Maria Grove, executor of Stephen P. Grove, deceased, late of Washington County, \$3,292.  
 To Frisby Hildebrand, of Washington County, \$301.  
 To Josiah Hill, of Washington County, \$257.  
 To Thomas Hilleary, of Frederick County, \$627.  
 To Reuben A. Hurley, of Montgomery County, administrator de bonis non of A. F. Hurley, deceased, late of Lyon County, Nev., \$1,150.  
 To Jacob A. Hutzell and Edward E. Hutzell, administrators of Adam Hutzell, deceased, late of Washington County, \$411.  
 To C. M. Keedy and others, executors of John J. Keedy, late of Washington County, \$462.  
 To Jacob A. Miller, administrator of Samuel Kilham, deceased, late of Washington County, \$1,125.  
 To Esther Knode, administratrix of John E. Knode, deceased, late of Washington County, \$667.  
 To Benjamin F. Middlekauff, administrator of Henry J. Lowman, deceased, late of Washington County, \$350.  
 To Andrew J. McAllister, of Washington County, \$50.  
 To Henry Tolson, administrator of George W. Marriott, deceased, late of Prince George County, \$215.25.  
 To Julia A. Mayer, executrix of John L. Mayer, deceased, late of Washington County, \$356.  
 To Daniel N. and Levi Middlekauff, administrators of John C. Middlekauff, deceased, late of Washington County, \$160.  
 To Joseph M. Middlekauff, of Washington County, \$93.  
 To Jacob F. Miller, of Washington County, \$323.  
 To H. H. Keedy and Charles W. Adams, administrators of John Miller, deceased, late of Washington County, \$475.  
 To Hamilton A. Moore, of Washington County, \$180.  
 To the administrator or legal representative of James W. J. Moore, deceased, late of Leonardtown, \$1,040.  
 To Daniel M. Mullendore, of Washington County, \$370.50.  
 To Henry C. Mumma and others, executors of Samuel Mumma, deceased, late of Sharpsburg, \$853.  
 To Victor Miller, administrator of Joshua Newcomer, deceased, late of Washington County, \$880.  
 To John L. Nicodemus, of Washington County, \$130.  
 To John L. Nicodemus, administrator of John Nicodemus, deceased, late of Washington County, \$645.  
 To John T. Norris, executor of Bernard T. Norris, deceased, late of Montgomery County, \$300.  
 To George W. Padgett, of Frederick County, \$2,280.  
 To James F. Pierce, of Montgomery County, \$2,505.  
 To Lawson W. Poffinberger, executor of Joseph Poffinberger, deceased, late of Washington County, \$1,918.  
 To David A. Ray, of Montgomery County, \$151.05.  
 To Asa C. Remsburg and George W. Remsburg, executors of Isaac Remsburg, deceased, late of Washington County, \$611.  
 To James Realey, of Washington County, \$514.50.  
 To Reuben Ronzee, of Montgomery County, \$1,450.  
 To H. B. Snively and A. G. Lovell, executors of George Snively, deceased, late of Washington County, \$174.  
 To A. T. Snouffer, of Frederick County, \$983.  
 To Eveline Fries, sole heir of John Snyder, deceased, late of Washington County, \$233.  
 To William P. Hickman, administrator of George W. Spates, deceased, late of Montgomery County, \$2,245.  
 To George E. Stonebraker, of Washington County, \$1,237.  
 To William F. Stonebraker, administrator of Christian Stonebraker, deceased, late of Washington County, \$2,031.  
 To T. Wilson Stonebraker, of Montgomery County, \$643.  
 To James A. Tennant, of Washington County, \$421.  
 To James Trimble and Mary Blakely, executors of Joseph Trimble, deceased, \$3,790.  
 To the heirs of William Trimble, deceased, \$6,620.  
 To Lewis Trone, of Washington County, \$555.50.  
 To Lavina Viers, administratrix of Jesse Viers, deceased, late of Montgomery County, \$1,925.  
 To Eli Wade, William Wade, Mary E. Wade, Susan C. Wade, Elizabeth J. Hoffman, nee Wade, heirs of Henry Wade, deceased, late of Washington County, \$2,902.  
 To Eli Wade, administrator of John A. Wade, deceased, late of Washington County, \$1,755.  
 To Mary E. Ward, executrix of Enoch G. Ward, deceased, late of Montgomery County, \$151.05.  
 To William B. White, of Montgomery County, \$672.50.  
 To Laura C. Wilson, administratrix of Richard T. Wilson, deceased, late of Montgomery County, \$1,455.

## MISSISSIPPI.

To Bettie A. Aldrich, late of Washington County, \$2,605.  
 To John N. Tucker, administrator of Minerva O. Anthony, deceased, late of Marshall County, \$1,750.  
 To W. W. Perkins, administrator of Thomas Appleton, deceased, late of Panola County, \$400.  
 To John C. Bailey, of Marshall County, \$1,587.  
 To William H. Belue, administrator of Nathan H. Belue, deceased, late of Tishomingo County, \$255.  
 To Rebecca L. Bolling, of Warren County, \$845.  
 To Samuel Bagnell, administrator of Tenor Braboy, deceased, late of Claiborne County, \$905.  
 To L. M. Lowenburg, administrator de bonis non of O. C. Brooks, deceased, late of Warren County, \$8,825.  
 To D. J. Foreman, administrator of Sarah Burton, deceased, late of Warren County, \$571.  
 To L. W. Carradine, administrator of Medora A. Butler (formerly Medora A. Scott), deceased, late of Jefferson County, \$3,510.  
 To James Carroll, of Yazoo County, \$340.  
 To Matilda Dixon, administratrix of George W. Carter, deceased, late of Adams County, \$918.  
 To John W. Cato, administrator of John D. Cato, deceased, late of Warren County, \$2,638.  
 To J. W. Cansey, of Alcorn County, \$1,501.  
 To Susan V. Hedderman, administratrix of Robert P. Chambers, deceased, late of Scott County, \$592.  
 To Samuel Chase, of Warren County, \$110.  
 To Preston Chavis, deceased, late of Warren County, \$230.  
 To Calvin Cheairs, of Benton County, \$5,543.  
 To Mrs. Rowena Clark, of Warren County, \$1,500.  
 To Evan Cook, administrator of John S. Cook, deceased, late of Hinds County, \$1,780.  
 To K. D. Wright, administratrix of Lucy Cordell, deceased, late of Hinds County, \$684.  
 To W. T. Ratliff, administrator of Willis Cotton, deceased, late of Hinds County, \$270.  
 To E. E. Temple, administrator of Drury Couch, deceased, late of Lafayette County, \$1,696.  
 To Lucy Cox, administratrix of Elizabeth Cox, deceased, late of Alcorn County, \$160.  
 To Mrs. Pamela H. Chamberlain, administratrix of Jacob Crizer, deceased, late of Adams County, \$2,438.  
 To Pleasant L. Crosby, administrator of Peter Crosby, deceased, late of Warren County, \$225.  
 To the estate of Thomas O. Davis, deceased, late of Hinds County, \$1,012.  
 To Edward V. Dickens, of Panola County, \$4,280.  
 To W. T. Ratliff, administrator of Peter Dunbar, deceased, late of Hinds County, \$330.  
 To J. W. Thomas, executor of Mary J. Dunn, deceased, late of Lee County, \$1,335.  
 To John Ehs, of Jackson County, \$627.  
 To James G. Ferguson, of Warren County, \$15,063.  
 To G. W. Ferguson, administrator of John Ferguson, deceased, late of Warren County, \$6,785.  
 To Samuel Bagnell, administrator of Ignatius G. Flowers, deceased, late of Claiborne County, \$7,935.  
 To C. A. French, administrator of William Foster, deceased, late of Claiborne County, \$712.  
 To James P. Fudge, of Lafayette County, \$292.75.  
 To A. H. Hamer, administrator of George Gorman, deceased, late of Marshall County, \$3,105.  
 To W. B. Mason, administrator of Henry Gorman, deceased, late of Marshall County, \$226.  
 To Sarah Gosehorn, of Claiborne County, \$534.  
 To Eliza Green, of Warren County, \$17,848.  
 To James C. Newman, administrator of Hal W. Green, deceased, late of Warren County, \$3,425.  
 To George C. Harper, of Scott County, \$3,068.  
 To P. N. Harris, administrator of William Harris, deceased, late of Tishomingo County, \$1,125.  
 To R. M. Johnston, administrator of Samuel Herd, deceased, late of Newton County, \$2,105.  
 To Anna Hunt, administratrix of George F. Hunt, late of Jefferson County, \$19,445.  
 To Mary E. Jeter, administratrix of John J. Jeter, deceased, late of Warren County, \$950.  
 To Benjamin B. Jordan, of Alcorn County, \$635.  
 To Mrs. Hattie E. Ladd (formerly Hattie E. Black), of Yalobusha County, \$885.  
 To Aaron Langley, of Hinds County, \$380.  
 To Mary T. Leake, of Warren County, \$225.  
 To Virginia Lowe, of Claiborne County, \$615.  
 To Levi M. Lowenburg, of Warren County, \$1,825.  
 To Ellen McCarty, of Warren County, \$1,077.  
 To Judith McKinney, administratrix of Wilson McKinney, deceased, late of Tishomingo County, \$425.  
 To W. J. Folkes, administrator of George Markham, deceased, late of Warren County, \$5,065.  
 To George W. Marlar, of Tishomingo County, \$1,154.  
 To Rebecca L. Bolling, administratrix of Emily R. Martin, deceased, late of Vicksburg, \$1,760.  
 To James Harding, administrator of James H. Maury, deceased, late of Claiborne County, \$1,950.  
 To Mary Jane Middleton (formerly Mary Jane Wharton), of Franklin County, \$560.  
 To W. C. Mitchell, administrator of W. W. Mitchell, deceased, late of Tallahatchie County, \$2,042.  
 To Ann M. Montgomery, of Adams County, \$298.  
 To F. M. Blunt, administrator of Archibald Morrison, deceased, late of Tishomingo County, \$739.  
 To Mary H. Bush, heir of John Morrison, deceased, late of Hinds County, \$23,335.  
 To Robert Moss, of Hinds County, \$6,000.  
 To Catherine Murchison, of Hinds County, \$1,461.  
 To C. A. French, administrator of James J. Nance, deceased, late of Claiborne County, \$550.  
 To Allie V. Askew, administratrix de bonis non of W. W. Neeley, deceased, late of Warren County, \$3,540.  
 To John C. Bailey, administrator of Andrew Nichols, late of Marshall County, \$1,067.  
 To Henry C. Nichols, of Marshall County, \$980.  
 To James H. Owens (or Owen), of Scott County, \$825.  
 To Nancy Patrick, administratrix of James M. Patrick, deceased, late of Alcorn County, \$781.

To James S. Hamilton, administrator of Turner Patterson, deceased, late of Hinds County, \$231.  
 To Jacob Peebles, of Adams County, \$750.  
 To R. J. Harding, administrator of Nelson Potter, deceased, late of Hinds County, \$677.  
 To Amadeus F. and Theophilus W. Potts, of Panola County, \$1,715.  
 To A. J. Conklin, administrator of Mary Powell, deceased, late of Warren County, \$1,835.  
 To M. K. Redwine, administratrix of James A. Redwine, deceased, of Lafayette County, \$545.  
 To P. E. Matthews, administrator of William C. Reeves, deceased, late of Lafayette County, \$300.  
 To Aaron Royston, of Marshall County, \$250.  
 To Fletcher B. Neblett, administrator of Richmond T. Rutledge, deceased, late of Tishomingo County, \$8,351.  
 To Thomas Ryan, of Claiborne County, \$370.  
 To Alexander Seale, of Marshall County, \$390.  
 To Patrick Sheehan, of Warren County, \$978.  
 To Claudius L. Shipp, administrator of Felix G. Shipp, deceased, late of Lafayette County, \$1,895.  
 To T. C. Dockrey, administrator of William Sloan, deceased, late of De Soto County, \$822.  
 To C. S. Farrar, administrator of Gray W. Smith, deceased, late of Marshall County, \$11,080.  
 To Mrs. J. A. Sorrell, administratrix of E. F. Sorrell, deceased, late of Alcorn County, \$1,443.  
 To Albert H. Sprich, of Amite County, \$750.  
 To William T. Robertson, administrator of Ira A. Sprouse, deceased, late of Scott County, \$210.  
 To F. B. Stewart, administrator of Joseph W. Stewart, deceased, late of Scott County, \$682.  
 To Martha J. Stewart, of Jefferson County, \$2,317.  
 To I. S. Ash, administrator of Malinda Stone, deceased (formerly Malinda Whaley), late of Marshall County, \$735.  
 To L. M. Loewenberg, administrator of Seth R. and C. W. Strong, deceased, late of Warren County, \$730.  
 To Catharine Sulm, administratrix of George Sulm, deceased, late of Madison County, \$857.  
 To N. D. Graham, administrator of James Summers, deceased, late of Scott County, \$280.  
 To S. M. Weaver, administrator of Jonathan Summers, deceased, late of Scott County, \$463.  
 To Emily Thrift, administratrix of S. B. Thrift, deceased, late of Warren County, \$1,595.  
 To Elias Unger, of Claiborne County, \$958.  
 To Martha Walker, administratrix of Sandy Walker, deceased, late of Marshall County, \$350.  
 To Enoch P. Ward, of Marshall County, \$1,673.  
 To Harriet Washington, administratrix of Mack and Simon Washington, deceased, late of Wilkinson County, \$855.  
 To W. T. Ratcliffe, administrator of Nancy Wells, deceased, late of Hinds County, \$1,160.  
 To Shelton White, executor of Clark C. White, deceased, late of Marshall County, \$4,400.  
 To Mattie S. Whitney, administratrix of Franklin Whitney, deceased, late of Claiborne County, \$22,224.  
 To Meshac Franklin, administrator of John K. Wilborn, deceased, late of Marshall County, \$640.  
 To Jane Williams, of Amite County, \$1,440.  
 To Wilson Williams, administrator of Roderick Williams, deceased, late of Lafayette County, \$237.  
 To Robert S. and George W. Woodbury, of Issaquena County, \$2,570.

## MISSOURI.

To Andrew Allen, of Cass County, \$484.  
 To Napoleon B. Allen, of Madison County, \$948.  
 To E. W. Atchley, administrator of Thomas V. Atchley, deceased, late of Laclede County, \$330.  
 To Wiley Bailey, of Cass County, \$225.  
 To Charles Balmer, surviving partner of Balmer & Weber, of St. Louis, \$3,072.25.  
 To W. W. Nelms, administrator of Alexander Barclay, deceased, late of Benton County, \$2,885.  
 To Daniel P. Belcher, of Cass County, \$100.  
 To J. M. Bell, of Vernon County, \$755.  
 To George W. Black, administrator of George Black, deceased, late of Reynolds County, \$180.  
 To Thomas S. Boyd, of Lawrence County, \$315.  
 To Cornelius Boyle, of Cass County, \$217.  
 To Jonathan Buzzard, of Newton County, \$275.  
 To Sarah M. Carlisle, administratrix of George A. Carlisle, deceased, late of Iron County, \$150.  
 To George W. Claypool, administrator of Reuben Claypool, deceased, late of Greene County, \$607.  
 To Samuel Coday, sr., of Wright County, \$70.  
 To Thaddeus Collard, \$150.  
 To Jacob V. L. Davis, of Saline County, \$402.  
 To Timothy W. Davis, of Lawrence County, \$317.  
 To J. W. Fuson, administrator of Harvey Drennan, deceased, late of Phelps County, \$705.  
 To C. E. Hall, administrator of Felix G. Duvall, deceased, late of Newton County, \$665.  
 To Jackson Fleetwood, of Douglas County, \$75.  
 To Francis M. Gaddy, of Phelps County, \$300.  
 To Martin F. Gaddy, administrator of H. A. Gaddy, deceased, late of Phelps County, \$1,000.  
 To Simeon Gillebreath, of Bates County, \$369.  
 To Ambers Graham, of Jackson County, \$256.  
 To David Graham, of Jackson County, \$550.  
 To George W. Griffith, of Jackson County, \$1,975.  
 To L. B. Hearrell, of Newton County, \$744.10.  
 To John Hightower, of Jackson County, \$545.  
 To A. L. and W. G. Keithley, of Taney County, \$867.  
 To Levi W. Knight, administrator of Nathan H. Knight, deceased, late of Laclede County, \$518.  
 To Mangram E. Langston, of Howell County, \$350.  
 To Mary E. Layton, administratrix of John M. Layton, deceased, late of Taney County, \$700.  
 To John P. Legg, administrator of Arch. C. Legg, late of Henry County, \$1,050.  
 To J. S. Goss, administrator of J. S. Lee, deceased, late of Webster County, \$710.  
 To Pleasant Longacre, administrator of Richard Longacre, deceased, late of Cass County, \$1,155.

To John W. Luttrell, administrator of Green Luttrell, deceased, late of Polk County, \$1,620.  
 To John T. Lynch, administrator of David Lynch, deceased, late of Texas County, \$175.  
 To John T. Lynch, of Texas County, \$150.  
 To William McDaniel, of Christian County, \$144.  
 To David McKinney, of Texas County, \$265.  
 To Henry L. Mitchell, of Benton County, \$2,430.  
 To Lamoreux N. Kennedy, administrator of Edward Morgan, deceased, late of Vernon County, \$100.  
 To James H. Moyer, of Iron County, \$560.  
 To John L. Peters, surviving partner of John L. Peters & Co., late of St. Louis, \$3,115.50.  
 To Josiah H. Pilcher, of Jackson County, \$971.  
 To Jehu Robinson, of Webster County, \$170.  
 To Henry Sharp, of Laclede County, \$1,178.  
 To Thomas A. Skeen, administrator of Wilson Skeen, deceased, late of Greene County, \$227.  
 To Thaddeus Snyder, of Greene County, \$385.  
 To William Strawhorn, of Phelps County, \$593.  
 To Francis M. Swanson, of Miller County, \$37.50.  
 To E. L. Tuggle, of Cass County, \$860.  
 To M. C. Vinton, administrator of Samuel S. Vinton, deceased, late of Greene County, \$7,315.  
 To Joseph L. Walls, of Pettis County, \$1,272.  
 To Fanny White, administratrix of Moses White, deceased, late of Camden County, \$1,168.  
 To Jackson Willhite, of Texas County, \$249.  
 To George Withers, administrator of H. M. Withers, deceased, late of Cooper County, \$435.  
 To Benjamin A. Woods, of Newton County, \$905.  
 To John Zeltner, administrator of Xavier Zeltner, deceased, late of Howard County, \$125.  
 To treasurer of the Missouri State Lunatic Asylum, of Fulton, Callaway County, Mo., for occupancy of buildings and grounds during a period of twenty-three months, \$17,250.  
 To Sarah E. B. Smith, of Scotland County, Mo., for rent of building and personal property, \$837.50.  
 To Margaret Rose, of Green County, Mo., \$350.  
 To Mary E. Walley, administratrix of Irvin Walley, deceased, late of Jackson County, Mo., \$480.  
 To Lewis Newbeams, administrator of Benjamin Shirkey, deceased, of New Madrid County, Mo., \$980.

## NORTH CAROLINA.

To Peter R. Andrews, administrator of Peter Andrews, deceased, late of Jones County, \$316.  
 To Nancy M. Bass, administratrix of William Bass, deceased, late of Wayne County, \$1,110.  
 To Thomas M. Brinegar, of Davie County, \$250.  
 To Flora J. Campbell, of Harnett County, \$683.  
 To J. A. Burgnyn, administrator of Dorsey S. Deloath, deceased, late of Northampton County, \$615.  
 To John F. Grantham, administrator of Needham Grantham, deceased, late of Sampson County, \$677.  
 To S. L. Wallace, administrator of Mason Jones, deceased, late of Martin County, \$535.  
 To Rachel McCormick, administratrix of Duncan McCormick, deceased, late of Cumberland County, \$625.  
 To Furneyfold Mercer, of Jones County, \$747.  
 To Richmond G. Sheek, of Davis County, \$200.  
 To William H. Mathias, administrator of Lutan Speight (or Spikes), deceased, late of Gates County, \$125.  
 To Nathaniel K. Thornton, of Sampson County, \$670.

## OHIO.

To David Hicks, of Hamilton County, \$340.  
 To George Keel, of Hamilton County, \$300.

## PENNSYLVANIA.

To the legal representatives of the estate of Nicholas J. Bigley, deceased, late of Pittsburgh, \$42,611.50.  
 To A. J. Schwartz, administrator of M. Schwartz, late of Adams County, \$622.

## SOUTH CAROLINA.

To Isaac K. James, of Fairfield County, \$2,002.  
 To Edward Reed, of Richland County, \$200.

## TENNESSEE.

To M. A. Gober, administrator of Joseph T. Abernathy, deceased, late of Fayette County, \$2,455.  
 To Bettie L. Abington, administratrix de bonis non of James B. Abington, deceased, and E. A. Reid, administrator of J. H. Abington, deceased, late of Shelby County, \$6,000.  
 To T. S. Galloway, administrator of Darling Allen, deceased, late of Fayette County, \$1,880.  
 To Mende Frierson, administrator of W. J. Anderson, deceased, late of Marshall County, \$360.  
 To David P. Atkinson, of Wayne County, \$165.  
 To H. C. Austin, administrator of Clisbe Austin, deceased, late of Hawkins County, \$1,225.  
 To Elizabeth Stewart, administratrix of Levi A. Baker, deceased, late of Davidson County, \$593.  
 To Sidney Bancom, of Carroll County, \$85.  
 To James M. Barkley, administrator of William S. Barkley, deceased, late of Washington County, \$563.  
 To John Bateman, of Fayette County, \$682.  
 To Mary E. Bates, administratrix of James K. Bates, deceased, late of Shelby County, \$900.  
 To George W. Beasley, of Fayette County, \$618.  
 To W. S. Beck, administrator of Joshua Beck, deceased, late of Hamilton County, \$6,100.  
 To William S. Bewley, of Hamblen County, \$480.  
 To William J. Bishop, of Fayette County, \$388.  
 To Charles R. Holmes, administrator of Alfred Blackman, deceased, late of Rutherford County, \$3,058.  
 To J. R. Bondurant, administrator of Elizabeth C. Bondurant, deceased, late of Davidson County, \$915.  
 To A. T. Bone, administrator of James T. Bone, deceased, late of Gibson County, \$595.  
 To John T. Hicks, administrator of Benjamin L. Branch, deceased, late of Shelby County, \$325.  
 To Cassada Brewer, of Wayne County, \$188.  
 To J. L. Cochran, administrator of William Brooks, deceased, late of Henderson County, \$530.  
 To J. L. Cochran, administrator of William Brooks, deceased, late of Henderson County, \$183.

To W. J. Embry, executor of John P. Brown, deceased, late of Maury County, \$5,192.  
 To John O. Buford, of Fayette County, \$450.  
 To John H. Caldwell, of Jefferson County, \$240.  
 To Robert Caldwell, of Jefferson County, \$300.  
 To B. C. Thornburgh, administrator of Robert Caldwell, deceased, late of Jefferson County, \$276.  
 To A. B. Cannon, administrator of Jane W. Cannon, late of Jefferson County, \$150.  
 To Hugh Carothers, of Lawrence County, \$720.  
 To John A. Smith, executor to Rebecca Casey, deceased, late of Hardin County, \$770.  
 To J. Harvey Mathes, administrator of Benjamin Cash, deceased, late of Shelby County, \$1,225.  
 To Mary R. Rowlett, administratrix of Caleb R. Clement, deceased, late of Gibson County, \$1,192.  
 To James W. Cole, administrator of Peter Cole, deceased, late of Wayne County, \$182.  
 To P. B. Robinson, administrator of William R. Collier, deceased, late of Madison County, \$171.  
 To J. J. Turner, administrator of James A. Cooper, deceased, late of Lincoln County, \$406.  
 To James D. Copeland, of Wayne County, \$285.  
 To Slater and William Cowart, of Hamilton County, \$3,771.  
 To Sarah S. Cox, of Hawkins County, \$530.  
 To F. L. Crafton, administrator of Paul C. Crafton, deceased, late of Gibson County, \$258.  
 To Mrs. B. E. Craven, of Hardin County, \$100.  
 To A. B. Crenshaw, of Gibson County, \$300.  
 To William Crews, of Gibson County, \$125.  
 To M. V. Dalton, administratrix of Carson R. Dalton, deceased, late of Shelby County, \$960.  
 To John Deaton, of Chester County, \$125.  
 To Sarah A. Dollis, administratrix of Henry C. Dollis, deceased, late of Shelby County, \$365.  
 To Lucy E. Dowdy, executrix of W. P. Dowdy, deceased, late of Fayette County, \$1,380.  
 To Thomas N. Doyle, administrator of Newsom Doyle, deceased, late of Fayette County, \$1,630.  
 To Alexander J. Drumwright, of Murfreesboro, \$1,175.  
 To John Loague, administrator of Patrick Dwyer, deceased, late of Shelby County, \$350.  
 To Samuel S. Eason, of Davidson County, \$795.  
 To Abner East, of Shelby County, \$240.  
 To Washington East, of Shelby County, \$165.  
 To William Edmiston, Jr., executor of William Edmiston, deceased, late of Davidson County, \$642.  
 To John W. Burkitt, administrator of Joshua W. Elder, deceased, late of Rutherford County, \$1,534.  
 To J. M. Fawcett, administrator of J. B. Fawcett and Joseph Watson, deceased, late of Hardeman County, \$716. One-half of the allowance herein, to wit, the sum of \$358, is made to claimant as administrator of each of said decedents.  
 To Mary J. Finley, of Cannon County, \$135.  
 To James M. Flinn, of Shelby County, \$541.  
 To Timothy Foley, of Shelby County, \$250.  
 To Thomas Forkner, of Monroe County, \$270.  
 To Francis M. Freeman, of Giles County, \$500.  
 To William A. Galloway, of Shelby County, \$1,000.  
 To George L. Gray, of Franklin County, \$1,643.12.  
 To S. E. Green, executor of A. P. Green, deceased, late of Hamilton County, \$1,041.  
 To J. E. Line, administrator of Thomas Green, deceased, late of Hamblen County, \$100.  
 To James T. S. Greenfield, of Maury County, \$995.  
 To William C. Grisson, of Henderson County, \$294.  
 To William C. Hale, administrator of Elijah M. Hale, deceased, late of Hamilton County, \$3,605.  
 To J. K. P. Hale, executor of Stephen S. Hale, deceased, late of Gibson County, \$41.  
 To Elzira Hamilton, of Claiborne County, \$1,320.  
 To Franklin E. Hardwick, of Bradley County, \$532.  
 To B. A. Crech, administratrix of John Hartman, late of Hamblen County, \$40.  
 To David N. Heath, of Grainger County, \$780.  
 To S. B. Herbert, of Lawrence County, \$425.  
 To Ruth Heywood, executrix of Humphrey B. Heywood, deceased, late of Bradley County, \$475.  
 To Florence A. Puryear, administratrix of P. R. Hightower, deceased, late of Williamson County, \$1,600.  
 To James C. Hodges, of Jefferson County, \$319.  
 To Mary E. Holmes, administratrix of Calvin Holmes, deceased, late of Shelby County, \$2,000.  
 To James E. Holston, of Hamblen County, \$140.  
 To J. C. Hoodenpyle, administrator of Robert Hoodenpyle, deceased, late of Sequatchie County, \$1,679.  
 To William P. Hoskins, administrator of George C. Hoskins, deceased, late of Jefferson County, \$248.  
 To Lucius Hough, of Maury County, \$180.  
 To George W. Howse, of Rutherford County, \$1,750.  
 To C. M. Hunt, administratrix of John W. Hunt, deceased, late of Hardeman County, \$4,200.  
 To Caty Jones, administratrix of William Irwin, deceased, late of Hawkins County, \$125.  
 To William P. James, of Marion County, \$1,019.  
 To Charles R. Holmes, administrator of Thompson Jarrett, deceased, late of Rutherford County, \$970.  
 To James H. Jenkins, of Davidson County, \$230.  
 To William Johnson, administrator of Thomas J. Johnson, deceased, late of Fayette County, \$13,578.  
 To Ann Kannell, administratrix of John Kannell, deceased, late of Memphis, \$341.  
 To Stephen Kee, of Shelby County, \$30.  
 To James A. Richardson, administrator of Ezekiel T. Keel, deceased, late of Shelby County, \$832.  
 To R. J. Burke, guardian of minor children of Peter Kelley, deceased, late of Madison County, \$416.  
 To Michael Kieff, of Giles County, \$320.  
 To B. J. Kimbrough, administrator de bonis non of James Kimbrough, deceased, late of Shelby County, \$1,001.  
 To John M. Kimbrough, of Monroe County, \$320.  
 To Fredonia Knight, administratrix of Joseph T. Knight, deceased, late of Hardeman County, \$300.  
 To Charles F. Beasley, administrator of J. C. Lanier, deceased, late of Shelby County, \$3,280.

To Annie Lawrence, of Fayette County, \$200.  
 To Luke Lee, of Wayne County, \$253.  
 To Morgan M. Lee, of Stewart County, \$1,300.  
 To Thomas M. Leneave, administrator of Irby T. Leneave, deceased, late of Maury County, \$750.  
 To John D. Lowry, jr., administrator of Susan Lowry, deceased, late of McMinn County, \$225.  
 To R. E. Wester, administrator of Joseph Lynn, deceased, late of Grainger County, \$555.  
 To J. I. McCown, of Lincoln County, \$450.  
 To Alexander Hynds, administrator of Samuel S. McCuiston, deceased, late of Jefferson County, \$365.  
 To Elizabeth McIntyre, administratrix of Robert McIntyre, deceased, late of Knox County, \$198.  
 To R. Love, administrator of D. W. McKenzie, deceased, late of Fayette County, \$1,100.  
 To Sarah L. McLemore, administratrix of John C. McLemore, deceased, late of Shelby County, \$5,370.  
 To Edward E. Eslick, administrator of Henry P. McMillion, deceased, late of Giles County, \$1,148.  
 To J. P. Sloan, executor of Mahala J. Mayse, deceased, late of Grainger County, \$315.  
 To William F. Moore, of Maury County, \$1,347.  
 To Wright A. Moore, administrator of Wright A. Moore, deceased, late of Hardeman County, \$418.  
 To Nelson Mullins, of Rutherford County, \$396.  
 To William M. Murdock, of Hamblen County, \$435.  
 To Thomas Neilson, of Jefferson County, \$160.  
 To John W. Devine, administrator of John G. Newlee, deceased, late of Claiborne County, \$4,250.  
 To A. M. Applegate, administrator of Andrew J. Newsom, deceased, late of Fayette County, \$600.  
 To R. H. Ogilvie, of Maury County, \$2,150.  
 To Joseph U. Orr, of Greene County, \$255.  
 To Benjamin F. Owen, of Williamson County, \$2,540.  
 To Pleasant Owen, of Knox County, \$311.  
 To John Warren, administrator of James Pankey, late of Hardeman County, \$1,730.  
 To J. C. Jenkins, administrator of B. M. Parham, deceased, late of Hardeman County, \$232.75.  
 To Thomas Patrick, administrator of Marion Patrick, deceased, late of Jefferson County, \$150.  
 To Samuel Patterson, of Grainger County, \$730.  
 To William F. Perry, of Gibson County, \$51.  
 To Maria L. Pettit, of Shelby County, \$105.  
 To James G. Phelan, of Gibson County, \$118.  
 To Andrew B. Phillips, of Maury County, \$335.  
 To William Pickett, administrator of Jesse Pickett, deceased, late of Sequeatchie County, \$4,730.  
 To Fayette J. Pulliam, of Fayette County, \$92.  
 To William A. Quarles, administrator of Mary Quarles, deceased, late of Jefferson County, \$243.  
 To Green H. Ramsay, of Gibson County, \$120.  
 To James Y. Reed, of Hardeman County, \$120.  
 To John E. Bull, administrator of William Reed, deceased, late of Grundy County, \$693.  
 To W. T. Smith, administrator of Willis Robinson, deceased, late of Hardeman County, \$225.  
 To John A. Roe, of Gibson County, \$2,763.  
 To Benjamin F. Scroggin, of Giles County, \$214.  
 To Samuel Smith, of Jefferson County, \$108.  
 To V. J. Smith, of Dyer County, \$150.  
 To Mary E. Speed, of Shelby County, \$2,173.  
 To John B. Stafford, administrator of John Stafford, deceased, late of Fayette County, \$468.  
 To Elizabeth C. Staples, administratrix of Michael A. Staples, deceased, late of Roane County, \$280.  
 To John League, administrator of John N. Stephens, deceased, late of Shelby County, \$500.  
 To G. M. Bowen, administrator of Ross Talbott, deceased, late of Jefferson County, \$1,190.  
 To Robert Talley, of Haywood County, \$175.  
 To Tobias Tenpenny, of Cannon County, \$200.  
 To A. T. Terrill, of Henderson County, \$275.  
 To Archibald R. Thomas, of Madison County, \$308.  
 To H. L. Thomas, administrator of B. R. Thomas, deceased, late of Shelby County, \$5,876.  
 To Wilkin Thomas, of Shelby County, \$210.  
 To John Gum, administrator of Ann Thompson, deceased, late of Rutherford County, \$1,187.  
 To T. D. Thurman, administrator of John G. Thurman, deceased, late of Shelby County, \$588.  
 To Joseph Townsend, administrator of Peter Townsend, deceased, late of Tipton County, \$1,045.  
 To J. L. Trimble, of Gibson County, \$295.  
 To E. J. Tucker, of Fayette County, \$675.  
 To Jackson Tyler, of Davidson County, \$1,020.  
 To George M. Campbell, administrator of F. M. Vandergriff, deceased, late of Dekalb County, \$150.  
 To John D. Sale, administrator of John E. Van Pelt, deceased, late of Fayette County, \$1,798.  
 To W. T. Wade, administrator of Allen Wade, deceased, late of McNairy County, \$373.  
 To Osborn Walker, of Wayne County, \$625.  
 To Marshall Wallace, executor of William Wallace, deceased, late of Hawkins County, \$675.  
 To T. S. Galloway, administrator of Thomas J. Waller, deceased, late of Fayette County, \$2,200.  
 To J. W. Newborn, administrator of Robert Waters, deceased, late of Shelby County, \$390.  
 To James Watterson, of Hawkins County, \$192.  
 To Mary E. Weatherly, executrix of James M. Weatherly, deceased, late of Rutherford County, \$400.  
 To William C. Wester, of Grainger County, \$144.  
 To Jane E. Wherry, administratrix of John J. Wherry, deceased, late of Sumner County, \$1,480.  
 To Mary M. White, administratrix of Owen (or Orrin) White, deceased, late of Shelby County, \$457.  
 To Laura C. Newton, administratrix of Greenberry Williams, deceased, late of Sumner County, \$2,070.  
 To Thomas H. Williams, administrator of Harvey Williams, deceased, late of Shelby County, \$759.  
 To John W. Alexander, administrator of James S. Williams, deceased, late of Williamson County, \$1,080.  
 To William A. Wood, of Lincoln County, \$283.

To T. J. McClendon, administrator of John Wright, deceased, late of Davidson County, \$1817.  
 To Fannie Young, of Giles County, \$125.  
 To Alfred A. Young, executor of Joseph Young, deceased, late of Giles County, \$575.

## VIRGINIA.

To Loftin D. Allen, of Henrico County, \$1,651.  
 To Mary Caroline Allan, administratrix of Patterson Allan, deceased, late of Goochland County, \$1,350.  
 To William H. Anderson, of Frederick County, \$749.  
 To William Taylor, administrator of Polly Blackwell, deceased, late of Rockingham County, \$230.  
 To Adeline T. Black, of Dinwiddie County, \$908.  
 To Sarah W. Brown, of Alleghany County, \$922.  
 To Susan Brown, of Culpeper, \$644.40.  
 To William Bushby, of Alexandria, \$1,728.85.  
 To William B. Lynch, administrator of Jared Chamblin, deceased, late of Loudoun County, \$445.  
 To Martha S. Clark, of Amelia County, \$459.  
 To Elias Cooper, of Loudoun County, \$324.  
 To R. D. Hardesty, administrator of Morgan Coxen, deceased, late of Clarke County, \$865.  
 To Robert H. Davis, administrator of Thomas K. Davis, deceased, late of Prince William County, \$2,735.  
 To Alexander Donnan, administrator of Thomas Farrell, deceased, late of Prince George County, \$3,207.  
 To William T. Fauber, of Augusta County, \$375.  
 To Elkanah Fawcett, of Winchester, \$1,571.  
 To John E. Febrey, of Fairfax County, \$2,636.  
 To Samuel Fitzhugh, administrator of Henry Fitzhugh, deceased, late of Spotsylvania County, \$19,975.  
 To John E. Fletcher, of Fauquier County, \$1,050.  
 To Samuel W. George, sr., of Loudoun County, \$642.  
 To Thomas M. Grayson, of Fauquier County, \$414.  
 To George W. Gunnell, administrator of Elizabeth Gunnell, deceased, late of Fairfax County, \$5,124.  
 To Jesse Owings, trustee of Ann E. Harper, of Alexandria County, \$1,088.  
 To Mary A. Hart, of Clarke County, \$720.  
 To John R. Hornbaker, of Prince William County, \$330.  
 To Lucy A. M. Jones, of Rappahannock County, \$1,351.50.  
 To James H. Kennan, of Clarke County, \$237.  
 To St. Clair D. Kirtley and Francis W. Kirtley, of Rockingham County, \$906.  
 To Mary F. Lewis, of Clarke County, \$1,002.  
 To Jacob H. Lindsey, of Rockingham County, \$971.  
 To John Mulholland, Peter Mulholland, and Patrick Mulholland, of Fairfax County, \$630.  
 To William, Joshua, Charles, and John Pearson, in their own right and as the heirs at law of Phillis Pearson, deceased, late of Fairfax County, \$1,360.  
 To Jesse Piggott, of Loudoun County, \$548.  
 To John Rickard, of Shenandoah County, \$200.  
 To Thomas W. Russell, of Clarke County, \$772.  
 To Wiley J. Watt, administrator of Joseph Sharp, deceased, late of Prince George County, \$1,840.  
 To Ada B. Shumate and William O. Shumate, of Fauquier County, \$1,190.  
 To James H. Shumate, of Fauquier County, \$318.  
 To Thomas B. Stewart, of Fauquier County, \$4,500.  
 To Emily Taylor, executrix of William H. Taylor, deceased, late of Fairfax County, \$1,935.  
 To James B. Russell, executor of Sampson Touchstone, deceased, late of Frederick County, \$1,125.  
 To Rowena F. Vaughn, administratrix of Walker Vaughn, deceased, late of Culpeper County, \$510.  
 To Jonas Wampler, of Augusta County, \$135.  
 To V. Dallas White, administratrix of Benjamin K. White, late of Dinwiddie County, \$2,203.  
 To Daniel T. Wood, of Frederick County, \$921.  
 To William H. Woodard, of Shenandoah County, \$772.  
 To Matthew Woodward (or Woodyard), of Prince William County, \$400.

## WEST VIRGINIA.

To Moses C. Baylor, of Jefferson County, \$1,144.  
 To Catherine Beck, administratrix of John Beck, late of Jefferson County, \$365.  
 To Allen H. Bonfield, administrator de bonis non of Aaron Bonfield, deceased, late of Tucker County, \$6,300.  
 To John Bray, of Kanawha County, \$162.  
 To William M. Coffman, administrator of Samuel Coffman, deceased, late of Greenbrier County, \$555.  
 To Mrs. Margaret E. Crane, administratrix of Joseph Crane, deceased, late of Jefferson County, \$80.  
 To Jacob Criser, of Jefferson County, \$608.  
 To Isaiah Curry, of Kanawha County, \$591.  
 To Newman H. Ellis, administrator of Joshua Ellis, deceased, late of Fayette County, \$761.  
 To John M. Engle, of Jefferson County, \$605.  
 To Nancy A. Engle, executrix of Edwin C. Engle, deceased, late of Jefferson County, \$206.  
 To John A. Harmon, of Putnam County, \$523.  
 To B. F. Harrison, administrator of Mary E. Hensell, deceased, late of Jefferson County, \$220.  
 To J. Garland Hurst, administrator of John T. Henkle, deceased, late of Jefferson County, \$2,921.  
 To Robert Kilmer and Dennis M. Kilmer, administrators of Isaac Kilmer, deceased, late of Berkeley County, \$571.  
 To Levi Baughman, administrator of Francis Kotz, deceased, late of Hardy County, \$233.  
 To J. Baker Kearfoot, administrator of William M. Lemen, deceased, late of Jefferson County, \$500.  
 To H. P. Brown, administrator of William McClintic, deceased, late of Greenbrier County, \$540.  
 To Edward W. and Samuel McNeill, administrators of Daniel R. McNeill, deceased, late of Hardy County, \$1,700.  
 To J. Garland Hurst, administrator de bonis non of Jacob Merritt, deceased, late of Jefferson County, \$1,710.  
 To Rhoda Neal, of Greenbrier County, \$345.  
 To John W. Ott, of Jefferson County, \$708.  
 To Jonathan J. Pettit, of Jefferson County, \$377.  
 To Charles L. Pyles, of Kanawha County, \$586.  
 To Robert F. Reynolds, of Kanawha County, \$1,480.  
 To Joseph L. Roberts, of Jefferson County, \$395.  
 To John G. Ruckle, administrator of Samuel Ruckle, deceased, late of Jefferson County, \$352.  
 To Catharine B. Brown, sole heir of John B. Rutherford, deceased, late of Jefferson County, \$130.

To J. F. Engle, administrator of Uriah Rutherford, deceased, late of Jefferson County, \$1,795.  
 To James W. Schoppert, administrator of Samuel Schoppert, deceased, late of Berkeley County, \$1,655.  
 To Milton Taylor, administrator of Henry Shobe, deceased, late of Grant County, \$589.  
 To Nimrod Shobe, of Grant County, \$279.  
 To Solomon Shobe, of Grant County, \$407.  
 To George Show, of Jefferson County, \$695.  
 To Thomas O. Terry, of Fayette County, \$300.  
 To Commodore P. Thompson, of Barbour County, \$480.  
 To John Waldron, of Greenbrier County, \$6,984.20.  
 To Henrietta M. Waugh, of Jefferson County, \$320.  
 To J. Ran Rhoderick, administrator of Benjamin Welsh, late of Jefferson County, \$910.  
 To Thomas J. West, administrator of Thomas West, deceased, late of Jefferson County, \$1,054.  
 To James M. Westfall, of Randolph County, \$236.  
 To William A. Wiseman, administrator of Amos K. Wiseman, deceased, late of Fayette County, \$1,830.  
 To Branson L. Wood and A. D. Wood, administrators of Angus M. Wood, deceased, late of Hardy County, \$1,935.  
 To John H. Woodford, of Barbour County, \$550.  
 To Henry T. Woody, of Kanawha County, \$3,046.  
 To George H. Woolwine, administrator of William Woolwine, deceased, late of Fayette County, \$261.  
 To Samuel W. Wysong, executor of James Wysong, deceased, late of Jefferson County, \$3,585.  
 To W. H. Bryan, of Gibson County, Tenn., \$800.  
 To Henry A. Butler, of Prince George County, Md., \$300.  
 To John A. Dixon, executor of George A. Dixon, deceased, late of Alexandria County, Va., \$720.  
 To William McAdams, survivor of Marks & McAdams, late of Pittsburg, Pa., \$43,251.  
 To Charles W. Shrove, of Montgomery County, Md., \$1,200.  
 To Simon H. Wayland, of Lawrence County, Tenn., \$230.  
 To the elders of the Presbyterian Church at Murfreesboro, Rutherford County, Tenn., \$6,500.  
 To F. F. Smith, executor of Catharine Lytle, deceased, late of Washington County, Md., \$129.  
 To J. S. Stidwell, administrator of Simon Simons, deceased, late of Woodruff County, Ark., \$1,216.  
 To Charles Miller, administrator of Felix Miller, deceased, late of Hawkins County, Tenn., \$530.  
 To Rosa B. Hill, administratrix of John H. Batte, deceased, late of Prince George County, Va., \$3,440.  
 To Eliza J. Ewing, executrix of Fayette C. Ewing, deceased, late of Lafourche Parish, La., \$1,916.  
 To Standwix H. Mayfield, of Benton County, Ark., \$1,753.  
 To Edwin N. Nelson, administrator of John Hutchinson, deceased, late of Prince William County, Va., \$789.  
 To Regine Senner, administratrix of Anton Senner, deceased, late of Allen County, Kans., \$367.  
 To George W. Gordon, administrator of Treadwell S. Ayres, deceased, late of Shelby County, Tenn., \$7,615.  
 To Christian Hofstetter, of Davidson County, Tenn., \$1,732.  
 To C. W. Duke, administrator of H. M. Kerr, deceased, late of Lafayette County, Miss., \$1,328.  
 To the legal representatives of Jacob S. Engleman, deceased, late of Augusta County, Va., \$510.  
 To George M. Brotherick, administrator of Joseph A. Hardwick, deceased, late of Lauderdale County, Ala., \$685.  
 To Harvey H. Waters, administrator of William A. Waters, deceased, late of Sebastian County, Ark., \$1,520.  
 To George E. Morrison, administrator of John Morrison, deceased, of Shelby County, Tenn., \$3,746.  
 To W. W. Jackson, of the District of Columbia, \$1,950.  
 To A. G. W. Sango, administrator of Lewis Moore, deceased, of Sebastian County, Ark., \$235.  
 To Mary K. Lewis, administratrix of Joseph C. Lewis, deceased, of the District of Columbia, \$2,300.  
 To Howell L. Moore, administrator of William Moore, deceased, of Hardman County, Tenn., \$315.  
 To Mrs. E. P. Maloy, of Memphis, Tenn., \$1,900.  
 To Catherine L. Minor, executrix of Rebecca A. Minor, deceased, late of Terre Bonne Parish, La., \$3,940.  
 To A. Waddell and E. R. Miller, administrators of Theodore I. Gillett, deceased, of Lawrence County, Ohio, \$15,711.  
 To Hypolite Filhiol, \$1,076.40; to Heloise A. Breard, \$538.33, and to Ann E. Ferrand, \$538.33, the said persons being legatees and successors in estate to Charles D. Betin, deceased, and Edward L. Betin, deceased, late of Ouachita Parish, La.  
 To A. V. Warr, administrator of N. H. Isbell, deceased, late of Fayette County, Tenn., \$411.25.  
 To Adeline N. Larche, of Carroll Parish, La., \$5,770.  
 To Catherine McCarthy, executrix of Michael D. McCarthy, deceased, of Chatham County, Ga., \$150.  
 To Edward G. W. Hall, of St. Marys County, Md., \$1,290.  
 To J. C. Macom, administrator of William P. Forest, deceased, of Wake County, N. C., \$517.  
 To T. W. Long, administrator of Thomas S. Long, deceased, of Catawba County, N. C., \$300.  
 To Marshall McCormick, administrator of John Alexander, deceased, of Clarke County, Va., \$4,655.  
 To Mary B. Winbourn and James R. Winbourn, of Davidson County, Tenn., \$1,270.  
 To James H. Sents, of Kanawha County, W. Va., \$6,842.  
 To E. L. Bynum, administrator of Oakley H. Bynum, deceased, of Lawrence County, Ala., \$2,867.  
 To W. F. Taylor, administrator of Solomon Taylor, deceased, of Effingham County, Ga., \$535.  
 To H. W. Davidson, administrator of Chatham Davidson, deceased, of Newton County, Miss., \$317.  
 To William A. Lewis, of Henry County, Ga., \$504.  
 To Samuel L. Chestnut, administrator of Samuel Chestnut, deceased, of Hawkins County, Tenn., \$470.  
 To W. H. Mercer, administrator of Samuel Clark, deceased, late of Allegheny County, Pa., \$14,629.  
 To William H. Vinson, of Montgomery County, Md., \$451.  
 To William S. Nance, administrator of Hugh Nance, deceased, of Hardin County, Tenn., \$1,144.  

SUPPLEMENTAL BOWMAN AND BENT CASES.

 To Sarah K. T. Baker, for use and occupation of house and grounds at Paris, Bourbon County, Ky., \$2,400.  
 To William A. Bickford, of Memphis, Tenn., for rent of eight storerooms in Exchange Block, \$3,840.

To Mary E. Mette, administratrix of H. H. Mette, of Memphis, Tenn., for rent of building No. 3, Exchange Block, on Front street, \$490.  
 To David Miller, of Washington, D. C., for occupation of property, and supplies, \$926.  
 To Alexander Moffitt, of the District of Columbia, for use and occupation of property, \$12,442.98.  
 To Mary H. Noonan, of Jersey City, N. J., for rent and repair of house No. 48 Baronne street, New Orleans, La., \$5,830.  
 To Odd Fellows' Hall Association of New Orleans, La., for use and occupation of said Odd Fellows' Hall building for three years six months and seven days, from May 3, 1862, to November 10, 1865, \$40,272.16.  
 To Amos Woodruff, president of the Overton Hotel Company, of Memphis, Tenn., for use of hotel as military hospital from January 1, 1863, to September 1, 1865, \$53,331.  
 To Henry L. Pope, of Louisville, Ky., for the use of three vacant lots, on which commissary of subsistence built storehouse for the use of the United States, from April, 1863, to May 1, 1866, \$300.  
 To Maria and Mary Reynolds, administratrices of James Reynolds, deceased, late of the city of Cumberland, Md., rent and occupation of farm, \$1,236.  
 To C. F. F. Rosenthal, of the District of Columbia, for rent of land, \$590.  
 To Susannah F. Swope, daughter of William Irvin, of Curwensville, Clearfield County, Pa., for destruction of house, \$3,050.  
 To Hugh W. Throckmorton, of Fairfax County, Va., for occupation and use of house as a signal station, \$975.  
 To Benjamin R. White, of Montgomery County, Md., for use and occupation of land, \$1,725.  
 To Amos Woodruff, of Memphis, Tenn., for rent of building, No. 4 Exchange Block, \$1,200.

## MISCELLANEOUS COURT OF CLAIMS FINDINGS.

To Bowers & Richards, assignees of James M. Barney, for supplies furnished the Indian service, \$3,534.76.  
 To John T. Bruen, of New York, for recruiting and organizing troops and personal property, \$2,810.  
 To Nancy E. Day, administratrix of James L. Day, of Connecticut, for extra pay on mail contract, \$3,041.66.  
 To George H. Robinson, surviving executor of the estate of John Ericsson, for his services in planning the United States war steamer *Princeton* and planning and superintending the construction of the machinery of the said steamer, \$13,900.  
 To John A. Fairfax, of the District of Columbia, for boarding laborers while working on the Columbia turnpike, \$562.  
 To Edward N. Fish & Co., for supplies furnished the Indian service, \$1,800.  
 To Edward N. Fish & Co., assignees of W. B. Hugus, for supplies furnished the Indian service, \$2,400.20.  
 To John Griffin and Sarah Griffin, of Washington County, Miss., for damage to building and other property, \$6,190.  
 To the legal representatives of George McDougall, deceased, for supplies furnished Indians, \$81,250.  
 To Mrs. Belle Osborne, executrix of John Osborne, deceased, late of Alexandria, La., for sugar and stores and supplies, \$54,875.  
 To David S. Parker and Forman Mathews, of Perth Amboy, N. J., for loss of schooner *Twilight*, \$25,833.20.  
 To William H. Quinn, of the District of Columbia, for services rendered by him in addition to his duties as drawkeeper at Anacostia Bridge, in exercising supervision over said bridge, and also over Bennings Bridge; in making all estimates for repairs for both of said bridges and purchasing materials for same from 1869 to 1878; and also for services as inspector for the Government of all mechanical work of the Anacostia Bridge and supervising the construction of same, in 1874 and 1875, \$940.  
 To the legal representatives of A. P. H. Stewart and to Charles A. Weed, formerly doing business under the firm name and style of Stewart & Co., late of Mobile, Ala., for money advanced by them on behalf of the United States at said Mobile, in the year 1865, to pay freights and expenses on Government cotton, \$21,541.68.  
 To Sutro & Co., assignees of William B. Hooper & Co., for supplies furnished the Indian service, \$3,479.32.

## FRENCH SPOILIATION CLAIMS.

To pay the findings of the Court of Claims on the following claims for indemnity for spoiliations by the French prior to July 30, 1801, under the act entitled "An act to provide for the ascertainment of claims of American citizens for spoiliations committed by the French prior to the 31st day of July, 1801: "Provided, That in all cases where the original sufferers were adjudicated bankrupts the awards shall be made on behalf of the next of kin instead of to assignees in bankruptcy, and the awards in the cases of individual claimants shall not be paid until the Court of Claims shall certify to the Secretary of the Treasury that the personal representatives on whose behalf the award is made represent the next of kin, and the courts which granted the administrations, respectively, shall have certified that the legal representatives have given adequate security for the legal disbursements of the awards, namely:

On the brig *Alert*, Robert Gray, master, namely:  
 Robert M. Pratt, administrator de bonis non of Joseph White, deceased, \$3,265.75.  
 William P. Parker, administrator de bonis non of William B. Parker, deceased, \$2,068.53.  
 Elizabeth R. Gardner, administratrix de bonis non of Jesse Richardson, deceased, \$2,677.16.  
 William D. Pickman, administrator de bonis non of Dudley L. Pickman, deceased, \$349.62.  
 Henry O. Stone, Benjamin W. Stone, and Robert Stone, executors of Robert Stone, jr., deceased, \$4,177.10.  
 William A. Lander, administrator de bonis non of Pickering Dodge, deceased, \$3,132.87.  
 Arthur L. Huntington, administrator of William Orne, deceased, \$1,500.  
 Mary F. Witherby, surviving executor of Charles Cleveland, deceased, \$783.21.  
 Nathaniel P. Richardson, executor of Joshua Richardson, deceased, \$2,068.53.  
 On the brig *Sally*, William Hampton, master, namely: Alexander Proudft, administrator of the estate of Robert Ralston, deceased, \$5,734.  
 On the ship *Two Sisters*, Jacob Henery, master, namely:  
 George W. Norris, administrator of John Garesche, deceased, \$2,043.80.  
 George W. Norris, administrator of Peter Baudy, deceased, \$436.77.  
 William R. Lejeas, executor of Samuel Breck, deceased, \$1,919.57.  
 M. H. Meeschert, administrator of Jacob Koch, deceased, \$960.  
 George W. Guthrie, administrator of Alexander Murray, deceased, \$734.  
 James C. Dawes, administrator of Abijah Dawes, deceased, \$394.  
 J. Bayard Henry, administrator of Andrew Bayard, deceased, \$784.  
 William A. M. Fuller, administrator of John Leamy, deceased, \$784.  
 Henry Pettit, administrator of Andrew Pettit, deceased, \$784.  
 Arrington Gilpin, administrator of Joshua Gilpin, deceased, \$394.  
 James S. Cox, administrator of James S. Cox, deceased, \$394.  
 John C. Williams, administrator of Edward Dunant, deceased, \$394.  
 Henry Lisle Wain, executor of Jacob S. Wain, deceased, \$784.

On the brig *William*, Goe, master, namely:  
 D. Fitzhugh Savage, administrator of John Savage, deceased, \$2,414.  
 J. Bayard Henry, administrator of Andrew Bayard, etc., deceased, \$784.  
 George W. Guthrie, administrator of Alexander Murray, deceased, \$490.  
 Henry Pettit, administrator of Andrew Pettit, deceased, \$490.  
 Craig D. Ritchie, administrator of Joseph Sumner, deceased, \$490.  
 William Brooke-Rawle, administrator of Jesse Wain, deceased, \$382.  
 The Pennsylvania Company for Insurance on Lives and Granting Annuities, administrator of Thomas M. Willing, deceased, \$989.  
 Samuel Bell, administrator of John G. Wacksmuth, deceased, \$989.  
 James C. Dawes, administrator of Abijah Dawes, deceased, \$392.  
 Francis R. Pemberton, administrator of John Clifford, deceased, \$490.  
 James S. Cox, administrator of James S. Cox, deceased, \$490.  
 Henry P. McKean, administrator of Henry Pratt, deceased, \$490.  
 William R. Howell, administrator of Samuel Howell, deceased, \$490.  
 William C. McMurtrie, administrator of William McMurtrie, deceased, \$490.  
 Henry Pettit, administrator of Charles Pettit, deceased, \$392.  
 Lorin Blodgett, administrator of Samuel Blodgett, deceased, \$490.  
 On the scow *Funny*, Garrett Barry, master, namely: Dayton S. Ward, administrator of bonis non of James Barry, deceased, \$3,502.  
 On the schooner *Ballahoo*, Joseph Ripley, master, namely: James F. Breuil, administrator of Francis Breuil, deceased, \$1,568.95.  
 On the schooner *Thankful*, William Ward, master, namely:  
 Adeline F. Alden, administratrix of James Torrey, \$1,428.40.  
 Adeline F. Alden, administratrix of George Torrey, \$1,428.40.  
 Abel H. Bellows, administrator of Thomas Geyer, \$229.80.  
 Stephen R. Rogers, administrator of Joseph Rogers, \$1,733.33.  
 Albert C. Arnold, administrator of the estate of Frederick William Geyer, deceased, \$229.80, the award in the above case having been made to Francis M. Boutwell, as administrator of the estate of John Heard, assignee in bankruptcy of said Frederick William Geyer.  
 Charles F. Adams, administrator of Peter C. Brooks, deceased, \$2,000.  
 Henry W. Blagge and Susan B. Samuels, administrators of Crowell Hatch, deceased, \$1,000.  
 William Scholer, administrator of Nathaniel Fellowes, deceased, \$1,300.  
 William Gray, administrator of William Gray, deceased, \$2,200.  
 William S. Carter, administrator of William Smith, deceased, \$1,000.  
 Robert Grant, administrator of William H. Boardman, deceased, \$400.  
 David G. Haskins, administrator of David Greene, deceased, \$1,000.  
 Lawrence Bond, administrator of Nathan Bond, deceased, \$400.  
 Lucy S. Cushing, administratrix of Jacob Sheafe, deceased, \$500.  
 On the brig *Lady Washington*, Selleck, master, namely:  
 Henry Pettit, administrator of Andrew Pettit, etc., deceased, \$700.90.  
 William A. M. Fuller, administrator of John Leamy, deceased, \$425.88.  
 Robert W. Smith, administrator of Robert Smith, deceased, \$567.84.  
 George Willing, administrator of George Willing, deceased, \$283.92.  
 Francis A. Lewis, administrator of John Miller, jr., deceased, \$567.84.  
 George Blight, administrator of Peter Blight, deceased, \$700.90.  
 Craig D. Ritchie, administrator of Joseph Sumner, deceased, \$567.84.  
 William Brooke-Rawle, administrator of Jesse Wain, deceased, \$700.90.  
 Richard C. McMurtrie, administrator of John Bohlen, etc., deceased, \$567.84.  
 The Pennsylvania Company for Insurance on Lives and Granting Annuities, administrator of Thomas M. Willing, deceased, \$700.90.  
 Thomas F. Bayard, administrator of Thomas W. Francis, deceased, \$283.92.  
 Henry Pratt McKean, executor of Henry Pratt, deceased, \$425.88.  
 Francis R. Pemberton, administrator of John Clifford, deceased, \$354.90.  
 Samuel Bell, administrator of John G. Wacksmuth, deceased, \$354.90.  
 William Read Fisher, administrator of Samuel W. Fisher, deceased, \$354.90.  
 Isaac S. Smyth, administrator of Jacob Baker, deceased, \$567.84.  
 George W. Guthrie, administrator of Alexander Murray, deceased, \$700.90.  
 Uselma C. Smith, administrator of William Jones, deceased, \$567.84.  
 A. Louis Eakin, administrator of Chandler Price, deceased, \$700.90.  
 Frederick W. Meeker, administrator of Samuel Meeker, deceased, \$700.90.  
 James C. Fisher, executor of James C. Fisher, deceased, \$254.90.  
 D. Fitzhugh Savage, administrator of John Savage, etc., deceased, \$700.90.  
 On the brig *American*, Thomas Towne, master, namely: David Ware, administrator of bonis non of John Hall, deceased, \$4,091.  
 On the ship *Jane*, John Wallace, master, namely:  
 Esther S. Buchanan, administratrix, representing Smith & Buchanan, \$11,690.21.  
 Robert Carter Smith, administrator, representing Samuel Smith, \$6,728.21.  
 Cumberland D. Hollins, administrator, representing John Hollins, \$4,922.  
 On the ship *Bacchus*, George, master, namely:  
 The Real Estate Insurance and Trust Company of Philadelphia, administrator of James Campbell, deceased, \$5,290.  
 Henry Pettit, administrator of Andrew Pettit, etc., deceased, \$960.  
 George W. Guthrie, administrator of Alexander Murray, deceased, \$960.  
 M. H. Messchert, administrator of Jacob G. Koch, deceased, \$960.  
 Samuel Bell, administrator of John G. Wacksmuth, deceased, \$960.  
 James C. Dawes, administrator of Abijah Dawes, deceased, \$196.  
 Henry Lisle Wain, executor of Jacob S. Wain, etc., deceased, \$960.  
 On the vessel the snow *Boston*, Dougherty, master, namely:  
 J. Bayard Henry, administrator of George Latimer, deceased, \$1,025.36.  
 The Real Estate Title Insurance and Trust Company of Philadelphia, administrator of bonis non cum testamento annexo of James Campbell, deceased, \$1,025.36.  
 J. Bayard Henry, administrator of Andrew Bayard, etc., deceased, \$882.  
 The city of Philadelphia, administrator of Stephen Girard, deceased, \$490.  
 Henry Pratt McKean, executor of Henry Pratt, deceased, \$784.  
 D. Fitzhugh Savage, administrator of John Savage, deceased, \$784.  
 James Crawford Dawes, administrator of Abijah Dawes, deceased, \$490.  
 Francis A. Lewis, administrator of John Lewis, jr., deceased, \$490.  
 William A. M. Fuller, administrator of John Leamy, deceased, \$490.  
 John C. Williams, administrator of Edward Dunant, deceased, \$343.  
 Arthington Gilpin, administrator of Joshua Gilpin, deceased, \$343.  
 Samuel Bell, administrator of John G. Wacksmuth, deceased, \$1,176.  
 Henry Pettit, administrator of Andrew Pettit, etc., deceased, \$784.  
 George W. Guthrie, administrator of Alexander Murray, deceased, \$960.  
 D. Fitzhugh Savage, administrator of John Savage, deceased, \$882.  
 James S. Cox, administrator of James S. Cox, deceased, \$490.  
 M. H. Messchert, administrator of Jacob G. Koch, deceased, \$490.  
 Richard C. Murtrie, administrator of John Bohlen, deceased, \$490.  
 F. R. Pemberton, administrator of John Clifford, deceased, \$294.  
 Henry Lisle Wain, executor of Jacob S. Wain, deceased, \$588.  
 The Pennsylvania Company for Insurance on Lives, etc., administrator of Thomas M. Willing, deceased, \$982.  
 Thomas F. Bayard, administrator of Thomas W. Francis, deceased, \$392.  
 On the ship *Fafosco*, William Hill, master, namely:  
 William Donnell, administrator of bonis non cum testamento annexo of the estate of John Donnell, deceased, \$2,659.90.  
 George W. Brown, administrator of the estate of James A. Buchanan, deceased, \$4,699.90, being his share of vessel and freight.  
 Robert Carter Smith, administrator de bonis non cum testamento annexo

of the estate of Samuel Smith, deceased, \$4,699.90, being his share of vessel and freight.  
 Esther S. Buchanan, administratrix of the estate of William B. Buchanan, who was the surviving partner of the firm of S. Smith & Buchanan, deceased, \$25,066, the value of the cargo shipped by said firm.  
 Cumberland D. Hollins, administrator de bonis non cum testamento annexo of the estate of John Hollins, deceased, \$7,600.  
 Virgilia B. Brooke, administratrix de bonis non cum testamento annexo of the estate of John Smith jr., deceased, \$48,466.  
 On the brig *Hope*, Church, master, namely:  
 John C. Parsons, as administrator of the estate of John Caldwell, deceased, \$12,412.17.  
 William Scholer, administrator of Nathaniel Fellowes, deceased, \$1,000.  
 Frank Dabney, administrator of Samuel W. Pomeroy, deceased, \$1,000.  
 John W. Aphrop, administrator of Caleb Hopkins, deceased, \$1,000.  
 Lawrence Bond, administrator of Nathan Bond, deceased, \$500.  
 Daniel D. Slade, administrator of Daniel D. Rogers, deceased, \$500.  
 On the brig *Juno*, Walker, master, namely: Ann Fisher Satterthwaite, administratrix of James Sheafe, deceased, \$12,240.  
 On the brig *Confidence*, Thomas Manning, master, namely: Catherine M. Singleton, administratrix de bonis non of Alexander McKim, surviving partner of the firm of Robert McKim & Co., \$1,497.30.  
 On the brig *Eleanor*, James Treat, master, namely:  
 George H. Williams, administrator de bonis non of Samuel Williams, deceased, \$1,583.59 cents.  
 Charles J. Bonaparte, administrator de bonis non of Benjamin Williams, deceased, \$1,583.59.  
 David Stewart, administrator of Francis Johonnet, surviving partner of Francis Johonnet & Co., \$5,723.18.  
 On the schooner *Etiza*, Thomas Poulsons, master, namely:  
 John Merven Carrere and David Stewart, administrators of John Carrere, deceased, \$11,744.96.  
 David Stewart, administrator of John G. Delisle, deceased, \$3,781.  
 On the vessel *Fuileer*, Thomas Shaw, master, namely:  
 George B. Chase, administrator of Stephen Chase, deceased, \$2,955.  
 Albion E. Taylor, administrator de bonis non of Joseph Chase, deceased, \$2,955.  
 Calvin Page, administrator of Thomas Shaw, deceased, \$1,168.55.  
 On the brig *Thomas*, Mark Fernald, master, namely: James W. Emery, administrator de bonis non of the estate of Thomas Manning, deceased, \$1,162.  
 On the schooner *Lucy*, Lewis Holmes, master, namely: Isaac Brewster, administrator de bonis non cum testamento annexo of the estate of Daniel Jackson, deceased, \$3,597.  
 Charles G. Davis, administrator de bonis non of William Davis, deceased, \$902.  
 On the brig *Leonard*, William Hackett, master, namely: Joseph A. Titcomb, administrator of the estate of John Wells, otherwise called John Wells, deceased, \$3,159.  
 On the brig *Valture*, John Berry, master, namely:  
 Elizabeth R. Gardiner, administratrix of Jesse Richardson, \$3,618.85.  
 Nathaniel P. Richardson, executor of Joshua Richardson, \$3,618.85.  
 William Gray, administrator of William Gray, deceased, \$1,500.  
 Charles F. Adams, administrator of Peter C. Brooks, deceased, \$1,500.  
 William Scholer, administrator of Nathaniel Fellowes, deceased, \$1,000.  
 H. H. Hunnewell, executor of John Wells, deceased, \$300.  
 Henry W. Blagge and Susan B. Samuels, administrators of Crowell Hatch, deceased, \$1,000.  
 On the sloop *Fox*, Brooks, master, namely:  
 Sanford J. Horton, as administrator of the estate of William Wickham, deceased, \$1,508.33.  
 Melvin B. Copeland, as administrator of the estate of Nathaniel Blake, deceased, \$154.16.  
 George G. Sill, as administrator of the estate of William Moore, deceased, \$3,281.33.  
 Charles F. Adams, administrator of Peter C. Brooks, deceased, \$400.  
 H. Burr Crandall, administrator of Thomas Dickinson, deceased, \$400.  
 David G. Haskins, administrator of David Greene, deceased, \$500.  
 Frank Dabney, administrator of Samuel W. Pomeroy, deceased, \$500.  
 Robert Grant, administrator of William H. Boardman, deceased, \$300.  
 William I. Monroe, administrator of John Brazor, deceased, \$1,000.  
 John Wetherbee, administrator of James Tisdale, deceased, \$1,000.  
 Henry W. Blagge and Susan B. Samuels, administrators of Crowell Hatch, deceased, \$500.  
 On the schooner *Nancy*, Nathaniel Lincoln, master, namely: Charles E. Alexander, administrator of the estate of Jonathan Merry, deceased, \$898.  
 On the brig *William*, Benjamin H. Rathbone, master, namely: Bayard Tuckerman, administrator of Walter Channing, surviving partner of Gibbs & Channing, and likewise administrator of George Gibbs, \$29,754.  
 On the schooner *Alert*, Jacob Oliver, master, namely:  
 Franklin Leach, administrator of William Leach, \$3,577.88.  
 Edward I. Brown, administrator of Israel Thorndike, \$1,003.73.  
 Arthur L. Huntington, administrator of James Dunlap, deceased, \$900.  
 John H. Moriarty, administrator of James Scott, deceased, \$400.  
 Thomas H. Perkins, administrator of John C. Jones, deceased, \$300.  
 Horace B. Sargent, jr., administrator of Daniel Sargent, deceased, \$500.  
 John C. Ropes, administrator of Thomas Amory, deceased, \$1,000.  
 H. H. Hunnewell, administrator of Arnold Wells, jr., deceased, \$400.  
 William G. Perry, administrator of Nicholas Gilman, deceased, \$300.  
 Lucy S. Cushing, administratrix of Jacob Sheafe, deceased, \$400.  
 H. Burr Crandall, administrator of Thomas Cushing, deceased, \$400.  
 Archibald M. Howe, administrator of Francis Green, deceased, \$300.  
 Frank Dabney, administrator of Samuel W. Pomeroy, deceased, \$300.  
 On the ship *Theresa*, Phillip Brum, master, namely:  
 George S. Sonntag, administrator of William L. Sonntag, deceased, surviving partner of William L. Sonntag & Co., as representative of said firm, \$13,537.50.  
 George S. Sonntag, administrator, as representative of William L. Sonntag, one of the joint owners of the *Theresa*, \$3,294.50.  
 Jane J. De La Roche, administratrix of Frederick Franck De La Roche, as representative of one of the joint owners of the *Theresa*, \$3,294.50.  
 On the schooner *Hannah*, Phillip Bessom, master, namely:  
 Sarah J. Brown, administratrix of Isaac Collier, deceased, for value of 164 quintals of fish, \$1,312.  
 Ebenezer D. Secomb, administrator of Phillip Bessom, value of cargo, less the 164 quintals of fish owned by said Collier, and less also the insurance paid thereon by William Gray, \$23,180.  
 William Gray, administrator of William Gray, deceased, \$2,920.  
 On the brig *Lydia*, John Cook, master, namely: Charles B. Allen, administrator de bonis non of Zachariah Allen, for vessel, cargo, and the freight earned, \$12,291.  
 On the ship *Brindeer*, Robert Motley, master, namely: Henry Deering and Francis Fessenden, administrators of James Deering, \$20,623.  
 On the ship *Betsy*, Josiah Obeare, master, namely:  
 Horace Obeare, administrator of Josiah Obeare, \$1,705.63.

- Franklin Leach, administrator of Nathan Leach, \$126.  
 William G. Perry, administrator of Nicholas Gilman, deceased, \$198.  
 H. H. Hunnewell, administrator of Arnold Welles, jr., deceased, \$396.  
 On the ship *Argo*, Benjamin Randall, master, namely: Henry J. Gardiner, administrator of the estate of Matthew Cobb, deceased, \$12,000.  
 On the ship *Eliza*, Peter Burton, master, namely: Alexandria Proudft, administrator of the estate of John Proudft, deceased, \$3,951.  
 On the sloop *Nancy*, David Foster, master, namely: George G. Sill, administrator de bonis non of William Coggeshall, deceased, \$851.50.  
 Charles F. Adams, administrator of Peter C. Brooks, deceased, \$1,000.  
 William Sohler, administrator of Nathaniel Fellowes, deceased, \$1,000.  
 Henry W. Blagge and others, administrators of Crowell Hatch, deceased, \$500.  
 On the brig *Venus*, John Harmon, master, namely: John S. Cole, administrator of the estate of John Storer, deceased, \$10,568.  
 On the schooner *Needham*, William Grant, master, namely: John C. McDonald, administrator of the estate of William McDonald, deceased, \$4,914.  
 On the snow *Lydia*, Eleazur Washburn, master, namely: Charles E. Alexander, administrator of the estate of Jonathan Merry, deceased, \$13,204.96.  
 William R. Richards, administrator of the estate of William and Thomas Walter, both deceased, \$2,727.48.  
 On the schooner *Ranger*, Josiah Bacon, master, namely: Abiel S. Lewis, administrator of the estate of Thomas Lewis, jr., surviving partner of Thomas Lewis & Son, \$8,480.  
 On the vessel *Georgia Packet*, John McKeever, master, namely: The Pennsylvania Company for Insurance on Lives and Granting Annuities, administrator of Thomas M. Willing, deceased, \$6,246.  
 Richard F. Flickwir, administrator of Richard Flower, deceased, \$1,055.  
 Richard F. Flickwir, administrator of John Flower, deceased, \$1,055.  
 Richard F. Flickwir, administrator of Reese Wall, deceased, \$1,055.  
 Edward S. McKeever, administrator of John McKeever, deceased, \$1,055.  
 On the snow *Charlotte*, Cornelius Low, master, namely: George Hawkins Williams, administrator of Joseph Williams, surviving partner of Williams and Low, \$3,464.  
 On the brig *York*, William Moodie, master, namely: George S. Sonntag, administrator of William L. Sonntag, \$7,886.50.  
 Jane J. De La Roche, administratrix of Frederick Franck De La Roche \$7,886.50.  
 On the schooner *Betsy*, John Murphy, master, namely: W. Hall Harris, administrator de bonis non, etc., estate of William Patterson, deceased, \$30,334.16.  
 On the sloop *Martha*, Joshua McWilliams, master, namely: John C. Williams, administrator of Edward Dunant, deceased, \$1,320.  
 On the brig *Calipto*, John Leonard, master, namely: Reginald Fendall, administrator of the estate of John Leonard, \$26,960.  
 On the schooner *Betsy* and *Nancy*, Samuel Eells, master, namely: Walter G. Eells, administrator of the estate of Samuel Eells, deceased, \$2,504.25.  
 On the brig *Catherine*, Samuel Casneau, master, namely: Henry R. Perkins, administrator of the estate of Anthony Davenport and Moses Davenport, joint owners of the *Catherine*, \$8,935.  
 On the schooner *Hannah*, Joseph Bright, master, namely: Abram H. Smyth, administrator of the estate of Abram Hewes, deceased, \$2,406.  
 Lawrence Stabler, administrator of the estate of William Hartshorn, deceased, remaining partner of the late firm of William Hartshorn and Sons, \$2,406.  
 On the brig *Eliza Wright*, P. Ethridge, master, namely: Henry A. T. Granbery, administrator of John Granbery, deceased, \$109.01.  
 R. Manson Smith, administrator of Francis Smith, deceased, \$118.92.  
 John Neely, administrator of John Cowper, deceased, \$148.66.  
 Gilbert R. Fox, jr., administrator of Thomas Willock, deceased, \$138.74.  
 John Newport Greene, administrator of Conway Whittle, deceased, \$118.92.  
 On the schooner *Phenix*, James Coward, master, namely: George F. R. Waesche, administrator de bonis non of the estate of George Repold, \$4,427.44.  
 Henry Frederick Wegner, administrator de bonis non of the estate of Albert Seekamp, \$4,427.44.  
 Charles F. Taylor, administrator de bonis non of the estate of Henry Schroeder, \$4,427.44. The last above three items to be subject to a deduction of the amount of insurance received, which amount shall be investigated and determined by the proper accounting officers of the Treasury Department.  
 On the schooner *Phenix*, Joshua Waite, master, namely: Henry R. Virgin, administrator of the estates of Samuel Snow, Stephen Purrington, and John Snow, jr., \$2,126.  
 Henry Deering and Francis Fessenden, administrators of the estate of James Deering, \$1,373.  
 Henry J. Gardner, administrator of the estate of Matthew Cobb, \$2,173.  
 Robert Codman, administrator of William Gray, deceased, \$3,000.  
 On the schooner *Polly*, Joseph Atkins, master, namely: Charles E. Alexander, administrator of the estate of Jonathan Merry, deceased, \$1,233.  
 On the brig *Caroline*, William Morton, master, namely: Wallace T. Jones, administrator of the estate of Edward Jones, \$2,752.70.  
 Charles F. Adams, administrator of Peter C. Brooks, deceased, \$5,462.50.  
 Henry Parkman, administrator of John Duballet, deceased, \$1,080.50.  
 Henry W. Blagge and others, administrators of Crowell Hatch, deceased, \$1,080.50.  
 On the ship *Eliza*, William Marrenner, master, namely: Wallace T. Jones, administrator of the estate of Edward Jones, \$48,186.  
 On the brig *Friendship*, George Hodges, master, namely: Charles S. Nichols, administrator of the estate of Ichabod Nichols, \$13,692.27.  
 William H. Silabee, administrator of the estate of Benjamin Hodges, \$14,225.04.  
 Thomas Kittridge, administrator of the estate of George Hodges, \$171.24.  
 Robert Codman, administrator of William Gray, jr., deceased, \$5,200.  
 Charles F. Adams, administrator of Peter C. Brooks, deceased, \$2,000.  
 William Sohler, administrator of Nathaniel Fellowes, deceased, \$700.  
 H. Burr Crandall, administrator of Thomas Dickason, jr., deceased, \$500.  
 Henry W. Blagge and others, administrators of Crowell Hatch deceased, \$500.  
 Daniel D. Elado, administrator of Daniel D. Rogers, deceased, \$500.  
 Robert Grant, administrator of Jonathan Mason, jr., deceased, \$500.  
 John M. Clinch, administrator of Peres Morton, deceased, \$500.  
 H. H. Hunnewell, administrator of Arnold Welles, jr., deceased, \$300.  
 Francis M. Boutwell, administrator of Samuel Cobb, deceased, \$300.  
 On the schooner *Jane*, Thomas Atwood, master, namely: Henry G. Dorr, administrator of the estate of Andrew C. Dorr, \$2,573.87.  
 Frances A. Wheelock, administratrix of the estate of William Door, \$2,573.87.  
 Charles F. Adams, administrator of Peter C. Brooks, deceased, \$2,700.  
 William Sohler, administrator of Nathaniel Fellowes, deceased, \$500.  
 John Wetherbee, administrator of James Tidale, deceased, \$500.  
 William Vernon, administrator of Samuel Brown, deceased, \$500.  
 Henry W. Blagge and others, administrators of Crowell Hatch, deceased, \$700.  
 On the brig *Betsy*, William Witmarsh, master, namely: Mary Souther, administratrix of the estate of Benjamin Wheeler, deceased, \$8,048.66.  
 Charles F. Adams, administrator of Peter C. Brooks, deceased, \$3,000.  
 Thomas H. Perkins, administrator of John C. Jones, deceased, \$1,000.  
 William G. Perry, administrator of Nicholas Gilman, deceased, \$1,000.  
 Robert Grant, administrator of William H. Boardman, deceased, \$1,000.  
 John H. Moriarty, administrator of James Scott, deceased, \$500.  
 Lucy S. Cushing, administratrix of Jacob Rheafe, deceased, \$500.  
 Charles F. Hunt, administrator of Joseph Russell, deceased, \$1,000.  
 On the sloop *Mary*, Gilbert Totten, master, namely: John C. Hollister, administrator of the estate of Frederick Hunt, deceased, \$2,362.34.  
 John C. Hollister, administrator of the estate of Thomas Rice, deceased, \$2,362.33.  
 John C. Hollister, administrator of the estate of Elias Shipman, deceased, \$2,362.33.  
 On the brig *Rosetta*, Isaac Isaacs, master, namely: John C. Tilgman, administrator of the estate of William Van Wyck, \$6,024.96.  
 Rebecca R. Thompson and Elizabeth Y. Thompson, administratrices of the estate of Joseph Young, \$5,597.46.  
 William Donnell, administrator of John Donnell, deceased, \$1,960.  
 Edward C. Noyes and others, administrators of James Clark, deceased, \$580.  
 C. D. Hollins, administrator of Cumberland Dugan, deceased, \$1,500.  
 David Stewart, administrator of William McCreery, deceased, \$980.  
 Virgilia B. Brooke, administratrix of John Smith, deceased, \$980.  
 Charles J. Bonaparte, administrator of Benjamin Williams, deceased, \$980.  
 David Stewart, administrator of Paul Bentalou, deceased, \$980.  
 John W. Jenkins, administrator of John Hillen, deceased, \$980.  
 David Stewart, administrator of Henry Payson, deceased, \$490.  
 Robert Shriver, administrator of Isaac Causten, deceased, \$490.  
 On the schooner *Henry* and *Gustavus*, John Smith, master, namely: George G. Sill, administrator of the estate of Thomas Sanford, \$1,786.63.  
 Herman Whittlesey, administrator of the estate of Aaron Gaylord, \$1,786.63.  
 Mary H. Williams, administratrix of Ezekiel Williams, deceased, \$193.67.  
 John C. Parsons, administrator of John Caldwell, deceased, \$487.50.  
 On the schooner *Friendship*, Jonathan Gilbert, master, namely: James Manning, administrator of John Manning, \$2,060.  
 Robert Codman, administrator of William Gray, jr., deceased, \$2,000.  
 On the brig *Hiram*, J. Humphreys, master, namely: Simon Tomlinson, administrator of Samuel Hull, \$400.  
 John F. Plumb, administrator of John Humphreys, \$400.  
 John F. Plumb, administrator of James Humphreys, \$400.  
 Charles F. Adams, administrator of Peter C. Brooks, deceased, \$414.  
 William Sohler, administrator of Nathaniel Fellowes, deceased, \$414.  
 Henry W. Blagge and others, administrators of Crowell Hatch, deceased, \$372.  
 Richard Delafield, administrator of John Delafield, deceased, \$980.  
 Louisa J. Sebor, administratrix of Jacob Sebor, deceased, \$490.  
 Carlisle Terry, administrator of Carlisle Pollock, deceased, \$490.  
 William H. S. Elting, administrator of Peter Elting, deceased, \$490.  
 Union Trust Company of New York, administrator of William Ogden, deceased, \$490.  
 On the schooner *Neutrality*, Elnathan Atwater, master, namely: Elihu L. Mix, administrator of Thomas Atwater, \$1,630.12.  
 George P. Marvin, administrator de bonis non of Ebenezer Peck, \$1,630.12.  
 John C. Hollister, administrator de bonis non of Elnathan Atwater, \$1,630.12.  
 John C. Hollister, administrator de bonis non of Elias Shipman, \$815.06.  
 John C. Hollister, administrator of Austin Denison, \$815.06.  
 On the schooner *Shepherdess*, Warren Chapman, master, namely: George G. Sill, administrator of the estate of Timothy Chapman, \$1,841.06.  
 Warren C. Pike, administrator of the estate of Warren Chapman, \$1,841.06.  
 Mary H. Williams, administratrix of Ezekiel Williams, deceased, \$26.53.  
 John C. Parsons, administrator of John Caldwell, deceased, \$193.67.  
 On the ship *Two Sisters*, John T. Hilton, master, namely: Andrew Lacy, administrator of the estate of William Neal, deceased, \$3,449.  
 On the sloop *Union*, Seth Lincoln, master, namely: Shearjashub Bourne, administrator of the estate of Shearjashub Bourne, \$3,250.38.  
 Stephen F. Peckham, administrator of the estate of Samuel Wardwell, \$3,250.38.  
 On the sloop *Confidence*, Francis Bradbury, master, namely: George W. Bradbury, administrator of the estate of Charles Bradbury, in right of Francis Bradbury, his assignor, \$1,366.  
 George W. Bradbury, administrator of the estate of Theophilus Bradbury, \$1,366.  
 On the schooner *Hannah*, Josiah Bouton, master, namely: George B. St. John, administrator of the estate of Eliphalet Lockwood, Buckingham Lockwood, and William Lockwood, \$4,202.09.  
 George B. St. John and Jarvis Kellogg, administrators of the estate of Ezekiah Selleck, \$4,202.09.  
 On the schooner *Three Friends*, James Shepherd, jr., master, namely: Gilbert C. Huntington, administrator of the estate of Alvan Fosdick, deceased, surviving partner of Fosdick & Lambert, \$13,517.  
 Mary Souther, administratrix of the estate of Benjamin Wheeler, deceased, \$510.  
 On the ship *Henry*, Daniel Allin, master, namely: Rebecca B. Armington, administratrix of the estate of Samuel Allin, \$3,769.  
 Elizabeth T. Pike, administratrix of the estate of Daniel Allin, deceased, \$3,769.  
 Samuel W. Peckham, administrator of the estate of Samuel Carlisle, surviving partner of the firm of S. & B. Carlisle, \$3,769.  
 On the ship *Juliana*, Thomas Hayward, master, namely: Thomas B. Ghequiere, administrator of the estate of Charles Ghequiere, deceased, \$3,849.16.  
 Jacob Bowman Sweitzer and David Stewart, administrators of John Holmes, deceased, \$12,129.16.  
 On the ship *Leeds Packet*, Richard Bunce, master, namely: Benjamin H. Rutledge, administrator of Adam Tunno, surviving partner of Tunno & Cox, \$21,167.80.  
 Gordon Gairdner, administrator of James Gairdner, surviving partner of James and Edwin Gairdner & Co., \$4,533.93 cents.  
 Henry E. Young, administrator of John Turnbull, \$700.  
 Henry E. Young, administrator of James Carson, \$1,700.  
 Lucy Franklin Reed McDonell, executrix of George Pollock, surviving partner of Hugh Pollock & Co., \$12,109.  
 Louisa J. Sebor, administratrix of Jacob Sebor, deceased, \$500.  
 On the schooner *Union*, Samuel Larrabee, master, namely: Cornelia S. Jackson, administratrix of Levi Cutler, \$1,853.60.  
 Seth L. Milliken, administrator of John Milliken, \$1,853.60.

On the brig *Friendship*, Noah Wheeden, master, namely: George P. Marvin, administrator of Stephen Ailing and Joseph Thompson, \$3,940.  
On the ship *Hitty* (or *Hetty*) Jane, Joshua Neal, master, namely: Augusta H. Chapman, administratrix de bonis non of Peter Clarke, \$14,844.37.

John C. Howell, administrator of John Potter, \$25,254.74.  
A. M. Lee, administrator of Thomas Stewart, \$5,061.93.  
Thomas H. Perkins, administrator of John C. Jones, deceased, \$500.  
William S. Carter, administrator of William Smith, deceased, \$1,000.  
Philo S. Shelton, administrator of Benjamin Homer, deceased, \$500.  
John C. Ropes, administrator of Thomas Amory, deceased, \$1,000.  
William G. Perry, administrator of Nicholas Gilman, \$1,000.  
David G. Haskins, jr., administrator of David Greene, deceased, \$1,000.  
John H. Moriarty, administrator of James Scott, deceased, \$500.  
Charles H. Ladd, administrator of Nathaniel A. Haven, deceased, \$200.

On the brig *Horatio*, Perkins, master, namely:  
Robert Codman, administrator of William Gray, jr., deceased, \$4,800.  
Theodore B. Moody, administrator of Joseph Moody, deceased, \$2,844.50.  
Charles C. Perkins, administrator of Eliphalet Perkins, deceased, \$2,844.50.  
On the sloop *New York Packet*, Carpenter, master, namely:  
Joseph T. Waff, administrator of Stephen Carpenter, deceased, \$3,081.  
James R. B. Hathaway, administrator of James Hathaway, deceased, \$3,081.

On the brig *Endeavor*, Freeman, master, namely:  
Charles E. Alexander, administrator of Jonathan Merry, deceased, \$11,990.50.  
Francis Adams, administrator of Edmund Freeman, deceased, \$1,591.50.  
Robert Grant, administrator of William H. Boardman, deceased, \$300.  
H. H. Hunnewell, executor of John Welles, deceased, \$500.

William J. Monroe, administrator of John Brazier, deceased, \$1,000.  
Horace B. Sargent, jr., administrator of Daniel Sargent, deceased, \$500.  
On the ship *Suffolk*, Bridgman, master, namely:  
Eliza J. Hieskell, administratrix of James Wilson, deceased, \$5,518.

Eliza J. Hieskell, administratrix of William Wilson, deceased, \$5,518.  
On the sloop *Federal George*, George Hussey, master, namely:  
Charles F. Adams, administrator of Peter C. Brooks, deceased, \$2,341.86.  
Harriet E. Sebor, administratrix of Jacob Sebor, deceased, \$250.

H. W. Blagge and others, administrators of Crowell Hatch, deceased, \$906.75.  
Charles F. Hunt, administrator of Joseph Russell, deceased, \$468.37.  
On the schooner *Sea Flower*, Joseph Farley, master, namely:  
Charles F. Adams, administrator of Peter C. Brooks, deceased, \$487.06.

H. W. Blagge and others, administrators of Crowell Hatch, deceased, \$243.53.  
Francis M. Boutwell, administrator of John McLean, deceased, \$487.06.  
Frank Dabney, administrator of Samuel W. Pomeroy, deceased, \$243.53.

John H. Moriarty, administrator of James Scott, deceased, \$292.30.  
Philo B. Sheldon, administrator of Benjamin Homer, deceased, \$243.53.  
On the ship *Speculator*, John McCarthy, master, namely:  
Louisa J. Sebor, administratrix de bonis non, Jacob Sebor, deceased, \$294.

Louisa A. Starkweather, administratrix of Richard S. Hallett, deceased, \$250.  
John W. Lawrence, executor Walter Bowne, deceased, \$250.  
William H. T. Elting, administrator of Peter Elting, deceased, \$103.66.

On the schooner *Orange*, Samuel Wheaton, master, namely: James Burdick, administrator of Thomas Lloyd Halsey, deceased, \$7,847.

On the brig *Matilda*, Ira Canfield, master:  
To Andrew E. Warner, administrator de bonis non of the estate of Jonathan Warner, deceased, \$6,178.

To Charles N. Cady, administrator of the estate of Gideon Leet, deceased, \$6,178.

Provided, however, That any French spoliation claim appropriated for in this act shall not be paid if held by assignment or owned by any insurance company.

#### UNDER CONTRACTS OF THE NAVY DEPARTMENT.

To William P. Buckmaster, surviving partner of James Murphy & Co., late of New York City, the sum of \$22,886.61, being balance due for labor and material furnished by James Murphy & Co. in the construction of the machinery for the double-ender vessel *Osage* in 1862 and 1863, as per report of a board of officers organized by the Secretary of the Navy in pursuance of a resolution of the United States Senate adopted March 9, 1865.

To the Union Iron Works, of San Francisco, Cal., the sum of \$174,745.58, in full settlement of the amount claimed by said company, that being the amount audited and found due and recommended to be paid said company by the Secretary of the Navy for extra work and expenses in constructing the *Monterey*.

#### SELFIDGE BOARD FINDINGS.

To the Portland Company, of Portland, Me., the sum of \$64,003.97 in excess of contract price for work done and material furnished in the construction of the machinery, engines, and boilers of the United States double-ender gunboats *Agawam* and *Pontoon*; to the administrator of the estate of George W. Lawrence, deceased, the sum of \$13,777.24 in excess of contract price, for work done and material furnished in the construction of the hulls of the wooden double-ender gunboats *Agawam* and *Pontoon*; to George W. Quintard, of New York, the sum of \$68,163.13 in excess of contract price for work done and material furnished in the construction of the United States iron-clad vessel *Onondaga*; to Thomas F. Rowland, of the city of New York, the sum of \$57,202.76, in excess of contract price for work done and material furnished in the construction of the United States double-ender gunboat *Muscoota*, being the amount found to be due, less 20 per cent, to each of the persons or companies named herein by the naval board convened by the Secretary of the Navy May 25, 1895, by virtue of a resolution adopted by the Senate of the United States March 9, 1865, and called the Selfridge Board, which shall be in full discharge of all claims against the United States on account of the vessels upon which the board made their allowance as per their report Senate Executive Document No. 18, first session of the Thirty-ninth Congress. Total, \$203,886.34.

#### STATE CLAIMS.

That the claim of the State of Nevada for moneys advanced in aid of the suppression of the rebellion in the civil war be, and the same is hereby, referred to the Secretary of the Treasury to investigate and report to Congress at the next session the amount furnished by said State of Nevada or by the Territory of Nevada and assumed by said State in aid of the suppression of the rebellion of the civil war, with such interest on the same as said State has actually paid, together with what amounts have been heretofore paid by the United States.

#### MISCELLANEOUS CLAIMS.

To Twyman O. Abbott, of the State of Washington, the sum of \$5,100 for rental of building and grounds only.

To W. L. Adams, late collector of customs at Astoria, Oreg., the sum of \$461.02, found to be due him as such collector on the settlement of his accounts in the Treasury Department.

To Ames & Detrick, manufacturers of grain bags at San Francisco, or to the person or persons legally entitled to receive the same as a refund, the amounts actually collected from said firm and its predecessors, Detrick & Co., E. Detrick & Co., and E. Detrick, amounting to \$11,004.51, for alleged extra expenses incurred by customs officers in supervising the export of grain bags, with benefit of drawback, over and above the 10 per cent retention provided by law.

To Dr. Thomas Antisell, late surgeon and brevet lieutenant-colonel of vol-

unteers, the sum of \$2,500, for the use and occupation of his land near Fort Albany, Va., by the troops of the United States during the war of the rebellion and for property taken and consumed by the United States for military purposes.

To Martha A. Bagwell, executrix of Sally Hardmond, deceased, the sum of \$4,550, being the balance due said Sally Hardmond on account of her personal services as a nurse in the Bureau of Freedmen, Refugees, and Abandoned Lands, district of Virginia, and for rent of a dwelling house in the city of Richmond, in the State of Virginia, and for one house, hired by and used for the purposes of said Bureau, and for money expended by her in and for said Bureau.

To William E. Bond, of Edenton, Chowan County, N. C., the sum of \$307.43.  
To the heirs of James Bridger, deceased, the sum of \$6,000 for improvements made by him at Fort Bridger, Utah Territory, which were appropriated in 1857 by the United States Army under command of Brig. Gen. Albert S. Johnston.

To S. A. Brown, of Sioux Falls, S. Dak., the sum of \$485.47, for services as passed assistant surgeon, United States Navy, during the years 1876, 1877, and 1878, said account having been allowed by the Treasury Department.

To Emma S. Cameron, the sum of \$5,000, in full satisfaction and payment for occupation of her property and for fuel taken therefrom and used by Gen. W. S. Rosecrans's army while at Chattanooga, Tenn., from September, 1863, until the close of the war, and which amount of \$5,000 was found due by a special commission appointed by Major-General Rosecrans to adjust claims against the United States.

To L. Robert Coates & Co., of Baltimore, Md., the sum of \$5,273.30, in payment of the bill of said firm for steel plates furnished for and which were used in the construction of the U. S. light-house steamer *Zizania*.

To the personal representatives of Mark Davis, deceased, for the use of his residuary legatees named in his last will and testament, or their heirs or assigns, the sum of \$21,828.33, being the amount and value of the promissory notes and cash belonging to said Mark Davis seized by order of General Banks at New Orleans during the war of the rebellion.

To Clara A. Graves, Lewis Smith Lee, Florence P. Lee, Mary S. Sheldon, and Florence P. Lee as legal representatives of Elizabeth Smith, deceased, heirs of Lewis Smith, the sum of \$2,317.77, being their father's and grandfather's portion of prize money as first lieutenant of the brig *Warrior*, due and unpaid on or about July 17, 1815.

To Thomas Guinean, of Oregon, the assignee of Bradley S. Hoyt, deceased, of California, the sum of \$160, paid the United States by said Hoyt on account of land entry at Shasta, Cal., and which entry was subsequently canceled.

To Calvin Gunn, of St. Louis, Mo., the sum of \$700, due him as informer, and ordered to be paid to him by the United States district court for the eastern district of Missouri, in case numbered 1387 before said court, in the year 1868.

To the estate of A. H. Herr, deceased, late of the District of Columbia, the sum of \$14,000, allowed the estate of A. H. Herr by the Secretary of War for the use of his premises, known as Herts Island, near Harpers Ferry, by the Army during the late war.

To Mrs. Julia A. Humphries, the sum of \$5,215, as indemnification for property taken by the United States Army for hospital purposes at Fredericksburg, Va., and for damages suffered at the hands of the Union forces, and for services rendered as hospital nurse during the war of 1861.

To Christian M. Kirkpatrick, the sum of \$3,044.23, for the payment of his claim for improving with brick the street known as Clifford avenue from the tracks of the Cleveland, Cincinnati, Chicago and St. Louis Railroad Company to a point 145 feet east of Newman street, including the roadway in front of and adjacent to the ground owned by the United States Government, known and designated as the United States Arsenal, at Indianapolis, Ind.: Provided, That when this settlement is made the Secretary of the Treasury shall take proper steps to secure for the United States the same benefit that the city of Indianapolis has obtained for other property holders interested in this improvement, to-wit, that the said Christian M. Kirkpatrick shall keep in repair the portion of the said Clifford avenue belonging to the United States for five years from the completion of the work for the payment of which provision is hereinbefore made without additional cost to the Government.

To Mrs. Emma D. Larsh, of Denver, Colo., the sum of \$816, being the amount paid by her on final desert entry No. 213, February 25, 1885, at the Cheyenne, Wyo., land office, for the whole of section 9, township 24 north, range 69 west, 6° postmeridian, in the State of Wyoming, and relinquished by her January 13, 1887, and entry canceled by the General Land Office February 5, 1887, and subsequently entered by other parties; and to Charles M. Larsh, of Denver, Colo., the sum of \$816.98, being the amount paid by the said Larsh on final desert entry No. 212, February 25, A. D. 1885, at the Cheyenne, Wyo., land office, for the whole of section 3, township 24 north, range 68 west, of the sixth principal meridian, and relinquished by him January 13, 1887, said entry being canceled by the General Land Office February 5, 1887, and subsequently entered by other parties, who paid the Government the full value for the land, and to whom the patent was issued.

To John Little and Hobart Williams, of Omaha, Nebr., the sum of \$1,423.75, being the amount due them as reported by the Court of Claims.

To the administrator of George McAlpin, deceased, the sum of \$1,000, in full for the said McAlpin's claim on account of moneys collected from him while acting as sutler, Pennsylvania cavalry, during the years 1862, 1863, 1864, and 1865, at the United States custom-house at Baltimore, Md., to pay the sum of 3 per centum on the value of all supplies shipped to him during said years within the lines of the Army.

To Stephen Duncan Marshall and George M. Miller, executors of Levin R. Marshall, deceased, of Adams County, Miss., for stores and supplies, \$5,619.

To Pearson C. Montgomery, of Memphis, State of Tennessee, the sum of \$3,300, compensation for all claims connected with the steamer *New National*, and its use while in the service of the United States upon the Mississippi River and its tributaries prior to the 21st day of March, in the year 1863.

To the administrator of the estate of William Moses, deceased, late of Arkansas, the sum of \$14,000, for the benefit of the heirs at law of said deceased, for extra services in transporting the United States mails from Washington, Ark., to Clarksville, Tex., and back three times a week, from July 1, 1864, until June 30, 1868, route 7600, which services were not provided for in his contract.

To Edward H. Murrell the sum of \$1,409.34, said amount having been collected by the Treasury agents of the United States from property in New Orleans, La., belonging to said Murrell, and by them turned over to the Treasury Department.

To Mrs. Susan Murphy Nelson, of Decatur, Ala., the sum of \$5,000, for the use and destruction of the buildings and other property on her farm in Decatur, Ala., by the military forces of the United States during the late civil war.

To Anna W. Osborne, the sum of \$600, the same being the value of personal property belonging to her and to John W. Osborne, her late husband, of the United States Army, destroyed by fire at the destruction of the post hospital at Fort Ripley, Minn., July 21, 1870.

To Daniel W. Perkins, late of East Saginaw, Mich., now of New York City, the sum of \$1,045, for his services rendered as substitute district attorney of the eastern district of Michigan from October 1, 1871, to June 30, 1873.

To John L. Rhea, executor of Samuel Rhea, deceased, the sum of \$12,825.61 and to John Anderson, administrator of Joseph R. Anderson, deceased, the sum of \$1,803.35, being the proportion to which each is entitled in sixty-three

bales of cotton taken and receipted for by E. Hade, captain and assistant quartermaster, on the 19th day of September, 1864, at Atlanta, Ga., and turned over to the United States Treasury agents, and by them sold and the proceeds turned over to the United States Treasury, as found in the Court of Claims in the case of John H. Fain against the United States.

To the executor of C. M. Shaffer, deceased, of Berkeley County, W. Va., the sum of \$1,400, or so much thereof as may be found necessary, in payment for rent and occupation of his warehouse in the town of Martinsburg, in said county and State, as a commissary storehouse during the war of the rebellion; *Provided*, That the Secretary of the Treasury is satisfied after examining the claim that said warehouse was actually occupied by the United States for the purpose alleged; and the claim shall be allowed at the rate of \$50 a month for such time as it was so occupied and not paid for.

To the legal representative of Thomas Sherwin, deceased, late of Washington County, Md., the sum of \$320, for stores and supplies furnished the Army of the United States during the late war, said sum having been fixed by the Quartermaster-General as fair compensation for the same.

To Henry W. Shipley, the sum of \$2,487.48, for work done and material furnished by him in excess of what was required of him by his agreement with the Indian Bureau in the construction of a gristmill and sawmill at Nez Perce Indian Agency, in the Territory of Idaho.

To the legal representatives of Mrs. Adeline Shirley, the sum of \$8,348.57, in payment for property taken near Vicksburg, Miss., for the use of the United States army, in the year 1863.

To James Sims, of Marshall County, Miss., the sum of \$6,338, for quartermaster and commissary stores furnished the army of the United States in the years 1862 and 1863.

To the legal representatives of Hiram Somerville, deceased, late of Marion County, Ill., the sum of \$505, for supplies furnished by him to the United States.

To Peter Grant Stewart, of Gervais, Oreg., the sum of \$7,500, for property owned by him and taken by the United States and included within the military reservation near the mouth of the Columbia River, in Pacific County, then Territory, now State, of Washington, taken under and by virtue of an Executive order dated Washington, D. C., February 26, 1852.

To W. H. B. Stout, Cyrus J. Hall, and Isaac S. Bangs, late doing business under the style and firm name of Stout, Hall & Bangs, and J. M. Vale, the sum of \$31,802.52, in payment of the balance due them on a contract entered into with them by the United States of America, April 21, 1868, for furnishing stone for the walls of the cellar, or sub-basement, of the Library building, in the city of Washington, as found by the Secretary of the Interior in his report to Congress (H. Doc. No. 117, first session Fifty-fourth Congress), under the authority conferred upon him by the act of Congress, approved March 2, 1865 (23 Stat. L., p. 91), which sum shall be paid as follows:

To William H. B. Stout, \$10,802.52;  
To Isaac S. Bangs, \$5,000;  
To Cyrus J. Hall, \$6,000; and  
To J. M. Vale, \$5,000.

To Chester B. Sweet, of California, the sum of \$198.66, the same being the amount of the double minimum excess erroneously paid by him to the receiver of the United States land office on preemption cash certificate No. 1298, Shasta, Cal., for lots 1, 2, and 3, and northeast quarter of southwest quarter of section number 7, in township number 40 north, range number 7 west, Mount Diablo base and meridian, made at Shasta, Cal., March 17, 1860.

To W. J. Tapp & Co., the sum of \$240.10, as a refund of duties erroneously exacted on certain machinery for the manufacture of jute at Louisville, Ky., in the year 1876.

To Olivia and Ida Walter, heirs and children of Thomas U. Walter, deceased, the sum of \$14,000, for services rendered by the testator in connection with any public buildings belonging to the Government, whether as architect, designer, disbursing agent, superintendant, or otherwise.

To William R. Wheaton, ex-register, and to Charles H. Chamberlain, ex-receiver, of the land office at San Francisco, Cal., jointly, the sum of \$5,800.90, and to said William R. Wheaton the sum of \$75.85, being a portion of the amount of money deposited in the Treasury of the United States, as fees for testimony which was taken before them by clerks whose compensation was paid from the private funds of said ex-register and said ex-receiver.

To William F. Wilson, of Berkeley County, W. Va., the sum of \$1,530, for the use and value of his house at Harpers Ferry, Jefferson County, W. Va., during the war of the rebellion.

To Mrs. Sarah H. Wood, widow, of the city of Baltimore, Md., the sum of \$1,344.44, said sum being the proceeds of \$2,240.74 in legal money taken from the Bank of Louisiana, at New Orleans, La., by Capt. J. W. McClure, assistant quartermaster, under military order numbered 202, Department of the Gulf, dated August 17, 1863, and by him turned over to Col. S. B. Holabird, chief quartermaster of that department, and by him disbursed and accounted for to the Treasury.

To the estate of Daniel Woodson, deceased, late receiver of public moneys in the Delaware land district of Kansas, the sum of \$1,162.46, for office expenses, and to the estate of Ely Moore, deceased, late register of the land office in the Pawnee land district of Kansas, the sum of \$4,115, for clerk hire and office rent, both under the seventh section of the act of August 18, 1856, reported to Congress by the Secretary of the Interior for appropriation in accordance with said act.

#### PIUTE INDIAN CLAIMS.

To the following-named persons, or their heirs or legal representatives, the several sums, respectively, mentioned in connection with their names, for services rendered, moneys expended, indebtedness incurred, and supplies and necessities furnished in repelling invasions and suppressing outbreaks and hostilities of the Piute Indians within the territorial limits of the present State of Nevada in the year 1860, namely:

Kate Miot, \$150.  
Ellen E. Adams, \$740.  
William H. Naleigh, \$385.  
John T. Little, \$219.  
A. G. Turner, \$579.  
Oscar C. Steele, \$330.  
Samuel Turner, \$307.  
J. H. Mathewson, \$350.  
Charles Shad, \$327.  
Theodore Winters, \$1,549.  
J. F. Holliday, \$95.  
Franklin Bricker, \$152.  
George Seitz, \$120.  
B. F. Small, \$110.  
Purd Henry, \$157.  
Andrew Lawson, \$260.  
Louis B. Epstein, \$280.  
John Q. A. Moore, \$380.  
Lucy Ann Hetrick, \$405.  
Charles C. Brooks, \$152.  
Lizzie J. Donnell, heir of Major William M. Ormsby, \$1,825.  
J. M. Gatewood, \$1,044.  
Seymour Pixley, \$305.  
J. D. Roberts, \$3,231.

H. P. Phillips, \$230.  
J. M. Horton, \$95.  
George Hickox Cady, \$168.  
James H. Sturtevant, \$513.  
Gould and Curry Mining Company, \$1,000.  
John H. Tilton, \$519.  
E. G. Watkins, \$230.  
J. L. Blackburn, \$763.  
John O. Earl, \$750.  
L. M. Pearlman, \$3,130.  
Robert Lyon, \$1,694.  
Thomas Marsh, \$150.  
Abraham Jones, \$310.  
A. McDonald, \$754.  
G. H. Berry, \$133.  
Robert M. Baker, \$171.  
P. S. Corbett, \$97.  
John S. Child, \$505.  
Benjamin F. Green, \$225.  
Alexander Crow, \$95.  
Mary Curry, widow of Abe Curry, \$500.  
Warren Wasson, \$490.  
Michael Tierney, \$145.  
Samuel T. Curtis, \$500.  
J. Harvey Cole, \$302.  
Isaac P. Lebo, \$334.  
E. Penrod, \$864.  
J. B. Preusch, \$95.  
Wellington Stewart, \$400.

#### FOR INVESTIGATION AND SETTLEMENT.

That the Attorney-General be, and he is hereby, authorized and directed to investigate the claims of the legal representatives of W. G. Brownlow, Brownlow & Hawes, and Brownlow, Hawes & Co., late owners and proprietors, respectively, of the Knoxville Whig, a newspaper published at Knoxville, in the State of Tennessee, for advertising certain legal notices alleged to have been advertised in said paper in the years 1864, 1865, 1866, 1867, and 1868, and to ascertain whether such services were rendered as claimed, or any part thereof, and if so, the value thereof; and also whether the same, and if so, to what extent, is either a legal or equitable claim against the United States; and if any sum is so found to be due and owing the claimants, or any of them, and the same is a legal or equitable claim against the United States, to certify such facts, together with the amount, to the Secretary of the Treasury, who shall certify the same to Congress.

That the proper accounting officers of the Post-Office Department be, and they are hereby, authorized and directed to allow William J. Bryan, late postmaster of the post-office of San Francisco, State of California, in settlement of his postal money-order fund account, a credit for the sum of \$9,601.73, the same being a sum now charged to the said William J. Bryan as postmaster of said post office for moneys received at said post-office for the sale of foreign money orders at said post-office between the 30th day of September, A. D. 1869, and the 22d day of March, A. D. 1890, by one James S. Kennedy, late a clerk at the international desk in the money-order division of said post-office, whose duty it was to receive, safely keep, and account for the proceeds of the sale of foreign money orders, but who embezzled and appropriated the same to his own use, and has wholly failed to account for the same.

That the accounts of P. S. Corbett, formerly United States marshal of the State of Nevada, be readjusted by the Treasury Department, and that the services rendered and expenses incurred by said Corbett in his various attempts to arrest George E. Spencer, and for attempting to arrest persons charged with selling liquor to Indians, be allowed under the head of "Extraordinary expense account," and to certify the facts, together with amount due, to Congress.

That the Secretary of War be hereby authorized and directed to cause to be examined and investigated the terms and conditions of the contract of John F. W. Dette with the United States to build a stone wall of masonry around the national cemetery at Jefferson Barracks, in the county of St. Louis and State of Missouri, and the plans and specifications therefor, and any changes or modifications made therein, and the character, actual cost of material, and work in the construction of said wall; and whether by reason of any changes or modifications in said contract the cost of the work per perch was increased, and what loss was incurred on any additional work required by such changes or modifications, and what, if any, sum is reasonably and equitably due to the said Dette, in addition to the amount already paid him, by reason of such changes or modifications in his contract, and report the facts, with amount found due, to Congress.

That the Secretary of War and the proper accounting officers of the Government be, and they are hereby, authorized and directed to charge to M. S. Hellman, of Canyon City, Oreg., the sum of \$1,000 damages, as in full for all damages sustained by the United States for the breach of his contract, made July 5, 1871, with Capt. W. H. Bell, commissary of subsistence, United States Army, for the supply of flour at Camp Warner, Oreg., remitting all further claims of damage under said contract, and to settle and adjust his unsettled accounts with the Government, after the deduction of said sum of \$1,000; and the Secretary of the Treasury is directed to pay this balance found due said Hellman upon the proper vouchers therefor; *Provided*, That the said Hellman shall accept the amount so found due in full and final settlement of all claims upon the Government.

That the Secretary of War be, and he is hereby, authorized and directed to cause to be investigated by the Quartermaster's Department of the United States Army the claim of Henry J. Hewitt, of the State of Missouri, for corn, oats, hay, horses, and wagons taken from him for the use of the Army in northern Missouri in the years 1862, 1863, 1864, and 1865, and for the use and occupation of his hotel, storehouse, and barns by the military authorities of the United States at Macon City, Macon County, Mo., and at Lancaster, Schuyler County, Mo., during the years 1862, 1863, 1864, and 1865, such investigation to extend to the status of the claimant, whether loyal or not, the value of the forage and other property taken, the actual rental value of the hotel, storehouse, and barns for the time they were occupied and used by the United States authorities; the purpose for which the hotel, storehouse, and barns were used and by whose authority and direction, and whether the forage, horses, and wagons so taken were a part of the outfit employed by him as a contractor or subcontractor in carrying the United States mails to northern Missouri and southern Iowa during the years named; and that the Secretary of War shall determine the value of such property, if any, and report the facts and amount found due to Congress.

That the personal representatives of the late John Sherman, jr., late United States marshal for the Territory of New Mexico, be, and they are hereby, relieved from the rendition of his emolument returns for the period from July 1 to December 31, 1881, and from January 1 to April 21, 1882, as required by section 833 of the Revised Statutes.

That the Secretary of the Treasury be, and he is hereby, authorized and directed to investigate the claim of Jesse H. Strickland, late colonel of the Eighth Tennessee Cavalry, for the pay and allowance of a colonel of cavalry

from January 30, A. D. 1863, to April 1, A. D. 1864, deducting all pay and allowances paid to him in any other military capacity for the time, and report the facts and amount found due to Congress.

That the Secretary of War be, and he hereby is, authorized and directed to cause to be investigated by the Quartermaster-General of the United States Army the circumstances, character, and extent of the claim of William Wolfe, of Shelby County, Mo., for the loss of the schooner *Jana Sophia*, belonging to him, and for freight while on a voyage from New Orleans, La., to Indianola, Tex., the said schooner alleged to have been lost, together with her cargo of public stores, while in the military service of the United States, off the bar at said Indianola, in the month of August, in the year 1865; and report the facts and amount found to be due to Congress.

In case of the death of any claimant, or death or discharge of any executor or administrator of any claimant herein named, then payment of such claim as herein provided shall be made to the legal representatives: *Provided*, That where a claimant is dead, the administrator, executor, or legal representatives shall file a certified copy of his bond, which bond must be at least equal in amount to the sum hereby appropriated: *And provided further*, That in all cases where the original claimants were adjudicated bankrupts the payments shall be made to the next of kin instead of to assignees in bankruptcy; but these provisions shall not apply to payments in the cases of the French spoliation claims, which shall be made as heretofore prescribed in this bill.

And the Senate agree to the same.

THAD. M. MAHON,  
THEO. OTJEN,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*  
H. M. TELLER,  
W. M. STEWART,  
S. PASCO,  
*Managers on the part of the Senate.*

Mr. MAHON. I ask that the statement of the House conferees be read instead of the report, as the statement explains fully the various provisions of the bill.

Mr. LOUD. What is this bill?

The SPEAKER. The general claims bill.

Mr. LOUD. I would like to ask the gentleman from Pennsylvania if he proposes to allow any debate on the report?

Mr. MAHON. Mr. Speaker, this has been generally discussed in the House. Nearly all of the provisions have been debated fully, and at this late day in the session of course we can not consume very much time on it.

Mr. LOUD. Fully two-thirds of the items of this bill have never had a moment's consideration in the House, as the gentleman must be well aware.

Mr. MAHON. I believe I will be entitled under the rule to an hour, and the gentleman from California may have a certain portion of that time.

Mr. RICHARDSON. How much time does the gentleman from California want?

Mr. LOUD. I want about fifteen minutes.

Mr. RICHARDSON. I hope that will be allowed.

Mr. MAHON. Mr. Speaker, I will yield to the gentleman out of my own hour, or I will ask unanimous consent, if this is satisfactory to the House, that fifteen minutes' debate be allowed on each side.

Mr. DOCKERY. That would not be sufficient. I want ten or fifteen minutes myself.

Mr. RICHARDSON. I want but a few moments.

The SPEAKER. The matter had better be presented to the House before the discussion begins.

The Clerk will read the statement presented by the House conferees.

The statement was read, as follows:

*Statement of House conferees, to accompany report of conference committee on the bill (H. R. 4355) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes.*

The bill as it passed the House provided for the payment of only the claims allowed by the Court of Claims under the Bowman and Tucker acts and carried an appropriation of about \$1,189,000.

The Senate substituted the bill prepared by its Committee on Claims under an amendment to the general deficiency appropriation bill approved July 19, 1897, and popularly known as the omnibus bill, carrying an appropriation of \$9,000,455.00.

The conference committee has retained all the House provisions and added appropriations from the Senate bill amounting to about \$1,911,249.83, bringing the total appropriation allowed by the bill as agreed upon by the conference to \$3,100,704.83.

The additions made to the House bill in conference were:

Additional findings of the Court of Claims under the Bowman and Tucker acts, amounting to about.....	\$377,964.74
French spoliation claims.....	1,055,473.04
Miscellaneous claims, about.....	423,802.05

Of the miscellaneous claims originally allowed in the Senate bill, all the items for the payment of claims of churches and schools and all those for the payment or adjustment of the claims of States against the Government were eliminated, except the Nevada State claim, which is referred to the Treasury Department for report. The Oregon claim is pending in the Court of Claims.

The claims allowed under the Navy Department contracts and through the findings of the Selfridge board of 1895 were all allowed by the conference, except the claims of the legal representatives of John Roach, which is not included in the bill as reported. The other claims allowed by the Selfridge board were subjected to a horizontal reduction of 20 per cent.

THAD. M. MAHON.  
T. OTJEN.  
JAMES D. RICHARDSON.

Mr. MAHON. Mr. Speaker, I move the adoption of the conference report.

Mr. CLARK of Missouri. I reserve the point of order—

The SPEAKER. The gentleman will state his point of order.

Mr. CLARK of Missouri. I make the point of order against the severing of the Senate amendment. The point is this, so far as I am concerned, that all of the Senate additions to the bill are included in one amendment, and they can not be severed by the committee of conference, but must be adopted in their entirety or rejected as a whole.

The SPEAKER. The Chair thinks that would be an objection to all conference reports.

Mr. CLARK of Missouri. That may be, Mr. Speaker; but if the point is a correct one, it does not matter whether it applies to this report or to others.

The SPEAKER. The Chair was trying to determine the exact point that the gentleman from Missouri desired to raise. As the Chair understands the point, it must be incorrect, because otherwise there could not be conference reports; and as there are such reports, and as they have been accepted by both Houses, the Chair assumes that the point of order is not good.

Mr. CLARK of Missouri. My point, if the Chair will permit me, is this: That all of the various amendments added to this bill in the shape of appropriations by the Senate constitute but one amendment, and that they can not be severed in the consideration of the conference report.

The SPEAKER. The Chair thinks that conference reports have been adopted in this form.

Mr. RICHARDSON. There is nothing, Mr. Speaker, in this bill that was not in discussion between the two Houses. All we did was to eliminate from the Senate amendments a number of claims.

The SPEAKER. Undoubtedly the conference committee could disagree to certain of the amendments of the Senate.

Mr. RICHARDSON. That is all we did, Mr. Speaker.

The SPEAKER. The Chair overrules the point of order.

Mr. MAHON. Now, Mr. Speaker, I believe that I am entitled to an hour under the rule?

The SPEAKER. The gentleman is entitled to an hour.

Mr. MAHON. I yield fifteen minutes of the time to the gentleman from California [Mr. LOUD].

Mr. LOUD. Mr. Speaker, I realize that it is futile to attempt to defeat a measure after the North and South have combined to ravish the public Treasury. It does not make much difference, Mr. Speaker, how little merit the measure itself may have.

Mr. DOCKERY. Mr. Speaker, I hope we may have order, so that the House can hear what the gentleman from California has to say. We can not hear him right here.

Mr. LOUD. Oh, they do not want to hear this, Mr. Speaker.

The SPEAKER. The House will be in order. The Chair has to apologize to the House, but it is very difficult to keep order—very difficult, indeed. Not only are there very many members present at the close of the session, but there are others whom the House has seen fit to admit to the floor, which makes the problem of keeping order a very difficult one, and the Chair can only succeed by the assistance of members. If gentlemen will have the kindness when they desire to converse with each other to retire to the cloakroom there will be no trouble. The Chair understands perfectly well that members do not understand how much confusion all of them make, because each one seems to be making so little. The Chair hopes that for the remainder of the session at least the members will restrain themselves.

The gentleman from California.

Mr. LOUD. Mr. Speaker, the House itself knows very little indeed about what are known as the Bowman Act claims contained in this bill, which did receive partial consideration at the hands of the House. But as to the sum of \$2,000,000, added to this bill by the Senate as the result of an agreement of the conferees, there is not a man on the floor of this House who can have any conception of the items contained in that \$2,000,000. It may be a matter of small moment, Mr. Speaker, to this Congress, which appropriates millions by the hundreds; and yet I can not resist the temptation to say a word, in these the closing hours of Congress, against the passage of a measure of this character without any investigation whatever.

The report was not read. I do not suppose it would give us any information whatever. I looked in the RECORD this morning, hoping to see the report in print as it passed the Senate, but I find that the report does not appear in the RECORD. If so, I could not find it.

Mr. DOCKERY. I was just looking for it myself.

Mr. LOUD. Well, it is not there. I want to say to the gentleman. I hoped to have an opportunity during the night or this morning to investigate some claims that this conference committee have incorporated here. Now, I know we ought to have great faith in our conferees, and I have, under ordinary circumstances. Yet as a member of Congress I think every member ought to have an opportunity to know what he is voting upon before he is called upon to cast that vote.

This bill as it went to conference contained about \$10,000,000 or \$11,000,000. The other body, the Senate, must have believed that those claims which they added were just as equitable as these that remain in the bill to-day.

Now, I want to say one word about the claims of the State of California. When this bill went into conference, I took occasion to repeat on this floor what had been repeated for many years and what I, without investigation, had accepted as a fact. You remember I held this claim up some time before permitting it to go into conference. My own State had in that bill claims amounting to nearly \$4,000,000. It is a great temptation to the average member of Congress, Mr. Speaker, to see a claim of his own State or his own community amounting to \$4,000,000 included in a bill. There was an agreement, as I stated at that time, that those claims never should be passed upon favorably by the conferees. I made at that time the charge that there was a compact. Believing then that those claims were just, I took occasion to say that every State in the Union had been paid for similar claims, and I immediately proceeded to investigate the record in this case, covering hundreds and hundreds of pages, musty now, to fortify myself to support these claims upon the floor of the House.

The further I went into the investigation of these claims, the more I was convinced, step by step, that they never had even equity before Congress. It may require some courage to say this with regard to the claims of a man's own State, but the claims of the State of California, the State of Oregon, and the State of Nevada, standing upon exactly the same plane, are simply claims for bounty; and there has not been a single State in the Union so far that has been reimbursed for the extra pay or bounty given to troops. I believe there is in that three or four million dollars an amount of some sixty or seventy thousand dollars that might come properly under the claim of equipment for troops, which some States have received pay for.

In justice to myself, Mr. Speaker, I have felt called upon to contradict a statement that I made, for I will not be put in a false position after I know the truth, even regarding a claim of my own State.

Now, it was stated in another place that these claims were equitable; that they were just and legal, as much so as any other claims in the bill, and I believe it, Mr. Speaker.

I believe that the claims of the States of California, Oregon, and Nevada stand upon exactly the same plane of law and equity that 99 per cent of the other claims do here. They have had the same careful consideration of Congress; they have had the same reports of committees, Mr. Speaker; yet it was stated that in view of the fact that they carried so much money they would have to let them out this time and take up about one-third of this bill and force it through Congress.

Mr. LIVINGSTON. Do you object to this bill simply because that is not in?

Mr. LOUD. I do not object simply because that is not in, let me say, in answer to the gentleman from Georgia. Perhaps there are some things, Mr. Speaker, in the composition of some men that the gentleman does not understand. If this bill to-day carried the claims of the State of California, I should have opposed it just as I do now, and have repeatedly said so to my colleague, who with me has given these claims careful consideration.

Mr. PAYNE. What does this bill do with the claim of California?

Mr. LOUD. It drops the claims of California and of Oregon and sends the claim of Nevada to the Secretary of the Treasury.

Mr. RICHARDSON. The Oregon claim is in the Court of Claims and pending there; the Nevada claim is sent to the accounting officers for investigation.

Mr. LOUD. Oh, may be it is. To illustrate, Mr. Speaker, let me say to this House it shows that these claims, which these very conferees at the other end of the Capitol say are as right and equitable as any, have never had a foundation even of equity, and to allow the same would necessarily establish the precedent of paying the many millions of bounty paid by all the States. Now, you can judge what equity the rest of these claims have.

Regarding the French spoliation claims, Mr. Speaker, I probably have as many constituents interested in those claims as any member on this floor. There was a time when I was led to believe that these claims were just and equitable. But any man who will read the veto message of Mr. Cleveland on the deficiency bill must necessarily come to the conclusion that these claims (I am referring now to the French spoliation claims), if they had ever had any equity, would have been determined in their day. Let me read a few words that this great man said on this question. [Cries of "Ah!" on the Democratic side.]

Oh, somebody says "Ah!" with reference to Grover Cleveland. Grover Cleveland had the courage of his convictions, which is a great factor in the making of a man in the world.

The bill appropriates \$1,027,314.00 for a partial payment upon claims which originated in depredations upon our commerce by French cruisers and vessels during the closing years of the last century. They have become quite familiar to those having Congressional experience, as they have been pressed for recog-

nition and payment, with occasional intervals of repose, for nearly one hundred years.

Then in another part of his message—and I commend it to this House, for the words must burn in your hearts and minds after you have cast your vote for this more than \$3,000,000 of claims. Grover Cleveland had a wonderful faculty in expressing and clinching a point:

It is, I believe, somewhat the fashion in interested quarters to speak of the failure by the Government to pay these claims as such neglect as amounts to repudiation and a denial of justice to citizens who have suffered. Of course the original claimants have for years been beyond the reach of relief; but as their descendants—

Now, mark you well—

as their descendants in each generation become more numerous the volume of advocacy, importunity, and accusation correspondingly increases.

Is not that true? How many times have you seen it here, as claims grow older they grow larger in amount. Now, let me call the attention of my Democratic friends to our fathers, for whom they profess so much reverence. Grover Cleveland says:

If injustice has been done in the refusal of these claims, it began early in the present century and may be charged against men then in public life more conversant than we can be with the facts involved, and whose honesty and sense of right ought to be secure from suspicion.

He is now referring to our fathers, and he says:

Whose honesty and sense of right ought to be secure from suspicion.

These claims never came before Congress until 1846, many years after those who were familiar with them had passed away; and now, after a hundred years have elapsed, they are brought before this Congress with all the sanctity of age. And we, in 1899, Mr. Speaker, must adopt them here, under whip and spur, perchance because there are some Southern claims in here in which members of Congress may possibly be interested through their constituents.

Mr. LIVINGSTON. Do you mean to say there are nothing but Southern claims in here?

Mr. LOUD. Oh, the gentleman wakes up once in a while, and catches a phrase I utter.

Mr. LIVINGSTON. Why, then, does the gentleman mention the South? Is it to prejudice that side of the House?

Mr. LOUD. I say that our Southern brethren seem to feel compelled to vote for claims in here because, perchance, they have some claims in which their constituents are interested.

The SPEAKER. The time of the gentleman from California has expired.

Mr. MAHON. I now yield five minutes to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I did not care to occupy a moment of time in the discussion of this bill. I want to say that during the long session of this Congress we passed what was called the Bowman bill, being a bill providing for the payment of claims under the Bowman Act. This bill included all claims for stores and supplies furnished by loyal men to the Union Army, passed upon favorably by the Court of Claims and certified to Congress under the Bowman Act. No other claims were in the bill when it went to the Senate. The Senate amended it by adding claims favorably passed upon under the French spoliation act of \$1,100,000.

They also added miscellaneous claims until an aggregate was reached of about nine millions and a half. The conferees were appointed, and we went to work last June with the Senate conferees. We have met since that time, while Congress was in session, about every other day. We have labored most assiduously to reduce the amount put upon it by the Senate amendments to our bill. We have succeeded after innumerable conferences in eliminating from the eight millions, in round numbers, put upon it by the Senate all except about one and one-half millions. In other words, the bill as now presented to Congress contains the House bill of \$1,600,000, in round numbers, the Bowman Act cases, which have remained unpaid for thirty years and the justice of which has never been denied by any man in or out of Congress; also about one million of French spoliation claims and about \$500,000 of miscellaneous claims. I do not want to discuss the French spoliation claims now. They are familiar to every member upon this floor. Some of these claims have been passed unanimously by former Congresses and have received the approval of the Chief Magistrates, and we have paid a million and a half or more since I have been in Congress.

The Senate insists that these claims ought to be paid, as the Bowman Act cases are paid. The House conferees accepted the French spoliation claims, and they are added to the bill. In addition to these two classes of claims there have been added by the Senate, as stated by me, about \$500,000 of miscellaneous claims, every one of which has either been passed by the Senate or passed by the House of Representatives.

There is not a claim, in my judgment, of that class now in the bill that is not just and should not be allowed. The House conferees have given most earnest attention to each claim and examined the report upon each one of these miscellaneous claims. Many

of them have been passed, either by the Senate or by the House, more than once. We eliminated every claim except those that have been passed from one to three times by the Senate or House.

Mr. LOUD. Will the gentleman yield to me for a suggestion?

Mr. RICHARDSON. I have only five minutes.

Mr. LOUD. I will not take a minute. Does not the gentleman think the House is entitled to know what other claims which nobody knows anything about are in the bill?

Mr. RICHARDSON. They have been reported upon, and a list is furnished here that shows that every one of them has been considered carefully, scrutinized carefully, not only by the Committee on Claims in the Senate, but by the Committee on War Claims in the House; and they have been reported upon and passed unanimously by the House and the Senate at different times, some of them as many as three times. We have eliminated about six millions of the claims, and we believe this bill ought to pass in the shape it is in. The gentleman from California [Mr. LOUD] objects to this bill, as I understand it, largely because the California claims are not in it.

Mr. LOUD. The gentleman is entirely wrong; he should have listened to my remarks. I said I would vote against the bill if the claims were in there.

Mr. RICHARDSON. Then I understand the gentleman objects to the bill on all grounds, and he would vote against it if the California claims were in it. I want to say that among the amendments put on the bill by the Senate were \$3,900,000 for California. No gentleman from California in either House has urged us to include that claim in the bill, and it was eliminated.

Mr. DE VRIES. The gentleman from Tennessee is mistaken. Did not I ask the conferees to include the California claim in this bill if other State claims were included?

Mr. RICHARDSON. Yes; the gentleman distinctly said that if the other State claims were included the claims of California should be included, and that he would insist upon it. I am not discounting that claim. I am not saying that it is not just. I say we eliminated all the State claims. The gentleman from Florida in the Senate, Mr. PASCO, had an amendment for over half a million dollars for his State, and though he was a conferee the Florida claim was eliminated that the bill might pass. There was a claim for the State of Oregon of a half a million, and that goes out, as it is in the Court of Claims.

There was a claim from my own State involving litigation between railroad companies; that has gone out of the bill. So that we have dealt fairly with all interests. We have left off all the State claims. We have presented a clean-cut bill, which it seems to me ought to commend itself to both sides of the House. About equal amounts go North and South. So that it is not a sectional bill. It is a bill which, it seems to me, if we intend to pay just claims at all, ought to commend itself to the membership of this body.

Mr. SETTLE. Will the gentleman kindly tell us why any judgments and findings of the Court of Claims were eliminated from the Senate amendment?

Mr. RICHARDSON. A few of those only were eliminated. It was insisted, if they went out of this bill, that they ought to be put upon some one of the general appropriation bills. One of them was a claim from Louisville, known as the Dennis claim.

Mr. SETTLE. What was the difference between them and the spoliation claims?

Mr. RICHARDSON. I can not say what the difference was, except that the spoliation claims were in a class by themselves, standing upon grounds familiar to us all, which I have not time to enter upon now. We thought that the miscellaneous claims, where there had been a finding by the Court of Claims, should be as far as possible put upon some one of the general appropriation bills.

Mr. BRUCKER. The gentleman will allow me to ask him whether these French spoliation claims have ever been considered by a committee of this House?

Mr. RICHARDSON. Yes, sir; considered by committees of this House, and passed by the House several times.

Mr. BRUCKER. In this Congress?

Mr. RICHARDSON. No, sir; not in this Congress.

[Here the hammer fell.]

Mr. DOCKERY. Mr. Speaker, I have no harsh criticism to make upon the conferees. They entered upon the consideration of this bill, carrying about \$10,000,000; and if anything is to be appropriated for claims of this kind, I think the conferees have acted fairly well, so far as I understand the report.

But I want to call the attention of the House now to the real character of this report; and I am compelled, let me say, to rely upon the statement of the managers, because I have not had the time to examine the items of the conference report itself. The report of the managers shows that the bill as it passed the House carried claims to the amount of \$1,189,000, under the Bowman and Tucker acts. It further shows that the Senate amendment brings the total amount up to \$9,030,456. The conferees have agreed to

the amount of the original bill, \$1,189,000. They have also agreed to \$379,000 under the Bowman and Tucker acts. They have also agreed to \$1,055,000 of what are known as French spoliation claims. They also include miscellaneous claims amounting to \$482,802.05.

Mr. Speaker, we all understand the Bowman Act claims and the Tucker Act claims. We also understand the nature of the French spoliation claims. But in the limited time since the conference report was made I have been unable to examine the items of the miscellaneous class.

Mr. HOPKINS. Will the gentleman state again the aggregate amount of the French spoliation claims as embraced in this report?

Mr. DOCKERY. One million and fifty-five thousand four hundred and seventy-three dollars.

Mr. HOPKINS. I trust the House will vote that down. There is not an honest dollar in it.

Mr. DOCKERY. Now, Mr. Speaker, I do not desire to criticize the conferees. If the House intends to pass anything of this kind, I think the conferees have made a very short reduction of the original ten millions. I do not, however, desire this measure to pass, because we have not the money to pay the claims. There is one item particularly that should be rejected. I make no comment upon the miscellaneous claims the committee have reported, because I know nothing about them. They may all be meritorious. But I do know something, and the House knows something, about the \$1,055,000 of French spoliation claims. They are more than one hundred years old. They are musty and stale with age. I desire to know whether this side of the House is willing to approve the payment of those claims at a time when we have expended of borrowed money \$462,000,000.

During Mr. Cleveland's Administration the Government borrowed \$262,000,000 by the issuance of bonds to maintain the gold standard. That has been expended.

Mr. RICHARDSON. Will the gentleman allow me to interrupt him?

Mr. DOCKERY. Certainly.

Mr. RICHARDSON. I would like to ask if the gentleman himself did not vote for the French spoliation claims in the Fifty-first Congress?

Mr. DOCKERY. Oh, no; not at all.

Mr. RICHARDSON. I think my friend is mistaken.

Mr. DOCKERY. Not at all. My friend is mistaken. No, Mr. Speaker; I have opposed them all the time. I stood then against the proposition for the payment of the French spoliation claims just as I stand now. And further, let me say to my friend from Tennessee that if we had a surplus in the Treasury of a billion of dollars, I should still oppose their payment.

Mr. HOPKINS. If the gentleman from Missouri will allow me—because the gentleman from Pennsylvania will not allow time in opposition on this side—I only wish to express the hope that every Republican member on the floor of the House will vote down this proposition in this report.

Mr. GIBSON. And I hope every Republican member will vote it up.

Mr. HOPKINS. It is a report that ought not to receive the support of any members on this floor.

Mr. DOCKERY. The responsibility, Mr. Speaker, rests with the Republican side of the House. You have 60 majority. You can vote it down if you will.

Mr. HOPKINS. And we are going to do it if you will stand with us.

Mr. DOCKERY. I will.

Mr. HOPKINS. I think it will be voted down mainly on the ground, as the gentleman from Missouri knows, that these claims are now controlled largely by the insurance companies.

Mr. DALZELL. The gentleman is entirely mistaken. There is not one of them in the hands of the insurance companies.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. DOCKERY. Why, Mr. Speaker, I thought I had more time. The SPEAKER. The gentleman had five minutes granted to him, and that time has been exhausted.

Mr. DOCKERY. I only desired to fix the responsibility for the adoption of this report just where it belongs—on the other side.

Mr. MAHON. Oh, well, we will take the responsibility. The gentleman need not be uneasy.

I yield five minutes to the gentleman from Kentucky [Mr. EVANS].

Mr. EVANS. Mr. Speaker, I sincerely hope that the House will adopt the report of the conference committee. I hope, also, that every Republican member on this floor will vote for its adoption, as a matter of justice, right, and equity. I think it ought to be adopted—not from what I know with reference to the French spoliation claims, of which I know but little—but because of the justice of the other claims, so far as those which come under the provisions of the Bowman Act are concerned, and so far as other just claims against the Government are concerned. These

claims have been asserted for many years, they have been referred to the tribunal selected by Congress for their consideration, namely, the Court of Claims, and they have received the approval of that tribunal. We can not afford to dispute the justice of claims thus adjudicated and returned to this body for payment. The mere fact, which has been asserted here, that the claims may be old ones, justifies no man, and can justify no government, in repudiating them. If they are old claims it is our fault and not that of the claimants.

These people have been seeking to get a settlement of their claims for many years. Particularly is this true in regard to the Bowman Act claims, to which I shall, in the main, address myself, leaving to other gentlemen the consideration of other questions involved in the report, to which I have not time now to refer. There are other claims in the bill probably as meritorious as the Bowman Act claims, which I am satisfied are as meritorious as any ever presented to Congress or the Government of the United States. Every just claim is entitled to consideration and payment. These are claims in behalf of loyal citizens, claims of Union men, who furnished to the Army, willingly or unwillingly, as the case might be, supplies that the Army needed and consumed—things that benefited the Army, things which our soldiers needed—and yet these claimants have had to wait over thirty-five years for a settlement of their claims.

Time was when Congress appropriated readily for the payment of men who had sacrificed or were compelled to give up their all for the benefit of the Government. Of late years these claims have been allowed to slumber, and notwithstanding the exertions of members at both ends of the Capitol, it has seemed impossible to get justice done. These are claims that belong to all sections of the country. They are in no sense sectional. These matters have been considered carefully by Congress, and they have been in the hands of careful, conscientious men at both ends of the Capitol, who, after a full and thorough consideration, have recommended their payment.

This committee, after laborious consideration and full investigation of the matter, have reported that these claimants are entitled to be paid, because based on justice and equity. It will not do to say that these matters have not been considered. We considered the Bowman Act claims in the House; the bill for their payment was passed almost unanimously by the House. The Senate added, after consideration, the French spoliation claims, as to the justice of which other gentlemen will speak. I have not time to refer to them now. But after more than six months of conscientious, careful, and laborious consideration we have this report of the conference committee submitted for our adoption. That committee was composed of men of intelligence, men of high character and standing, men who command the full respect of both the House and Senate, who have carefully investigated the question, and unanimously report the agreement now before us, and I can not stand here, Mr. Speaker, in justice to myself and in justice to what I believe to be the rights of these people, and ask a member of this body, whether a Republican or a Democrat or anybody else, to repudiate that report.

They have, I say, gone over the whole question. They have studied it carefully. As to the Bowman Act claims, they are backed by the almost unanimous vote of this House. As to the French spoliation claims, they are backed by the almost unanimous vote of the Senate; and I can not see why, under these circumstances, there should not be an acquiescence on the part of this House in the result which has been reached.

I shall not undertake to discuss more elaborately the justice of the Bowman Act claims. I have long labored for their payment, because I believe in the Government paying its debts. If the Government owes a debt, it stands as a matter of course, in my estimation, that the Government should pay it. But we do not rest in any doubt as to whether the Government owes these claims, because our own chosen tribunal, after careful investigation, has decided that the Government does owe them, and in each instance has fixed the amount of the indebtedness.

I therefore ask every member of the House to vote in favor of agreeing to the conference report as settling the question. The claims ought to be paid, and I do not suppose any man here wishes to stand for the repudiation of any honest obligation of the Government.

Mr. MAHON. I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, the House passed a bill to pay for stores and supplies to loyal citizens, claims that had been passed upon by the Court of Claims under the Bowman Act. That was at the last session of Congress. The bill went to the Senate, and the Senate amended with similar claims, swelling the amount of the bill as it passed the House from \$1,100,000 to \$1,500,000. I am informed, and after a pretty careful examination believe, that these Bowman Act cases are for stores and supplies. As an original question I did not favor them, and would not, as I said before. They had their day in court, but they came here,

and under repeated legislation of the House have ripened into the kind of claims which I refer to.

Now, the Senate amended that bill by putting on the French spoliation claims of over a million dollars. I have, from Congress to Congress, with what little power I have, opposed those claims. I believed then and believe now that they ought never to have been paid. But the courts passed upon them. Congress has breathed into them the breath of life. The Fifty-first Congress appropriated for the payment of over a million dollars. This appropriation that is agreed to is substantially along the same line. And committed as we are by legislation and by findings of the courts, they will have to be paid at some time.

Mr. HUNTER. Mr. Speaker—

Mr. CANNON. In a moment. Now, as to the miscellaneous claims of nearly half a million dollars, I have examined them hastily and believe they are the best of those claims of \$9,000,000 put on by the Senate. I think the most of them are equitably and fairly due from the Government to its respective citizens. Some of them undoubtedly ought to go out, but nevertheless, as these matters go, it seems to me that as well as we can do is to adopt this conference report. Gentlemen understand that we have lost one or two general appropriation bills by the Senate putting these matters on them heretofore and adding to them two and three fold. That I have always opposed and always, I trust, will oppose. But here is a bill that comes from the Claims Committees of the two bodies and that has been agreed upon by the conferees of both Houses.

Now I will yield to my colleague.

Mr. HUNTER. I should like to ask the gentleman if the appropriations covered in this conference report covering the French spoliation claims discharge all the obligations of that character?

Mr. CANNON. Oh, no; I suppose there are to be other findings. This, as I understand, discharges all that have been passed upon favorably by the courts.

Mr. DALZELL. I should like to ask the gentleman a question.

Mr. CANNON. Yes.

Mr. DALZELL. Do these French spoliation claims provided for in this bill include any claims of insurance companies or assignees?

Mr. CANNON. I am informed from every standpoint that they do not, and I believe they do not. I am quite content that this report should be adopted, because it embraces the most worthy of the \$9,000,000 of claims that have been kicking back and forth between the two Houses, and when paid these claims can no longer be utilized by great blocks of Representatives and Senators, or by smaller blocks of Representatives and Senators, to pull through the other \$8,000,000, nearly all of which, in my judgment, are thoroughly vicious, and ought not to be appropriated for. That is all I desire to say.

Mr. MAHON. Mr. Speaker, how much time have I got?

The SPEAKER. The gentleman has twenty-two minutes. [Cries of "Vote!"]

Mr. MAHON. Mr. Speaker, just one word. When the conference met, this bill made provision for over \$9,000,000. The conferees on the part of the House for six long weeks were in conference on this measure. The private bills on here number 47. We struck about 150 private bills out of the bill as it came from the Senate, and the 47 allowed by this bill aggregate the sum of about \$430,000. They have passed either or both Houses of Congress or have had favorable reports by committees of both Houses, and many of them have been recommended by the different departments. I want to assure this House that all claims like the Chouteau claim, or claims that have smoke on their garments, are not in this bill; but we have reported clean bills.

Now, as to the French spoliation claims. There is not an item in this bill that does not go to a man your court has found to be entitled to it. We have put a proviso in this bill providing that no claim hereby appropriated for that has been assigned to or is owned by any insurance company shall be paid, and the Secretary of the Treasury is prohibited from paying the same. So that we have provided that if two or three such claims should have gotten in through mistake they will not be paid.

Mr. HOPKINS. Have you fixed the bill so that other corporations or other speculators or lobbyists can not get them?

Mr. RICHARDSON. We have provided that they shall be paid to the legal representatives of the parties.

Mr. MAHON. These claims are to be paid to the administrators, and under an act of Congress where assignments were made in bankruptcy under the old law they are to go to the executor, under the direction of the Secretary of the Treasury. We have followed the law exactly, providing for investigation of these claims.

Now, as to the merits of the French spoliation claims. I have given them a thorough study from beginning to end, and while my judgment is even a very feeble one, I think they ought to be paid. Some of the best men and the greatest statesmen we have had in this country—men like Clay, Webster, and Calhoun and

other prominent men, coming down to the present day—who have examined these claims have held beyond all controversy that the United States Government should pay these claims.

Now, the time has gone by to settle this controversy forever. Congress referred all these claims to the Court of Claims, and they ascertained a very little over a million dollars of these claims, which were certified to and paid by the Fifty-first Congress; and from the Fifty-first Congress they have found a million more. I want to say to this House that the Court of Claims has never in its history passed a claim that was in the hands of insurance companies.

Mr. HOPKINS. You spoke about Webster, Clay, and Calhoun as great men who supported these claims. Is it not a fact that neither of these men ever convinced Congress that these were honest claims?

Mr. MAHON. I have heard the gentleman from Illinois before about these claims. Now, we have had an investigation made of them.

Mr. DOCKERY. Will the gentleman allow me to interrupt him to ask him the names of the Presidents who have vetoed those claims?

Mr. MAHON. Now, as to the statement made by the gentleman from California. These French spoliation claims were put on the urgency deficiency bill in the Fifty-third Congress. It passed this House, I think, two days before the final adjournment and went to the President the day before the adjournment, or rather the night of the day before. That message was not written by President Cleveland. Who prepared it I know not. It is a paper full of misstatements and misstatement of facts. He says in his veto message that 132 of these claims were for insurance companies. It was written in a hurry. Whoever prepared it I know not, but very evidently the man who prepared it did so in a great hurry and did not know what he was talking or writing about.

As I have said, we have worked long and faithfully. I have not a claim in from my district, and the State claim has gone out. I went into the conference with clean skirts, not having a single item in from my State and district. So when I come here representing this bill to-day to you, and urging the payment of every item in it, it is not on the ground that I have any interest in it.

Mr. HOPKINS. What is the aggregate amount carried with the bill?

Mr. MAHON. Three million one hundred thousand dollars.

Now, Mr. Speaker, I ask for the previous question. [Cries of "Vote!"]

The previous question was ordered.

The SPEAKER. The question is on the adoption of the conference report.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. DOCKERY and Mr. LOUD. Division!

The House divided; and there were—yeas 135, nays 47.

Mr. GREENE of Nebraska and Mr. DOCKERY. The yeas and nays.

The SPEAKER (after counting). Forty-seven gentlemen in the affirmative—a sufficient number—

Mr. MAHON. The other side.

The SPEAKER (after counting). One hundred and thirty-four—a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 132, nays 89, answered "present" 3, not voting 106; as follows:

## YEAS—132.

Acheson,	Cummings,	Henry, Miss.	Mitchell,
Adamson,	Dalzell,	Hicks,	Moody,
Aldrich,	Davenport,	Hilborn,	Moon,
Alexander,	Davey,	Hill,	Mudd,
Arnold,	Davidson, Wis.	Hinrichsen,	Ogden,
Bailey,	Davis,	Howard, Ala.	Olmsted,
Baker, Md.	Davison, Ky.	Howard, Ga.	Packer, Pa.
Bankhead,	Dayton,	Jones, Va.	Perkins,
Barber,	Dismore,	Kirkpatrick,	Pierce, Tenn.
Barrows,	Dorr,	Kitchin,	Powers,
Bartlett,	Dovener,	Knox,	Pugh,
Belford,	Elliot,	Lamb,	Quigg,
Benton,	Ellis,	Latimer,	Ray,
Berry,	Ementrout,	Lawrence,	Rhea,
Bingham,	Evans,	Lester,	Richardson,
Bodine,	Fitzgerald,	Lewis, Ga.	Rixey,
Boose,	Fitzpatrick,	Little,	Robb,
Brantley,	Fowler, N. J.	Livinston,	Robbins,
Brenner, Ohio	Gaines,	Loudenslager,	Robertson, La.
Brosius,	Gardner,	Lovring,	Russell,
Broussard,	Gibson,	Low,	Settle,
Brownlow,	Greene, Mass.	McAleer,	Sherman,
Brundidge,	Griffin,	McCalloch,	Showalter,
Butler,	Grosvenor,	McDonald,	Sims,
Capron,	Groat,	McIntire,	Skinner,
Carmack,	Grow,	McLain,	Slayden,
Catchings,	Handy,	Maddox,	Smith, Ky.
Clardy,	Harmer,	Mahany,	Sparkman,
Connell,	Hartman,	Mahon,	Sperry,
Cooney,	Hawley,	Maxwell,	Spight,
Cooper, Tex.	Hay,	Meyer, La.	Sprague,
Cox,	Henry, Conn.	Miller,	Stallings,

Stark,  
Stewart, N. J.  
Stokes,  
Stone,  
Strait,  
Strode, Nebr.

Sulloway,  
Sutherland,  
Thorp,  
Underwood,  
Van Voorhis,  
Wadsworth,

Walker, Mass.  
Wanger,  
Ward,  
Weaver,  
Weymouth,  
Wheeler, Ky.

White, N. C.  
Williams, Miss.  
Williams, Pa.  
Wilson,  
Yost,  
Young.

## NAYS—89.

Baker, Ill.  
Barham,  
Barlow,  
Barney,  
Bell,  
Bishop,  
Bland,  
Broderick,  
Brownell,  
Brown,  
Brucker,  
Burke,  
Burton,  
Clark, Iowa  
Clark, Mo.  
Connolly,  
Corliss,  
Cowherd,  
Crump,  
Crumpacker,  
Curtis, Iowa  
Curtis, Kans.  
De Armond,

De Graffenreid,  
De Vries,  
Dockery,  
Dolliver,  
Eddy,  
Faris,  
Fletcher,  
Graft,  
Graham,  
Greene, Nebr.  
Hager,  
Heatwole,  
Henderson,  
Henry, Ind.  
Henry, Tex.  
Heppburn,  
Hitt,  
Hopkins,  
Hull,  
Hunter,  
Jenkins,  
Johnson, Ind.  
Ketcham,

Kleberg,  
Knowles,  
Lacey,  
Landis,  
Lanham,  
Lentz,  
Linney,  
Littauer,  
Lloyd,  
Loud,  
Lybrand,  
McDowell,  
Mann,  
Marshall,  
Meekison,  
Mercer,  
Mesick,  
Miers, Ind.  
Morris,  
Norton, Ohio  
Overstreet,  
Parker, N. J.  
Payne,

## ANSWERED "PRESENT"—3.

Jett,

Jones, Wash.

Norton, S. C.

## NOT VOTING—106.

Adams,  
Allen,  
Babcock,  
Baird,  
Ball,  
Barrett,  
Bartholdt,  
Beach,  
Belden,  
Belknap,  
Benner, Pa.  
Bennett,  
Botkin,  
Boutell, Ill.  
Boutelle, Me.  
Bradley,  
Brewer,  
Brewster,  
Brumm,  
Bull,  
Burleigh,  
Campbell,  
Cannon,  
Castio,  
Chickering,  
Clarke, N. H.  
Clayton,

Cochran, Mo.  
Cochrane, N. Y.  
Coddling,  
Colson,  
Cooper, Wis.  
Cousins,  
Cranford,  
Danford,  
Dick,  
Driggs,  
Fenton,  
Fischer,  
Fleming,  
Foote,  
Foss,  
Fowler, N. C.  
Fox,  
Gillet, N. Y.  
Gillett, Mass.  
Griffith,  
Griggs,  
Gunn,  
Hamilton,  
Hemenway,  
Howe,  
Howell,  
Johnson, N. Dak.  
Prince,

Joy,  
Kelley,  
Kerr,  
King,  
Kulp,  
Lewis, Wash.  
Lorimer,  
McCall,  
McCleary,  
McClellan,  
McCormick,  
McEwan,  
McRae,  
Maguire,  
Marsh,  
Martin,  
Mills,  
Minor,  
Newlands,  
Odell,  
Osborne,  
Otey,  
Otjen,  
Pearce, Mo.  
Pearson,  
Peters,  
Prince,

The following pairs were announced:

Until further notice:

Mr. CLARKE of New Hampshire with Mr. KING.

Mr. SAMUEL W. SMITH with Mr. FOX.

Mr. WISE with Mr. NORTON of South Carolina.

Mr. BENNETT with Mr. GAINES.

Mr. McEWAN with Mr. VEHSIAGE.

Mr. LORIMER with Mr. SWANSON.

Mr. COCHRANE of New York with Mr. BALL.

For this day:

Mr. TAYLER of Ohio with Mr. MAGUIRE.

Mr. WALKER of Virginia with Mr. ZENOR.

Mr. SAUERHERING with Mr. OSBORNE.

Mr. PEARCE of Missouri with Mr. OTEY.

Mr. MINOR with Mr. LEWIS of Washington.

Mr. WHITE of Illinois with Mr. COCHRAN of Missouri.

Mr. HOWELL with Mr. FITZGERALD.

Mr. CHICKERING with Mr. DRIGGS.

Mr. SOUTHWARD with Mr. TAYLOR of Alabama.

Mr. SHOWALTER with Mr. CLAYTON.

Mr. ADAMS with Mr. BROUSSARD.

Mr. BURLEIGH with Mr. BRADLEY.

Mr. JOY with Mr. BENNER of Pennsylvania.

Mr. HAMILTON with Mr. BALL.

Mr. WM. ALDEN SMITH with Mr. ALLEN.

Mr. SNOVER with Mr. BAIRD.

Mr. JONES of Washington with Mr. McCLELLAN.

Mr. FOSS with Mr. JETT.

Mr. McCALL with Mr. BREWER.

Mr. COUSINS with Mr. TERRY.

Mr. WILBER with Mr. CRANFORD.

Mr. BOUTELL of Illinois with Mr. GRIGGS.

The result of the vote was then announced as above recorded.

On motion of Mr. RICHARDSON, a motion to reconsider the last vote was laid on the table.

## PUBLIC BUILDING AT INDIANAPOLIS, IND.

Mr. MERCER submitted a conference report; which was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 146) to provide for the erection

of a public building at Indianapolis, Ind., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.  
That the Senate recede from its disagreement to amendment of the House numbered 2, with an amendment as follows: In line 17 in said amendment strike out the word "two" and insert in lieu thereof the word "five;" and the House agree to the same.

D. H. MERCER,  
J. D. HICKS,  
J. H. BANKHEAD,  
*Managers on the part of the House.*  
CHARLES W. FAIRBANKS,  
GEO. L. WELLINGTON,  
LEE MANTLE,  
*Managers on the part of the Senate.*

The statement of the House conferees was read, as follows:

The House recedes from its amendment numbered 1, the effect of which is to increase the amount authorized by the act for the construction of said building from \$1,200,000 to \$1,500,000.

The Senate recedes from its disagreement to House amendment numbered 2, and agrees to the same, the effect of which is to provide a new section to the act whereby the sale of the present post-office site is authorized, if deemed by the Secretary of the Treasury advisable, and the proceeds applied to the purchase of another site.

DAVID H. MERCER,  
J. D. HICKS,  
J. H. BANKHEAD,  
*Managers on the part of the House.*

The report of the committee of conference was agreed to.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### ORDER OF BUSINESS.

Mr. MERCER. I desire to call up some other bills, that they may be sent to conference. On Senate bill 710 I move that the House insist on its amendments and agree to the conference asked by the Senate. On House bill 11882 I ask that the House disagree to the Senate amendments—

The SPEAKER. These matters must be taken one at a time. They require unanimous consent. The Chair understands that the gentleman from New Jersey [Mr. LOUDENSLAGER] has a conference report; and he is therefore recognized.

LUCRETIA C. WARING.

Mr. LOUDENSLAGER submitted the following conference report; which was read:

The committee of conference of the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 104) to increase the pension of Lucretia C. Waring, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

H. C. LOUDENSLAGER,  
G. W. WEYMOUTH,  
T. W. SIMS,  
*Managers on the part of the House.*  
J. H. GALLINGER,  
GEO. L. SHOUP,  
JOHN L. MITCHELL,  
*Managers on the part of the Senate.*

The report of the committee of conference was agreed to.

On motion of Mr. LOUDENSLAGER, a motion to reconsider the last vote was laid on the table.

#### TITLE TO LOTS 13 AND 14, SQUARE 950.

Mr. JENKINS submitted a conference report, which was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 931) to confirm title to lots 13 and 14, in square 950, in Washington, D. C., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In line 3 of the proposed amendment, after the word "Yates," insert the words "his heirs and assigns forever;" and the Senate agree to the same.

JOHN J. JENKINS,  
CHARLES F. SPRAGUE,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*  
RICHARD R. KENNEY,  
J. C. PRITCHARD,  
*Managers on the part of the Senate.*

The following statement of the House conferees was read:

The amendment of the Senate, which the House practically accepts, refers to the Secretary of the Interior the whole question of the sum that the claimant of the lots 13 and 14, in square 950, shall pay to the Government for those lots instead of authorizing the Secretary to quitclaim the title of the United States in them. Also it authorizes the Secretary of War to correct the records of that Department in the case of lots in the District of Columbia actually occupied for twenty years.

The report of the committee of conference was agreed to.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

#### PERSONNEL OF THE NAVY, ETC.

Mr. FOSS. I desire to present a conference report on House bill 10403, to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States. I ask unanimous consent that the reading of the report be dispensed

with and that the statement of the House conferees be read instead.

There was no objection.

The following statement of the House conferees was read:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States, submit the following statement to accompany the conference report:

Senate amendment No. 1, as agreed to in conference, is an immaterial one removing the exception of watch duty for certain engineer officers.

Senate amendment No. 2, as amended and agreed to in conference, strikes out the words "of infantry," so that the amendment provides that each rear-admiral embraced in the nine lower numbers of the grade shall receive the same pay and allowance as are now allowed a brigadier-general in the Army. The reason for striking out the words "of infantry" is simply because no such grade as brigadier-general of infantry exists in the Army.

Senate amendments Nos. 3 and 4, as amended and agreed to in conference, provide that when the office of chief of bureau is filled by an officer below the rank of rear-admiral, instead of commodore, he shall have the rank of rear-admiral, but receive only the pay and allowance allowed to a brigadier-general in the Army.

Senate amendments Nos. 5 and 6, as amended and agreed to in conference, provide that nothing shall prevent the retirement of those officers now holding the rank or relative rank of commodore, from retiring with the rank and pay of that grade. And further, the section is amended by striking out the word "with" in two places, whereby the expressions "with the relative rank of" and "with the rank of" are made to read "the relative rank of" and "the rank of," which corrects a misquotation of existing law.

Senate amendment No. 7, as amended and agreed to in conference, provides that civil engineers in the Navy, on the active list, under section 1413 of the Revised Statutes, shall not be appointed beyond the present number of twenty-one.

Senate amendment No. 8, as amended and agreed to in conference, provides that those officers who retire under this section shall have the rank and three-fourths the sea pay of the next higher grade, including the grade of commodore, as now existing, which is retained for purposes of retirement.

Senate amendment No. 9, as agreed to in conference, provides that the board of rear-admirals, who shall pass upon the retirement of officers, shall consist of five, instead of "not less than three nor more than five."

Senate amendments 10 and 11, as amended and agreed to in conference, provide that not less than four, instead of a majority of the board, shall agree upon their findings, and further, that officers retired under the provision of that section shall receive the rank and three-fourths the sea pay of the next higher grade, including the grade of commodore, retained for purposes of retirement.

Senate amendment No. 12 has been wholly receded from by Senate conferees. This was a provision permitting appointments by the President of ensigns in the line of the Navy, not to exceed 40 in all, from civil life.

Senate amendment No. 13, as amended and agreed to in conference, restores the House provision in reference to naval constructors and assistant naval constructors, with the proviso that the whole number of naval constructors and assistant naval constructors on the active list shall not exceed 40 in all.

Senate amendment No. 14, as agreed to in conference, which provided for the immediate commissioning of those naval cadets who have completed their four years' course at the Naval Academy, and who served at sea in the war with Spain, was receded from by the Senate conferees.

Senate amendment No. 15, providing for a judge-advocate corps in the Navy, was receded from by the House conferees.

Senate amendment No. 16, as amended and agreed to in conference, simply restores the original section 12 of the House bill and gives an officer of the Navy, with a creditable record, who served during the civil war, when retired the rank and three-fourths the sea pay of the next higher grade.

Senate amendments Nos. 17 and 18, providing for the abolition of the two years' sea course after the completion of the four years' course at the Naval Academy, were receded from by the House conferees, and said provisions are stricken from the bill.

Senate amendment No. 19 was agreed to in conference and was purely a formal amendment as to the renumbering of the section.

Senate amendment No. 20, as agreed to in conference, is a grammatical one, substituting the word "are" for "that."

Senate amendment No. 21, agreed to in conference, is simply the substitution of the word "section" for the word "law."

Senate amendment No. 22, as amended and agreed to in conference, substitutes for the pay section of the original bill the following:

"SEC. 13. That, after June 30, 1899, commissioned officers of the line of the Navy and of the medical and pay corps shall receive the same pay and allowances, except forage, as are or may be provided by or in pursuance of law for the officers of corresponding rank in the Army: *Provided*, that such officers when on shore shall receive the allowance, but 15 per cent less pay than when on sea duty; but this provision shall not apply to warrant officers commissioned under section 12 of this act: *Provided further*, That when naval officers are detailed for shore duty beyond seas they shall receive the same pay and allowances as are or may be provided by or in pursuance of law for officers of the Army detailed for duty in similar places: *Provided further*, That naval chaplains who do not possess relative rank shall have the rank of lieutenant in the Navy; and that all officers, including warrant officers, who have been or may be appointed to the Navy from civil life shall, on the date of appointment, be credited for computing their pay with five years' service. And all provisions of law authorizing the distribution among captors of the whole or any portion of the proceeds of vessels or any property hereafter captured or condemned as prize or providing for the payment of bounty for the sinking or destruction of vessels of the enemy hereafter occurring in time of war are hereby repealed: *And provided further*, That no provision of this act shall operate to reduce the present pay of any commissioned officer now in the Navy, and in any case in which the pay of such an officer would otherwise be reduced he shall continue to receive pay according to existing law: *And provided further*, That nothing in this act shall operate to increase or reduce the pay of any officer now on the retired list of the Navy."

Senate amendment No. 23, as agreed to in conference, is purely formal, relating simply to the renumbering of the section.

Senate amendments Nos. 24 and 25, as agreed to in conference, provide that those machinists who are taken in from civil life shall not be above the age of 30 years.

Senate amendments Nos. 26, 27, and 28, as agreed to in conference, are purely formal and relate to the renumbering of the section.

Senate amendment No. 29, as agreed to in conference, strikes out the words "act as far as the Navy is concerned" and substitutes the word "section," and is purely a correction of language.

Senate amendment No. 30, as agreed to in conference, is purely formal and relates to the renumbering of the section.

Senate amendment No. 31, as agreed to in conference, inserts the word "Commandant," which was left out by mistake in the House bill.

Senate amendment No. 32, as agreed to in conference, substitutes the word "section" for the word "act."

Senate amendment No. 33, as agreed to in conference, is purely formal and relates to the renumbering of the section.

Senate amendments Nos. 34 and 35, as amended and agreed to in conference, abolish the provision for the transfer of men in the line to the Marine Corps and provide that the vacancies existing in the Marine Corps shall be filled by the President: first, from graduates of the Naval Academy; or second, from those who are serving or have served as second lieutenants in the war with Spain; or third, from meritorious noncommissioned officers; or fourth, from civil life. And further, that after the vacancies are once filled there shall be no more appointments from civil life.

Senate amendment No. 36, as agreed to in conference, relates purely to the renumbering of the section.

Senate amendment No. 37, as agreed to in conference, strikes out the exception as to officers transferred from the Navy, in order to make it correspond with the change made by Senate amendment No. 34.

Senate amendment No. 38, as agreed to in conference, provides for the substitution of the word "or" for the word "and," and is purely grammatical.

Senate amendment No. 39, as agreed to in conference, provides that those persons who shall be appointed to the Marine Corps from civil life shall not be under 20 or over 30 years of age, instead of under 20 or over 25, as contained in the House bill.

Senate amendment No. 40, as agreed to in conference, strikes out the words "and those transferred from the Navy to the Marine Corps," in order to correspond with previous provisions of the bill.

Senate amendments Nos. 41, 42, 44, 45, 46, and 47, as agreed to in conference, are purely formal and relate to the renumbering of the sections.

Senate amendment No. 43, as agreed to in conference, providing for the temporary rank of senior officers of marines of fleets or squadrons, is abolished.

Most of the Senate amendments agreed to by the House conferees were purely formal, immaterial, and inconsequential. All of the fundamental and important provisions of the House bill are retained, either in their original state or with slight modifications, and the amendment of the Senate permitting the appointment from civil life to the regular line of the Navy has been wholly abolished.

The expense covered by the bill as agreed to in conference will be materially reduced from that carried by the original bill as passed by the House.

GEO. EDMUND FOSS,  
ALSTON G. DAYTON,  
ADOLPH MEYER,

*Managers on the part of the House.*

Mr. FOSS. I move the adoption of the report.

Mr. DOCKERY. What is the additional annual salary charge under this bill?

Mr. FOSS. The gentleman means the increased expense?

Mr. DOCKERY. Yes; the additional expense.

Mr. FOSS. Since the bill passed the House the amount involved has been reduced probably \$150,000.

Mr. DOCKERY. I had understood the expense was estimated at about \$2,100,000. Is that correct?

Mr. FOSS. That was the estimate when the bill passed the House. We have reduced that.

Mr. DOCKERY. That was the estimate of the Secretary of the Navy?

Mr. FOSS. Yes, sir; but we have reduced that probably to the extent of about \$150,000.

Mr. DOCKERY. Then the gentleman means to say that the annual additional charge will be about \$2,000,000?

Mr. FOSS. About \$2,000,000.

Mr. BAILEY. Does that include any computation as to the increase which will result from the accumulated and more rapid retirements?

Mr. FOSS. Yes, I understand so.

Mr. BENNETT. This report makes no change in regard to the commanding officer of the Marine Corps?

Mr. FOSS. No change whatever. I move the adoption of the report.

The report was agreed to.

On motion of Mr. FOSS, a motion to reconsider the last vote was laid on the table.

#### RIVER AND HARBOR BILL.

Mr. BURTON. I move to suspend the rules and that the House shall nonconcur in all the amendments of the Senate to House bill 11795, commonly known as the river and harbor bill, and ask a conference with the Senate on the disagreeing votes of the two Houses.

Mr. BAILEY. I wish to inquire whether it is the unanimous instruction of the gentleman's committee that this motion be made?

Mr. BURTON. I know of no dissent in the committee.

Mr. BAILEY. And have all the members of the committee been consulted?

Mr. BURTON. I understand so.

Mr. BAILEY. My only anxiety is to ascertain whether the motion meets the approval of our political friends on the committee. If it does, I am content.

Mr. BANKHEAD. I think I can state to my friend from Texas that it does.

The SPEAKER. The question is on the motion to suspend the rules. Is a second demanded?

Mr. DOCKERY. For the purpose of permitting debate, I ask a second.

Mr. BURTON. I ask unanimous consent that a second be considered as ordered.

There was no objection.

The SPEAKER. The question is now open to debate. [A pause.]

Mr. BURTON. If no gentleman desires to debate the proposition, we are ready for a vote.

The question being taken on the motion of Mr. BURTON to suspend the rules, it was agreed to (two-thirds voting in favor thereof).

The SPEAKER announced the appointment of Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS as conferees on the part of the House.

#### PUBLIC BUILDING AT CARROLLTON, KY.

Mr. BERRY. Mr. Speaker—

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2552) to set aside a portion of certain lands in the State of Washington for a public park.

Mr. BERRY. Mr. Speaker, is not the bill which is now on the Speaker's table which was laid aside for engrossment in order at this time?

The SPEAKER. It is. Does the gentleman call it up?

Mr. BERRY. I do.

The SPEAKER. The following engrossed bill, on which the previous question was ordered, and with reference to which the full reading was demanded, is now laid before the House.

The Clerk read as follows:

A bill (H. R. 1663) for the erection of a public building at Carrollton, Ky.

The question being on the passage of the bill,

Mr. LOUD. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were not ordered.

The question was taken, and the bill passed.

On motion of Mr. BERRY, a motion to reconsider the last vote was laid on the table.

#### THE CENSUS BILL.

Mr. HOPKINS. Mr. Speaker, I desire to present a privileged report at this time. I submit the report of the conferees on the disagreeing votes of the two Houses on the Senate amendments to the bill (H. R. 11815) to provide for the taking of the Twelfth and subsequent censuses.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "That a census of the population, of deaths, and of the manufacturing, mechanical, and agricultural products of the United States shall be taken in the year 1900, and once every ten years thereafter.

"Sec. 2. That there shall be established in the Department of the Interior a Census Office, the chief officer of which shall be denominated the Director of the Census. It shall be his duty to superintend and direct the taking of the Twelfth Census of the United States, in accordance with the laws relating thereto, and to perform such other duties as may be required of him by law. The Director of the Census shall be appointed, as soon as practicable after the passage of this act, by the President, by and with the advice and consent of the Senate, and shall receive an annual salary of \$6,000; and there shall also be an Assistant Director of the Census, to be appointed in like manner, who shall be an experienced practical statistician, and shall receive an annual salary of \$4,000: *Provided*, That nothing herein contained shall be construed to establish a census bureau permanent beyond the Twelfth Census.

"Sec. 3. That during the absence of the Director of the Census, or when the office of Director shall become vacant, the Assistant Director shall perform the duties of the Director.

"Sec. 4. That there shall also be in the Census Office, to be appointed by the Director thereof in the manner hereinafter specified, five chief statisticians, who shall be persons of known and tried experience in statistical work, at an annual salary of \$3,000 each; a chief clerk, one disbursing clerk, and one geographer, at an annual salary of \$2,500 each; five expert chiefs of division and two stenographers, at an annual salary of \$2,000 each; ten clerks of class 1, fifteen clerks of class 3, twenty clerks of class 2, and such number of clerks of class 1, and of clerks, copyists, computers, and skilled laborers, with salaries at the rate of not less than \$800 nor more than \$1,000 per annum, to be appointed from time to time, as may be found necessary for the proper and prompt performance of the duties herein required to be undertaken. The disbursing clerk herein provided for shall, before entering upon his duties, give bond to the Secretary of the Treasury in the sum of \$50,000, which bond shall be conditioned that the said officer shall render a true and faithful account to the proper accounting officers of the Treasury, quarter-yearly, of all moneys and properties which shall be received by him by virtue of his office, with sureties to be approved by the Solicitor of the Treasury. Such bond shall be filed in the office of the Secretary of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

"The Director of the Census may also appoint 1 captain of the watch, at a salary of \$540 per annum; 2 messengers, and such number of watchmen, assistant messengers, and laborers, at salaries of \$600 each per annum; messenger boys, at salaries of \$400 each per annum; and charwomen, at salaries of \$240 each per annum, as may be necessary to carry out the provisions of this act.

"Sec. 5. That the chief clerk and the chief statisticians provided for in section 4 of this act, and all other employees authorized by this act below the Assistant Director of the Census, shall be appointed by the Director of the Census, subject to such examination as said Director may prescribe: *Provided*, That no examination shall be required in the case of enumerators or special agents, nor of employees below the grade of skilled laborers at \$800 per annum. *And provided further*, That employees in the existing branches of the departmental service, whose services may be specially desired by the Director of the Census, not exceeding 6 in all, may be transferred without examination, and at the end of such service the employees so transferred

shall be eligible to appointment in any Department without additional examination, when vacancies exist.

"Sec. 6. That the collection of the information required by this act shall be made, under the direction of the Director of the Census, by supervisors, enumerators, and special agents, as hereinafter provided.

"Sec. 7. That the Twelfth Census shall be restricted to inquiries relating to the population, to mortality, to the products of agriculture, and of manufacturing and mechanical establishments. The schedules relating to the population shall comprehend for each inhabitant the name, age, color, sex, conjugal condition, place of birth, and place of birth of parents, whether alien or naturalized, number of years in the United States, occupation, months unemployed, literacy, school attendance, and ownership of farms and homes; and the Director of the Census may use his discretion as to the construction and form and number of inquiries necessary to secure information under the topics aforesaid. The mortality schedules shall comprehend for each decedent the name, sex, color, age, conjugal condition, place of birth, and birthplace of parents, occupation, cause and date of death, and, if born within the census year, the date of birth. The form and arrangement of the schedule and the specific questions necessary to secure the information required shall be in the discretion of the Director. The schedules relating to agriculture shall comprehend the following topics: Name of occupant of each farm, color of occupant, tenure, acreage, value of farm and improvements, acreage of different products, quantity and value of products, and number and value of live stock.

"All questions as to quantity and value of crops shall relate to the year ending December 31 next preceding the enumeration. The specific form and division of inquiries necessary to secure information under the foregoing topics shall be in the discretion of the Director of the Census. The schedules of inquiries relating to the products of manufacturing and mechanical establishments shall embrace the name and location of each establishment; character of organization, whether individual, cooperative, or other form; date of commencement of operations; character of business or kind of goods manufactured; amount of capital invested; number of proprietors, firm members, copartners, or officers, and the amount of their salaries; number of employees, and the amount of their wages; quantity and cost of materials used in manufactures; amount of miscellaneous expenses; quantity and value of products; time in operation during the census year; character and quantity of power used, and character and number of machines employed. The form and subdivision of inquiries necessary to secure the information under the foregoing topics relating to manufacturing and mechanical industries shall be in the discretion of the Director of the Census. The information collected shall be of and for the fiscal year of such corporations or establishments having its termination nearest to and preceding the 1st of June, 1900.

"Whenever he shall deem it expedient, the Director of the Census may withhold the schedules for said manufacturing and mechanical statistics from the enumerators of the several subdivisions in any or all cases, and may charge the collection of these statistics upon special agents, to be employed without respect to locality. In cities or States where an official registration of deaths is maintained the Director of the Census may, in his discretion, withhold the mortality schedule from the several enumerators within such cities or States, and may obtain the information required by this act through official records, paying therefor such sum of money as may be found necessary, not exceeding 2 cents for each death thus returned. The Director of the Census is also authorized and directed to make suitable provisions for the enumeration of the population and products of Alaska and the Hawaiian Islands, for which purpose he may employ supervisors and enumerators or special agents, as he may deem necessary.

"The only volumes that shall be prepared and published in connection with the Twelfth Census, except the special reports hereinafter provided for, shall relate to population, mortality and vital statistics, the products of agriculture, and of manufacturing and mechanical establishments, as above mentioned, and shall be designated as and constitute the census reports, which said reports shall be published not later than the 1st day of July, 1902. The report upon population shall include a series of separate tables for each State, giving by counties the number of male persons below and above the age of 21 years, their color, whether native or foreign born, whether naturalized or not, and their literacy or illiteracy. All terms expressing weight, measure, distance, or value shall be expressed in the terms of the English language as spoken in this country.

"Sec. 8. That after the completion and return of the enumeration and of the work upon the schedules relating to the products of agriculture and to manufacturing and mechanical establishments provided for in section 7 of this act, the Director of the Census is hereby authorized to collect statistics relating to special classes, including the insane, feeble-minded, deaf, dumb, and blind; to crime, pauperism, and benevolence, including prisoners, paupers, juvenile delinquents, and inmates of benevolent and reformatory institutions; to deaths and births in registration areas; to social statistics of cities; to public indebtedness, valuation, taxation, and expenditures; to religious bodies; to electric light and power, telephone and telegraph business; to transportation by water, express business, and street railways; to mines, mining and minerals, and the production and value thereof, including gold, in divisions of placer and vein, and silver mines, and the number of men employed, the average daily wage, average working time, and aggregate earnings in the various branches and aforesaid divisions of the mining industry; *Provided*, That the reports herein authorized relating to mines, mining, and minerals shall be published on or before July 1, A. D. 1903.

"And the Director of the Census shall prepare schedules containing such interrogatories as shall in his judgment be best adapted to elicit the information required under these subjects, with such specifications, divisions, and particulars under each head as he shall deem necessary to that end. For the purpose of securing the statistics required by this section, the Director of the Census may appoint special agents when necessary, and such special agents shall receive compensation as hereinafter provided. The statistics of deaths and births provided for in this section shall be obtained from, and restricted to, the registration records of such States and municipalities as possess records affording satisfactory data in necessary detail, in the discretion of the Director, the compensation for the transcription of which shall not exceed 2 cents for each birth or death reported. The statistics of special classes, and of crime, pauperism, and benevolence specified in this section shall be restricted to institutions containing such classes: *Provided*, That at the time of the census enumeration the data relating to these classes may, in the discretion of the Director of the Census, be collected by the enumerators of such institutions, who shall receive compensation therefor at rates not exceeding, in per capita districts, 5 cents for each name enumerated and returned. The collection of statistics authorized by this section shall be made at such time or times and in such manner as will not interfere with nor delay the rapid completion of the census reports provided for in section 7 of this act, and all reports prepared under the provisions of this section shall be designated as 'Special Reports of the Census Office.'

"Sec. 9. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Twelfth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census to be appointed within each State and Territory, the District of Columbia, Alaska, and the Hawaiian Islands, who shall be

appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the whole number of such supervisors shall not exceed 300: *And provided further*, That wherever practicable and desirable the boundaries of the supervisors' districts shall conform to the boundaries of Congressional districts.

"Sec. 10. That each supervisor of census shall be charged with the performance within his own district of the following duties: To consult with the Director of the Census in regard to the division of his district into subdivisions most convenient for the purpose of the enumeration, which subdivisions shall be declared and the boundaries thereof fixed by the Director of the Census; to designate to the Director suitable persons, and, with the consent of the Director, to employ such persons as enumerators within his district, one or more for each subdivision and resident therein; but in case it shall occur in any enumeration district that no person qualified to perform and willing to undertake the duties of enumerator resides in that subdivision the supervisor may employ any fit person to be the enumerator of that subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in event of discrepancy; or deficiencies appearing in the returns for his district, to use all diligence in causing the same to be corrected and supplied; to forward to the Director of the Census the completed returns for his district in such time and manner as shall be prescribed by the said Director, and to make up and forward to the Director the accounts required for ascertaining the amount of compensation due to each enumerator in his district, which accounts shall be duly sworn to by the enumerator, and the same shall be certified as true and correct, if so found, by the supervisor, and said accounts so sworn to and certified shall be accepted by the said Director, and payment shall be made thereon by draft in favor of each enumerator.

"The duties imposed upon the supervisor by this act shall be performed, in any and all particulars, in accordance with the instructions and directions of the Director of the Census: *Provided*, That if the supervisor of any district has not been appointed and qualified on the thirtieth day preceding the date fixed for the commencement of the enumeration, the Director of the Census may appoint a special agent, who shall be a resident of the same district, to perform the work of subdivision into enumeration districts: *And provided*, That any supervisor who may abandon, neglect, or improperly perform the duties required of him by this act may be removed by the Director of the Census, and any vacancy thus caused or otherwise occurring during the progress of the enumeration may be filled by the Director of the Census.

"Sec. 11. That each supervisor of census shall, upon the completion of his duties to the satisfaction of the Director of the Census, receive the sum of \$125, and in addition thereto, in thickly settled districts, \$1 for each thousand or majority fraction of a thousand of the population enumerated in such district, and in sparsely settled districts \$1.40 for each thousand or majority fraction of a thousand of the population enumerated in such district; such sums to be in full compensation for all services rendered and expenses incurred by him, except that in serious emergencies arising during the progress of the enumeration in his district, or in connection with the reenumeration of any subdivision, he may, in the discretion of the Director of the Census, be allowed actual and necessary traveling expenses and an allowance in lieu of subsistence not exceeding \$5 per day during his necessary absence from his usual place of residence, and that an appropriate allowance for clerk hire may be made when deemed necessary by the Director of the Census: *Provided*, That in the aggregate no supervisor shall be paid less than the sum of \$1,000. The designation of the compensation per thousand, as provided in this section, shall be made by the Director of the Census at least one month in advance of the date fixed for the commencement of the enumeration.

"Sec. 12. That each enumerator shall be charged with the collection, in his subdivision, of facts and statistics required by the population schedule, and such other schedules as the Director of the Census may determine shall be used by him in connection with the census, as provided in section 7 of this act. It shall be the duty of each enumerator to visit personally each dwelling house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of each family, or of the member thereof deemed most credible and worthy of trust, or of such individual living out of a family, to obtain each and every item of information and all particulars required by this act as of date June 1 of the year in which the enumeration shall be made. And in case no person shall be found at the usual place of abode of such family, or individual living out of a family, competent to answer the inquiries made in compliance with the requirements of this act, then it shall be lawful for the enumerator to obtain the required information, as nearly as may be practicable, from the family or families or person or persons living nearest to such place of abode; and it shall be the duty of each enumerator to forward the original schedules, duly certified, to the supervisor of census of his district as his returns under the provisions of this act; and in the event of discrepancies or deficiencies being discovered in his said returns he shall use all diligence in correcting or supplying the same.

"In case the subdivision assigned to any enumerator embraces all or any part of any incorporated borough, village, town, or city, and also other territory not included within the limits of such incorporated borough, village, town, or city, or either, it shall be the duty of the enumerator of such subdivision to clearly and plainly distinguish and separate, upon the population schedules, the inhabitants of all or any part of such borough, village, town, or city as may be embraced in the subdivision assigned to such enumerator from the inhabitants of the territory not included therein. No enumerator shall be deemed qualified to enter upon his duties until he has received from the supervisor of census of the district to which he belongs a commission, under his hand, authorizing him to perform the duties of an enumerator, and setting forth the boundaries of the subdivision within which such duties are to be performed by him.

"Sec. 13. That the subdivision assigned to any enumerator shall not exceed 4,000 inhabitants, as near as may be, according to estimates based on the preceding census or other reliable information, and the boundaries of all subdivisions shall be clearly described by civil divisions, rivers, roads, public surveys, or other easily distinguished lines: *Provided*, That enumerators may be assigned for the special enumeration of institutions, when desirable, without reference to the number of inmates.

"Sec. 14. That any supervisor of census may, with the approval of the Director of the Census, remove any enumerator in his district and fill the vacancy thus caused or otherwise occurring. Whenever it shall appear that any portion of the enumeration and census provided for in this act has been negligently or improperly taken, and is by reason thereof incomplete or erroneous, the Director of the Census may cause such incomplete and unsatisfactory enumeration and census to be amended and made anew under such methods as may, in his discretion, be practicable.

"Sec. 15. That the Director of the Census may authorize and direct supervisors of census to employ interpreters to assist the enumerators of their respective districts in the enumeration of persons not speaking the English language. The compensation of such interpreters shall be fixed by the Director of the Census in advance, and shall not exceed \$4 per day for each day actually and necessarily employed.

"Sec. 16. That the compensation of the enumerators shall be ascertained and fixed by the Director of the Census as follows: In subdivisions where he

shall deem such allowance sufficient, an allowance of not less than 2 nor more than 3 cents for each living inhabitant and for each death reported; not less than 15 nor more than 20 cents for each farm; and not less than 20 nor more than 30 cents for each establishment of productive industry enumerated and returned may be given in full compensation for all services. For all other subdivisions per diem rates shall be fixed by the Director of the Census according to the difficulty of enumeration, having reference to the nature of the region to be canvassed and the density or sparseness of settlement, or other considerations pertinent thereto; but the compensation allowed to any enumerator in any such district shall not be less than \$3 nor more than \$6 per day of ten hours' actual field work each. The subdivisions to which the several rates of compensation shall apply shall be designated by the Director of the Census at least two weeks in advance of the enumeration. No claim for mileage or traveling expenses shall be allowed any enumerator in either class of subdivisions, except in extreme cases, and then only when authority has been previously granted by the Director of the Census, and the decision of the Director as to the amount due any enumerator shall be final.

"SEC. 17. That the special agents appointed under the provisions of this act shall have equal authority with the enumerators in respect to the subjects committed to them under this act, and shall receive compensation at rates to be fixed by the Director of the Census: *Provided*, That the same shall in no case exceed \$6 per day and actual necessary traveling expenses and an allowance in lieu of subsistence not exceeding \$3 per day during their necessary absence from their usual place of residence: *And provided further*, That no pay or allowance in lieu of subsistence shall be allowed special agents when employed in the Census Office on other than the special work committed to them, and no appointments of special agents shall be made for clerical work.

"SEC. 18. That no supervisor, supervisor's clerk, enumerator, interpreter, or special agent shall enter upon his duties until he has taken and subscribed to an oath or affirmation, to be prescribed by the Director of the Census; and no supervisor, supervisor's clerk, enumerator, or special agent shall be accompanied by or assisted in the performance of his duties by any person not duly appointed as an officer or employee of the Census Office, and to whom an oath or affirmation has not been duly administered. All appointees and employees provided for in this act shall be appointed or employed, and if examined, so examined, as the case may be, solely with reference to their fitness to perform the duties herein provided to be by such employee or appointee performed, and without reference to their political party affiliations.

"SEC. 19. That the enumeration of the population required by this act shall commence on the 1st day of June, 1900, and on the 1st day of June of the year in which each succeeding enumeration shall be made, and be taken as of that date. And it shall be the duty of each enumerator to complete the enumeration of his district and to prepare the returns hereinbefore required to be made, and to forward the same to the supervisor of census of his district, on or before the last day of July in such year: *Provided*, That in any city having 8,000 inhabitants or more under the preceding census the enumeration of the population shall be taken and completed within two weeks from the 1st day of June as aforesaid.

"SEC. 20. That if any person shall receive or secure to himself any fee, reward, or compensation as a consideration for the appointment or employment of any person as enumerator or clerk or other employee, or shall in any way receive or secure to himself any part of the compensation provided in this act for the services of any enumerator or clerk or other employee, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not more than \$3,000, or be imprisoned not more than one year, or both, in the discretion of the court.

"SEC. 21. That any supervisor, supervisor's clerk, enumerator, interpreter, special agent or other employee, who, having taken and subscribed the oath of office required by this act, shall, without justifiable cause, neglect or refuse to perform the duties enjoined on him by this act, or shall, without the authority of the Director of the Census, communicate to any person not authorized to receive the same any information gained by him in the performance of his duties, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not exceeding \$500; or if he shall willfully and knowingly swear or affirm falsely, he shall be deemed guilty of perjury, and upon conviction thereof shall be imprisoned not exceeding three years and be fined not exceeding \$900; or if he shall willfully and knowingly make a false certificate or a fictitious return, he shall be guilty of a misdemeanor, and upon conviction of either of the last-named offenses he shall be fined not exceeding \$5,000 and be imprisoned not exceeding two years.

"SEC. 22. That each and every person more than 20 years of age belonging to any family residing in any enumeration district or subdivision, and in case of the absence of the heads and other members of any such family, then any representative of such family, shall be, and each of them hereby is, required, if thereto requested by the Director, supervisor, or enumerator, to render a true account to the best of his or her knowledge, of every person belonging to such family in the various particulars required, and whoever shall willfully fail or refuse to render such true account shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$100. And every president, treasurer, secretary, director, agent, or other officer of every corporation, and every establishment of productive industry, whether conducted as a corporate body, limited liability company, or by private individuals, from which answers to any of the schedules, inquiries, or statistical interrogatories provided for by this act are herein required, who shall, if thereto requested by the Director, supervisor, enumerator, or special agent, willfully neglect or refuse to give true and complete answers to any inquiries authorized by this act, or shall willfully give false information, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding \$10,000, to which may be added imprisonment for a period not exceeding one year.

"SEC. 23. That all fines and penalties imposed by this act may be enforced by indictment or information in any court of competent jurisdiction.

"SEC. 24. That the Director of the Census may authorize the expenditure of necessary sums for the traveling expenses of the officers and employees of the Census Office and the incidental expenses essential to the carrying out of this act, as herein provided for, and not otherwise, including the rental of sufficient quarters in the District of Columbia and the furnishing thereof and the maintenance of the printing outfit in the Census Office.

"SEC. 25. That the Director of the Census is hereby authorized to print and bind in the Census Office such blanks, circulars, envelopes, and other items as may be necessary; and to print, publish, and distribute from time to time bulletins and reports of the preliminary and other results of the various investigations required by this act.

"SEC. 26. That in case the Director of the Census deems it expedient he may contract for the use of electrical or mechanical devices for tabulating purposes: *Provided*, That in such case due notice shall be given to the public, and no system of tabulation shall be adopted until after a practical test of its merits in competition with other systems which may be offered.

"SEC. 27. That all mail matter, of whatever class, relative to the census and addressed to the Census Office, the Director of the Census, Assistant Director, chief clerk, supervisors, enumerators, or special agents, and indorsed 'Official business, Department of the Interior, Census Office,' shall be trans-

mitted free of postage, and by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage or registry fee on his or her private letter, package, or other matter in the mail the person so offending shall be guilty of a misdemeanor and subject to a fine of \$300, to be prosecuted in any court of competent jurisdiction.

"SEC. 28. That the Secretary of the Interior, on request of the Director of the Census, is hereby authorized to call upon any other department or office of the Government for information pertinent to the work herein provided for.

"SEC. 29. That such records, books, and files as relate to preceding censuses, and the printing-office outfit used in the Eleventh Census, and such furniture and property of whatever nature used at the Eleventh Census as may be necessary in conducting the work of the Census Office and can be spared from present uses, shall be transferred to the custody and control of the Census Office created by this act. The said furniture and property shall be inventoried by the proper officers of the Department of the Interior when such transfer is made, and a copy of the inventory filed and preserved in the office of the Secretary of the Interior and of the Director of the Census.

"SEC. 30. That upon the request of the governor of any State or Territory, or the chief officer of any municipal government, the Director of the Census shall furnish such governor or municipal officer with a copy of so much of the population returns as will show the names, with the age, sex, color, or race, and birthplace only of all persons enumerated within the territory in the jurisdiction of such government, upon payment of the actual cost of making such copies; and the amounts so received shall be covered into the Treasury of the United States, to be placed to the credit of, and in addition to, the appropriations made for taking the census.

"SEC. 31. That the Director of the Census shall provide the Census Office with a seal containing such device as he may select, and he shall file a description of such seal with an impression thereof in the office of the Secretary of State. Such seal shall remain in the custody of the Director of the Census, and shall be affixed to all certificates and attestations that may be required from the Census Office.

"SEC. 32. That for the organization and equipment of the Census Office to perform the preparatory work necessary to carry out the provisions of this act, the sum of \$1,000,000, to be available on the passage of this act, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to continue available until exhausted. Of said appropriation such amount as may be considered by the Director of the Census to be necessary for immediate preliminary printing may be expended under the direction of the Public Printer. And the Secretary of the Interior shall submit to the Secretary of the Treasury, on or before October 1, 1899, further estimates for the work herein provided for.

"SEC. 33. That the act entitled 'An act to provide for the taking of the Eleventh and subsequent censuses,' approved March 1, 1880, and all laws and parts of laws inconsistent with the provisions of this act are hereby repealed."

And agree to the same.

A. J. HOPKINS,  
CHARLES A. RUSSELL,  
MARION DE VRIES,  
*Managers on the part of the House.*  
THOS. H. CARTER,  
EUGENE HALE,  
B. R. TILLMAN,  
*Managers on the part of the Senate.*

The SPEAKER. Is there a statement submitted by the gentleman, in accordance with the rule?

Mr. HOPKINS. There is; I hold it in my hand. I ask consent to make a statement first.

The SPEAKER. The gentleman asks unanimous consent that the reading be dispensed with, and that he be permitted to make a brief statement. Is there objection?

There was no objection.

Mr. HOPKINS. Mr. Speaker, when the House bill was sent over to the Senate all after the enacting clause in the bill was stricken out by that body and the Senate bill inserted in its stead. The conferees, in the preparation of the bill, adopted eight sections of the Senate bill, numbered 1, 3, 8, 15, 18, 19, 21, and 29, and nine sections of the House bill, numbered 6, 8, 13, 14, 16, 26, 28, 31, and 32.

We adopted certain sections of the Senate bill with amendments, namely, sections 2, 4, and 16, and adopted thirteen sections of the House bill with amendments, sections 5, 9, 10, 11, 12, 15, 18, 19, 20, 24, 27, 29, and 34.

The statement in full is as follows, and shows in detail every change:

Section 1 (enacting clause). As in the Senate bill, section 1.

Section 2 (establishment; organization). Senate bill, section 2, amended as follows: Page 1, line 10, after the word "duty," strike out the words "under the direction of the head of the Department;" strike out the word "five," page 2, line 3, and insert the word "six;" strike out all of said section 2 after the word "dollars," page 2, line 7, down to and including the word "censuses," page 4, line 8, and insert the word "Provided."

Section 3 (organization; Assistant Director to act). As in the Senate bill, section 3.

Section 4 (office force). Section 5 of the House bill amended as follows: Page 2, line 22, strike out the word "at" and insert "with;" same page, same line, after the word "salaries" insert "at the rate;" also section 6 of House bill.

Section 5 (appointments). Section 4 of the Senate bill amended as follows: On page 4, line 17, strike out the word "two" and insert the word "four;" on page 4, line 19, strike out all after the word "shall" and insert "be appointed by the Director of the Census, subject to such examination as such Director may prescribe: *Provided*, That no examination shall be required in the case of enumerators or special agents, nor of employees below the grade of skilled laborers at \$600 per annum: *And provided further*, That employees in existing branches of the departmental service whose services may be specially desired by the Director of the Census, not exceeding six in all, may be transferred without examination, and at the end of such service the employees so transferred shall be eligible to appointment in any Department without additional examination when vacancies exist."

The second proviso is taken from section 7 of the House bill, with amendments.

Section 6 (field force). As in House bill, section 8.

Section 7 (schedules and inquiries). Section 9 of the House bill amended

as follows: On page 4, line 23, before the word "employed," insert the prefix "un;" strike out lines 10 and 11, page 6, and in lieu thereof insert: "The information collected shall be of and for the fiscal year of such corporations or establishments having its termination nearest to and preceding the 1st of June, 1900;" strike out all after the last word of line 1, page 7, down to and including the word "thereof," line 3, and insert in lieu thereof "the Hawaiian Islands."

Section 8 (special schedules and inquiries). Section 10 of the House bill amended as follows: Page 7, line 24, strike out the word "nine" and insert in lieu thereof the word "seven;" on page 8, line 1, before the word "special," strike out the word "the;" on page 9, line 11, after the word "may," insert "in the discretion of the Director of the Census;" page 9, line 18, strike out the word "nine" and in lieu thereof insert the word "seven."

Section 9 (supervisors, number and appointment). Section 11 of the House bill amended as follows: Page 10, lines 2 and 3, strike out "and other noncontiguous possessions of the United States, administered under the civil law thereof," and insert in lieu thereof "Alaska and the Hawaiian Islands;" after the word "President," page 10, line 4, insert "by and with the advice and consent of the Senate."

Section 10 (supervisors, duties of). Section 12 of the House bill amended as follows: Page 11, line 16, strike out the word "appoint" and insert in lieu thereof the word "employ;" same page, line 21, strike out the word "appoint" and insert in lieu thereof the word "employ."

Section 11 (supervisors, compensation of). Section 13 of House bill without amendment.

Section 12 (enumerators, duties of). Section 14 of the House bill without amendment.

Section 13 (enumerators, size of districts). Section 15 of the House bill amended as follows: Page 14, line 22, after the word "inhabitants," insert "as near as may be."

Section 14 (enumerators, removal of). Section 16 of the House bill without amendment.

Section 15 (enumerators, interpreters to assist). Section 8 of the Senate bill without amendment.

Section 16 (enumerators, compensation of). Section 18 of the House bill amended as follows: Page 16, line 11, after the word "enumerator," insert "in any such district."

Section 17 (special agents). Combination of section 19 of the House bill, amended, and the second proviso in section 24 of the Senate bill, amended, as follows:

Insert all of section 19 of the House bill amended as follows:

Page 16, strike out all after the word "act," in line 23, down to and including the word "shall," in line 24; same page, after the word "them," line 25, insert "under this act."

From page 20 of the Senate bill, insert all after the word "hundred," line 5, down to and including the word "work," in line 8, amended as follows:

Page 20, line 5, after the word "no," insert "pay or;" same page, line 7, after the word "Office," insert "on other than the special work committed to them."

Section 18 (oaths to be taken). Section 20 of the House bill amended as follows: On page 17, line 15, strike out all after the word "administered" down to and including the word "enumerators," line 19, and insert in lieu thereof the words "All appointees and employees."

Section 19 (time of enumeration). Section 13 of the Senate bill without amendment.

Section 20 (penalties for appointment brokerage). Section 15 of the Senate bill without amendment.

Section 21 (penalties for failure in duties, false certificates, etc.). Section 16 of the Senate bill amended as follows: Page 13, line 11, after the word "of," insert the word "a."

Section 22 (penalties for refusal to furnish information). Section 24 of the House bill amended as follows: Page 20, line 8, after the word "schedules," insert "inquiries, or statistical interrogatories."

Section 23 (penalties, enforcement of). Section 18 of the Senate bill without amendment.

Section 24 (incidental expenses). Section 20 of the House bill without amendment.

Section 25 (printing in Census Office). Section 27 of the House bill amended as follows: Strike out all of the section after the word "act," in line 8, page 21.

Section 26 (tabulating methods). Section 23 of the House bill without amendment.

Section 27 (mail privileges). Section 19 of the Senate bill without amendment.

Section 28 (calls on other Departments). Section 29 of the House bill amended as follows: Page 21, line 18, after the word "the" and before the word "Director," insert "Secretary of the Interior, on request of the;" same page, same line, after the word "Census," place a comma (,); same page, line 19, strike out the words "whenever he may think proper."

Section 29 (transfer of record, etc.). Section 21 of the Senate bill without amendment.

Section 30 (copies of schedules to be furnished). Section 31 of the House bill without amendment.

Section 31 (office seal). Section 32 of the House bill without amendment.

Section 32 (appropriation). Section 34 of the House bill amended as follows: Page 23, line 23, strike out the words "Director of the Census," and insert in lieu thereof the words "Secretary of the Interior."

Section 33 (repeal provisions). Section 29 of the Senate bill without amendment.

A. J. HOPKINS.  
CHARLES A. RUSSELL.  
MARION DE VRIES.

Now, the bill as reported by the committee of conference is substantially the House bill with these modifications. Most of the changes are of slight importance. It will be remembered, however, that the House bill provided for a separate Bureau of the Census. The conference report provides a separate bureau in effect, but makes it a department of the Interior Department, so that the Secretary of the Interior is the chief officer of it. But the Director of the Census has full control of the Bureau and of the appointments of the employees and others.

Under the Senate bill 800 supervisors appointed for taking the census were to be appointed by the President without the consent and approval of the Senate. The Senate conferees insisted on the Senate amendment which provides that these appointments shall be made by and with the advice and consent of the Senate.

Aside from these changes the balance of the modifications are purely formal, and the text of the House bill is practically the bill reported now in the conference report.

Mr. DALZELL. Is there any change in the provision of the House bill relating to the taking of statistics as to mines and mining?

Mr. HOPKINS. There is not.

Mr. DOCKERY. What is the appropriation carried in the bill? Mr. HOPKINS. One million dollars—the same amount that was provided in the House bill.

Mr. DOCKERY. What provision is made as to the appointments? Are they under the civil service?

Mr. HOPKINS. The appointments are not under the civil service, but it is provided that aside from the enumerators and special agents the appointments must be made on merit, and that the appointees must first pass an examination provided for by the Director of the Census.

Mr. BROSIUS. The examinations are under the control of the Director?

Mr. HOPKINS. They are under the control of the Director. The language is substantially the language of the House bill.

Mr. BROSIUS. Such examinations as he shall direct?

Mr. HOPKINS. Yes.

Mr. HANDY. These examinations are entirely noncompetitive, are they not?

Mr. HOPKINS. They are supposed to be noncompetitive, but will be of a character that will insure the highest degree of merit and efficiency.

Mr. HANDY. The starch is all washed out of the civil-service provision, is it not?

Mr. STEELE. I hope so.

Mr. HOPKINS. Well, I do not know about the starch.

Mr. SULZER. And the Republicans will get all the places.

Mr. HOPKINS. Not at all. There is no politics in this, and I will say that this report meets with the full approval of the Democratic members of the conference committee. After looking the bills over they preferred the House suggestion to the amendment that was originally adopted by the Senate.

Mr. HANDY. Do I understand the gentleman from Illinois to say that it is not at all true that the Republicans will get all of these appointments?

Mr. HOPKINS. Why, this bill is not a partisan bill in any sense of the word.

Mr. HANDY. Not the bill, but will not the appointments be partisan appointments?

Mr. HOPKINS. I think not. I think efficiency will be the qualification, and that alone. I do not think the politics of the applicant will cut any figure.

Mr. DALZELL. If efficiency is to be the test, do you not think Republicans will get the offices anyway? [Laughter.]

Mr. HOPKINS. My individual judgment is that on that ground Republicans would get the larger number of appointments.

Mr. DOCKERY. Does not the gentleman think that under that proviso of the agreement that gives the Senate the right of confirmation as to supervisors the chances are that the Senate will have the advantage as to that particular class of appointees over the House of Representatives?

Mr. HOPKINS. I think not. We found on examination that all of the previous census bills had provided for confirmation of supervisors by the Senate, and it being an unbroken practice, they were unwilling to yield, and we felt that in the interest of the public service we had better agree to the Senate amendment in that respect.

Mr. Speaker, if there are no further questions to be asked, I move the adoption of the conference report.

Mr. DOCKERY. I hope the gentleman will have the conference report printed in the RECORD.

Mr. HOPKINS. Yes. Mr. Speaker, I ask that the conference report be printed in the RECORD.

The SPEAKER. The gentleman asks that the conference report be printed in the RECORD. Is there objection?

There was no objection.

Mr. HOPKINS. Now, I ask for a vote on the adoption of the conference report.

The conference report was agreed to.

On motion of Mr. HOPKINS, a motion to reconsider the last vote was laid on the table.

#### PENSIONS TO WIDOWS IN CERTAIN CASES.

Mr. RAY of New York. Mr. Speaker, there is upon the Calendar of Unfinished Business House bill 1055, to amend section 4766 of the Revised Statutes of the United States, which amendment relates to the payment of shares of the soldiers' pensions to the wives of soldiers in cases where the husbands have deserted the wives. We presented a conference report which was agreed to. The gentleman from Indiana [Mr. STEELE] entered a motion to reconsider the vote by which the conference report was agreed to. On reflection and examination of the matter I am satisfied that that motion to reconsider ought to prevail. We want a further conference, so as to perfect the bill and remove all objections and all questions of interpretation. The bill should pass, but it

is better to perfect it now than by subsequent legislation. The gentleman from Indiana [Mr. STEELE] has made valuable suggestions.

I therefore ask unanimous consent that the vote by which the conference report was agreed to be vacated, and that the bill be sent back to a further conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 1055) to amend section 4766 of the Revised Statutes of the United States.

Mr. BAILEY. I desire to ask the gentleman from New York if that is a report from the Judiciary Committee?

Mr. RAY of New York. No; it was reported by the Committee on Invalid Pensions. It relates to the payment to the wife of a soldier when the soldier deserts her of a part of the pension the soldier husband draws.

The SPEAKER. There was a conference, the conference report was agreed to, a motion to reconsider was entered, and the gentleman from New York now asks unanimous consent that the vote may be reconsidered, and that the bill may go back to conference.

Mr. BAILEY. What is the purpose of the bill? Is it to pension the deserted wife rather than the deserting husband?

Mr. RAY of New York. To pay a part of the pension to the deserted wife, when she is needy, instead of paying it all to the deserting husband.

Mr. BAILEY. I think it ought to be paid to the wife, if he leaves her without good reason.

Mr. RAY of New York. We will do all the good we can.

Mr. MIERS of Indiana. The gentleman says he is satisfied it ought to be reconsidered. I wish he would state some good reason why it should be done. I am in the dark about the matter.

Mr. RAY of New York. The trouble arises out of a certain Senate amendment which they put on, providing for the payment of two-thirds of the pension to the wife where the soldier deserts her and is in a National Home. Now, the gentleman from Indiana [Mr. STEELE] is thoroughly conversant with these matters, being a manager of the Soldiers' Homes, and he thinks that the conference report, as we agreed to it, might work some hardship. He has had a conference with some of the Senators on the subject, and I have had a conference with the committee of the Senate, and we desire to take it back and remove all objections.

Mr. MIERS of Indiana. As I understand the conference report, it provides for the payment of two-thirds of the pension to the wife.

Mr. RAY of New York. Where the soldier goes into a National Home.

Mr. MIERS of Indiana. That part of it you want to amend by your conference?

Mr. RAY of New York. We want to amend that, and possibly some other portions of it. We want to insert also a proviso that the wife when deserted shall be in needy circumstances. It is thought best by some gentlemen to do that.

Mr. MIERS of Indiana. Well, Mr. Speaker, I would like a little more information about this matter before I give unanimous consent.

Mr. STEELE. Mr. Speaker, I will state to my colleague that this bill provides that the fact that a soldier is in a Home shall be prima facie evidence he has deserted his wife, whether he be in a State or National Home.

Mr. MIERS of Indiana. Which is wrong.

Mr. STEELE. That is what we want to have corrected; and another thing, the managers of the Homes already provide that when men go into a National Home, where they have a wife that is worthy, two-thirds of the pension shall be given to her. Now, this arrangement makes it incumbent upon the treasurer of the Homes to find out whether the wives of the soldiers at the Homes are worthy of any portion of the pension, which would be impossible for him to do. Therefore we ask to have it go back to conference, so that that trouble might be eliminated.

Mr. MIERS of Indiana. I have no objection to it going back to conference.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The motion to reconsider the vote by which the conference report was agreed to is agreed to; the House further insists on its disagreement and asks a further conference. The Chair appoints the following conferees: Mr. RAY of New York, Mr. STEELE, and Mr. DRIGGS.

#### WASHINGTON NATIONAL PARK.

Mr. LACEY. Mr. Speaker, I now call up the bill S. 2552—the one that was laid before the House a few minutes ago.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 2552) to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park.

Be it enacted, etc., That all those certain tracts, pieces, or parcels of land

lying and being in the State of Washington, and within the boundaries particularly described as follows, to wit: Beginning at a point 3 miles east of the northeast corner of township No. 17 north, of range 6 east of the Willamette meridian; thence south through the central parts of townships Nos. 17, 16, and 15 north, of range 7 east of the Willamette meridian, 18 miles more or less, subject to the proper easterly or westerly offsets, to a point 3 miles east of the northeast corner of township No. 14 north, of range 6 east of the Willamette meridian; thence east on the township line between townships Nos. 14 and 15 north, 18 miles more or less to a point 3 miles west of the northeast corner of township 14 north, of range 10 east of the Willamette meridian; thence northerly, subject to the proper easterly or westerly offsets, 18 miles more or less, to a point 3 miles west of the northeast corner of township No. 17 north, of range 10 east of the Willamette meridian (but in locating said easterly boundary, wherever the summit of the Cascade Mountains is sharply and well defined, the said line shall follow the said summit, where the said summit line bears west of the easterly line as herein determined); thence westerly along the township line between said townships Nos. 17 and 18 to the place of beginning, the same being a portion of the lands which were reserved from entry or settlement and set aside as a public reservation by proclamation of the President on the 20th day of February, in the year of our Lord 1893, and of the Independence of the United States the one hundred and seventeenth, are hereby dedicated and set apart as a public park, to be known and designated as the Washington National Park, for the benefit and enjoyment of the people; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereafter provided, shall be considered trespassers and be removed therefrom.

SEC. 2. That said public park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be to make and publish, as soon as practicable, such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition. The Secretary may, in his discretion, grant parcels of ground at such places in said park as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases, and all other revenues that may be derived from any source connected with said park, to be expended under his direction in the management of the same, and the construction of roads and bridge paths therein.

And through the lands of the Pacific Forest Reserve adjoining said park rights of way are hereby granted, under such restrictions and regulations as the Secretary of the Interior may establish, to any railway or tramway company or companies, through the lands of said Pacific Forest Reserve, and also into said park hereby created, for the purpose of building, constructing, and operating a railway, constructing and operating a railway or tramway line or lines, through said lands, also into said park. He shall provide against the wanton destruction of the fish and game found within said park, and against their capture or destruction for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and generally shall be authorized to take all such measures as shall be necessary to fully carry out the objects and purposes of this act.

SEC. 3. That upon execution and filing with the Secretary of the Interior, by the Northern Pacific Railroad Company, of proper deed releasing and conveying to the United States the lands in the reservation hereby created, also the lands in the Pacific Forest Reserve which have been heretofore granted by the United States to said company, whether surveyed or unsurveyed, and which lie opposite said company's constructed road, said company is hereby authorized to select an equal quantity of nonmineral public land, so classified as nonmineral at the time of actual Government survey, which has been or shall be made, of the United States not reserved and to which no adverse right or claim shall have attached or have been initiated at the time of the making of such selection, lying within any State into or through which the railroad of said Northern Pacific Railroad Company runs, to the extent of the lands so relinquished and released to the United States.

SEC. 4. That upon the filing by the said railroad company at the local land office of the land district in which any tract of land selected and the payment of the fees prescribed by law in analogous cases, and the approval of the Secretary of the Interior, he shall cause to be executed, in due form of law, and deliver to said company, a patent of the United States conveying to it the lands so selected. In case the tract so selected shall at the time of selection be unsurveyed, the list filed by the company at the local land office shall describe such tract in such manner as to designate the same with a reasonable degree of certainty; and within the period of three months after the lands including such tract shall have been surveyed and the plats thereof filed by said local land office, a new selection list shall be filed by said company, describing such tract according to such survey; and in case such tract, as originally selected and described in the list filed in the local land office, shall not precisely conform with the lines of the official survey, the said company shall be permitted to describe such tract anew, so as to secure such conformity.

SEC. 5. That the mineral-land laws of the United States are hereby extended to the lands lying within the said reserve and said park.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOCKERY. I hope we will have an explanation.

The SPEAKER. The Chair hears no objection.

Mr. LACEY. Now, Mr. Speaker, I want to move two amendments to the bill before I make a statement. I move to add the following proviso to section 3. I will pass it up to the Clerk.

The Clerk read as follows:

Add to section 3 the following proviso:  
"Provided, That any settlers on lands in said national park may relinquish their rights thereto and take other public lands in lieu thereof, to the same extent and under the same limitations and conditions as are provided by law for forest reserves and national parks."

Mr. LACEY. Now, Mr. Speaker, I wish to further amend, in line 21, page 2, by striking out the word "Washington" and inserting in lieu thereof the words "Mount Ranier;" so as to name the park Mount Ranier instead of Washington.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time; and being read the third time, it was passed.

The SPEAKER. Without objection, the title will be amended. There was no objection.

On motion of Mr. LACEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

## REISSUE OF A LOST CHECK.

Mr. ALLEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11803) directing the issue of a check in lieu of a lost check drawn by H. C. Newcomer, captain of engineers, in favor of Stone & Stansell.

The bill was read, as follows:

Whereas it appears that H. C. Newcomer, captain of engineers at Memphis, Tenn., on December 5, 1898, did issue a check, No. 381741, upon the assistant treasurer of the United States at New York, to the order of Stone & Stansell, for the sum of \$3,811.02, being in part payment under a contract for levee construction and retained percentage, Lower Yazoo district, improving Mississippi River; and

Whereas said check was subsequently lost in transmission through the mails to New York, and the amount thereof has never been received by said Stone & Stansell or their assigns; and

Whereas the provisions of the act of February 16, 1885, amending section 3646, Revised Statutes of the United States, authorizing United States disbursing officers and agents to issue duplicates of lost checks, apply only to checks drawn for \$2,500 or less: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That said H. C. Newcomer, captain of engineers, be, and is hereby, instructed to issue a duplicate of said original check to Stone & Stansell, under such regulations in regard to its issue and payment as have been prescribed by the Secretary of the Treasury for the issue of duplicate checks under the provisions of section 3646, Revised Statutes of the United States.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. ALLEN. This is a bill to authorize the reissuance of a lost check, and is recommended by the Treasury Department.

Mr. LOUD. How large a check?

Mr. ALLEN. Three thousand six hundred dollars.

Mr. COX. I would like to hear some statement about this.

Mr. ALLEN. It is simply to authorize the issue of a check in place of a lost check; it is recommended by the Treasury Department. They recognize the check has been lost and never paid, and it is simply to reissue a check under a bond, and with all the safeguards about it.

The bill was ordered to be engrossed and read a third time; and being read the third time, it was passed.

DAVID M'MURTRIE GREGG.

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1747) authorizing the President to appoint and retire David McMurtrie Gregg, late captain, Sixth United States Cavalry, and late brevet major-general of United States Volunteers, with the rank and grade of captain.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALKER of Massachusetts. I shall not object if I can have an opportunity to discuss the bill.

Mr. BAILEY. Reserving the right to object, Mr. Speaker—

Mr. COX. I object.

Mr. WALKER of Massachusetts. I did not wish to object, Mr. Speaker.

The SPEAKER. Objection is made by the gentleman from Tennessee, and the bill is no longer before the House.

WILLIAM H. FORE.

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4510) to correct the military record of William H. Fore.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War is hereby authorized and directed to correct the military record of William H. Fore, a private in Battery M, in the Second Missouri Light Artillery Volunteers, by removing therefrom the charge of desertion, and substitute therefor the following, to wit: "May 13, 1864, being under 15 years of age, absented himself without proper authority, and returned to his home, and was detained there by his parents until February, 1865, when he went to Illinois, and on February 11, 1865, enlisted in Company C, in the One hundred and fifty-fourth Regiment of Illinois Infantry Volunteers, under the name of James Keeney, alias James H. Keeney, and served faithfully to September 16, 1865, when he was honorably discharged the service." *Provided,* That no pay, bounty, or allowance shall accrue to him by virtue of this act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLAND. This bill passed the Senate and is favorably reported to the House.

Mr. WALKER of Massachusetts. If I can have a chance to debate this bill, I will not object. I wish to make some remarks in the House, as in Committee of the Whole on the state of the Union, with the right to extend my remarks in the RECORD.

The SPEAKER. The Chair does not understand the gentleman from Massachusetts.

Mr. BLAND. I hope the gentleman will not interfere with this bill.

Mr. WALKER of Massachusetts. I have got to interfere with some bill, as I understand we are not going into Committee of the Whole again during this session. I would like to use about an hour in making some remarks upon what I think is for the bene-

fit of the public service, with all the privileges allowed in debate when the House is in Committee of the Whole on the state of the Union, with the right to extend my remarks in the RECORD, as there are some tables that I want to introduce.

Mr. BAILEY. I suggest to the gentleman from Massachusetts that he can ask unanimous consent to deliver such a speech as he desires. I think some time between this and the close of the session he can get the permission. Personally I should be glad to see him do it.

Mr. DOCKERY. I understand, Mr. Speaker, that the gentleman from Massachusetts does not object to the consideration of this bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House as in Committee of the Whole for one hour—

Mr. HILL. I object, Mr. Speaker, unless I can have twenty minutes.

Mr. WALKER of Massachusetts. Well, I have no objection to that.

Mr. BAILEY. I should not object to that provided I can have some intimation of the subject upon which the gentleman desires to address the House. I understand the gentleman from Massachusetts desires to discuss the currency.

Mr. WALKER of Massachusetts. Yes; I have served ten years on the Committee on Banking and Currency, and I have occupied very little time of the House.

Mr. BAILEY. And besides, the gentleman from Massachusetts is not going to serve much longer.

Mr. BLAND. I hope the gentleman will let this bill go through.

Mr. HOPKINS. I understand the gentleman from Massachusetts wishes to address the House upon great public measures that will result in great public good, and I do not see why the gentleman from Connecticut should impose any condition.

Mr. HILL. There has been no opportunity for discussing the currency question before this House. If the currency question pure and simple was to be discussed, I should not ask for time, but I do ask, in case an hour is granted to the gentleman from Massachusetts, that I shall be allowed one-half of that time.

Mr. SHAFROTH. Mr. Speaker, I would like to have twenty minutes also. [Laughter.]

Mr. SIMPSON. I want twenty minutes, too.

The SPEAKER. The House will at once see the difficulty—

Mr. LOUD. I think we had better have the regular order.

Mr. WALKER of Massachusetts. I ask that at the option of the Speaker—

Mr. BLAND. The bill which I wish to bring up by unanimous consent is for a very deserving soldier.

The SPEAKER. The Chair understands that the objection to the request of the gentleman from Massachusetts [Mr. WALKER] is withdrawn.

Mr. COX. I have heard both of these men until I am tired, and I make objection. [Laughter.]

The SPEAKER. Is there objection to the present consideration of the bill presented by the gentleman from Missouri [Mr. BLAND]?

Mr. TALBERT. Reserving the right to object, I wish to ask, as this is a bill for the removal of the charge of desertion, whether it contains the usual provision that the passage of the bill shall carry no pay or emoluments?

Several MEMBERS. That is in the bill.

The SPEAKER. The Chair understands that there is such a provision in the bill.

Mr. TALBERT. If the bill is simply to remove the stigma from the soldier's record, I make no objection; but we do not want, in the passage of this bill, to vote the soldier any money.

Mr. LOUD. This bill sets forth a great many things, as the House must have observed by the reading. It does not alone remove the charge of desertion, but goes on to state the time that the soldier served, etc. I think we should have the report read. It is an extraordinary bill.

The SPEAKER. If there be no objection, the report will be read.

The report (by Mr. BELKNAP) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 4510) to correct the military record of William H. Fore, report the same back to the House with the recommendation that it do pass.

The Senate report is hereto attached, which report your committee approves and adopts.

## SENATE REPORT.

The Committee on Military Affairs, to whom was referred the bill (S. 4510) to correct the military record of William H. Fore, have duly considered the same and submit the following report:

The facts in this case, clearly established by the records of the War Department, copy hereto attached, and by the petition of this soldier and the affidavits of Richard M. Huckly, W. M. Fore, Baby Fore, his mother, and John Earp, are that this soldier was born June 22, 1849, and, without the consent or permission or knowledge of his father and mother, or either of them, ran away from his home in Phelps County, Mo., and enlisted as a private in Battery M, Second Missouri Light Artillery Volunteers, on March 22, 1864, for three years, and served faithfully till May 13, 1864, when, being under 15 years

of age, and becoming homesick, he left his company in St. Louis, Mo., and without proper authority went to Phelps County, Mo., to see his father and mother.

When he arrived at his home his father and mother detained him and would not allow him to return to his company until February, 1863. Then his father and mother gave him permission to go to Illinois under promise to them to seek work there and not to go into the Army. On his arrival there he again entered the Army; and, to avoid detection of his identity, under the assumed name of James Keeney, alias James H. Keeney, he enlisted and was duly mustered into the service on February 11, 1863, in Company C of the One hundred and fifty-fourth Regiment of Illinois Infantry Volunteers, and served faithfully until September 16, 1865, when he was honorably discharged the service. Having absented himself from his battery company in St. Louis, Mo., on May 13, 1864, without proper authority, and never having returned to his company, he was charged as a deserter.

No application to remove such charge has been made to the War Department, and, as shown by the War Department record, that Department has no authority under the law of March 2, 1889, the only law now in force governing that Department in regard to removal of charges of desertion, to correct his record. His case is exceptional, and no authority exists, aside from legislation by Congress, to correct his record to correspond with the established facts. The bill proposes to grant this authority, which is only just and proper, and is reported back to the Senate and its passage recommended.

Mr. LOUD. Now, Mr. Speaker, this soldier, when he enlisted, was as old as I was when I entered the service, and I think I understood what desertion meant. He made two enlistments at a time when large bounties were paid. There is nothing in the report to show whether he received these large bounties; but as these enlistments took place in 1864 and 1865, when most if not all of the States were paying large bounties, it must be assumed that he received such bounties and that in making two enlistments he "doubled up" on the bounties.

Mr. JENKINS. The gentleman will allow me this suggestion: There is no presumption of law that a man did anything wrong. To do what the gentleman from California surmises this man did would be entirely wrong, and I think in the absence of proof the gentleman should not assume that the soldier did a wrongful act.

Mr. LOUD. If bounties were given and he accepted the bounty, perhaps at the time he did so it was not a wrongful act; but that he did accept the bounty, if one was given, I do not think the gentleman from Wisconsin [Mr. JENKINS] will controvert. Nearly every State in the Union was giving large bounties at that time, and if bounties were given in that State this young man evidently has received two bounties.

Mr. BLAND. I do not think that is so.

Mr. DOCKERY. It seems that he was only 15 years of age.

Mr. LOUD. I say again that I was but 15 years of age when I entered the Army. But I knew what enlistment meant. So does every young man 15 years of age. The bill is wrong in its form at any rate.

Mr. BLAND. The bill passed the Senate in its present shape.

Mr. LOUD. That does not help it.

Mr. BLAND. There may be some surplusage in the bill; but that amounts to nothing. The bill has been favorably reported in the House.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. LOUD. I agreed not to object. I shall vote against the bill. It ought not to pass; but I will not assume the responsibility of defeating it by an objection. It is not as bad as the omnibus claims bill. [Laughter.]

The House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

#### REIMBURSEMENT TO STATES FOR WAR EXPENSES.

Mr. MAHON. Mr. Speaker, I desire to present the report of the committee of conferences on the disagreeing votes of the two Houses on the bill (S. 5260) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes. I ask that the statement of the House conferees be read instead of the conference report.

Mr. LOUD. What is this bill?

Mr. MAHON. It is a bill to reimburse the States for expenses of putting volunteers into the service during the late war. This is a conference report.

Mr. LOUD. The fact that it has passed the Senate does not give it much standing.

Mr. MAHON. I have not said anything in that regard. I say this is a conference report on the bill.

The SPEAKER. Gentlemen in the House must not comment on the proceedings of any other body.

Mr. LOUD. The comment was made by some gentleman on the other side—to the effect that the Senate had agreed to this conference report.

The SPEAKER. It is not permissible in the House to comment upon the action of another body. Is there objection to dispensing with reading the conference report, and reading instead the statement of the House conferees?

There was no objection.

The statement was read, as follows:

The substitute of the House to the Senate bill was amended in conference, as follows:

Wherever the words "and paid" appeared in the House substitute they were stricken out and the word "incurred" is used instead of "incurred and paid."

In the House substitute the word "Militia" was used in some parts of the bill, and at other places "National Guard." The bill as amended in conference reads "National Guard, or Militia, or Naval Reserve."

The House substitute provided that the officers and men should receive the same pay from the date of their enrollment until they were mustered into the United States service as the officers and men of the Regular Army. The bill as amended in conference provides that in the States and Territories where the pay of National Guards, of militia, or Naval Reserves is fixed by law, the same shall be paid to the officers and men, and in States where there is no law providing for the payment of the same the officers shall receive the same pay as officers in the Regular Army of the same rank and the men \$1 per day, and the money must be paid by the States and Territories direct to the officers and men, and no part to be covered into the treasury of the State or Territory.

Section 4 was reconstructed so as to provide more definitely for the means of certifying up and settling accounts contracted but not yet paid.

THAD. M. MAHON.  
T. OTJEN.  
S. B. COOPER.

Mr. MAHON. I ask the adoption of the conference report.

Mr. SWANSON. Before that, Mr. Speaker, I would like to ask the gentleman a question.

Mr. MAHON. I yield for that purpose.

Mr. SWANSON. I would like to ask the gentleman if this report changes the provision that enables payment to the State of Virginia?

Mr. MAHON. Provision is made that the Secretary of the Treasury shall make a settlement with all the States for expenses incurred in the war.

Mr. SWANSON. The House amendment provided for the payment of Virginia and South Carolina and other States—

Mr. MAHON. I will state to the gentleman that they are all included.

Mr. LANHAM. Let me ask the gentleman from Pennsylvania if this report provides for the payment of the expenses incurred between the enlistment and the mustering in of the troops?

Mr. MAHON. Yes; it provides for the payment of the whole expense incurred.

Mr. McEWAN. And covers the expenses of all of the States?

Mr. MAHON. All of them are included. There are no exceptions made.

I ask the adoption of the report.

The report was considered and agreed to.

On motion of Mr. MAHON, a motion to reconsider the last vote was laid on the table.

#### BRIDGE ACROSS THE MISSOURI RIVER, YANKTON, S. DAK.

Mr. KNOWLES. Mr. Speaker, I ask unanimous consent for the present consideration of a bridge bill. I call up the bill (S. 5258) to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak.

The SPEAKER. The bill will be read subject to objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, was ordered to a third reading; and being read the third time, was passed.

On motion of Mr. KNOWLES, a motion to reconsider the last vote was laid on the table.

#### ADDITIONAL CLERKS, ENROLLING ROOM.

Mr. HAGER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution I send to the desk. This is necessary, I will state, in the closing hours of the session.

The SPEAKER. The resolution will be read, subject to objection.

The Clerk read as follows:

Resolved, That the chairman of the Committee on Enrolled Bills be, and is hereby, authorized to appoint two additional clerks for said committee, to be paid at the rate of \$6 per day out of the contingent fund of the House.

Mr. LOUD. For how long a time?

Mr. GROUT. This session will terminate in a day or two, and they can be appointed only for that time, I take it.

Mr. HAGER. The intention is that they shall be employed only during the present session.

Mr. LOUD. In that event I have no objection.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was considered, and agreed to.

On motion of Mr. HAGER, a motion to reconsider the last vote was laid on the table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 1950. An act for the allowance of certain claims reported

by the accounting officers of the United States Treasury Department; and

H. R. 1663. An act for the erection of a public building at Carrollton, Ky.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to bills of the following titles:

S. 146. An act to provide for the erection of a public building at Indianapolis, Ind.; and

S. 104. An act to increase the pension of Lucretia C. Waring.

The message also announced that the Senate had passed with amendments the bill (H. R. 500) for the erection of a public building at Lockport, N. Y., and New Brighton, Pa., asked a conference with the House of Representatives on the bill and amendments, and had appointed Mr. QUAY, Mr. WARREN, and Mr. MONEY as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11793) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FRYE, Mr. ELKINS, and Mr. WHITE as the conferees on the part of the Senate.

#### MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

✓ On February 28, 1899:

H. R. 8162. An act to authorize the Secretary of the Interior to rent or lease certain portions of forest reserve;

H. R. 9768. An act for the relief of Samuel J. Brent, executor of the will of Frances Brent and administrator de bonis non of the estate of Reverend J. Brent.

H. R. 8480. An act providing for the sale of the surplus lands on the Pottawatomie and Kickapoo Indian reservations in Kansas, and for other purposes;

H. R. 4418. An act to remove the charge of desertion from the naval record of Horace G. Reed;

H. R. 11787. An act granting the right of way to the Pensacola and Northwestern Railroad Company over and through the United States naval and military reservations near Pensacola, in the State of Florida;

H. R. 11618. An act to grant to the Pasadena and Mount Wilson Railway Company right of way through the San Gabriel Forest Reserve;

H. Res. 358. Joint resolution to amend section 25 of the act passed June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes;"

H. R. 7346. An act to amend section 4896 of the Revised Statutes; H. R. 11455. An act granting to the city of Boulder, in the State of Colorado, certain lands for park purposes, and for the preservation of the native trees on said lands, and for other purposes;

H. R. 1675. An act granting a pension to Alice Smith;

H. R. 1573. An act granting a pension to Julia Walke;

H. R. 4251. An act granting a pension to Margaret Thomas;

H. R. 5054. An act granting a pension to Rachel J. Comer;

H. R. 11115. An act granting a pension to Allen Meeks;

H. R. 258. An act granting a pension to Margaret Wilber;

H. R. 2617. An act granting a pension to Mary E. Sessions;

H. R. 11017. An act granting a pension to Jesse Everly;

H. R. 5461. An act granting a pension to Elizabeth H. Bowen;

H. R. 11420. An act granting a pension to Emily McLain;

H. R. 7902. An act granting a pension to Albert Putnam;

H. R. 11382. An act granting a pension to Margaret A. Lowther;

H. R. 2459. An act granting a pension to Mary C. Bates;

H. R. 7189. An act granting a pension to Levi Truit;

H. R. 2171. An act granting a pension to Wilhelmina Barth;

H. R. 9503. An act granting a pension to Mary Woodmansy;

H. R. 5153. An act granting a pension to Cordelia Cheney;

H. R. 4924. An act granting a pension to Martha Allen;

H. R. 8445. An act granting a pension to Joseph N. Harmon;

H. R. 11899. An act granting a pension to Judith Doherty;

H. R. 1279. An act granting a pension to Barbara C. Lowe;

H. R. 11048. An act granting a pension to William L. Quinn;

H. R. 9018. An act granting a pension to Justus Townsend;

H. R. 835. An act granting a pension to William B. Matchett;

H. R. 5209. An act granting a pension to Belle Shumard;

H. R. 5805. An act for the relief of Col. George G. Pride;

H. R. 9593. An act to increase the pension of Michael Meehan;

H. R. 9801. An act granting an increase of pension to Emer H. Aldrich;

H. R. 8214. An act granting an increase of pension to Francis Scott;

H. R. 9314. An act granting an increase of pension to Isaac Stephens;

H. R. 5762. An act granting an increase of pension to Joel W. Gibson;

H. R. 5502. An act granting an increase of pension to William Rolley;

H. R. 4446. An act granting an increase of pension to Ellen Charlton;

H. R. 4503. An act granting an increase of pension to John Yahne;

H. R. 10488. An act granting an increase of pension to Susan C. Boyd;

H. R. 3907. An act granting an increase of pension to Andrew S. Evans;

H. R. 1780. An act granting an increase of pension to Reuben H. Waters;

H. R. 2122. An act granting an increase of pension to William R. Christy;

H. R. 909. An act granting an increase of pension to Lucy D. Hedy;

H. R. 8723. An act granting an increase of pension to Juliette Harrow;

H. R. 8754. An act granting an increase of pension to Lemon Holten;

H. R. 9234. An act increasing the pension of George Blakesley;

H. R. 3144. An act granting an increase of pension to Robert S. Moorhead;

H. R. 4806. An act granting an increase of pension to Bonaventura Heinz;

H. R. 10858. An act granting an increase of pension to Amanda Willmarth;

H. R. 726. An act granting an increase of pension to David W. Pennywitt;

H. R. 4982. An act granting an increase of pension to Harriet Tubman Davis;

H. R. 2700. An act granting an increase of pension to Susan A. Gummer;

H. R. 5712. An act granting an increase of pension to Sarah A. Luke;

H. R. 4001. An act granting an increase of pension to Robert Fletcher;

H. R. 9323. An act granting an increase of pension to Mary E. Townes;

H. R. 10688. An act granting an increase of pension to John J. Bowen;

H. R. 6681. An act granting an increase of pension to Jere Smith; and

H. R. 6831. An act granting an increase of pension to Taylor McFarland.

#### GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I move to discharge the Committee of the Whole from the consideration of the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, and to suspend the rules and pass the same.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and to discharge the Committee of the Whole from the consideration of the bill H. R. 12203 and pass the bill. The Clerk will report the bill.

The bill was read.

Mr. DOCKERY and Mr. ALLEN rose.

Mr. CANNON. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Illinois asks unanimous consent that a second may be considered as ordered. Is there objection?

Mr. WALKER of Massachusetts. Mr. Speaker, I object unless I can have certain time for speaking.

Mr. ALLEN. If we can have some agreement—

Mr. CANNON. Let the tellers take their places then.

Mr. ALLEN. I do not object to a second being considered as ordered.

Mr. DOCKERY. The gentleman across the aisle objected.

Mr. WALKER of Massachusetts. I will withdraw my objection if I can have an hour.

The SPEAKER. Does the gentleman demand a second?

Mr. WALKER of Massachusetts. Oh, no.

Mr. DOCKERY. The gentleman from Illinois asks unanimous consent that a second be considered as ordered.

Mr. ALLEN. I demand a second, and am willing that it be considered as ordered.

The SPEAKER. The gentleman asks that a second be considered as ordered. Is there objection?

Mr. WALKER of Massachusetts. I desire to address the House for an hour, in doing what I think is a public duty. If I can have that, I will not object to anything.

The SPEAKER. Is there objection?

Mr. WALKER of Massachusetts. I object.

The SPEAKER. The gentleman from Massachusetts objects. The tellers will take their places. The gentleman from Mississippi [Mr. ALLEN] and the gentleman from Illinois [Mr. CANNON] will act as tellers. Those in favor of ordering a second will pass between the tellers.

Mr. WALKER of Massachusetts. I think it can be adjusted without taking the time of the House.

Mr. DOCKERY. I suggest to the gentleman from Illinois whether we could not agree on an hour on a side.

The House divided; and the tellers reported—ayes 109, noes 4.

Mr. WALKER of Massachusetts. Mr. Speaker, I think under the rules this bill should receive its first consideration in Committee of the Whole.

The SPEAKER. The motion is to suspend the rules.

Mr. WALKER of Massachusetts. I think no quorum voted, but I have never obstructed anything in this House in the whole ten years in which I have served here.

The SPEAKER. The ayes have it, and a second is ordered. The gentleman from Illinois [Mr. CANNON] and the gentleman from Mississippi [Mr. ALLEN] are entitled to twenty minutes each.

Mr. CANNON. Does the gentleman from Mississippi desire to ask unanimous consent?

Mr. ALLEN. I ask unanimous consent that an hour on a side be given for debate on this proposition, instead of the usual twenty minutes.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the debate be extended to one hour on either side. Is there objection?

Mr. STEELE. I object.

The SPEAKER. Objection is made by the gentleman from Indiana.

Mr. CANNON. I will say to the gentleman from Mississippi, if he desires twenty minutes, he is on the committee and on the subcommittee that prepared the bill, and I suggest to the gentleman that he go on and occupy his twenty minutes, and I feel quite sure that at the end of that time the House will hear him further, if he has not concluded.

The SPEAKER. The gentleman from Mississippi.

Mr. ALLEN. Mr. Speaker, only a few days ago I heard some gentleman, I believe it was the distinguished gentleman from Illinois [Mr. CANNON], chairman of the Committee on Appropriations, say in a speech on this floor, that while we attached a great deal of importance to what we said here, that really our speeches and predictions would soon be forgotten and that the Government would go on about the same as if we had not spoken.

Now, if I believed this, I think I would refrain from what I am about to say and would not speak at all. [Laughter.] And while I admit what the gentleman says may be true of the speeches of the average member of this House, yet I speak with the confident expectation that a hundred years from now, when questions of war and expansion agitate this country, as they do to-day, the statesmen of that day will search with eagerness the musty volumes of the CONGRESSIONAL RECORD of the Fifty-fifth Congress to ascertain what the views of the Hon. JOHN M. ALLEN were on those questions a hundred years before. [Laughter.] And, sir, for this reason I am unwilling that this momentous session should close without putting into the RECORD something of my conclusions about present conditions.

Mr. Speaker, it has only been a short time since there was something of a contest on this floor as to who was entitled to the credit for the war in which we have recently been and, I believe, are still engaged.

Gentlemen on the other side of the House claimed it was to be, and was, a "Republican war," and some gentlemen on this side were contending for an interest in it. So far as I am concerned, I want to quitclaim my interest in it to the Republicans. [Laughter.] I do not wish to be misunderstood. I am as proud as anybody of the great achievements of our Navy and our armies; but I am very much afraid that when it is all over, if it ever is, and we take account of stock that we will find we have paid in sacrifices and money for a great deal more than we have got.

For myself, I want to say I did not want the war. I had had some experience in war, and I was very reluctant to see my country engaged in another one unless it was necessary. I confess that when it became inevitable, I voted for every proposition necessary to make it a success, not because I wanted the war, but because I wanted my country to be victorious in any war in which it might be engaged.

We went into it for the purpose, as we all understood, of freeing Cuba from the cruel and corrupt domination of Spain, and with

the avowed statement that we were not seeking conquest or territorial acquisition.

If our declarations were then honest, somehow or other our purposes seem to have been diverted, and it came to be a war of conquest and territorial expansion. To have accomplished the purposes for which we avowed we began the war would not have involved a very great expenditure of money or a great sacrifice of the lives of our gallant soldiers. The expulsion of the Spanish army and Spanish authority from the island of Cuba—the thing we understood we were going to war for—has been accomplished sometime ago, and yet we still have the war going on and demands are made on us for a large army and great expenditure of money, which none of us contemplated when the trouble with Spain began. Some one is entitled to whatever credit there is in this condition and somebody must bear the responsibility. For myself, I do not claim any of the credit, and I repudiate the responsibility.

Mr. Speaker, I have been making some figures as to the cost of this war. You know our friend the gentleman from Missouri [Mr. DOCKERY] is about to retire from Congress, and it is necessary that some one else should be put in training as the Democratic statistician. [Laughter and applause.]

The gentleman from Missouri [Mr. DOCKERY] is to figures on appropriation bills what the gentleman from Ohio [Mr. GROSVENOR] is to figures in a national campaign. [Laughter.] Mr. DOCKERY's retirement, which we all regret, has forced me into training as his successor.

I now submit the following figures, which will show the amount appropriated by this Congress directly chargeable to this war:

Last session .....	\$361,859,927.26
This session .....	120,702,156.21
Total .....	482,562,083.47

This shows appropriations already made, and I confidently predict that at the first session of the Fifty-sixth Congress this will have to be supplemented by a deficiency of more than \$30,000,000 for war purposes if the Army authorized by the Army bill passed at this session of Congress is filled up. In this I do not count many expenditures made possible and claimed to be necessary on account of the war, nor much of extravagance in appropriations growing out of the expenditure of these immense sums of money. Nor does it take into account the untold millions that are to be spent in the years to come in maintaining our authority in our acquired possessions and in paying pensions to the soldiers who have been and will be engaged in this war and their families and dependants.

This latter charge will go on, if we are to judge the future by the past, through the lives of our children and our grandchildren, and how long this war with the inhabitants of the Philippine Islands is to go on, and what its consequences and cost will be, we have no power of computing. When you add to this the valuable lives that have been and may yet be sacrificed, the diseases that have been and that are yet to be contracted, and the sufferings that have been and are yet to be endured by our brave soldiers, and the vexing governmental problems growing out of our acquisition of territory, I confess that I am not vying with the Republican party as to whose war this is.

So far as the fighting is concerned it has been done by Democrats and Republicans. But the credit for the departure from the purposes for which the war was begun I am willing for the Republican party and the Republican Administration to have. While I do not know what the future policy of the Administration with reference to Cuba is—let it be what it may—we could probably successfully deal with the problems in Cuba and Porto Rico, as they are close to us, but they present many difficulties about the satisfactory solution of which I confess I have grave doubts; but we have acquired by treaty some islands—nobody seems to know how many—probably between 500 and 1,200, 10,000 miles away from us, inhabited by 9,000,000 or 10,000,000 people made up of different races, none of them homogeneous to us, unacquainted with and incapable of appreciating our institutions and our Government, not speaking our language and now resorting to war rather than submit to our authority and dominion over them.

They are composed of Negritos, Malays, Visayas, Moros, Igorotes, scattered tribes, Spanish Mestizos, Chinese, Chinese Mestizos, with all sorts of religions—Pagan, Mohammedan, Catholic, Buddhist—many of whom our laws prohibit from emigrating to this country, much less becoming citizens of it. What our future policy toward these people is to be no one seems to know or dares to predict; with reference to these people no one seems to know where "we are at" or where we are going. The President, in his speech at the Home Market Club in Boston the other day, said:

The Philippines, like Cuba and Porto Rico, were intrusted to our hands by the war, and to that great trust, under the providence of God and in the name of human progress and civilization, we are committed. It is a trust we have not sought. It is a trust from which we will not flinch.

He further says:

Our concern was not for territory, or trade, or empire, but for the people whose interest and destiny, without our willing it, had been put in our hands.

I heard the gentleman from Iowa [Mr. DOLLIVER] here the other day, in his speech in reply to the gentleman from Indiana [Mr. JOHNSON], speaking on this subject insisting on the moral obligation of this Government, not only to take care of itself and its own people but to look out for the interests of the human race in general. I have heard a good many other expressions on this floor and elsewhere about our acquisition of the Philippine Islands, and our conduct toward the people of those islands being the result of manifest destiny and under direction of Divine Providence.

Mr. Speaker, while I am personally a very sentimental man, in matters of government my ideas are exceedingly practical. I believe it to be the highest duty of this Government to look out for its own welfare and that of its own people, and I deny any moral obligation upon the part of this Government to imperil or jeopardize the interest of either in pursuance of any supposed manifest destiny or supposed direction of Providence in looking out for humanity generally. We are too apt to conclude that destiny and Providence are directing us where we want to go.

A great many great mistakes and some crimes have been committed under what was claimed to be the direction of Providence. I have seen the criminal stand at the bar of justice and claim that his crime was committed under the direction of Providence. Do not understand me as ridiculing or treating lightly the earnest prayers with which the good implore the guidance of an all-wise Providence.

But we all know that a great many people hide behind Providential instructions as an excuse for the things they have made up their minds to do. You all remember the story of the old dorky who when asked if he believed in special Providence in answer to prayer, replied that it depended altogether on the wording of the "pra'r," and he gave as an illustration of his faith that his neighbor had some good fat turkeys. He said he might pray all night for one of those turkeys to be sent him, but the turkey would never come, but if he prayed to be sent after one of those turkeys the turkey would be there before morning. [Laughter.]

I heard of an instance down in Mississippi where a gentleman had loaned his minister some money for which he held his note. This was prior to the civil war. The war came on. He refused to accept Confederate money in payment of the note, and there was nothing else to pay with. After the war was over, most of the property had been destroyed, and the interest had been running on this note all through the war.

It was the custom down there to knock off the interest and compromise the principal; but this old gentleman insisted his preacher should pay the principal and interest. The stewards of the church called on the brother to remonstrate with him and to insist that he should at least forgive the preacher the interest. Finally, when persuasion had failed, they insisted he should pray over the matter and ask the Lord for guidance. He agreed to this and went off, got down on his knees by a log, and seemed to pray long and earnestly. He finally returned to the stewards with the statement that the Lord said He thought he ought to have his interest. [Laughter.]

Now, we are all sure that he had no such direction from the Lord; but his direction came from his own promptings; he wanted his interest.

I am free to confess that Providence has given me no instructions about the acquisition of the Philippine Islands, and I know of no one here whom Providence would be more likely to communicate with. [Laughter.]

The President says: "Our concern was not for territory, trade, or empire, but for the people." Now, Mr. Speaker, from my standpoint of statesmanship, if I could be convinced that it would be a good thing both for this country and the Filipinos for us to annex them and we could do so without breaking faith, I would be in favor of their annexation and I would not be so very squeamish about the consent of the governed. The memory of my having to accept government without my consent under the persuasive influence of several of you gentlemen I see around me [laughter] is a little too fresh in my mind for me to realize the absolute necessity of having the consent of the governed. [Laughter.]

Understand, I am not complaining about this; I am merely stating a fact. I am one of those who believe that the civilization as represented by the white man is not under any moral obligation to procure the consent to govern barbarous or uncivilized people who stand in the way of civilization and progress. This Government has wrestled with the Indian problem for many years, and it has been a very difficult problem of solution. I served for twelve years on the Indian Committee in this House and gave much attention to the problem. I have listened to much sentimental talk as to how we had robbed and outraged the Indians, and there has been much to excite sympathy in connection with their history.

But when I look over this great country of ours, with its teeming population and its millions of happy Christian homes, I say

this 75,000,000 of civilized people were under no moral obligation to the 500,000 Indians our forefathers found roaming over this country to permit them to remain in uninterrupted possession of this beautiful land. If wrong was done, the benefits accruing to humanity and civilization a million times outweigh it. They have been driven back; their numbers have been reduced by half; their territory very much circumscribed, and we yet have the Indian problem with us, and are spending about \$9,000,000 a year for their support and education.

This Government has been wrestling with this problem for more than a century and yet it is far from being solved. I do not lie awake at nights with a troubled conscience on account of the white man's treatment of the Indian, but any man will lie awake who undertakes the solution of what is best to do with them and how best to treat them.

Mr. Speaker, I do not think we need the Philippine Islands in our business. If they are capable of self-government they should be permitted to govern themselves. If they are not capable of self-government I do not want this Government to undertake to govern them. I am a great believer in our Government. I take great pride in it. I want it by its splendid example to hold aloft the torchlight of liberty, that other people and other nations may see, admire, and embrace freedom for themselves.

But I do not believe in the process of coercing people either into freedom or Christianity. I insist that we have, by this Administration in its treaty with Spain, been forced into a position of great embarrassment. While we are partisans in dealing with domestic questions, we all want to hold up the hands of the Administration in all outside complications; and the consequence is that we are forced to vote men and money for carrying on a war in the Philippine Islands that we do not think we ever should have had.

We are sending our young men into a climate to which they are unaccustomed, a climate full of disease and death to the unacclimated; the wet and sickly season is now approaching; many of these troops will never return alive; many who do return will come back physical wrecks. We have the example of Spain before us. She sent her armies there and a very large per cent thereof were the victims of that inhospitable climate. And, Mr. Speaker, what are we to get for all these sacrifices and all this expense.

There are no commercial advantages in prospect that I can see to compensate us; it is not a country or climate where any considerable number of white men will ever want to make their home, and even if it were, we have enough undeveloped territory in our own country to occupy the time, energies, and capital of all the people we have who want to engage in developing a country. We hear a great deal said now about taking up "the white man's burden," which is interpreted to mean the white man's assuming the burden of governing and preparing for self-government the dark man.

This may be an inviting prospect to those of you who are out looking for burdens [laughter], but as for myself and those I represent, we have had up the white man's burden for many years and we have got just all of it we want. Those of you who think that it is an easy matter to prepare an inferior race for self-government have read the history of the efforts to prepare the dark man for self-government to but little purpose. We have troubles enough of that sort in the limits of our own country.

The white people of my own State to-day are voluntarily submitting to the most onerous taxation for the purpose of educating another race up to the capacity for self-government, and notwithstanding the sacrifices they are making, the progress is almost, if not wholly, imperceptible. No, Mr. Speaker, we are not hunting any more burdens; we have troubles of our own, without going 10,000 miles away from home to look up others of the same kind. If these people are incapable of self-government, how do we propose to govern them? It must be either by the military or carpet-bag governments.

We have had in my section experiences with both, and God forbid that we should ever undertake to inflict any other people with either. I do not think I am pessimistic by nature, but I am very much impressed with the dangers that threaten us growing out of this particular policy of expansion. The gentleman from Iowa [Mr. DOLLIVER] likened the Government to an individual. Have you not known many men, in the conduct of their business affairs, who while they kept their business in hand and kept in those lines they understood did well and prospered, but who lost their heads and began to "plunge," and you have noticed that most of the plungers go to pieces.

Our Government was getting along fairly well in governing its own people, but with plenty of difficulties at home to tax the wisest statesmanship, but like the business man who loses his head, our Government has now embarked on a "plunging" experience. I hope it may all turn out for the best, but I have serious fears as to the result. We have all heard many a time of the individual who did well and prospered by attending to his own business. This is no

less true of governments than of individuals. If it should turn out well, those who are responsible for this policy are entitled to the credit. If it should turn out disastrously, the responsibility therefor is on them.

I recognize, Mr. Speaker, that the war was a godsend to the Republican party, so far as the last election is concerned. Every promise made by them in the last Presidential campaign had been violated. Their specious and delusive pretenses as to the restoration of silver by international agreement had been demonstrated to be false; the tariff bill that they passed under the pretense of raising revenue had developed, as we said it would, to be a bill to increase the burdens of taxation on the people and decrease the revenues of the Government.

The effect of what is known as the Dingley bill, that it was claimed was intended to supply the Government with revenue, resulted in decreasing the customs revenues of the Government for the first twelve months as compared with the last twelve months of the Wilson bill by \$13,146,337, and has resulted in putting almost every commodity manufactured in this country into a trust. While the customs revenues have shriveled, the trusts have gone, like the Republican party, on a wild and riotous career of expansion.

But, fortunately for temporary advantage for the Republican party, war came on; the people's minds were distracted from economic questions; we passed the war-revenue bill, and by selling bonds and putting the people to licking revenue stamps you have managed to supply the Treasury temporarily with money. But mark my prediction, the people are going to get tired paying interest on bonds and licking stamps and go to licking the Republican party. [Laughter and applause on the Democratic side.]

I noticed a few days ago that the late Republican Commissioner of Internal Revenue, who was recently elected by the pretended Republican majority as Senator from West Virginia, said, in a speech at a banquet in New York the other night that the income from customs duties would continue to fall off, and that hereafter internal revenues would have to be mainly relied upon to supply the funds needed for the conduct of the Government. While this is true, our Republican friends fail and refuse to take any steps to clear away the hindrances under the decision of the Supreme Court to the enactment of an income-tax law.

If we could have had a properly adjusted income tax the amount that could have been derived from the incomes that have been made by the organization of trusts within the last year would have gone a long way toward paying the expense of the war. But it does not suit the purpose of the Republican party to tax incomes, except to tax them for contributions with which to run their campaigns. When the war-tax bill was passed we thought they were going to make the corporations pay a part of it; when they put a tax on telegraph messages and express receipts we thought it was contemplated that the telegraph and express companies should pay these taxes; but it soon developed that the sender of the message or express package was required to pay the tax.

I remember to have gone last session to some of the leading Republicans on the Ways and Means Committee and tried to get them to amend the law so that these taxes should be paid by the corporations and not their patrons. They said it was too late in the session to get anything through, but I notice this session has come and is about gone and no effort has been made by that committee to correct this wrong. I notice the President, in his Boston banquet speech, heretofore referred to, in felicitating himself and the Republican party on the good conditions they had brought about, said:

We have made progress in industry and realized the prosperity for which we have been striving.

I am free to admit that in some portions of the country business conditions have improved; but I deny that Republican policies have brought this improvement. The most of the world had a failure of grain crops and the United States had an abundant harvest. The result was that we had a demand at good prices for our surplus grain, which resulted in great benefit to the grain growers, and resulted also in giving us a very large balance of trade in our favor, which brought much money to this country, helped the transportation companies and business generally. For this the Republican party is not entitled to the credit, unless they have been helping Providence control the seasons.

Then the lavish expenditures of money by the Government on account of the war has stimulated business in many lines and localities, but these are expenses the people will have to meet finally by taxation.

But, Mr. Speaker, in my section of the country, where most of the cotton of the world is produced, we did not profit by the failure of grain crops abroad, and our people, who have sold most of their last crop of cotton at about 4 cents, have not, as the President says, achieved that prosperity for which they are striving. I am not prepared to fully appreciate the felicity of the President on their prosperous condition.

Mr. Speaker, I want to call attention to the appropriations made

by this Congress, which will aggregate, including contracts authorized to be made in appropriation bills, nearly \$1,640,000,000. Take from this the \$70,000,000 of contracts provided for and hereafter to be appropriated for will leave of direct appropriations made by this Congress the enormous sum of about \$1,570,000,000. It is difficult for the mind to contemplate this enormous sum of money. The country stood aghast when the Republicans in the Fifty-first Congress ran the appropriations up to about a billion of dollars, and the people drove that party out of power partly on account of its extravagance. What will the people do when they read the record of the Fifty-fifth Congress, which more than half-way doubles the appropriations of the Fifty-first Congress?

Notwithstanding this Administration came into power and found there a surplus of more than \$200,000,000 left by Mr. Cleveland as a result of the sale of bonds with which to buy gold, and notwithstanding the high rate of taxation under the Dingley bill and the great amount of revenue being derived from the war-revenue bill and the sale of \$200,000,000 of bonds by this Administration, we are fast approaching an empty Treasury, that will necessitate the sale of more bonds. The American people may stand this, but I do not believe they will.

I want to call attention to the progressive extravagance of the Republican party. I knew they were expansionists when it came to spending money, but it is interesting as well as discouraging to note how rapidly the Government expenditures expanded under what is usually termed the "fostering care of the Republican party." In the year 1860, the year before the Republican party first came into power, the total expenditures of the Government were \$63,130,598.39. This, I believe, was independent of the revenues derived from the postal service and expended for that service.

I will pass over the war period necessitating large expenditures. In 1870 the expenditures were \$309,653,560.75. In 1875 there was appropriated \$325,066,791.89, and in 1876, \$328,128,190.32, making the total appropriations by the Forty-third Congress \$653,704,991.21. The next, the Forty-fourth Congress, was Democratic, and it appropriated for 1877 \$299,591,138.07, and in 1878, \$296,006,694.21, making for that Congress \$595,597,832.28, showing a difference in favor of Democratic economy over Republican extravagance of nearly \$58,000,000 in the two years.

Now let it be borne in mind that it is very much easier to practice economy before extravagance has begun than it is to return to economical methods after an era of extravagance has once been inaugurated, and a glance at the appropriations by the various Congresses will show that most of the large increases have been under Republican Congresses, until the Fifty-first Congress, which was Republican, ran the appropriations up into the neighborhood of \$1,000,000,000.

This was a record breaker, but it has gone on from bad to worse since that time, and the last, the Fifty-fourth Congress, appropriated \$1,044,580,273.87, and now comes the Fifty-fifth Congress and breaks all records and makes appropriations that will aggregate close to \$1,570,000,000.

The entire money of all descriptions in the United States, according to the Government estimates, which I think are extravagant, amounted on the 1st day of last month to \$1,918,260,557. From this it will be seen from the appropriations already made that the Government will within two years expend within about \$350,000,000—a sum equal to the entire circulation of money in the country. Mr. Speaker, these figures are absolutely appalling.

While the population of the country has but little more than doubled in the last forty years, the governmental expenditures have become about eleven times as great as they were then.

[Here the hammer fell.]

Mr. CANNON. I will ask that the gentleman have five minutes more if he so desires.

Mr. ALLEN. I will not occupy further time upon this bill, but if I can have five minutes I will devote it to a question of personal privilege.

Mr. CANNON. I ask unanimous consent that the gentleman be allowed five minutes more.

The SPEAKER pro tempore (Mr. HEPBURN). Consent is asked that the time of the gentleman from Mississippi be extended for five minutes. Is there objection? The Chair hears none.

Mr. ALLEN. Mr. Speaker, there appeared a few days ago in the Washington Post a column article headed "In JOHN ALLEN's town—A Washington young lady tells about Tupelo, Miss." This communication reflects on the town of Tupelo, and is not altogether complimentary to me. [Laughter.]

While it purports to be written by a young lady, I do not believe it was a young lady who wrote it. I think it most probable that the article was manufactured in the office of the Washington Post, and was inspired by a feeling of jealousy [laughter] which sometimes actuates that paper. The Post for a long time was given to making flings at Philadelphia; then it began to pick at New York [laughter]; you have noticed more lately it has been casting slurs at Chicago. Thus it is taking up the cities that

outrival Washington and is attempting to do them up. They seem now to have begun on Tupelo. [Laughter and applause.]

I want to quiet the jealous fears of the Post. We are not contemplating any effort to move the capital to Tupelo, however advantageous it might be to the capital. [Laughter.] My judgment is this communication reflecting on Tupelo was written by a man, and the pretense of its being a young lady is to prevent me from denouncing the author for the misstatements contained in the article in as severe language as is common in high Army circles. I would not only locate the offense in the heart and throat and hair of the man who would write such a thing about Tupelo, but I would locate it in his solar plexus, in his diaphragm, and in his appendix. [Laughter.]

I want to now give some of the evidences that convince me that no young lady wrote this communication. The writer of the communication claims to have arrived at the Union Station in Tupelo at 4 o'clock in the morning [laughter], and says, "I was almost dying for a drink of water." He, she, or it then proceeds to describe the cup used for drinking purposes in the station, and says it was "the most impossible little tin cup I ever saw; it was incrustated with what seemed centuries of rust, leaked like a sieve, and held about a tablespoonful. I wiped off a place near the handle, gulped down the beverage, and declared myself satisfied."

Now, Mr. Speaker, we all know that no young lady has any such seal-brown thirst as that at 4 o'clock in the morning. Young ladies do not indulge in the practices that produce these early morning thirsts.

Another reason that satisfies my mind that no young lady wrote the article is that it speaks of my being so fresh when I first came to Washington. I am sure, Mr. Speaker, that no young lady remembers back to the time when JOHN ALLEN was fresh. [Laughter and applause.]

So many people have asked me about this communication and its inspiration that I thought it best to expose what I believe were the motives that prompted it and to free all the young ladies of Washington from the suspicion that any of them had written it.

If it be possible, however, for me to be mistaken in my diagnosis of this matter, and the thing was really written by a young lady, I am at a loss to understand the animus which prompted this attack upon my town and myself unless it might possibly grow out of the fact that, being a very orderly and well-regulated married man, I have been forced to decline the attentions of some young ladies, and may have, for this reason, incurred some enmities.

Mr. JOHNSON of Indiana. You speak of your "town;" you mean your city?

Mr. ALLEN. Yes; of course, my city. It is not, however, a city yet according to the census returns; but, Mr. Speaker, there is more room to build there, more room for growth in Tupelo than there is in the city of New York. [Laughter and applause.]

Mr. CANNON. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. GROW].

Mr. GROW. Mr. Speaker, I accept the kind offer of the gentleman from Illinois, in order to ask the House to extend my time for five minutes longer by unanimous consent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania that a further extension of five minutes be accorded to him?

There was no objection.

Mr. GROW. Mr. Speaker, it has been alleged, and the idea exists in the public mind, that the \$20,000,000 which was to be paid to Spain under the treaty was purchase money for the Philippine Islands. I have taken a little pains and some trouble to get together the facts in consecutive order by dates relative to the negotiations pending between the American and Spanish commissioners, from the beginning to the close of their negotiations, which will show that this \$20,000,000 was not paid for the Philippine Islands at all, but it was paid in closing the negotiations that began in a discussion as to how much of the debt of Cuba, amounting to some \$500,000,000, should be assumed by the United States or by the island of Cuba when it should form a government of its own.

At the time of offering the \$20,000,000 by the American commissioners not an article of the treaty had been agreed to. The various propositions had been discussed and assented to conditionally, dependent on a final agreement as to the whole treaty. The negotiations had reached a point at the time of this offer where there was serious doubt whether any treaty would be signed by both commissions. That this was the case I quote the following from a speech of Senator GRAY, one of the American commissioners, made by him in New York at the banquet of the Ohio society February 25, 1899:

There came a time in the course of those negotiations—and this, perhaps, is one of the secrets to which your president alluded—when, after four or five weeks of doubt and anxiety, it became apparent that these negotiations must either be broken off and your commissioners return without a treaty at all, and that we would be relegated to the necessity of taking not

only the Philippines, but Cuba and Porto Rico, by the ruthless hand of military conquest, or, by some concessions that comported with the magnanimity and greatness and character of this country, gain them by the voluntary cession of a treaty of peace.

It was at such a time the offer was made as a final settlement of all the questions in dispute.

The payment of \$20,000,000 to Spain provided for in the treaty was not, therefore, purchase money for the Philippine Islands. A careful examination of the negotiation on the several articles of the treaty shows conclusively that the \$20,000,000 was finally agreed on to cover all the points of difference between the American and Spanish commissioners on all the articles of the treaty, none of which was finally concluded until the adoption of the last article.

The most strenuous contention of the Spanish commissioners from first to last was the liability of the United States for the payment of the debts of Cuba and Porto Rico. The withdrawal of Spanish sovereignty over Cuba, the cession of Porto Rico and the Spanish islands in the West Indies, and the cession of the island of Guam in the Ladrone, and the withdrawal of Spanish sovereignty from the Philippines, all these questions were left undetermined until the final agreement on the payment of the \$20,000,000.

I call the attention of the House especially to the facts in the negotiations on the several articles of the treaty, which I will present from the official record of the negotiation published in Senate Document No. 62, part 1, of the third session of the Fifty-fifth Congress [the italics in all the extracts are my own]:

The protocol signed August 12, 1898, was the basis of the treaty of peace. Article III of the protocol was the only one over which there was any considerable discussion as to its specific meaning. Its wording is—

The United States will occupy and hold the city, bay, and harbor of Manila pending the conclusion of a treaty of peace; which shall determine the control, disposition, and government of the Philippines.

October 1, 1898. The peace commissioners met at Paris. The subject of the first conference was the status quo in the Philippines. This question was passed over with the right to bring up the subject hereafter. Without consuming time in remarks of my own, I will ask consent to extend them after the House has heard read certain extracts from the discussions on the propositions that were finally agreed upon between the American and Spanish commissioners, which will be more interesting to the House and give members more information, which I am anxious they should have, than any remarks that I can make.

From October 7 to October 26 the commission was engaged in discussions on the debt of Cuba, amounting to about \$500,000,000, and the cession by Spain of her sovereignty over the island; and the cession of Porto Rico and the Spanish islands in the West Indies, which ended temporarily with the following language:

The American commissioners deem it unnecessary, after what has been stated, to enter into an examination of the general references, made in the Spanish memorandum, to cases in which debts contracted by a state have, upon its absorption, been assumed by the absorbing state, or to cases in which, upon the partition of territory, debts contracted by the whole have been by special arrangement apportioned. They are conceived to be inapplicable, legally and morally, to the so-called "Cuban debt," the burden of which, imposed upon the people of Cuba without their consent and by force of arms, was one of the principal wrongs for the termination of which the struggles for Cuban independence were undertaken. (Executive Document No. 62, part 1, page 50.)

At the conference October 14, 1898, the following suggestion was made by the Spanish commissioners and agreed to by the American commission:

The Spanish commissioners stated that before proceeding with the discussion of the questions under consideration they desired it to be understood that if certain articles should be agreed to, but in the end no treaty should be signed, the articles so agreed to should not in such case be taken as expressing either Government's estimation of its just rights in respect of the subjects to which the articles related. (Senate Executive Document, No. 62, part 1, page 45.)

October 14, 1898 (Senate Executive Document No. 62, part 1, page 59):

After much discussion, the president of the Spanish commission stated that the Spanish commissioners did not care for the phraseology in which the relinquishment of sovereignty was expressed, so long as it embraced an obligation as to debts, such as was stated in the second of the articles presented by them.

The president of the American commission, replying to this statement, inquired whether the president of the Spanish commission intended thereby to say that the Spanish commissioners would refuse to consider any articles as to Cuba and Porto Rico which contained no provision for the assumption of indebtedness by the United States or Cuba, or both.

October 26, 1898 (Senate Executive Document No. 62, part 1, pages 61 and 62):

The Spanish commissioners, although understanding that strict law decides the question of the Cuban debt in their favor, are in duty bound and are willing to moderate the said strictness in view of the advantages which Spain may derive from other stipulations of the treaty which, without being prejudicial to the United States, may be favorable to Spain.

Considering, therefore, that the article or articles to which the president of the American commission refers can not at this time be the subject of final approval, since they must remain subject to the others to be included in the same treaty, meeting the approval of both high parties:

"The Spanish commissioners answer the said question by stating that, reiterating their conviction that pursuant to law the colonial obligations of

Cuba and Porto Rico must follow these islands and their sovereignty, they do not refuse to consider any articles as to Cuba and Porto Rico which contain no provision for the assumption of indebtedness by the United States, or Cuba, or both, subordinating the final approval of such articles to that of the others which are to form the complete treaty, and they therefore invite the American commissioners to enter upon the discussion of the other points to be embodied in the treaty and, at the outset, to take up the discussion of the Philippine Archipelago, and to propose to the Spanish commissioners what they understand should be agreed upon in said treaty with respect to this subject."

The American commissioners, after the reading of this paper, inquired whether they were to understand that the Spanish commissioners accepted the articles previously presented by them as to Cuba, Porto Rico, and Guam.

The Spanish commissioners replied that they accepted them in the sense stated in the paper—provisionally, subject to the conclusion of a treaty of peace.

October 31, 1898 (Senate Executive Document No. 62, part 1, pages 108, 109):

The American commissioners, having been invited by the Spanish commissioners at the last conference to present a proposition in regard to the Philippine Islands, beg to submit the following article on that subject:

"Spain hereby cedes to the United States the archipelago known as the Philippine Islands and lying within the following line: A line running along the parallel of latitude 21° 30' north from the one hundred and eighteenth to the one hundred and twenty-seventh degree meridian of longitude east of Greenwich, thence along the one hundred and twenty-seventh degree meridian of longitude east of Greenwich to the parallel of 4° 45' north latitude, thence along the parallel of 4° 45' north latitude to its intersection with the meridian of longitude 119° 35' east of Greenwich, thence along the meridian of longitude 119° 35' east of Greenwich to the parallel of latitude 7° 40' north, thence along the parallel of latitude of 7° 40' north to its intersection with the 116th degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth degree parallel of north latitude with the one hundred and eighteenth degree meridian of longitude east of Greenwich, and thence along the one hundred and eighteenth degree meridian of longitude east of Greenwich to the parallel of latitude 21° 30' north."

A proper reference to the cession thus proposed may be inserted in the article of the treaty relating to public property, archives, and records in territory which Spain cedes or over which she relinquishes her sovereignty.

The American commissioners beg further to state that they are prepared to insert in the treaty a stipulation for the assumption by the United States of any existing indebtedness of Spain incurred for public works and improvements of a pacific character in the Philippines.

November 4, 1898. Proposition of the American Commission to assume the indebtedness of the Philippine Islands was rejected by the Spanish commission.

November 23, 1898 (Senate Executive Document No. 62, part 1, pages 210, 211). The following is the reply of the American commissioners on the rejection of their proposition:

The situation that has arisen in the Philippines was neither foreseen nor desired by the United States, but, since it exists, that Government does not shirk the responsibilities growing out of it; and the American commissioners now make to the Spanish commissioners, in the light of those responsibilities, a final proposition.

The proposal presented by the American commissioners in behalf of their Government for the cession of the Philippines to the United States having been rejected by the Spanish commissioners, and the counter proposal of the latter for the withdrawal of the American forces from the islands and the payment of an indemnity by the United States to Spain having been rejected by the American commissioners, the American commissioners, deeming it essential that the present negotiations, which have already been greatly protracted, should be brought to an early and definite conclusion, beg now to present a new proposition embodying the concessions which for the sake of immediate peace their Government is under the circumstances willing to tender.

The Government of the United States is unable to modify the proposal heretofore made for the cession of the entire archipelago of the Philippines, but the American commissioners are authorized to offer to Spain, in case the cession should be agreed to, the sum of \$20,000,000, to be paid in accordance with the terms to be fixed in the treaty of peace.

And it being the policy of the United States to maintain in the Philippines an open door to the world's commerce, the American commissioners are prepared to insert in the treaty now in contemplation a stipulation to the effect that, for a term of years, Spanish ships and merchandise shall be admitted into the ports of the Philippine Islands on the same terms as American ships and merchandise.

The American commissioners are also authorized and prepared to insert in the treaty, in connection with the cessions of territory by Spain to the United States, a provision for the mutual relinquishment of all claims for indemnity, national and individual, of every kind, of the United States against Spain and of Spain against the United States that may have arisen since the beginning of the late insurrection in Cuba and prior to the conclusion of a treaty of peace.

The American commissioners may be permitted to express the hope that they may receive from the Spanish commissioners, on or before Monday the 28th of the present month, a definite and final acceptance of the proposals herein made as to the Philippine Islands, and also of the demands as to Cuba, Porto Rico, and other Spanish islands in the West Indies, and Guam, in the form in which those demands have been provisionally agreed to.

November 28, 1898, the Spanish commissioners reply to the ultimatum of the American commissioners in the following language (Senate Executive Document No. 62, part 1, page 213):

Spain having on her part exhausted all diplomatic recourses in the defense of what she considers her rights and even for an equitable compromise, the Spanish commissioners are now asked to accept the American proposition in its entirety and without further discussion, or to reject it, in which latter case, as the American commission understands, the peace negotiations will end, and the protocol of Washington will consequently be broken.

The Government of Her Majesty, moved by lofty reasons of patriotism and humanity, will not assume the responsibility of again bringing upon Spain all the horrors of war. In order to avoid them it resigns itself to the painful strait of submitting to the law of the victor, however harsh it may be, and as Spain lacks the material means to defend the rights she believes are hers, having recorded them, she accepts the only terms the United States offers her for the concluding of the treaty of peace.

The stipulation in the treaty as finally adopted relative to the

inhabitants of the islands acquired is in the following language, Article IX of the treaty:

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

Mr. Speaker, it will be seen by these extracts from the official records of the discussions on propositions to be incorporated as articles in the treaty of peace that all of them were left in abeyance until the treaty should be finally agreed on; and the final conclusion of the treaty was the proposition on the part of the American commissioners to pay Spain \$20,000,000, which should cover all the controversy from beginning to end about the cession of territory or the debts of Cuba, Porto Rico, or the Philippine Islands.

Then the different articles that have been passed over were agreed to, and the last one was that "The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress." What their civil and political condition shall be is to be determined by the Congress of the United States. The territory is already annexed.

We hear a great deal about forcible annexation of the Philippines. They are a part of American territory to-day, whether Spain ratifies the treaty or not. Supposing she does not, which she is quite likely not to do, in accordance with her whole history in reference to recognizing the independence of the South American Republics, she can refuse, and say to the world, "The United States in its great power robbed Spain of all her colonies, and we have no power nor means to prevent it." The territory that the United States has already taken would still be American territory, and the only question would be whether we have to pay Spain the \$20,000,000.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CANNON. Mr. Speaker, I yield a moment to the gentleman from Massachusetts [Mr. WALKER], who desires to make a request of the House.

Mr. WALKER of Massachusetts. Mr. Speaker, I ask unanimous consent that the honorable gentleman from Connecticut [Mr. HILL] and myself be allowed an hour and twenty minutes—

Mr. HILL. Mr. Speaker, I will make my own request.

Mr. WALKER of Massachusetts. That I be allowed an hour to speak on the financial, banking, and currency question, giving a résumé of what has been done. I think it is important to the public business and to that question that I may have some time, at the discretion of the Speaker, either this afternoon or during the session to-morrow before 2 o'clock.

Mr. BAILEY. I hope the gentleman will prefer that request now.

Mr. WALKER of Massachusetts. I prefer the request now.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent that he may be accorded an hour—

Mr. BAILEY. To proceed at once?

Mr. WALKER of Massachusetts. To proceed at once.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent that he may be accorded an hour in which to discuss the financial question.

Mr. CANNON. At what time?

Mr. WALKER of Massachusetts. Now.

Mr. CANNON. Well, I want to pass my bill. I have no objection to his talking as soon as I get my bill through.

Mr. BAILEY. The gentleman shall pass his bill.

Mr. CANNON. I want to get it passed now, as it has to go to the Senate, and there is scant time.

The SPEAKER pro tempore. Is there objection?

Mr. STEELE. I object.

The SPEAKER pro tempore. Objection is made.

Mr. BAILEY. I think that objection of the gentleman from Indiana comes too late.

Mr. WALKER of Massachusetts. There was no objection. I yield for the passage of the bill.

Mr. STEELE. I was rising to object at the time the motion was put.

The SPEAKER pro tempore. The Chair thinks it is not too late. The gentleman from Illinois was undoubtedly reserving an objection.

Mr. CANNON. Well, I desire to say I am quite content if the House has time. So far as I am concerned, with the business I am charged with from my committee, I have nothing to call to the attention of the House except to pass this bill. It is important that it should go to the Senate. [Cries of "Vote!"] I ask for a vote on the bill.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

#### ARMY REORGANIZATION BILL.

Mr. HULL. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk.

The Clerk read as follows:

A bill (S. 5578) for increasing the efficiency of the Army of the United States, and for other purposes.

Mr. HAY. On that I demand a second.

The SPEAKER pro tempore (Mr. HEPBURN). The bill has not been read yet.

The Clerk proceeded to read the bill.

Mr. BARTLETT. Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER pro tempore. The gentleman will state it.

Mr. BARTLETT. I desire to know whether or not the gentleman from Iowa is asking to pass this bill under suspension of the rules. Is that the proposition pending?

The SPEAKER pro tempore. The gentleman from Iowa has made that motion.

Mr. BARTLETT. May I be permitted to make another inquiry? That is, when a bill is attempted to be passed under a suspension of the rules, that it is not subject to amendments?

The SPEAKER pro tempore. It is not subject to amendment.

The Clerk resumed and concluded the reading of the bill.

The SPEAKER pro tempore. Is a second demanded?

Mr. HAY. I demand a second.

Mr. HULL. I ask unanimous consent that a second may be considered as ordered.

Mr. HAY. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is made. The gentleman from Iowa and the gentleman from Virginia will take their place as tellers.

The House divided; and the tellers reported—ayes 81, noes 2.

Mr. SWANSON. Mr. Speaker, the noes have not been called for. If so, it certainly was not heard.

The SPEAKER pro tempore. The Chair called for the noes.

Mr. HENRY of Texas. We did not hear the call for the noes.

The SPEAKER pro tempore. The vote has been announced. If it is a mistake, without there is objection, the Chair will again call for the negative, as some gentlemen say they did not hear. Those opposed will now pass between the tellers.

The House again divided; and the tellers reported 19 in the negative.

The SPEAKER pro tempore. On this question the yeas are 83, the nays are 19; so the motion is seconded.

Mr. DOCKERY. Mr. Speaker—

The SPEAKER pro tempore. The gentleman from Iowa [Mr. HULL] has twenty minutes and the gentleman from Virginia [Mr. HAY] has twenty minutes.

Mr. DOCKERY. Mr. Speaker, I desire to ask unanimous consent that I be relieved from service on the conference committee on the sundry civil appropriation bill, and that the gentleman from Arkansas [Mr. McRAE] be appointed in my stead.

The SPEAKER pro tempore. Without objection, the gentleman from Missouri [Mr. DOCKERY] will be relieved from service on the conference committee on the sundry civil bill, and the gentleman from Arkansas [Mr. McRAE] will be substituted in his stead. Is there objection? [After a pause.] The Chair hears none.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed joint resolutions of the following titles; in which the concurrence of the House was requested:

S. R. 216. Joint resolution construing the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents;" and

S. R. 200. Joint resolution authorizing the Secretary of War to lend 10,000 cots, 2,000 tents, and 10,000 mattresses to the executive committee of the United Confederate Veterans' Reunion to be held at Charleston, S. C., May 10, 1899.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 631) to confirm title to lots 13 and 14 in square 959, in Washington, D. C.

#### ARMY REORGANIZATION BILL.

Mr. HULL. Mr. Speaker, I suppose that I can safely say to the House that the Committee on Military Affairs, in submitting this bill to the House for its action, was constrained to that course on account of the situation we are now in. I think I can say, further than that, that if it were an open question and we were free to act as our judgment might dictate, there would not be a member of the committee who would have been in favor of reporting this bill favorably as it stands.

But, Mr. Speaker, this Congress dies on the 4th day of March—next Saturday afternoon; and the committee did not feel justified, on its own motion and its own account, in taking such action as

seemed to make sure an extra session of Congress, and we believed the defeat of this bill would do that. I shall not take the time of the House in discussing the situation we are in—and by that I do not mean legislatively, but the country generally—and the necessity for an increase in the Army that is conceded; but I do want to call the attention of this House somewhat to this bill. I feel that the House is entitled to know what the bill provides.

Mr. TAWNEY. Before the gentleman does that, will he yield to me for a question?

Mr. HULL. Yes.

Mr. TAWNEY. Is it your judgment that if the House should refuse to suspend the rules and pass this bill, and we should take up the bill and then adopt as a substitute the bill which the House has heretofore passed and put it in conference, it would be impossible to secure a better bill than the Senate has sent back to us?

Mr. HULL. I do not know that I am called upon to answer that question; every member in the House can judge of it just as well as I can. The danger of failure is great.

Mr. TAWNEY. I thought the gentleman was better acquainted with the situation in the Senate than other members.

Mr. HULL. I can only say that when this bill was before the Senate for consideration there was absolutely no opportunity given the members of that body to pass upon questions. It was simply a statement there on the floor and in the lobbies that you have got to take what we offer or you will get nothing; and so I think every member of this House can answer the question as well as I can. I do not believe, if the Senate of the United States, composed as it is to-day, were to vote on such a bill as this, with the understanding that they could have the time to perfect it, time to debate it, time to vote upon it and to amend it, that one-third of the Senators would vote for it.

The bill as originally reported from the Committee on Military Affairs of the Senate, so far as the line of the Army was concerned, was a good one. It followed the line of the House bill in the organization of the cavalry and the infantry absolutely; it followed the line of the House bill on artillery, except it made regimental organization in place of a corps, and that is simply a difference in name. It made no difference in the batteries. They added two batteries to each regiment of artillery.

The House bill provided, so far as the companies were concerned, a maximum and a minimum, and it gave the President discretion between the two extremes; but the Senate bill fixed a minimum only. On the floor of the Senate they struck out the minimum, the words "not less than," and fixed the maximum of the companies in the infantry, artillery, and cavalry. In this bill they fix the number of regiments in the Army, and they fix the number of companies in the regiment, and they have fixed the total number of men that can be put in a company. In other words, they have made the infantry 25 regiments, cavalry 10 regiments, artillery 7 regiments, and added 2 batteries to each regiment. They fix the number of privates in a company as a total, making in the cavalry 43 privates, heavy artillery 53 privates, light artillery 51 privates, and in the infantry 48 privates for a company maximum.

Now, Mr. Speaker, a very serious question arises in my mind on section 12.

Mr. TAWNEY. Will the gentleman allow me a suggestion? The total number of privates authorized is 22,956.

Mr. HULL. That is privates only.

Mr. BROMWELL. I want to ask the gentleman a question. Sixty-five thousand is a maximum, and then there is a maximum number for a company, and the number of companies in the regiment, and the number of regiments, and you multiply the number in a company by the number of companies, and that by the number of companies in a regiment, and that by the number of regiments, and it gives you 22,000 men.

Mr. HULL. It gives more than that.

Mr. BROMWELL. You fix the number at 22,000 and then further along you say it shall not exceed 65,000.

Mr. HULL. Section 12 provides that "to meet the present exigencies of the military service the President is hereby authorized to maintain the Regular Army at a strength of not exceeding 65,000 enlisted men, to be distributed among the several branches of the service, including the Signal Corps," etc.

Now, when the bill was reported this section stood as it does now; but, as I said a minute ago, the number in a company was only fixed as a minimum. The Senate struck out the minimum and made the maximum, so that now we have prescribed the number of regiments, the number of companies, and the number of enlisted men, and these two clauses contradict each other in their terms.

Mr. BAILEY. Mr. Speaker, I assume the gentleman has concluded his statement on that point. I think he is right, and I think it is utterly impossible to reconcile these two provisions, and of course the Executive Department must choose between them in executing this law. I desire to ask the chairman of the committee if it is not true that the Senate has also raised the age limit from

40 years to 50 years within which certain officers may be appointed and leaves it almost without limitation?

Mr. HULL. All except the second lieutenants. If gentlemen will look on page 7 they will find that they have placed an age of 44 for different staff places for those appointed from civil life.

Mr. BAILEY. The more important question is on page 12, in the last proviso, which reads:

*And provided further, That the President is authorized to enlist temporarily in service for absolute necessary purposes in the Philippine Islands volunteers, officers, and men individually or by organization.*

Now, am I to understand that if there be a company of volunteers in the Philippine Islands consisting of 90 men, 50 of whom desire to remain in the service while 40 demand to be mustered out as provided in the law under which they were enlisted, the President can reenlist the whole organization against the will of the 40 men who desire to come home?

Mr. HULL. I do not believe any such construction as that would be adopted by the President. I would prefer to go on with my statement, for fear I shall not get through in time.

Mr. BAILEY. It seems to me that unless the President is going to undertake to enlist in that way, which is practically conscription, this provision is a useless one.

Mr. HULL. The gentleman from Texas can construe language just as well as I can when it does not require any technical knowledge, and, I think, better than I can where the question is simply one of law—much better. So that I do not want to take time in discussing that question of construction at this time.

Mr. TALBERT rose.

Mr. HULL. I can not yield to the gentleman now. I have only twenty minutes, and I want to get through. If I had time I should be glad to answer all questions. But there is time on the other side, and no doubt the gentleman can obtain a portion of it. If I had more time I should gladly yield to my friend from South Carolina.

Mr. GAINES. I should like to get some information—

Mr. HULL. I can not yield to the gentleman now. I do think I ought to be allowed to go on and make my statement on this bill.

Mr. GAINES. So do I. I simply wanted the gentleman's consent to ask him a question, after a while, for information.

Mr. HULL. Mr. Speaker, in regard to the question which has been raised here as to the power of expansion, I will say very frankly that while a great many good lawyers insist there is no more power to expand the aggregate number of men than to increase the number of companies or regiments, the Attorney-General of the United States takes a contrary view. He expressed no doubt on the subject. He says that the construction of this bill, if enacted, would be that the President might expand up to the number of 65,000. The same question has been submitted to the Department of the Judge-Advocate-General of the Army, and an opinion given equally positive that the President will have no more power to increase the number of men in a company than to increase the number of companies, or the number of regiments.

Now you have the two opinions on that subject. If I did not regard the right to expand given, I would not vote for the bill. But, Mr. Speaker, there is one thing that the bill certainly does. Admitting that the President can expand until July 1, 1901, it makes the war strength of this Army, with all its officers and machinery, after July 1, 1901—the total strength to which it can be expanded without further legislation—35,140 enlisted men and noncommissioned officers. It advertises to the world the fact that this nation is willing to have an army in which, on its war strength, a cavalry company may have as privates less than double the number of officers and noncommissioned officers in command. The force will certainly be magnificently officered.

In the way of economy, Mr. Speaker, this bill provides, in excess of the number provided for in the House bill, a total number of officers in the regimental organizations alone, without counting anything beyond the regiment, of 949—colonels, lieutenant-colonels, majors, captains, first lieutenants, and second lieutenants.

Mr. BROMWELL. Is there any increase in the Engineer Corps?

Mr. HULL. No, sir.

Mr. BROMWELL. The very place where an increase is most needed.

Mr. HULL. Nor in the Ordnance Department, either. The increase of which I have just spoken is accounted for by the fact that 35,000 men are enlisted for two years and four months and organized into 30 additional regiments, making a net increase over the House bill of 17 regiments.

Mr. JOHNSON of Indiana. Does the gentleman antagonize the passage of the bill?

Mr. HULL. I am explaining it.

Mr. JOHNSON of Indiana. Is the gentleman antagonizing the bill?

Mr. HULL. I am explaining it.

Mr. JOHNSON of Indiana. Is the gentleman in favor of the passage of the bill or against it?

Mr. HULL. I do not think the gentleman from Indiana has any right to catechize me as to what I am doing. I will state my position in my own way.

The SPEAKER. The gentleman from Iowa declines to yield for any interruption.

Mr. HULL. I propose to take my own course.

Mr. JOHNSON of Indiana. Somehow or other the gentleman does not seem to be able to answer questions.

Mr. HULL. Now, I believe that under the construction of the Attorney-General this bill will give the President of the United States an ample force to carry on all necessary operations and protect all the rights of the Government for the next two years. I believe that under the construction of the Judge-Advocate-General he would not be able to do so, but I believe the construction of the President and his execution of the law will be on the line of the opinion of the Attorney-General of the United States, and therefore provide 100,000 men, enlisted men, to serve until July 1, 1901.

There is another provision, too, to which I wish to call the attention of the House. It is found on page 13 of the bill, in section 15, which provides:

*That each and every provision of this act shall continue in force until July 1, 1901; and on and after that date all the general, staff, and line officers appointed to the Army under this act shall be discharged—*

This, it will be observed, is a change in the present law. That provides that we should return to the numbers in force in April last. This allows all of the officers appointed—and I do not object to the provision myself—under the present law to remain in the service, although I think we get more officers than are necessary for the number of men allowed.

Mr. MARSH. Will you allow me just an instant?

Mr. HULL. Certainly.

Mr. MARSH. Would we get more officers than we would need if we get an army of 100,000 men?

Mr. HULL. We do not get any such army under this bill. I say that we are simply getting more officers than we need for the number of men allowed.

This act goes on to provide—

and the enlisted force of the line of the Army shall be reduced to the number as provided for by a law prior to April 1, 1898, exclusive of such additions as have been, or may be, made under this act to the artillery, and except the cadets provided for by this act, who may be appointed prior to July 1, 1901.

Now, sir, that simply provides for the reduction of the Army absolutely on the 1st day of July, 1901. But it does give, in my judgment, as I have already said, an ample force up to that time, and that is reason enough to cause me to support the bill.

Mr. LANHAM. What will be the size of the Army after that?

Mr. HULL. It will be, after adding the 14 batteries of artillery, about 29,000 men, in round numbers. The proviso declares that it shall not affect the additions made in the artillery force.

Mr. BROMWELL. Will you allow me just here—

Mr. HULL. Before answering any other question, Mr. Speaker, I desire to say a word or two further in explanation.

I wish to say that this is, in my judgment, the best the House can do at present. The bill does not meet my approval, for reasons which I have stated; but I do not see what else can be done. I do not intend to say, or mean to say, that I am in favor of the provisions of the bill; but I am in favor of giving the Executive of the nation ample power to protect all the interests of the Government here or elsewhere for the next two years. [Applause.] This bill, bad as it is, will do that.

Mr. BROMWELL. Now, if my friend will yield to me for a moment.

Mr. HULL. Certainly.

Mr. BROMWELL. I would like to ask the gentleman whether the provision commencing with line 17, on page 13, which makes this great Army bill a vehicle for the exercise of certain favoritism for two officers, one of whom graduated in 1873 and the other in 1876—neither of whom has had a day's experience in the Engineer Corps, neither of whom has been examined for promotion in the grades of that corps—is proper. Is it fair that this bill shall be the vehicle of their promotion to the office and rank of major, and to that extent of reducing the grade of every other officer who has been serving in that branch of the Army below that? I find that provision in the bill looks very much like it.

Mr. HULL. I can only say, in response to my friend from Ohio, that the Chief of Engineers sent a letter to the committee yesterday afternoon—

A MEMBER. Read the letter.

Mr. HULL. The letter is not in my hand at present; but this letter protested against this provision on the ground alleged by the gentleman from Ohio, but spoke in most complimentary terms of the two officers.

Mr. PAYNE. Is it the intention of the gentleman from Ohio to allow the opponents of the bill to have all the time?

Mr. HULL. I am only explaining the bill and stating the reasons why I have made the motion to suspend the rule.

Mr. PAYNE. But the gentleman from Ohio is opposing the bill.

Mr. HULL. This provision, to which reference is made, was put in by the Senate; but I am told that they are men who graduated ahead of their class, and want to get into the engineer service. They are said to be accomplished officers.

Mr. HEPBURN. Will the gentleman from Iowa allow me a question?

Mr. HULL. I yield to my colleague.

Mr. HEPBURN. What will be the situation, in the judgment of my friend from Iowa, if this bill is not passed? I mean what will be the condition of the Army?

Mr. HULL. The condition of the Army on the termination of the war would be to reduce the effective strength to 26,610 men; and in my judgment the volunteers should go out, so that without legislation we would have no army worthy the name.

Mr. MAHON. That is right.

Mr. HULL (continuing). When peace is concluded, I think the volunteers should go out; and one of the controlling reasons for my consenting to bring this bill before the House at all, apart from the fact that only a few more days remain of this session, is my belief that every volunteer should be mustered out and sent home as soon as possible, and if we refuse legislation in reference to the Army they may be kept in for an indefinite time, in my judgment. And so far as I am concerned, no vote or act of mine shall go to keep the volunteers in service beyond the proclamation of peace if it is possible in any way to avoid it.

Mr. CARMACK. Could they be kept in after that?

Mr. HULL. The law says "until the objects for which they were called into the service are accomplished." The Regular Army provision was more stringent and direct than that as to the volunteers. This is supposed to take away all doubt as to that fact, to let those boys in Manila and Cuba who are volunteers and who do not desire to remain in the Army come home.

Mr. CARMACK. Has not the Attorney-General given his construction of the law, and said that upon the ratification of the treaty their term expires and they have a right to come home?

Mr. HULL. He has not construed the law in that way, so far as I know. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman's time has expired. The gentleman from Virginia [Mr. HAY] has twenty minutes.

Mr. HAY. Mr. Speaker, I am opposed to this bill and I shall vote against it, because, in the first place, it provides for more soldiers than the Government has asked for or has need for. It provides for 100,000 enlisted men and for at least 5,000 officers. I shall vote against it because it is a measure which increases the expenditures of the Government when there is no necessity for it.

I was in favor and am now in favor of giving to the Government every man that it needs for the purposes of preserving law and order in Cuba and in the Philippine Islands, but I do not believe in giving more by 20,000 men than are necessary for that purpose. And this is what this bill does. Nor do I believe in sacrificing principle for the sake of expediency.

I am opposed to the bill for the further reason that it has in it a conscript feature; and if I was not opposed to it before the gentleman from Iowa [Mr. HULL] made his speech, I ought to be opposed to it now, because, while he ostensibly favored the bill, his speech was practically against the bill. He rightly said that under the provisions of this act two law departments of this Government can not agree whether the President will have the power to use the 65,000 men which this bill purports to give him or whether he can only use 35,000 men. In my judgment, he can only use the 35,000 men, and for that reason I might be constrained to vote for the measure.

Under the provisions of this bill the various companies, regiments, troops, and batteries are confined to a specific number of enlisted men, and the provision for 65,000 men is directly in opposition to that provision of the bill. We are told by the chairman of the committee that the Judge-Advocate-General takes one view of the matter and that the Attorney-General takes another view. Such legislation as this is not fit to go upon the statute books and ought not to go there.

I am opposed to it for the reason that, instead of permitting the volunteers now in the Philippine Islands to return, as the chairman of the committee says they ought to do, and I cordially agree with him, under the provision of this bill to be found on page 12, these men, in my judgment, can be kept there if a majority of any organization, regiment, or company chooses so to vote. The President is given the power to keep the volunteers there and prevent them from coming home.

Mr. HULL. Will the gentleman from Virginia yield to me?

Mr. HAY. I can not yield to the gentleman. I have promised all my time to gentlemen on this side.

Now, Mr. Speaker, the redeeming feature of this bill is the fact that the Senate has placed a limitation upon it by which the standing Army will be reduced on the 1st day of May, 1901, to 27,000 men, or about that number.

Mr. HULL. Twenty-nine thousand.

Mr. HAY. Twenty-nine thousand men. That is the only redeeming feature that I see in this bill. But I do not believe that it will be wise or patriotic for members of this House to vote for this bill in its present shape. I certainly can not vote for a bill of this importance and of this magnitude without having an opportunity to offer any amendment or time in which to consider its provisions.

I yield five minutes to the gentleman from Texas [Mr. HENRY].

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 12008) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, disagreed to by the House, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. HALE, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 2552) to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park.

#### REORGANIZATION OF THE ARMY.

Mr. HENRY of Texas. Mr. Speaker, my first utterance in this discussion to-day shall be in commendation of the American soldiers and sailors who are now fighting in the Philippine Islands. We should cheerfully applaud their courage and loyalty in flying to the rescue of our country's flag when it is involved, and no word of criticism should come from this side of the Chamber or the other side. No member glories more in the triumph of the American arms than I, nor delights more in the patriotic achievements of our soldiers in their response to duty.

But, Mr. Speaker, I shall oppose this Senate bill if it is the last act of mine in the Fifty-fifth Congress. When we declared war against Spain, we did it for a definite purpose. We should not lose sight of the moving cause. We said:

The abhorrent conditions which have existed for more than three years in the island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating as they have in the destruction of a United States battle ship, with 266 of its officers and crew, while on a friendly visit in the harbor of Havana, can not longer be endured.

For these reasons and these alone we declared in the solemn declaration of Congress:

The people of the island of Cuba are and of right ought to be free and independent.

We placed the war upon such lofty grounds of humanity. Shall we charge an indemnity for our love of humanity and liberty and say it must be paid in money or with the Philippine Islands?

No lust of empire or greed for conquest was then lurking in our high and noble purposes. It was a love of freedom and independence that led us into this holy warfare to liberate a struggling and oppressed people. Will some other humane nation be called upon to raise its voice and arms by intervening to liberate the struggling Filipinos? I deliberately submit the query to the future for an answer. I still believe this great American nation will yet say to the civilized world we will not attempt to govern the Filipinos against their consent; we will not take their country with or without their expressed will. For my part, I propose to live up to the declaration of intervention both by my acts and by my votes on the floor of this House.

To continue this war against the inhabitants of the Philippines is the rankest repudiation of the grounds upon which the Revolutionary war was fought. It is nothing short of a land-grabbing foray urged on by the trader and commercial cormorant in politics. It is the soul of greed feasting upon the fruits arising from a humane and honorable war. For seventy-five years we have contended with Mr. Monroe that "European powers will not be permitted to extend their system to this hemisphere." Let us not abandon that doctrine by thus repudiating it.

Why are we asked to increase the Army? Why are we asked for a hundred thousand soldiers for the next three years? Do we need them in Cuba, where there is no possibility of war and where it has been announced the soldiers will not longer remain after the ratification of the treaty by Spain? Do we need them in Porto Rico, where all is quiet? Any man who can reason at all can understand that the soldiers are desired now to carry on the war against the inhabitants of the Philippines, that they are wanted to strengthen and develop the military arm of the Government for the future.

But you ask, would I leave the President of the United States without a sufficient military force in the Philippine Islands? I do not hesitate to state my position upon that question. If I were in the position of the President of the United States I would instantly flash a friendly message to the inhabitants of those islands, and tell them we are not their enemies. I would proclaim to

them in that message that they are entitled to govern themselves, that they may form their own government, "that they are and of right ought to be free and independent." I would give them back their country. Then not another gun would be fired, not another battle would occur, not another brave American soldier or sailor would be hurled into eternity in this horrible contest.

We should not hesitate to inform them that we are not seeking to oppress them, but are only desirous of securing to them their long-cherished dream of liberty, as every paper in the United States announced we would do the morning after the news of the glorious victory won by Dewey and the immortal patriots who were with him at Manila. They said, away over there in the East a great and glorious republic, fashioned after our own American Republic, will be erected to scatter the blessings of freedom and to enlighten that far-distant country with the principles of self-government. Alas! what false prophets. But the dream is vanished. Instead, we must have an army annually costing over \$100,000,000, and a navy costing over \$150,000,000 each year. Against this enormous burden and taxation I protest and raise my voice. Under it the people will groan for years to come.

In the good old days of the Republic, when democratic simplicity blessed us, the governing arm reached up from the people to the central Government. We had State sovereignty and State's rights. Now the ruling and superior arm reaches down from the central Government to the people. We must be ruled from the national capital and not from the hearts of the people. The military must now be superior to the civil arm of the Government. State lines must fade out and disappear. Imperialism must supplant democratic principles. The struggle between the empire and the old Republic has begun. I denounce and repel this imperial spirit. Let this military fever and the immense armies and great navies pass from among freemen inhabiting a democratic Republic.

Why were the twenty millions of dollars given to Spain? Was it done in order that we might give the inhabitants of the Philippines their liberty and independence? If that had been the purpose our commissioners would have said to the Spanish commissioners, recognize the independence of the Filipinos, withdraw your army and navy from their country, let them have a government of their own, and we will not pay you one dollar for those islands. And Spain, bleeding and mangled at our feet, would not have resisted for an instant, but would have been compelled to comply literally with those demands. But that was not the purpose of the Administration. It has, in my judgment, been the fixed purpose and determination of the Administration from our first occupancy of the Philippines to take them and annex them to our territory permanently.

It is the beginning of a colonial policy for America. It means greater expenses and more enormous taxation for this country. The policy shall not receive my indorsement by a vote for this bill or in any other way by my voice in Congress. I shall not stand here to-day and agree that this bill shall pass without my protest, when it fixes an army of over 100,000 men upon our people for nearly three years. This is a momentous day in American history, and the most radical departure taken since the foundation of the Republic; and to perpetually record my protest against it, when the proper time comes, if I am alive, I shall demand the yeas and nays, and cast my vote against this odious measure.

It is true that it is claimed the Army of a 100,000 is only for a few years. But a simple message of friendship to the Filipinos will terminate the war, and there will be no need for further battles anywhere; therefore, no necessity for an army.

In the name of the solemn declaration of intervention, in the name of the spirit which animated our noble ancestry who enshrined freedom and independence in our Republic, in the name of the sacred cause of humanity, let our Government speed that message around the world. [Applause.]

Mr. HAY. I yield four minutes to the gentleman from Florida [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, there are several reasons which impel me to vote against the pending measure. Prominent among those, not undertaking to mention them all, is the fact that I do not think we need as large a standing army as this bill provides for during the next two or three years. I am not going to discuss here the great question which has been under consideration during the past two or three months, as to whether it is right or wrong for the President to commit this country to the policy of expansion, to which he himself seems to be committed.

I may say here, however, in the discussion of this question of expansion, or imperialism, if you will allow the expression, we have been prone to overlook a very important feature of that policy, or, at least, some of the details of that policy. We have heretofore confined our discussions to the Orient, to the islands in Asiatic waters, to the exclusion of matters nearer home. In all of the wide range which the discussion of this important question

has taken, we have not considered the great wrong that is being done to the Cuban people by ourselves.

On the 18th of April of last year, the Congress of the United States, at the request of the President, adopted a resolution declaring war against Spain, mainly, as was claimed at the time, for the benefit of the Cuban patriots.

For more than three years the people of Cuba had been at war with the home government in an effort to gain their freedom from Spanish domination, and to establish an independent government of the Cubans and for the Cubans.

In this war they had fought with a bravery and a heroism born of desperation and of the very highest patriotism. They had suffered untold miseries and had faced death in every form. They had seen their beautiful island laid waste by the sword and the torch and its population desolated by famine and pestilence. A system of cruelty not heard of in the annals of civilized warfare had been practiced by the Spaniards upon them as a war measure, and hundreds and thousands of women and children had been deliberately starved to death. Indeed, their sufferings and fortitude were so great and their bravery and heroism so marked as to challenge the admiration and sympathy, not only of this country, but of the liberty-loving in all lands and all climes.

In this free land their appeals were heard by our people, and a generous response went up from the great American heart; but the Cuban patriots asked little at our hands. They did not ask that we as a nation should take up arms in their behalf. They only requested the simple boon of a recognition of them as belligerents. Give them this, they said, and they would soon gain their independence and establish a free government of their own.

And this, Mr. Speaker, would have been our wisest policy. If this course had been pursued by this Government at any time during the three years anterior to the blowing up of the *Maine* in Havana's harbor and the destruction of the lives of our gallant seamen there, the freedom of the Cubans would have been attained, in my judgment, without a declaration of war on our part, without armed intervention, and war would have been averted, with all that it has entailed upon us.

A simple message from the President at any time to Congress would have brought about this result. Such action on the part of this great Government of ours would have given the Cubans a status in civilized warfare, and would have opened wide the door through which aid would have come to them from liberty's votaries in this and all other countries in the civilized world.

But the President—and I refer not alone to the present occupant of the White House, but to his predecessor as well—turned a deaf ear to the entreaties of the Cuban patriots until finally forced to hear and to act by the overwhelming sentiment of the American people. Still this action, when it came, was not what the American people wanted or the Cubans desired. For on the 11th of April the President sent a message to Congress asking that he be authorized to use the Army and Navy of the United States to drive Spain out of Cuba, which was nothing less than a request for a declaration of war.

But in that resolution we planted ourselves on high ground. Borrowing the language of our own Declaration of Independence, descriptive of our condition and of our relations to Great Britain when the war for our independence began, as also descriptive of the condition of the Cuban people, and of their relations to Spain, we declared that they were and of a right ought to be free and independent, and in accordance with the request of the President directed him to use the Army and Navy of the United States in making that declaration good.

But, Mr. Speaker, we did not stop there. Recognizing the fact that the Cubans, as we were going to their island unbidden, might misinterpret our intentions, and that foreign countries, in whose counsel chambers the voice of liberty and the cry of distress are never heard, might doubt our sincerity and impugn our motives, we disclaimed any intention or disposition to exercise any control over the island of Cuba except for the pacification of the same—that is, for the purpose of driving the Spaniard away—and announced our intention when that was accomplished to leave the government of the island to its people.

Now, a part of this resolution has been carried out. Within less than one hundred and twenty days from that time, by a series of the most brilliant victories both by sea and land, the Spanish power in Cuban waters was crushed into atoms and the Spanish Queen ceased to rule over the island.

But what have we done to carry out the rest, and, in the eyes of the world, the most important part of this resolution? Have we left them to form their government and to control their own domestic affairs? More than six months have passed away since the signing of the protocol, which practically ended the war between this country and Spain, yet no government of the Cubans or by the Cubans has been recognized by this Government, nor have they been permitted to form one. On the contrary, that island is governed to-day not by the Cubans, who more than ten months ago were

declared to be free and independent, but they are governed solely by the military power of that nation which promised them and the civilized world that they might govern themselves.

In fact, Mr. Speaker, greater efforts are being put forth by the military power of the United States for the alleged purpose of governing the Cubans than was put forth by that same power to drive the Spaniards away. Twenty thousand men, aided by our Navy, were found more than sufficient for that purpose; and yet, now that the Spaniard is gone and the Spanish flag has ceased to wave over the island of Cuba, it requires 40,000 soldiers to govern and control the Cubans.

Now, I make bold to assert that a great wrong is being done the Cuban patriots by our Government, while a still greater wrong is being done ourselves and the cause of freedom and humanity by the course we are pursuing toward these people. We promised them bread, and gave them a stone; we promised them freedom from foreign domination, and are continuing that yoke of bondage with only a change of masters; we promised them a government of their own choosing, and are giving them a government of our own selection, and one, too, imposed at the point of the bayonet and at the mouth of the cannon.

We declared that they of a right ought to be free, and were free and independent, and that, too, when the tread of the Spanish soldier was heard in every city of the land, and when a thousand Spanish cannon were trained on the Cuban patriots; but now that the Spaniard has gone, we have taken his place, not perchance to pillage and plunder as he did, but to rule and govern without the consent of the governed, as the Spanish tyrant did.

I know it may be answered that we propose yet to give them freedom, that the present military occupation is only temporary, and that as soon as a stable form of government is established we will then depart. But when is that to be, and who is to be the judge of the time and stability of the government? Above all, under what auspices will this government be established? Will it be under those of the Cubans themselves, their generals, their statesmen and patriots, or will it be established under the shadow of military power? Ah, Mr. Speaker, I fear the latter, and so do the Cuban people, and with good reason, too.

They can not be unmindful of our pledges, of our declarations on the one hand and our acts on the other. They know that the President declared, even in his message recommending a declaration of a war with Spain, that forcible annexation would be criminal aggression. But they also know that in the face of that declaration the President has seized Hawaii and is now engaged in a war against the inhabitants of the far distant Philippines, in which our soldiers are mowing them down like grass, while the Filipinos are fighting for their lands and homes. They know, further, that Porto Rico has been taken as a result of the war, begun upon the high ground of humanity, and a desire to see the Cubans free.

It is, Mr. Speaker, in the light of all these events that they read and interpret the acts of our Government toward themselves. Why, they ask—and it is also a pertinent question for the American people to ask—have we sent forty-five or fifty thousand men to the island of Cuba while it only took 20,000 men to drive the Spaniard away, and when peace reigns from one end of the island to the other?

It can not be that they are carried there for the health of our soldiers, for Cuba has never been noted as a health resort for Americans or the Anglo-Saxon. It can not be that that people, who it was declared deserved to be free and independent ten months ago, can not now govern themselves and require the military power of this country to hold them in check, unless we intend to infringe upon their rights and to crush their hopes and aspirations for self-government.

Can it be, Mr. Speaker, that these people whose bravery and endurance in the cause of freedom challenged the admiration of the world, whose praises were sung by tongue and pen throughout the length and breadth of this land, and in whose behalf this great nation unsheathed the sword and made war both by sea and by land, now that the hand of the oppressor has been removed, are unworthy of the trust of their benefactors? I think not, and yet that is what our acts imply, unless it be that behind all our fair promises and our boasted unselfishness there lurks an ulterior design against the liberties of the Cuban patriots.

Why, Mr. Speaker, the Cubans have shown no disposition to give us trouble, and we have no just reason to mistrust them. True, we went to their island uninvited in the first place, if not against their wishes, to assist them in driving the Spaniards away. It is also true that we did not do to them as we would have had them do to us under similar circumstances. Our treatment of them has been marked with arrogance, if not with insolence. We have taken possession of their island, for which they fought and suffered so much. We control their custom-houses, and collect and disburse all their revenues without consulting them in the least.

Instead of turning the government over to the Cubans we keep

many of the Spaniards in office to rule over them; and yet, with only now and then a murmur of disapproval, they submit to our rule, patiently awaiting the fulfillment of our promises.

Now, Mr. Speaker, it is time when the American people themselves should know what is the meaning of our action toward the Cubans; what this army of 50,000 men quartered in Cuba portends; what the studied neglect of the Cuban provisional government and the evidently intended failure to recognize its existence implies.

I, of course, know what the people of the United States intend. They mean to carry out, if permitted to do so, our promises so solemnly made to the Cubans and the civilized world and to ourselves. They mean that the Cubans should have that for which they struggled, for which they endured hardships, for which they saw their island laid waste, their homes and firesides desolated, and for which they endured all the horrors of war inflicted by the sword, the torch, and by famine. That is what our people mean, but I am not so sure of the intention of the Administration, or of those who control the Administration.

I do not wish to be unjust, but we must look at things as they are, not as we might wish them to be. No matter with how much charity we may desire to view the acts of the Administration toward Cuba, the fact remains and can not be disguised that while we took up arms to free the Cubans and promised them freedom, our Government is the only power which stands to-day between them and absolute freedom. The military arm of this Government casts the only shadow which dims the star of the Cuban republic.

It may be claimed that in all we have done and are doing, as well as in all we have left undone, we are preparing the Cubans for self-government, educating them, as it were, in the way they should go. Premitting the fact that perhaps the Cubans are even now better able to work out their own political destiny than we are to perform that act for them, it is not altogether certain that the kind of education we are giving them will impress them with the blessing of freedom or increase their respect for our institutions.

Military edicts registered by the will of a foreign master and enforced by the bayonet, taxation without representation, offices doled out by the hand of a stranger, are conditions that are not calculated to increase the love of the Cubans for our institutions or inspire high ideals in their conception of self-government.

No wonder, Mr. Speaker, that we occasionally hear mutterings of discontent among the patient Cubans. I saw a few days ago, in a press dispatch, an extract taken from one of the most liberal and conservative Cuban papers, in which was copied the following from the pen of General Enrique Celiázo:

The Treasury Department expresses the intention of giving an honest administration, but it employs men who were used by the dishonest Spanish régime, and the department of justice is administered as under Spain. We hoped, but vainly, that the Americans would teach us new and better ways of government. It was logical to believe that they would break the old molds and build on methods prevailing in the United States. There laws based on the demands of the people prevail; but in the American administration in Cuba caprice rules with the sword, and the Cubans are thrown aside and also excommunicated.

The Cubans demanded with one voice the payment of their army, and the United States responded with insufficient charity and food. The United States come to instruct us as to governing; but they will not let us try to show what we can do. They come to give us independence, but seem to prepare for annexation. We may eventually vote upon the question of annexation, but with the reins of government in the hands of the Americans there is little hope of a fair expression of the people's wants. The centralization of power is established by the fact that General Brooke, or the Washington Government, makes the appointments. We are growing to be a nation of petty office-seekers; we have no political personality. The ways of the Americans are daily becoming more incomprehensible. We hoped to see the return of prosperity, but the country can not pay even the reduction made in taxes.

That is the language of one of Cuba's most trusted leaders, and, if true, furnishes a terrible arraignment of our Government. "They had hoped," he said, "that we would teach them new and better ways of government. It was logical," he says, "to believe that we would break the old molds and build on methods prevailing in the United States. Here laws based on the demands of the people prevail, but in Cuba, under our administration, caprice rules with the sword, while the Cubans are turned aside and excommunicated." What kind of lessons in self-government are we thus teaching them? What a preparation that for self-government!

But, sir, that is not the worst part of the General's complaint. The fear is expressed that we do not intend to give the Cubans freedom. Is it true that after all our fair promises we are only preparing for annexation? Is the President trying to do by indirection that which if done, he declares, by direct methods would be criminal aggression? If so, his purpose can be easily accomplished in the shadow of military power, and that would be one way of accounting for the large army in Cuba.

We know, because history tells us on many a gloomy page, how the will of the people has been thwarted, and how elections have been influenced, aye, controlled by the presence of armed soldiers.

If, then, this is the object of the Administration, we know how easily such a purpose can be carried out to a successful conclusion.

I will not, Mr. Speaker, say that that is the President's object, and we will yet trust him to see that faith is kept with the Cubans and that our name is untarnished; but if it is the intention of the Administration to take the step which the Cubans fear he is about to take, then he will have in the near future the American people to reckon with, for they will not tolerate such use of the American Army or pardon such violations of plighted faith.

Mr. Speaker, in the declaration of war upon the grounds given to the world as the motives which prompted our action we placed ourselves upon a plane high above that ever before taken by any nation whose history is recorded in the annals of the past; and by carrying out our pledges to these people we will add a luster to our name as Americans which will last throughout all the centuries of our future history, as it will shed its light over the years of our national life which have gone before; but if, on the contrary, we in an unguarded moment should pull down the lofty standard we have erected for ourselves; if, yielding to the desire of territorial aggrandizement and colonial acquisition, we should violate the terms of the bond between ourselves and the Cubans, we will cast a blot upon our name which all the centuries can not wipe out or efface.

Mr. Speaker, I am opposed to the war now being waged against the Filipinos. It is a sad spectacle that a war begun in the name of liberty should degenerate into one of conquest. We found the Spaniards killing those people, and began with the pretense of liberating them; but having purchased Spain's alleged right to kill, we are waging relentless war to destroy their liberties or to kill them if they resist.

Now, to all this I am opposed. But even if we are to make war on them, we do not need the army for which this bill provides. Thirty or forty thousand men armed with the implements of modern warfare would be ample to kill all the Filipinos, with their crude weapons of bows and arrows. Let us, then, withdraw the army from Cuba, where it is not needed for any laudable purpose, and add to it temporarily such as may be necessary to cope with the Filipinos and the inclemencies of tropical summers until we can get away from those distant regions with honor, if possible, to ourselves and with credit to the civilization of the age. [Applause.]

Mr. SULZER. As a member of the committee, Mr. Speaker, in favor of this bill, I desire to be recognized for twenty minutes.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. STEELE. Mr. Speaker, I want forty minutes.

The SPEAKER. The gentleman from Florida asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Mr. Speaker, has the time expired for debate?

The SPEAKER. The time has not expired. The gentleman from Virginia [Mr. HAY] has some time left.

Mr. HAY. I yield four minutes to the gentleman from South Carolina [Mr. TALBERT].

Mr. TALBERT. Mr. Speaker, I am opposed to the passage of this measure in its present shape, and, in addition to some other objections that have been urged against the bill by those gentlemen who have preceded me, all of which are very valid ones, I want to call the attention of the House to section 8 of this bill, which seems to me is provided especially to make a special place for a certain individual. When the law was enacted establishing the Record and Pension Bureau, it gave the President the right to appoint a chief of that Bureau with the rank of colonel. Colonel Ainsworth, of Vermont, was appointed to that position. This same person, it is now proposed in the Army bill, shall be promoted to a higher grade.

Now, this section provides that he shall be promoted to the position of brigadier-general, and it seems to me that this is a piece of private, special legislation, put in here especially to give this man the rank of brigadier-general, and to be retired at a certain age with full pay for life. Let us examine his office at present and note the surroundings and see how many clerks he has under his supervision, and then let us see what is the nature of his present position, whether it is civil or military. I believe there are, at the outside, only 600 clerks. My friend from Kansas on my left suggests that he has not as many as a half dozen, but I think there are 600, and they are civil employees, every one of them, put in under the certification of the rules of the civil service; a very small command for even a colonel, much less a brigadier-general.

It does seem to me that you can find no record where Colonel Ainsworth has ever been in the military service of the country in any way or ever had any military record. He is not a military man and, in my judgment, he is not now himself in the military service or subject to military orders. It seems to me that 600 men are too small a number to put a man over with the rank of brigadier-general; and then, in addition, he is to have an assistant

with the rank of major or lieutenant-colonel, another place made for another particular individual already mentioned in the paper.

As I understand it, all the service he has ever seen is that he was appointed in 1874 to the position of assistant surgeon with the rank of first lieutenant, and I do not think he held that position long. I am not sufficiently informed, but I think, if I am correctly informed, soon after he resigned, for some cause or other. I do not know what. Possibly an examination of the records will disclose the facts.

Now, I submit that this section ought to be stricken out because we are not here to pass legislation to put in special pets and raise them to such a rank as that. The gentleman has possibly some special friend in the Senate. I do not know who it is, but he seems to have been influential in getting this thing in to raise this man to the rank of brigadier-general. You might as well make a brigadier-general of Mr. H. Clay Evans, Commissioner of Pensions, or Mr. Carroll D. Wright, Commissioner of Labor, or Mr. Binger Hermann, of the Land Office. If you are going to make a position for one, why do you not bring in all of your friends from this Department of the Government? I submit that this section ought to be stricken out. Or if you will not agree to do this, I ask again why have not these other gentlemen been made brigadier-generals?

Mr. STEELE. He is now an officer in the Army. It is because of the efficiency and promptness with which he dispatches business. His promotion may stimulate the heads of some other Department. [Laughter.]

Mr. TALBERT. Because their friends were not so prompt, says my friend from Indiana. Perhaps not; and with these objections and many others, I shall not support the measure, especially as it may give the President a right to conscript my people and drag them off to the Philippine Islands to die in the swamps. [Applause.]

The SPEAKER. The gentleman from Virginia has one minute remaining.

Mr. HAY. I yield one minute to the gentleman from Tennessee [Mr. CARMACK].

Mr. CARMACK. Mr. Speaker, I simply wish to say, representing as I do a number of gentlemen on this side of the Chamber, that I expect to vote for this bill, not because it is such a bill as I would have drawn or such a bill as I entirely approve of, but because I know if we could succeed in defeating this bill we should get a worse one. This is the best that can be obtained, and for that reason, if for no other, I expect and intend to vote for it.

Mr. SULZER. Mr. Speaker, as a member of the committee, on behalf of the friends of this bill, I would like to have twenty minutes, which I will divide up among those in favor of the bill.

Mr. STEELE. I should like to have forty minutes against the bill. [Cries of "Regular order!"]

The SPEAKER. The gentleman from New York [Mr. SULZER] asks unanimous consent that he be allowed twenty minutes in favor of the bill.

Mr. STEELE. I am afraid he will object to my request.

Mr. SULZER. No, I will not. Do you object to mine?

Mr. CANNON. I desire to submit a request to the House. I am not a member of the Military Committee, but I wish to ask unanimous consent that before the vote is taken on this question there may be twenty minutes more of debate on each side.

Several MEMBERS. That is right.

Mr. SULZER. I am willing to consent to that.

Mr. CANNON. This is an important measure, and I think this request should be granted.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] asks that twenty minutes more be allowed on each side for further debate. Is there objection? The Chair hears none. Does the gentleman from New York desire time?

Mr. CANNON. Mr. Speaker—

Mr. MARSH. I want to say that I am in favor of this bill—

Mr. CANNON. If I am entitled to twenty minutes, I yield that time to my colleague [Mr. MARSH].

Mr. SULZER. Who is entitled to occupy the time in favor of the bill?

Mr. CANNON. I yield that time to my colleague for his disposition.

Mr. STEELE. I submit that if the gentleman from Illinois [Mr. CANNON] and the gentleman from New York [Mr. SULZER] are recognized to control the time the debate will be all on one side.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] has made the request for unanimous consent, and is therefore, according to the usages of the House, entitled to one-half the time—twenty minutes—which he has yielded to his colleague [Mr. MARSH]. The Chair has no doubt that the gentleman from Illinois will allow the gentleman from New York [Mr. SULZER], under the circumstances, to occupy some portion of his time.

Mr. SULZER. I rise to a parliamentary inquiry. Do I understand that the gentleman from Illinois [Mr. CANNON] has yielded twenty minutes to his colleague, Colonel MARSH?

The SPEAKER. The Chair so understood.

Mr. CANNON. I desire that my colleague, who is on the Military Committee, shall control twenty minutes of the time.

Mr. SULZER. And who is to control the other twenty minutes?

Mr. SHAFROTH. I ask unanimous consent that the gentleman from New York [Mr. SULZER] be permitted to control the other twenty minutes.

The SPEAKER. Is the gentleman from Indiana [Mr. STEELE] opposed to the bill?

Mr. STEELE. I am, sir.

The SPEAKER. Then the Chair will recognize him to control the remaining twenty minutes.

Mr. COX. Pardon me a moment. Do I understand that the gentleman from Illinois, a member of the committee, controls the twenty minutes in favor of the bill?

A MEMBER. Mr. Speaker, let us have order.

The SPEAKER. The Chair would be glad to have order, and once in a while one member seems to desire it. [Laughter.] If that feeling could be extended, we would have order. Gentlemen will take their seats and suspend conversation.

Mr. COX. Now, Mr. Speaker, I want to inquire—

The SPEAKER. The gentleman from Illinois has been recognized.

Mr. COX. Let me understand—

Mr. MARSH. Mr. Speaker, the pending bill—

Mr. COX. I wish to inquire—

The SPEAKER. The gentleman from Illinois has the floor.

Mr. MARSH. And I can not yield. I do not wish to be discourteous.

Mr. Speaker, the pending bill which has come over here from the Senate is not in all its points such a bill as I would draft or such a bill as I would be glad to support. But, Mr. Speaker, it does give this Administration temporarily the number of men and the number of officers that it may need for the next two years and four months. It provides that on the 1st day of July, 1901, the Regular Army shall consist of a little less than 30,000 men.

Mr. BARTLETT rose.

Mr. MARSH. I decline to be interrupted.

This bill, Mr. Speaker, provides that between now and 1901 the President may increase the Regular Army up to 65,000 enlisted men if in his judgment (and only in that contingency) it should be proper to do so. The bill does not require this to be done; it permits it to be done.

In addition to that, Mr. Speaker, the bill confers upon the President of the United States the power to call into the service during that period—that is, between now and the 1st of July, 1901—35,000 volunteers, whose officers shall be appointed by the President and confirmed by the Senate. The bill does not make it obligatory upon the President to call into the service 35,000 volunteers, but permits him to do so; and when he does it, it directs that he shall organize them into 30 regiments, 3 of cavalry and 27 of infantry. And, Mr. Speaker, because this bill gives to the President the necessary power to increase temporarily the Regular Army to 65,000 men and the volunteer organization to 35,000 men—because it does this I favor the bill.

I want to say further, Mr. Speaker, that this bill has been most severely and unjustly criticised in the House and outside of the House. It is not the best bill that could be framed, but as a temporary measure it will meet present requirements and is the best that the country can expect to get at this late date in the session; and I hope it will receive the substantial support of both sides of the House. [Applause.]

Now I yield three minutes to the gentleman from Iowa, General HENDERSON.

Mr. HENDERSON. Mr. Speaker, we have had sharp differences of opinion in the House, as members well know, in respect to an Army bill. There have been sharp differences between the two Houses also in that regard. We are at the close of a session of Congress with these sharp differences of opinion still existing between the two bodies.

It is well known from the utterances of myself before on the same question that I am against a great standing army. I do not see the need for it in our country and under our system of government.

But this bill, in my judgment, is a bill that, at the present time, is the best attainable under the conditions that exist in the House and in the Senate. It leaves the Army in a condition where the country can at least be protected in all of its interests, and we have only a short time—for we will be in session again in December next—only a short time in which to try the experiment of the pending bill. In December, if it be necessary, legislation can be effected to meet requirements that may arise.

I think the bill is sufficient for the present conditions; and we can shape it, if future necessities require it, on a different model.

My friends on both sides of the Chamber know that we are surrounded by difficulties which make it impossible to do very much in the brief time remaining of the session; and this seems to be

the best that can be accomplished at least at the present time. It is, in my opinion, this bill or no legislation. I will vote for it. [Applause.]

Mr. MARSH. I yield now to my colleague [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I am not very familiar with the organization of the Army, but I do believe, from the best information I can acquire, that with regard to the coming two years the bill now before us will be satisfactory; that it will give us 100,000 fighting men, if that number be necessary for the defense of the United States and for use in the Army, and will enable the Executive of the nation to provide the necessary forces to meet any requirements that may arise in that time.

Now, it may not be perfect as to officers, it may not be perfect as to men, but, after all, what we want in the immediate future is the men to uphold the flag and defend our common country, and preserve order, if needed. As the gentleman from Iowa [Mr. HENDERSON] has well said, Congress will meet again in December next, and if the welfare of the public service requires more legislation as we get more light touching our outlying territories, then Congress can give the legislation. I believe, with the Senate constituted as it is, that this is the best legislation we can get, and that we must choose between this legislation and an extraordinary session. I believe this will answer the purpose, and therefore I shall vote for it. [Applause.]

Mr. MARSH. I yield two minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, if I could frame a bill to suit myself, I would vote down this proposition. If I believed that it were possible that after the defeat of this measure as it presents itself here now some more satisfactory measure could be acted upon in time for our adjournment on Saturday, I would vote to defeat this measure.

But, Mr. Speaker, we are on the eve of adjournment. It is highly and vitally important that we have time to consider some of the important measures that are yet to come before us. There is one feature of this measure which I like and which commands my hearty support, and that is this: We are as much in the dark as to the necessity of a very large permanent establishment to-day as we are in regard to any other matter which has grown out of the acquisition of these new territories. Therefore it is safe for us to plant ourselves upon a temporary organization, a temporary establishment that can be remodeled and changed as later information gives us data upon which to act. Therefore, inasmuch as this bill gives to the President the contingent power that is necessary, I shall vote for it. [Applause.]

Mr. MARSH. How much time have I, Mr. Speaker?

The SPEAKER. The gentleman has eleven minutes remaining.

Mr. MARSH. Mr. Speaker, I now yield to my colleague on the committee, the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, we are confronted with this grave and serious situation: We must either pass this bill, in my judgment, just as it is, or there will be no Army legislation at this session of Congress. That is the alternative. If we do not pass this bill it will necessitate an extraordinary session of Congress.

I want to do all that I can to obviate an extraordinary session of Congress. Every Democrat here should do all he can to avoid an extraordinary session of Congress. Although this bill is not perfect and does not meet with all of the requirements I would desire as a member of the committee, still, as the best thing we can get—as a fair compromise—I am in favor of it, and shall do all I can to pass it.

Fifty-five members of the Senate voted for it and only thirteen voted against it. Any delay, any amendment now will kill the bill, and the President will be obliged to call an extra session. The so-called Hull bill was opposed by the Democrats, and the latter, under the leadership of Senator GORMAN, suggested this proposition, the Republicans of the Senate assented to it, and we will be derelict in our fidelity to the Democrats in the other branch of the Legislature if we now impede or defeat this bill.

I trust that every Democrat who sympathizes with the men in arms at Manila, with our soldiers and sailors in the Philippines, will uphold at this critical moment the hands of the President and give him the power vested in him by the terms of this bill. I am a partisan, but in times like these I always subordinate my partisanship to my patriotism. We should all be patriots to-day. We must not forget, we must not forsake our brave and heroic soldiers and sailors who are upholding and defending our flag in the Orient. We must all stand by them.

Mr. HENRY of Texas. Will the gentleman yield for a question?

Mr. SULZER. The gentleman had more time than I have, in which he talked about the people in the Philippine Islands. I have only a few minutes. I trust I shall not be interrupted, although I would like to accommodate my friend.

Mr. STEELE. I will give you the time to answer a question.

Mr. HENRY of Texas. Will the gentleman yield now?

Mr. STEELE. I will give you a minute in which to answer it.

Mr. SULZER. I thank the gentleman from Indiana. Yes; I will now yield to my friend from Texas.

Mr. HENRY of Texas. I want to know, if the proviso commencing in line 4, on page 13, is repealed, if it would not leave a standing army of over a hundred thousand men?

Mr. SULZER. No, sir; it would not, and I will tell you why. That proviso can not be repealed. It would be just as hard to repeal that proviso as it would be to pass a bill for a standing army of 100,000 men. It will never be done—take my word for it.

Mr. HENRY of Texas. Will you please tell me why?

Mr. SULZER. In the first place, it is not repealed, and it will not be repealed. In the next place if it were repealed—

Mr. HENRY of Texas. That is not an answer to the question.

Mr. SULZER. Oh, well, the gentleman's question supposes something which does not exist. It is based on a supposition which will never arise. We are going to pass this bill. It will give the President all the power—all the men—he asks for now to suppress the insurrection. It will cease to be operative after July 1, 1901.

Mr. GROSVENOR. Will the gentleman from New York allow me?

Mr. SULZER. Yes. I am always glad to yield to the gentleman from Ohio.

Mr. GROSVENOR. The enlistments under this bill would not be affected by the repeal of the proviso.

Mr. SULZER. That is quite true. In the first place, we are not going to repeal that proviso. In my opinion, no attempt will ever be made to do that. We should pass this bill, if we pass it at all, in its entirety. Any change in it now means its defeat and an extra session, when a permanent Regular Army bill will be passed. We can not evade the responsibility or avoid the positive alternative. By the passage of this bill now it seems to me we gain all we have contended for.

This bill is only a temporary measure. It will cease to be operative in 1901. The increase is only temporary. There is nothing permanent about it. It simply meets the present emergency.

Mr. HENRY of Texas. I do not think the gentleman caught the point of my question.

Mr. SULZER (continuing). Oh, yes; I think I have. And I hope the gentleman has grasped the importance of my reply. The responsibility for all that is now going on rests on the Administration. I do not think it is good policy to embarrass the Administration merely for political advantages. This bill can do no harm. It becomes a nullity and repeals itself on the 1st day of July, 1901. Until then it gives the President all he has asked for.

I was opposed to and voted against the bill of the gentleman from Iowa [Mr. HULL] because I am opposed to increasing the Regular Army to the extent he wanted to increase it. I thought the gentleman in the committee this morning favored this bill and would do so on the floor, but he has stood up here this afternoon and used every argument he can think of against the bill. I hope the members of the House will realize how important it is to pass this bill. Its failure now would be a calamity—an affront to every man in the Philippines.

The bill is not a perfect one. It is a compromise bill. It is only a temporary measure, and will cease to be a law on July 1, 1901. But, take it all in all, it does great credit to its author, and, in my opinion, I can not see how a Republican or a Democrat can consistently vote against it. It gives the President all the men he wants to meet the present emergency, and at the same time it does not increase the standing army a single man. After July 1, 1901, by virtue of this bill, the Regular Army will be just the same as it was before war was declared against Spain. By that time, let us hope, the country will be at peace with all the world and the insurrection in the Philippines a thing of the past. This is no time to be captious. This is no time to split hairs or play small politics. We should do our duty. We should do what is right, and the people will judge us accordingly.

Mr. Speaker, just a few words more. My time is nearly exhausted. Some criticism has been made against the bill because it makes the chief of the record department a brigadier-general. The chief of that department is Col. F. C. Ainsworth, and a more efficient, a more competent, and a more industrious gentleman never lived. He is entitled to this promotion. He has made the record division of the War Department a model. His system has never been excelled, and the facility with which he can furnish the record of every soldier who was in any war in the United States is one of the marvels of the century. He has saved the Government thousands and thousands of dollars. When he took hold of that division it was in confusion—no one could find a record or tell anything about the history of the soldiers of the Union. Out of chaos he brought order, detail, and system, the best in the world.

The great work he has done is a monument to human effort, human endurance, and human ingenuity. Every member of this House is indebted to Colonel Ainsworth. No one who knows the facts and who has the slightest sense of gratitude will oppose his

deserved advancement. He has earned, he merits, and a just recognition of his worth and services warrants this promotion. In my opinion it is one of the best provisions in the bill. I am always glad to speak a good word for an efficient, an honest, a competent, and a faithful public servant. [Applause.]

[Here the hammer fell.]

Mr. MARSH. I call upon the gentlemen on the other side to consume some of their time.

Mr. STEELE. I yield three minutes to the gentleman from Ohio [Mr. BROMWELL].

Mr. BROMWELL. Mr. Speaker, it is with a good deal of diffidence that I oppose the views expressed by the leaders, the recognized leaders, of the Republican side of this House; but I can not stand idly by and see this bill passed, if it is to be passed, without entering my protest, first against the bill itself, which it is admitted by those who propose to vote for it is not such a bill as we ought to put upon the statute books; but more than that, I am opposed to this continual threat by which this bill, as it were, is forced down our throats by the statement that we can not get a better bill if we do not take this.

I for one, as a member of this House, have become tired of being compelled by a mere minority of the membership of that House who first coerced their colleagues in the Senate, and then coerced the President of the United States to give his assent to this bill, and then come over on this side of the Capitol and coerce this independent legislative body to do as they, a mere minority, chose to dictate.

This bill ought never to pass; and if it does pass in this House, I for one, much as I would regret to see it, and I know no one who would suffer probably more inconvenience, would be willing to come here in extraordinary session and pass such a bill as we ought to pass for the reorganization of the Army. I shall vote against the consideration of the bill under such circumstances that we can not amend it. I do not think in doing that I am voting against the Administration, and I am not voting against the boys who are fighting at Manila, but voting to strengthen the arm of the President.

In one part of the bill it is provided that there shall be a certain number of companies, the number in the companies, the number of regiments, providing for a total that can be easily figured out—something less than 30,000; and yet there is an additional proviso which states that it shall not exceed 65,000. These two conflict with each other, and I can see no way to harmonize them except to amend this bill, which we can not do.

I have called attention, in an inquiry made of the chairman of the committee, to the rank injustice done in section 13 of this bill, where two men who have never seen a day's service in the Engineer Corps of the Army act as majors—men who have never been examined for promotion, who know nothing about the improvements that are going on throughout the country; and yet, as majors of engineers, they will be put in charge of those improvements, and put in charge of men who know more in five minutes than they do in five weeks. It is a piece of favoritism that ought never to have been ingrafted in this bill.

The SPEAKER. The time of the gentleman has expired.

Mr. STEELE. I yield five minutes to the gentleman from Virginia [Mr. SWANSON].

Mr. SWANSON. Mr. Speaker, gentlemen on this side of the House who antagonize the annexation of the Philippine Islands have all insisted that it will be the cause of a vast expense to this Government. We commence with this bill to keep books with the Philippine Islands. This bill provides for 100,000 men, 29,000 for ordinary purposes, 71,000 for some extraordinary purposes for the next two years and six months.

Now, what are those extraordinary purposes? They exist either in Cuba or Porto Rico or the Philippine Islands. There is peace in Porto Rico; no rebellion in force there, no discord, and consequently there is no need for them there. It is understood by the people who have gone to Cuba that in a short time our troops will retire from there, and so there is little need for troops in Cuba. Certainly, then, the 71,000 men is needed entirely to carry out the purposes of this Administration in the Philippine Islands. That 71,000 men necessarily entails a cost of about \$80,000,000 or \$90,000,000, and as we proceed with the further appropriations, we shall see how expensive will become our experience and venture in the Philippine Islands.

Now, Mr. Speaker, I am opposed to voting troops to conquer the Philippine Islands until we have declared our policy in reference thereto. If I had my way, I would pass through the House and through the Senate a resolution giving the people in the Philippine Islands precisely the same rights and the same privileges that have been extended to those in Cuba. Then, in the meantime, while we occupy the Philippine Islands, our power and good offices should be exercised to enable those people to create a good, independent government. And then after that is done I favor withdrawing on reasonable terms, they paying us \$20,000,000 and giving us a coaling station in that island.

Now, in reference to this bill, there is one feature of it which ought to meet the universal disapproval of this House. This bill provides that there shall be enlisted men by organization. Now, there is no way for an organization to act, except by a majority of the members or individuals that constitute the organization. When an individual joins, he joins of his own free will and accord. Any organization, whether a corporation or not, can only act by a majority of its constituent members. Consequently, if these troops are to be enlisted in Philippine Islands by organization, the only way they can be enlisted is by a vote of the majority of the members of that organization, and when the majority has voted to enlist, the minority will be conscripted and forced to enlist. Unless this is true, there is no necessity for having the term "organization" in the bill.

It is not optional with every man to say whether he will serve or not. I shall never vote for a bill that compels a man, because he is a member of an organization or a company, to serve in the tropical country of the Philippines, Cuba, or Porto Rico without his consent. I shall never vote to force a man to go into a war of conquest or oppression, and I say now that I can see no use or occasion to say that they shall be enlisted by organization, unless that vote is to be taken by a majority of its members.

Now, there are other objections which I have to this bill. The gentleman from New York [Mr. SULZER] has said that this is a Democratic measure. I deny the proposition. I deny that the Democratic side of this Chamber is willing to vote for 71,000 men to be sent to the Philippine Islands before this Administration has declared its purpose toward the inhabitants of those islands.

Mr. WILLIAMS of Mississippi. Did it not come as a proposition from the Democratic side of the Senate?

Mr. SWANSON. A few Democratic Senators can not commit me to any policy. I say it is opposed to Democratic doctrine, Democratic ideas, and Democratic position upon the Philippine Islands.

Mr. SULZER. Did not the Democrats in the Senate vote for the bill?

Mr. SWANSON. No; not the two Senators from Virginia.

Mr. BARTLETT. Mr. Speaker, I rise to a point of order that what was done in the Senate is not subject to debate in the House. The SPEAKER. The gentleman from Georgia is right.

Mr. STEELE. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Speaker, it is my judgment that this bill ought not to pass in this way. It will be remembered, Mr. Speaker, that if it is absolutely necessary that it should pass, that nothing better can be done than this another day, to-morrow or the next day may be assigned, and then we may have action. But for us to take a bill of this importance, that has never had one moment of consideration, I am told, in the other House, has had no consideration in this House, is a mistake, until we have exhausted every means of securing something that is better.

Is it not possible for us to take this bill and so amend it as to put it in conference with the hope of doing something better? This bill must be radically wrong. I find that a company may be composed of 43 men or it may be composed of 129 men. The total enlisted force may be 23,000 men or the total enlisted force may be 65,000 men. A regiment may consist of 517 men or it may consist of 1,547 men; and yet the same number of officers is had in each case. If there are no more than enough for 517 men, then there are not enough for a regiment of 1,500 men.

Mr. MARSH. Will my friend allow me a suggestion? The House bill that he voted for provided that there should be a regiment of 720 men or a regiment of 1,740 men.

Mr. HEPBURN. I do not care, Mr. Speaker, whether that was in the other bill or not; but I know this, there was no imperative necessity imposed there as there is here.

The conditions are different. We have too many officers in the one case or not enough in the other. If 517 officers are enough, and only enough, to command the organization with companies numbering 43, surely they are not enough when the companies are increased to 129 men.

Rather than have an extra session I would vote for this bill, but I do not believe the time has yet arrived when that alternative is presented to me. The time that the committee might use has not yet been used. They have time and opportunity yet to seek a better bill than this. [Cries of "Vote!" "Vote!"]

Mr. MARSH. How much time has the gentleman from Indiana left?

The SPEAKER. Thirteen minutes.

Mr. MARSH. And how much time have I left?

The SPEAKER. Nine minutes.

Mr. MARSH. I call upon the gentleman from Indiana to yield some of his time.

Mr. STEELE. I yield five minutes to the gentleman from Iowa [Mr. HULL].

Mr. HULL. Mr. Speaker, I do not desire any five minutes. I

will yield back to the gentleman whatever time I do not use. The gentleman from New York, however, said that I had been using every argument that I could against this bill. I want to say that I simply called attention to what the bill provided; that is all. If that constitutes an argument against the bill, it was an argument contained in the bill itself. I said in addition that I should vote for the bill, because I believed it was all we could get at this session, and we must either take this or take the chances of having no legislation. If this were an original proposition, if the whole question were open and we had time to discuss and amend and debate it, then, as I stated explicitly, I would not vote for the bill. And I made my explanation of what the bill provided simply because I believed the House should have the information in regard to that matter.

Now, Mr. Speaker, one other word. I do not believe that this House can get any other bill than this, because I do not believe that the Senate will pass any bill other than this. We are brought face to face with that condition of affairs. For that reason, and for the further reason which I have stated, that the bill gives the President 100,000 fighting men for two years, I shall vote for it, but simply as a last resort. I do not claim to like it.

Mr. HOPKINS. As I understand, the alternative is to take this bill or an extra session.

Mr. HULL. I think that is it exactly.

Mr. HOPKINS. And the President prefers this bill to an extra session.

Mr. JOHNSON of Indiana. For the reason stated in the Post the other day—because it will give him nine months in which to exercise control over our newly acquired territory without any interference by Congress.

Mr. CARMACK. I wish the gentleman from Iowa would explain the provision in the bill which says that the President may enlist volunteers either individually or by organizations.

Mr. HULL. I do not believe that that provision would cause a single man to be taken into the service who did not voluntarily go in. The same provision was in our bill of last spring in regard to guard organization. In nearly all the National Guard companies half of the men stayed at home and the other half enlisted. No one was conscripted.

In answer to the gentleman from Virginia, I will say that I do not believe that the President can under this bill conscript a single man. He can get enough men without anything of that kind.

Mr. SWANSON. Will the gentleman permit a question?

Mr. HULL. Yes, sir.

Mr. SWANSON. How could the men be enlisted as an organization except by the voice of the majority of the members of that organization?

Mr. HULL. The construction was that the officers as an organization would come in, and the enlisted men who did not want to volunteer could step out, just as members of the National Guard did.

Mr. MARSH. I yield three minutes to the gentleman from Texas [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I believe that we must take this bill or an extraordinary session of Congress, and as a choice between these two I will take this bill [applause], provided the gentleman in charge of it will say that it does not give the President of the United States power to conscript unwilling volunteers.

Mr. HULL. I will say this (though I may be giving a little more of private conversation than I should), that I talked with the President on that subject, and he said that he did not regard the provisions of this bill as giving him any right to conscript a single man; that if he had to resort to conscription he would convene Congress to secure that right. [Applause.]

Mr. HENDERSON. He will use no power not clearly given.

Mr. BAILEY. Then, Mr. Speaker, I want to say to my friends on this side that for two weeks we assailed our adversaries on that side because they would not meet what we hope is a temporary condition by a temporary provision for it. They did not yield to our arguments or our entreaties, but at the other end of the Capitol their bill to permanently increase the Army was met by a greater power of resistance, and they were compelled there to take a bill which by its very terms must expire in two years, and I believe it better to take this temporary provision, with all of its defects, than to force, if it were within our power, an extraordinary session of Congress, which would certainly be followed by a bill to permanently increase the standing army of the United States. [Applause.]

Mr. STEWART of New Jersey. I rise to a question of high privilege.

Mr. BAILEY. I desire to say that when the Republican party is in power we have to choose between two evils, and we had better take the lesser one.

Mr. STEWART of New Jersey. I rise to a question of privilege.

The SPEAKER. The gentleman will state his question of privilege.

Mr. STEWART of New Jersey. I object to the gentleman from Texas or the gentleman from Iowa committing either party to what the policy of this Government is.

The SPEAKER. That is not a question of privilege.

Mr. MARSH. Will the gentleman from Indiana consume some of his time?

Mr. STEELE rose.

Mr. HEPBURN. Mr. Speaker, a parliamentary inquiry. Suppose this motion of the gentleman from Iowa should be negatived now, would it not be in order for him on to-morrow or a subsequent day to make the same motion?

Mr. PAYNE. Would not that depend upon whether the bill was here or in the Senate?

The SPEAKER. That would depend upon a variety of conditions. The Chair would not like to rule upon that question.

Mr. HEPBURN. Provided there was no further action than simply a negative vote.

Mr. HOPKINS. Does it not take a great deal of time to prepare this bill to be signed by the Speaker, the Vice-President, and the President? So, if it passes at this session, it must pass now.

The SPEAKER. The Chair thinks the gentleman from Indiana [Mr. STEELE] is entitled to the floor. [Laughter.]

Mr. STEELE. Mr. Speaker, the House recently passed what it considered to be a sensible Army reorganization bill and sent it to the Senate of the United States. That body carefully considered the measure sent to it, and one Senator was led to say in the course of his remarks that the House bill as amended—a bill entirely different from this—

Mr. KNOWLES. Mr. Speaker, I rise to a point of order that it is not in order to repeat what has been said in the other body.

The SPEAKER. It is not in order to comment on what is said in the Senate.

Mr. STEELE. I am not commenting. I have seen in the public press the statement by a Senator of long experience—

Mr. FLEMING. It is in the RECORD.

Mr. STEELE. That the bill that was amended by the Military Committee of the Senate was right as between God and man. And the press of the country informs us that another Senator said: "You will take the bill now under consideration or no bill, or we will have an extraordinary session." Now, the question is, Shall one man in this country hold us up?

The SPEAKER. The Chair hopes the gentleman will not allude to what has taken place in the other body.

Mr. STEELE. I will not. You know what I was going to say. [Laughter.]

The SPEAKER. The comity between two legislative bodies requires that anything that would have a tendency to lead to irritation between the two should be suppressed.

Mr. STEELE. I will not refer to it. This is not the bill that we expected to have here, and we are told now by the members of the Committee on Military Affairs of this House, the chairman of that committee [Mr. HULL] leading, I am sorry to say, that we must have this—what shall I call it—or no bill. Why is it so? Why, only a few minutes ago a bill passed this House carrying nearly \$22,000,000, which has to go to the Senate and be considered.

Can not the House consider a bill that does not suit it any better than the deficiency bill will suit another body in as short a time? Is there no means of taking care of ourselves and having legislation that some one may be satisfied with? Not a member on this floor has said that the bill that we are going, in all probability, to pass by suspension of the rules is satisfactory to him. Every member who has risen has said it has a great many defects in it, and it has. Why, the Executive Department has had two bureaus, judicial, of the Government passing upon its provisions to see whether or not its sections can be made to harmonize, and those bureaus disagree. We may have an army of 23,000 men or we may have an army of over 100,000 men by this bill.

Mr. HULL. One hundred thousand.

Mr. STEELE. Over 100,000, if they shall harmonize it. We may have of commissioned officers and noncommissioned officers and cooks one for every enlisted man and two-thirds. The bill is top-heavy, even in time of war.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. STEELE. Certainly.

Mr. BARTLETT. Is it not true that we may have a permanent army of 100,000 men by the repeal of thirteen lines of this bill.

Mr. STEELE. Well, we may have chaos by thirteen lines of legislation in this House. I am not prepared to say what we may have; but I know that when the measure was considered in some other parliamentary body of this country, and after it was settled that a certain number of men should constitute the force of the Army after July 1, 1901, any old kind of an amendment went in without controversy, and the House is proposing to take the bill as it passed with all of its defects as an ultimatum. Why not try to correct some of its worst defects?

The SPEAKER. The gentleman's time has expired.

Mr. STEELE. I am sorry I have not more time.

Mr. MARSH. I yield two minutes to the gentleman from Colorado [Mr. SHAFROTH].

[Mr. SHAFROTH addressed the House. See Appendix.]

The SPEAKER. The time of the gentleman has expired.

Mr. MARSH. I yield two minutes to the gentleman from Illinois [Mr. JETT].

Mr. JETT. Mr. Speaker, as a member of the Committee on Military Affairs, I gave my consent to report this bill, not because of the fact that I thought it was a correct measure, not that I felt that I would like to see it adopted; but if we were to have legislation of this character, I believed it was the very best that we could expect at this time. I prefer this to the Hull bill that did pass this House. I believe we would be infinitely worse off by not passing this bill at this time, and there should be a special session of Congress, when legislation of this character would be enacted. I am willing to accept this in preference to a measure that would be worse, in my judgment, if we are to have Congress assemble again for the purpose of enacting legislation upon this line.

Again, in my judgment, it is best that we should pass it because it was our opposition so strenuously entered to the increase of the standing army a few days ago that has brought about the great concessions that have been made to us. This is not a permanent organization. It is not seeking a permanent establishment. If it were, I would not support it; and I repeat that it was by reason of the fact of the strenuous opposition made upon this floor by the minority a few days ago that the concessions that have been made were made in the provisions of this bill.

Some gentlemen say that it is a permanent organization. I dispute that fact. I desire only to call your attention to the bottom of page 9, which reads, "That such increase of the regular and volunteer forces shall continue in service only during the necessity therefor, and not later than July 1, 1901."

The SPEAKER. The time of the gentleman has expired. [Cries of "Vote!" "Vote!"]

Mr. MARSH. I yield two minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, I believe that it is best for the country, and therefore best for the Democratic party, to accept this compromise bill. I believe it for four reasons:

First. Because if we do not accept it, we will have to accept whatever bill an extra session gives us, such is the situation in the Senate. No man doubts that from a Democratic standpoint such a bill would be worse than this one.

Second. Because this does away with the character of permanency in the organization of the Army, and therefore the Army organized under it is not a standing army. It will be a temporary army altogether. It is a compromise substitute for a standing army bill. All Democrats want to prevent a large standing or permanent army.

In the next place, Mr. Chairman, because it reduces the number of officers below that which the Committee on Military Affairs wanted to provide for; in fact, the number of officers are less than the number provided for in the minority substitute bill, which we ourselves voted for to take the place of the original bill of the Committee on Military Affairs.

Mr. HAY. The gentleman is mistaken in that fact.

Mr. WILLIAMS of Mississippi. If I am, that is my information.

Mr. HAY. Your information is wrong.

Mr. WILLIAMS of Mississippi. It is based on the fact that our substitute bill provided for 50 regiments and this bill provides for only 30, as I understand. That is my information.

Mr. HAY. The gentleman is mistaken.

Mr. WILLIAMS of Mississippi. Just let me go on one second and you can correct me later if you want to.

Mr. HAY. I will correct it, if the gentleman will give me an opportunity.

Mr. WILLIAMS of Mississippi. Correct me later, and I will correct it in the RECORD; but my time is running.

Now, in the fourth place, Mr. Speaker, I am in favor of it because it is a compromise bill proposed by members of the Democratic party in the Senate to get rid of the menace of a permanent standing army and its vast expense, its danger to the liberties of the people. It will require affirmative legislation to continue the Army herein provided for in existence after 1901, whereas if you had the sort of bill that the Republican party wanted, and which the extra session would fix on us, it would take affirmative legislation to get rid of it. For these reasons I am for it. [Cries of "Vote!" "Vote!"]

Mr. HAY. Mr. Speaker, I ask unanimous consent that gentlemen who have spoken on this bill may be allowed to extend their remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. BRUCKER. Mr. Speaker, I move to amend that by allowing all gentlemen to print remarks in the RECORD.

The SPEAKER. Is there objection to the proposition of the gentleman from Virginia?

Mr. BRUCKER. I object.

The SPEAKER. The Chair desires to state that after the vote there are a few matters on the Speaker's table that should be cleared up. The question is on suspending the rules and passing the bill.

Mr. HENRY of Texas. On that, Mr. Speaker, I demand the yeas and nays.

The question was taken; and the yeas and nays were refused, 11 gentlemen only rising—not a sufficient number.

The question on suspending the rules and passing the bill was then taken; and on a division (demanded by Mr. HENRY of Texas) there were 203 yeas and 32 noes.

The SPEAKER. Two-thirds having voted in the affirmative, the rules are suspended and the bill is passed.

#### PUBLIC BUILDING AT CLEVELAND, OHIO.

The SPEAKER laid before the House Senate bill No. 1056, to provide for a public building at Cleveland, Ohio, in which the Senate nonconcur in the House amendment.

Mr. WALKER of Massachusetts. Mr. Speaker, I ask unanimous consent to occupy an hour after matters are cleared from the Speaker's table.

Mr. BARRETT. I have no desire, Mr. Speaker, to stay here any later, and I object.

Mr. WALKER of Massachusetts. You are not obliged to stay here.

The SPEAKER. The question is on insisting on the House amendment and agreeing to a conference.

The question was taken; and the House insisted on its amendment and agreed to a conference.

The Chair appointed as conferees on the part of the House Mr. MERCER, Mr. HICKS, and Mr. BANKHEAD.

#### PUBLIC BUILDING AT STOCKTON, CAL.

The SPEAKER also laid before the House the bill 11892, to increase the limit of cost for the erection of a public building at Stockton, Cal., and make provision for the acquisition of land for a new site thereof, with Senate amendments.

The SPEAKER. This will require unanimous consent. It is a bill for a public building passed by the House, and amended by the Senate by the introduction of a section providing for another public building.

Mr. CANNON. Mr. Speaker, that ought not to be done.

The SPEAKER. Objection is made.

#### ADMIRAL OF THE NAVY.

Mr. BOUTELLE of Maine. Mr. Speaker, I am instructed by the Committee on Naval Affairs to report back the following bill (S. 352) creating the office of admiral in the Navy, and ask for its immediate consideration and passage. It is a bill passed by the Senate providing for the creation of the grade of admiral in the Navy, for the purpose of enabling the President to appoint Admiral Dewey to that office. A similar provision was put into the naval appropriation bill the other day, but this does not affect the naval bill, and that is still pending. This has been unanimously reported back, and I have been trying to secure an opportunity for its consideration for two or three days.

Mr. RICHARDSON. Does it fix the salary?

Mr. BOUTELLE of Maine. No; the salary is already fixed in the naval personnel bill.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. BOUTELLE of Maine. This is almost identical with the provision passed the other day in the naval appropriation bill.

Mr. BAILEY. It relates only to that?

Mr. BOUTELLE of Maine. Only that, and it will send the measure directly to the President.

Mr. LOUD. What became of the other bill?

Mr. FITZGERALD. I would like to ask the chairman of the committee if there is a provision in the personnel bill as to the salary, what the amount is?

Mr. BOUTELLE of Maine. I am not informed as to that subject.

Mr. FITZGERALD. A member of the Naval Affairs Committee has told me that there is nothing in the personnel bill fixing the salary, and I think that if this is so that an amendment should be offered to this resolution providing an adequate salary for the officer whom this resolution is intended to honor.

I for one can not see how Admiral Dewey can receive the pay that he will be entitled to when this resolution becomes a law and he is nominated by the President, and inasmuch as we have the opportunity now to arrange this matter, I can not see why it is not done. However, I will not persist further in this matter if my suggestion is to be construed as an objection to the present consideration of the resolution.

Mr. HANDY. Mr. Speaker, I ask for the reading of the bill.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the President is hereby authorized to appoint, by selection and promotion, an admiral of the Navy, who shall not be placed upon the retired list except upon his own application; and whenever such office shall be vacated by death or otherwise the office shall cease to exist.

Mr. FITZGERALD. I do not wish to object; but I am informed by a member of the Naval Affairs Committee that there is no provision in the naval personnel bill which will give the officer provided for by this bill a salary. That is the information given me by the gentleman from New York [Mr. CUMMINGS]. If that is the case, I think we ought to amend the bill here. There will be no trouble in getting the amendment through the Senate.

Mr. BOUTELLE of Maine. This is a Senate bill. I hope no member will object. I ask for a vote.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, and read the third time.

The question having been taken on the passage of the bill,

Mr. DOCKERY. Mr. Speaker, I think the Chair should state and the RECORD should show that this bill has passed unanimously.

The SPEAKER. The yeas have it; and the bill is passed.

On motion of Mr. BOUTELLE of Maine, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT LOCKPORT, N. Y.

The SPEAKER laid before the House the amendment of the Senate to the bill (H. R. 500) for the erection of a public building at Lockport, N. Y.

The amendment (providing for the purchase of a site for a public building at New Brighton, Pa.) was read.

Mr. MERCER. I ask unanimous consent—

The SPEAKER. This bill is in the same category as the preceding bill, and the action upon it which the gentleman from Nebraska proposes will require unanimous consent.

Mr. MERCER. I ask unanimous consent that the House disagree to the Senate amendment and ask for a conference.

The SPEAKER. Is there objection? The Chair hears none.

The SPEAKER announced the appointment of Mr. MERCER, Mr. HICKS, and Mr. BANKHEAD as conferees on the part of the House.

Mr. STEELE. I move that the House adjourn.

The motion was not agreed to.

#### PUBLIC BUILDING AT TAMPA, FLA.

The SPEAKER laid before the House the amendments of the Senate to the bill (H. R. 414) for the erection of a public building at Tampa, Fla.

The amendments were read.

Mr. MERCER. I move that the House disagree to the Senate amendments and request a conference.

Mr. STEELE. How much does the Senate amendment increase the amount?

Mr. MERCER. Two hundred and fifty thousand dollars.

Mr. STEELE. Is that all?

Mr. HANDY. I rise to a parliamentary inquiry. Does this bill require unanimous consent for its consideration now?

The SPEAKER. The distinction is that this bill merely increases the amount; in the other bills a new object was added, which the House had not considered, and which, under our rules, should be sent to the Committee of the Whole House. The question is on the motion of the gentleman from Nebraska, that the House nonconcur in the Senate amendments and ask for a conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. MERCER, Mr. HICKS, and Mr. BANKHEAD as conferees on the part of the House.

#### PUBLIC BUILDING AT BALTIMORE, MD.

The SPEAKER laid before the House the bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., for the erection of a new public building thereon, for the accommodation of the Government service in said city.

The SPEAKER. On this bill the Senate has disagreed to the amendment of the House and asked a conference.

Mr. MERCER. I move that the House insist on its amendment and agree to the conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. MERCER, Mr. HICKS, and Mr. BANKHEAD as conferees on the part of the House.

#### PUBLIC BUILDING AT STOCKTON, CAL.

Mr. BARRETT. Mr. Speaker, a few moments ago, through a misunderstanding of the matter before the House, I objected to the consideration of a House bill returned from the Senate with

amendment, the bill providing for a public building at Stockton, Cal. I wish now to withdraw that objection.

The bill (H. R. 11882) to increase the limit of cost for the erection of a public building at Stockton, Cal., and making provision for the acquisition of additional land for a new site therefor, was again laid before the House with the amendment of the Senate.

Mr. MERCER. I ask unanimous consent that the Senate amendment be disagreed to and that we ask a conference.

Mr. CANNON. What is the object of this bill?

Mr. MERCER. It provides for a new post-office building.

Mr. CANNON. I understand that this is a House bill for the erection of a public building at Stockton, and it has been amended in the Senate so as to provide for the erection of a public building in another city. Now, I have no desire to object so as to embarrass anybody; but I do object to this method of legislation.

Mr. MERCER. I promise the gentleman that the House shall have a chance to act on this before anything is done.

Mr. DOCKERY. And you will stand by the House?

Mr. MERCER. I will stand by the House, of course.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER announced the appointment of Mr. MERCER, Mr. HICKS, and Mr. BANKHEAD as conferees on the part of the House.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing was received from the President of the United States, by Mr. PRUDEN, one of his secretaries.

WASHINGTON AND UNIVERSITY RAILROAD COMPANY, DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House the bill (H. R. 11799) to amend an act of Congress approved July 8, 1898, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia," with Senate amendments thereto.

The Senate amendments were read.

Mr. BABCOCK. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

Accordingly the Senate amendments were concurred in.

W. D. WILLIAMS.

The SPEAKER also laid before the House the bill (H. R. 9760) to redeem outstanding certificates issued by the board of public works of the District of Columbia, held by W. D. Williams, with a Senate amendment thereto.

The Senate amendment was read.

The SPEAKER. As this makes an appropriation out of the Treasury of the United States it requires unanimous consent for its consideration.

Mr. DOCKERY. I hope the gentleman will let this go over until the first thing in the morning. A new question is raised there.

Mr. BABCOCK. I move that the House nonconcur in the Senate amendments, and ask for a conference.

Mr. DOCKERY. Before I consent, I desire to ask—

The SPEAKER. It requires unanimous consent to take it up.

Mr. DOCKERY. I hope the gentleman will let this go over until the first thing in the morning. I will look at it. I think there will be no trouble about it.

Mr. BABCOCK. Very well.

The SPEAKER. The matter will be returned, then, to the Speaker's table.

#### INDEBTEDNESS OF ALBUQUERQUE, N. MEX.

The SPEAKER also laid before the House the bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes, with a Senate amendment.

Mr. FERGUSSON. I move that the House concur in the Senate amendment.

The motion was agreed to.

Accordingly the Senate amendment was concurred in.

INTERNATIONAL COTTON PRESS COMPANY, NEW ORLEANS, LA.

The SPEAKER also laid before the House the bill (H. R. 10363) for the relief of the International Cotton Press Company, of New Orleans, La., with a Senate amendment.

The Senate amendment was read.

Mr. RAY of New York. I move that the House concur in the Senate amendment.

The motion was agreed to.

Accordingly the Senate amendment was concurred in.

MUSCLE SHOALS POWER COMPANY, ALABAMA.

The SPEAKER also laid before the House the bill (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and

construct canal and power stations at Muscle Shoals, Alabama, with Senate amendments.

The Senate amendments were read.

Mr. TAYLOR of Alabama. I move to concur in the Senate amendments.

Mr. COX. Mr. Speaker, I want to know what is the point?

Mr. TAYLOR of Alabama. It is a Senate amendment to a House bill, which has been approved by the Secretary of War. The amendment has been read.

Mr. COX. All right. I want to understand things as we go along.

The Senate amendments were concurred in.

ROBERT FLOWER.

The Speaker also laid before the House the bill (H. R. 7632) to remove the charge of desertion from the military record of Robert Flower, with a Senate amendment.

The Senate amendment was read.

Mr. GRIFFIN. I move that the House concur in the Senate amendment.

The motion was agreed to.

Accordingly the Senate amendment was concurred in.

THOMAS WEST.

The SPEAKER also laid before the House the bill (H. R. 4253) granting an honorable discharge to Thomas West, with a Senate amendment.

The Senate amendment was read.

Mr. GRIFFIN. I move that the House concur in the Senate amendment.

The motion was agreed to.

Accordingly the Senate amendment was concurred in.

JOHN H. SMITH.

The SPEAKER also laid before the House the bill (H. R. 3190) granting an honorable discharge to John H. Smith, with a Senate amendment.

Mr. GRIFFIN. I move that the House concur in that Senate amendment.

The motion was agreed to.

Accordingly the Senate amendment was concurred in.

W. G. NEELEY.

The SPEAKER also laid before the House the bill (H. R. 1213) granting an honorable discharge to W. G. Neeley, of Canyon City, Colo., with a Senate amendment.

Mr. GRIFFIN. I move that the House concur in that amendment.

The motion was agreed to.

Accordingly the Senate amendment was concurred in.

#### BEET-SUGAR INDUSTRY IN THE UNITED STATES.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a communication from the Secretary of Agriculture covering a report on the progress of the beet-sugar industry in the United States during the year 1898. It embraces the results of numerous chemical analyses and the observations made by a special agent in various parts of the United States.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, March 1, 1899.

Mr. PERKINS. Mr. Speaker, I desire to submit a resolution in connection with that.

The SPEAKER. The gentleman presents the following resolution, for which he asks unanimous consent.

The resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring). That there be printed 50,000 additional copies of the special report on the beet-sugar industry in the United States, submitted to the House of Representatives in a message of the President of the United States of date March 1, 1899: 20,000 for the use of the House of Representatives, 10,000 for the use of the Senate, and 20,000 for the use of the Department of Agriculture.

Mr. DOCKERY. Is it necessary to do that since the acquisition of the Philippines and Cuba?

Mr. PERKINS. I have a letter from the Department urging the passage of this resolution.

Mr. RICHARDSON. Is this a concurrent resolution?

Mr. PERKINS. A concurrent resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

On motion of Mr. PERKINS, a motion to reconsider the last vote was laid on the table.

The message and accompanying documents were referred to the Committee on Agriculture, and ordered to be printed.

## REPRINT OF THE ARMY REORGANIZATION BILL.

Mr. HULL. Mr. Speaker, a large number of members have requested a reprint of the bill which has just passed, with regard to the Army. It has never been printed by order of the House, and it is impossible to get copies. I therefore ask that 2,000 copies be printed for the use of the House.

The SPEAKER. The gentleman asks that 2,000 copies of the Army reorganization bill as passed by the House and Senate be printed. Is there objection?

There was no objection.

Mr. DOCKERY. How are they to be distributed?

Mr. HULL. Through the document room.

## SALE OF WASTE PAPER, ETC.

Mr. MINOR. Mr. Speaker, I desire to present a privileged report on the sale of waste paper. It has already been read, but it was withdrawn because it was informally presented. I now desire to have it spread on the record.

The SPEAKER. Without objection, the report, which has already been read to the House, will be spread on the record.

There was no objection.

The report is as follows:

The Joint Select Committee of the Senate and House of Representatives, appointed on 21st day of April, 1898, on the part of the House of Representatives, and on the 2d day of May, 1898, on the part of the Senate, and to whom was referred the report of the Hon. L. J. Gage, Secretary of the Treasury, of April 16, 1898, printed as Senate Document No. 246, second session, Fifty-fifth Congress, and the report of the Hon. O. L. Spaulding, Acting Secretary of the Treasury, of April 27, 1898, and printed as Part 2 of Senate Document No. 246, second session, Fifty-fifth Congress, in respect to the accumulations in the Treasury Department of old and useless papers, with accompanying statement of the condition and character of such papers, respectfully report to the Senate and House of Representatives, pursuant to an act entitled "An act to authorize and provide for the disposition of useless papers in the Executive Departments," approved February 16, 1898, as follows:

That your joint committee have met and fully examined the said reports and the statements therein, and the papers therein described, and recommend that such files and papers, not being needed in the transaction of the current business of the Treasury Department, and having no permanent value or historical interest, should be sold as waste paper or otherwise disposed of upon the best obtainable terms, as provided in said law.

S. M. CULLOM,

F. M. COCKRELL,

Members on the part of the Senate.

E. S. MINOR,

W. BREWER,

Members on the part of the House.

The report was ordered to be printed.

## ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

H. R. 1139. An act to provide for a building for the use of the post-office and other civil offices in the city of Hot Springs, Ark.;

H. R. 11693. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900;

H. R. 5536. An act providing for an annex to the Federal building at Jackson, Miss.;

H. R. 407. An act for enlarging the public building at Topeka, Kans.;

H. R. 4113. An act for the erection of a public building at St. Cloud, Minn.;

H. R. 2814. An act to accept a site as a donation and erect thereon a custom-house and post-office building in the city of Bristol, State of Tennessee;

H. R. 8587. An act for the erection of a public building at Monmouth, Ill.;

H. R. 1098. An act to provide for the erection of a public building at Elizabeth City, N. C.;

H. R. 11893. An act for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J.;

H. R. 11861. An act for the erection of a public building at Elmira, N. Y.;

H. R. 447. An act for the erection of a custom-house and post-office building at Brunswick, Ga.;

H. R. 75. An act for the erection of an addition to the United States public building at Canton, Ohio;

H. R. 484. An act providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa;

H. R. 4313. An act for the erection of a public building at the city of Jamestown, N. Y.;

H. R. 6. An act to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr.;

H. R. 521. An act for the erection of a public building at Fitchburg, Mass.;

H. R. 2129. An act to provide for the erection of a public building at Kansas City, Kans.;

H. R. 524. An act to erect a public building at Lawrence, Mass.;

H. R. 10962. An act to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois;

H. R. 11056. An act authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn.;

H. R. 4306. An act for the erection of a public building in the city of Elgin, Ill.;

H. R. 11686. An act providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York;

H. R. 10969. An act for the erection of a public building in the city of Blair, Nebr.;

H. R. 11530. An act authorizing the extension of the post-office building at Springfield, Mass.;

H. R. 11360. An act for the erection of a public building at Creston, Iowa.;

H. R. 11965. An act to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa;

H. R. 1663. An act for the erection of a public building at Carrollton, Ky.;

H. R. 12125. An act making an appropriation to carry out the obligations of the treaty between the United States and Spain concluded December 10, 1895;

H. R. 10804. An act for the erection of a public building at Anniston, Ala.;

H. R. 431. An act to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois;

H. R. 11162. An act to provide for the construction of a public building at the city of Janesville, Wis.;

H. R. 4595. An act for the erection of a public building at Norwich, Conn.;

H. R. 11919. An act to construct a public building at Oskaloosa, Iowa, and for other purposes;

H. R. 84. An act to provide for the erection of a public building at Freeport, Ill.;

H. R. 11141. An act for the erection of a public building at Annapolis, Md.;

H. R. 9077. An act to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891; and

H. R. 5528. An act to provide for the construction of a public building at Salem, Oreg.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. R. 189. Joint resolution to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia;

S. 104. An act to increase the pension of Lucretia C. Waring;

S. 146. An act to provide for the erection of a public building at Indianapolis, Ind.;

S. 1896. An act to provide for the purchase of a site and for the erection of a public building thereon at Salt Lake City, the capital of the State of Utah;

S. 88. An act to provide for the purchase of sites of public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes;

S. 346. An act providing for the erection of a public building at the city of Seattle, in the State of Washington;

S. 164. An act to provide for the construction of a public building at Butte City, Mont.;

S. 244. An act to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri;

S. 706. An act to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California;

S. 1371. An act for a public building at the city of Wilkesbarre, Pa.;

S. 927. An act to provide for the erection of a public building at Abilene, Tex.;

S. 926. An act to provide for the erection of a public building at Beaumont, Tex.;

S. 109. An act for the erection of a public building at Aberdeen, S. Dak.; and

S. 2048. An act for the erection of a public building at Fergus Falls, Minn.

## SENATE JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. R. 196. Joint resolution for the relief of J. T. Bootes, late Lieutenant (junior grade), United States Navy—to the Committee on Naval Affairs.

S. R. 216. Joint resolution construing the act approved June 27,

1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor and providing for pensions to widows, minor children, and dependent parents"—to the Committee on Invalid Pensions.

S. R. 260. Joint resolution authorizing the Secretary of War to lend 10,000 cots, 2,000 tents, and 10,000 mattresses to the executive committee of the United Confederate Veterans' Reunion to be held at Charleston, S. C., May 10, 1899—to the Committee on Military Affairs.

#### LEAVE TO WITHDRAW PAPERS.

By unanimous consent, on motion of Mr. NORTON of Ohio, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of Harrison Wagner, Fifty-fifth Congress, no adverse report having been made thereon.

And then, on motion of Mr. PAYNE (at 6 o'clock and 18 minutes p. m.), the House adjourned until to-morrow at 11 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of State, transmitting a report of the indeterminate sentence and the parole law in the United States—to the Committee on the Judiciary.

A letter from the Secretary of State, transmitting copy of reports in answer to various questions submitted by the International Prison Congress—to the Committee on the Judiciary.

A letter from the Secretary of War, relating to the proposition to give a medal of honor to Mrs. Lena P. Cowden—to the Committee on Military Affairs, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HULL, from the Committee on Military Affairs, to which was referred joint resolution of the House (H. Res. 378) authorizing the Secretary of War to deliver to the mayor of Charleston, S. C., tents, cots, and mattresses in loan for the convenience of the United Confederate Veterans at their annual reunion, to be held this year at that city, reported the same without amendment, accompanied by a report (No. 2321); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred joint resolution of the Senate (S. R. 48) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann, reported the same without amendment, accompanied by a report (No. 2322); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HICKS, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 71) to provide for the erection of a public building at Washington, Pa., reported the same with amendment, accompanied by a report (No. 2325); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred joint resolution of the Senate (S. R. 216) construing the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," reported the same without amendment, accompanied by a report (No. 2327); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 5069) to amend the act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army," reported the

same without amendment, accompanied by a report (No. 2319); which said bill and report were referred to the Private Calendar.

Mr. GRIFFIN, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 658) for the relief of Henry Lane, reported the same without amendment, accompanied by a report (No. 2320); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3797) for the relief of William Ludgate, reported the same with amendment, accompanied by a report (No. 2323); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 11875) for the relief of Wickham Hoffman, services as chargé d'affaires ad interim at St. Petersburg between July 1, 1878, and June 30, 1880, reported the same without amendment, accompanied by a report (No. 2324); which said bill and report were referred to the Private Calendar.

Mr. TATE, from the Committee on Naval Affairs, to which was referred joint resolution of the Senate (S. R. 207) to appoint E. E. West a second lieutenant, United States Marine Corps, reported the same with amendment, accompanied by a report (No. 2326); which said resolution and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RICHARDSON: A joint resolution (H. Res. 380) authorizing the licensing of exhibitions for gain within the District of Columbia—to the Committee on the District of Columbia.

By Mr. FLETCHER: A memorial from the legislature of Minnesota, favoring the building of certain dams recommended by Government engineers—to the Committee on Rivers and Harbors.

By Mr. HEATWOLE: A memorial from the Minnesota legislature, favoring the election of United States Senators by a direct vote—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, a memorial from the legislature of Minnesota, favoring the survey of the Red River Valley for the purpose of building dams to protect the lands in said valley—to the Committee on Rivers and Harbors.

By Mr. KELLEY: A memorial from the South Dakota legislature, favoring the erection of a branch of the National Home for Disabled Soldiers and Sailors at Hot Springs, Fall River County, in said State—to the Committee on Military Affairs.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, Mr. WHITE of North Carolina introduced a bill (H. R. 12210) removing the charge of desertion from Louis Collier; which was referred to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Petition of the Christian Endeavor Society of Emanuel Baptist Church, of Buffalo, N. Y., praying for the passage of the Clarke bill, providing that no polygamist shall be a Senator or Representative—to the Committee on Elections No. 1.

By Mr. BARTLETT: Resolutions of the Epworth League of the Mulberry Street Methodist Episcopal Church, of Macon, Ga., to prohibit the sale of liquor in canteens—to the Committee on Military Affairs.

By Mr. CHICKERING: Protests of the Woman's Home and Foreign Missionary Society of Adams, N. Y., and citizens of Lewis County, N. Y., against the admission of B. H. Roberts to the Fifty-sixth Congress—to the Committee on Elections No. 1.

By Mr. CLARDY: Petition of members of Gen. Samuel Hopkins Chapter, Daughters of the American Revolution, in favor of the woman's nursing service bill—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 6378, for the relief of the estate of J. W. Wilkins, of Madisonville, Ky.—to the Committee on War Claims.

Also, papers to accompany House bill No. 10072, for the relief of William A. Short, of Calhoun, Ky.—to the Committee on Military Affairs.

By Mr. CLARKE of New Hampshire: Petition of the Woman's Christian Temperance Union of New Hampshire, praying for the

passage of the Clarke bill, providing that no polygamist shall be a Senator or Representative—to the Committee on Elections No. 1.

Also, petition of the Woman's Christian Temperance Union and the Baptist and Second Congregational churches of Wilton, N. H., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union and the Baptist and Second Congregational churches of Wilton, N. H., to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union and Baptist and Congregational churches of Wilton, N. H., favoring the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. FLETCHER: Resolutions of the Woman's Council, and protests of citizens of Minneapolis, Minn., and citizens of Eden Prairie, Minn., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. GARDNER: Petition of the First Baptist Church of Bordentown, N. J., against the reopening of the sectarian-school question and favoring the American common-school system among the Indians—to the Committee on Indian Affairs.

Also, petition of citizens of Point Pleasant, N. J., for the continuance of the prohibitory law in Alaska—to the Committee on the Territories.

Also, petitions of citizens of Point Pleasant and Atlantic City, N. J., Lewis H. Whitacre, Joseph R. Lippincott, George M. Parker, Stacy and Henry B. Stiles, all of Lumberton, N. J., and Ormond M. Wright, of Barnegat, N. J., favoring the passage of the Ellis bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GREENE of Massachusetts: Protest of the Woman's Christian Temperance Union of Bristol County, Mass., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. HEATWOLE: Protest of the First Baptist Church of Kasota, Minn., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. HENDERSON: Communication of F. N. Parrish, adjutant of Asa L. Goodrich Post, No. 433, Grand Army of the Republic, of Churchville, N. Y., urging the passage of Senate bill No. 3258, for the appointment of Union soldiers to official positions—to the Committee on Rules.

By Mr. HENRY of Connecticut: Resolution of the Amalgamated Association of Iron and Steel Workers of Montpelier, Ind., favoring the passage of the eight-hour bill—to the Committee on Labor.

By Mr. HOWELL: Protest of 60 citizens of Keyport, N. J., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. LITTLE: Protest of C. C. McGinley and other citizens of Indian Territory, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. LIVINGSTON (by request): Memorial of Daniel Murray to correct CONGRESSIONAL RECORD—to the Committee on Printing.

By Mr. PACKER of Pennsylvania: Petition of the Woman's Christian Temperance unions of Andrews Settlement, Mansfield, Blossburg, Osceola, and Westfield, Universalist and Methodist Episcopal churches of Andrews Settlement, and Epworth League of Hoytville, Pa., favoring the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. RUSSELL: Protest of the Woman's Home Missionary Society of Trinity Methodist Episcopal Church, of Norwich, Conn., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, resolution of St. Mary's Total Abstinence and Benevolent Society, of Norwich, Conn., favoring House bill No. 7937, to prohibit the sale of liquor on Government reservations—to the Committee on Alcoholic Liquor Traffic.

## SENATE.

THURSDAY, March 2, 1899.

The Senate met at 10.30 o'clock a. m.

The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

O Lord, Thou hast been our dwelling place in all generations. Therefore, as in thought and love we stand by the coffin-side of our kinsman, friend, and brother who came from across the sea upon the blessed mission of peacemaker, we draw nigh to Thee to ask for Thy succor and comfort and cheer. The bearer of an illustrious name, which he has made more noble by his conduct and character, showing forth the finest influences and principles of a great and good man worthily representing his great nation and

helping to draw more closely the bonds of kinship, good understanding, and affection between the motherland and the daughter upon this side of the water, he has left a great and glorious reputation. Grant, we beseech Thee, that the wife who has been widowed and the children made fatherless may be dear to Thee, defended, upheld, and comforted by Thee.

O Lord, grant that these great and good men who have labored and are still laboring for a good understanding between these nations may receive Thy heavenly benediction. Keep us all, O Lord, under the shadow of Thy wing. We humbly ask Thee, through Jesus Christ our Saviour. Amen.

Mr. CARTER. I ask unanimous consent that the prayer by the Chaplain be inserted in the RECORD.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Montana? The Chair hears none, and the order is made.

On motion of Mr. CHANDLER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

## CODE FOR ALASKA.

Mr. CARTER. In the absence of any morning business to be presented, I ask that the Senate proceed to the consideration of the bill (H. R. 8571) to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district.

Mr. PRITCHARD. Will the Senator from Montana allow me to introduce a resolution requesting the return of a bill?

Mr. GALLINGER. I think morning business should first be presented before the bill is taken up.

Mr. CARTER. I will yield to morning business.

Mr. GALLINGER. It is the regular order.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 5352) creating the office of admiral of the Navy; and

A bill (S. 5578) for increasing the efficiency of the Army of the United States, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 1213) granting an honorable discharge to W. G. Neely, of Canyon City, Colo.;

A bill (H. R. 3190) granting an honorable discharge to John H. Smith;

A bill (H. R. 4253) granting an honorable discharge to Thomas West;

A bill (H. R. 8604) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes;

A bill (H. R. 7632) to remove the charge of desertion from the military record of Robert Flower;

A bill (H. R. 9336) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama;

A bill (H. R. 10353) for the relief of the International Cotton Press Company, of New Orleans, La.; and

A bill (H. R. 11790) to amend an act of Congress, approved July 8, 1898, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia."

The message further announced that the House insists upon its amendments to the following bills, agrees to the conferences asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MERCER, Mr. HICKS, and Mr. BANKHEAD managers at the respective conferences on the part of the House:

A bill (S. 1056) to provide for a public building at Cleveland, Ohio; and

A bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city.

The message also announced that the House had disagreed to the amendments of the Senate to the following bills, agrees to the conferences asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MERCER, Mr. HICKS, and Mr. BANKHEAD managers at the conference on the part of the House:

A bill (H. R. 414) for the erection of a public building at Tampa, Fla.;

A bill (H. R. 11883) to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor; and

A bill (H. R. 500) for the erection of a public building at Lockport, N. Y.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 1055) to amend

section 4766 of the Revised Statutes of the United States, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RAY of New York, Mr. STEELE, and Mr. DRIGGS managers at the conference on the part of the House.

The message also announced that the House had passed a concurrent resolution to print 50,000 additional copies of the Special Report on the Beet Sugar Industry in the United States, etc.; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 104) to increase the pension of Lucretia C. Waring;  
A bill (H. R. 84) to provide for the erection of a public building at Freeport, Ill.;

A bill (H. R. 431) to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois;

A bill (H. R. 1663) for the erection of a public building at Carrollton, Ky.;

A bill (H. R. 4595) for the erection of a public building at Norwich, Conn.;

A bill (H. R. 5523) to provide for the construction of a public building at Salem, Oreg.;

A bill (H. R. 9077) to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891;

A bill (H. R. 10804) for the erection of a public building at Anniston, Ala.;

A bill (H. R. 11141) for the erection of a public building at Annapolis, Md.;

A bill (H. R. 11162) to provide for the construction of a public building at the city of Janesville, Wis.;

A bill (H. R. 11360) for the erection of a public building at Creston, Iowa;

A bill (H. R. 11919) to construct a public building at Oskaloosa, Iowa, and for other purposes;

A bill (H. R. 11965) to provide for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa; and

A bill (H. R. 12125) making an appropriation to carry out the obligations of the treaty between the United States and Spain, concluded December 10, 1898.

#### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the legislature of West Virginia, praying for the publication of the official report of the awards of the World's Columbian Exposition held at Chicago, Ill., in 1893; which was referred to the Select Committee on International Expositions, and ordered to be printed in the RECORD, as follows:

Joint resolution requesting the Representatives of this State in Congress to use their best efforts to have Congress publish the official report of the committee on awards of the World's Columbian Exposition.

*Be it resolved by the legislature of West Virginia,* That the Representatives of this State in the Congress of the United States be, and they are hereby, instructed and directed and requested to use their best efforts in having Congress publish the official report of the committee on awards of the World's Columbian Exposition, held at Chicago in 1893; and that the governor is hereby requested to forward an official copy of this resolution to the said Representatives, and a copy to the President of the Senate and Speaker of the House of Representatives of the United States.

STATE OF WEST VIRGINIA, to wit:

*Office Clerk of the House of Delegates.*

I, W. E. R. BYRNE, clerk of the house of delegates of West Virginia and keeper of the rolls, do certify that the foregoing is a true copy of a joint resolution adopted by the legislature of West Virginia at the session of 1899.

Given under my hand this 27th day of February, 1899.

W. E. R. BYRNE.

*Clerk House of Delegates and Keeper of the Rolls.*

Mr. GALLINGER presented a memorial of the Woman's Christian Temperance Union of Carroll, N. H., and a memorial of the Woman's Christian Temperance Union of East Washington, N. H., remonstrating against the seating of any polygamist in the Congress of the United States; which were ordered to lie on the table.

Mr. ALLEN presented a petition of Fairmount Lodge, No. 2, Independent Order of Good Templars, Grand Lodge of Nebraska, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union, the congregation of the Free Baptist Church, and of Crown Point Grange, No. 65, Patrons of Husbandry, all of Stratford Corner, in the State of New Hampshire, praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which was referred to the Committee on the Judiciary.

Mr. PENROSE presented a memorial of Local Council No. 507, Junior Order of United American Mechanics, of Point Marion, Pa., and a memorial of Washington Camp, No. 4, Patriotic Order Sons of America, of Philadelphia, Pa., remonstrating against any appropriation being made for the maintenance of sectarian schools; which were ordered to lie on the table.

He also presented a memorial of the Board of Trade of Shamokin, Pa., praying for the enactment of legislation to increase the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Manufacturers' Club of Philadelphia, Pa., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union and the Gospel Temperance Union of Carnegie; of the congregation of the Methodist Episcopal Church of Bellevue; of the Woman's Relief Corps No. 53, of Verona; of the congregations of the First Presbyterian Church, the Baptist Church, the Methodist Episcopal Church, and the First United Presbyterian Church, all of Oakmont; of the Mount Calvary Evangelical Lutheran Church, the Presbyterian Church, and the Methodist Episcopal Church, all of McKees Rocks; of the Chartiers United Presbyterian Church, of Allegheny, and of the Bethel English Lutheran Church, of Allegheny, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were ordered to lie on the table.

He also presented petitions of the Local Branch of the Granite Cutters' National Union, of White Haven; of Local Union No. 31, Journeymen Tailors' Union of America, of Pittsburg; and of 56 citizens of Philadelphia, all in the State of Pennsylvania, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

Mr. McMILLAN presented a memorial of the Woman's Christian Temperance Union of Adrian, Mich., and a memorial of the Woman's Club, of Adrian, Mich., remonstrating against the seating of any polygamist in the Congress of the United States; which were ordered to lie on the table.

Mr. DAVIS presented a petition of the legislature of Minnesota, praying for the construction of certain dams recommended by the Government engineers to prevent the overflowing of the farming lands in the Red River Valley; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

#### Concurrent resolution.

Whereas the legislature of Minnesota is in receipt of a memorial and concurrent resolution passed by the legislature of North Dakota, urging the building of certain dams recommended by Government engineers to prevent overflowing of the farming lands in the Red River Valley: Be it

*Resolved by the senate (the house concurring),* That the Congress of the United States is earnestly and urgently requested to make the necessary appropriations in its river and harbor bill to have made a complete and proper survey necessary to the formulating of plans and specifications and determining the approximate expense of constructing such dams as are mentioned in the foregoing reports, and that the proper department be instructed to proceed with the work at as early a date as possible and report to Congress.

LYNDON A. SMITH.

*President of the Senate.*

A. N. DARE.

*Speaker of the House of Representatives.*

S. W. DANGUM.

*Secretary of the Senate.*

ISRAEL BURGSTROM.

*Chief Clerk of the House of Representatives.*

Mr. DAVIS presented a petition of the Humane Society of St. Paul, Minn., and a petition of the Humane Society of Winona, Minn., praying for the passage of the bill (S. 1552) for the prohibition of vivisection in the public schools of the District of Columbia; which was ordered to lie on the table.

He also presented a petition of the Third Annual Convention of the Retail Grocers and Wholesale Merchants' Association of Minnesota, praying for the passage of the pure-food bill, and also for the passage of the parcel-postage bill; which was ordered to lie on the table.

He also presented a petition of the congregation of the Dayton Avenue Presbyterian Church of St. Paul, Minn., and a petition of the congregation of the Bates Avenue Methodist Episcopal Church, of St. Paul, Minn., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were ordered to lie on the table.

#### SENATOR FROM WEST VIRGINIA.

Mr. FAULKNER. I present a memorial signed by 45 members of the legislature of West Virginia, constituting a majority in that body, remonstrating against the seating of Hon. Nathan B. Scott, a Senator of the United States from that State for the term of six years, beginning March 4, 1899. I move that the memorial be

printed as an addition to Senate Document No. 133, Fifty-fifth Congress, third session, and that there be a reprint ordered of the whole matter submitted.

The motion was agreed to.

#### REPORTS OF COMMITTEES.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the amendment proposing to appropriate \$75,000, or so much thereof as may be necessary, to pay company commissioned officers in each regiment of the special or immune regiments their salaries from the time each organized company reported at rendezvous as a company for service until the officers were commissioned, submitted by Mr. McENERY on the 21st ultimo, intended to be proposed to the Army appropriation bill, reported it with an amendment, and moved that it be printed, and, with the accompanying paper, referred to the Committee on Appropriations; which was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 8959) granting an increase of pension to Charles Williams, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 11673) to increase the pension of Patrick O'Neal, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 9619) granting a pension to Ruth Walker, reported it without amendment, and submitted a report thereon.

Mr. McENERY, from the Committee on Naval Affairs, to whom was referred the bill (S. 3413) to authorize the President to place the name of Archibald K. Eddowes on the retired list of the United States Navy with the rank of acting chief engineer, United States Navy, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. CHANDLER, from the Committee on Naval Affairs, reported an amendment proposing to give two months' extra pay to officers and enlisted men comprising the temporary force of the Navy during the war with Spain who served credibly beyond the limits of the United States and who have been or may hereafter be discharged, and also giving one month's extra pay to all such officers and enlisted men of the Navy who have so served within the limits of the United States and who have been or may hereafter be discharged, intended to be proposed to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the joint resolution (S. R. 259) for the relief of Lyman B. Perkins, ex-cadet engineer, United States Navy, ex-passed assistant engineer, United States Navy, reported it with amendments.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (H. R. 914) removing the charge of desertion against Charles Sweet, reported it with an amendment, and submitted a report thereon.

Mr. WARREN. Mr. President, I am about to report from the Committee on Military Affairs a House bill to remove the charge of desertion from the military record of a soldier. I understood that yesterday there was a unanimous-consent agreement arranged through the Senator from New Hampshire [Mr. GALLINGER] and the Senator from Florida [Mr. PASCO] that such bills as the one I report might be considered with the pension bills. I hope that will be done. I now report favorably and without amendment, from the Committee on Naval Affairs, the bill (H. R. 6062) for the relief of Anson W. Gillett, and submit a written report thereon, which I ask may be printed. I also ask that the bill may lie on the table, so that I may call it up and have it considered with the bills to which I have referred.

The VICE-PRESIDENT. In the absence of objection, the report submitted by the Senator from Wyoming will be printed and the bill will lie upon the table.

Mr. PASCO. If that is done, I suggest that an hour be now fixed when we can take up the pension and military bills so that they may be considered. I ask that the order which was set for yesterday, and which was not executed owing to the pressure of appropriation bills, with reference to pension bills and bills reported from the Military Committee may be executed to-day at 1 o'clock, and that three-quarters of an hour be devoted to that purpose. Unless these bills are acted upon at a very early hour, it will be impossible to dispose of them during this session.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Florida, that at 1 o'clock three-quarters of an hour shall be devoted to the consideration of pension bills and bills reported from the Committee on Military Affairs removing charges of desertion?

Mr. COCKRELL. And also bills correcting military records.

Mr. PASCO. Yes; including bills correcting military records.

The VICE-PRESIDENT. The Chair hears no objection to the request, and that will be the order for 1 o'clock to-day.

Mr. PASCO. I am instructed by the Committee on Military Affairs, to whom was referred the bill (H. R. 3412) to amend the military record of James Roche, to report it favorably and without amendment, and to submit a favorable report thereon. I ask that the bill may lie upon the table, to be taken up with the other bills on the same subject.

The VICE-PRESIDENT. That order will be made, in the absence of objection.

Mr. TELLER, from the Committee on Claims, to whom was referred the amendment proposing to appropriate \$15,000 to pay W. R. Austin & Co. for materials furnished to the Interior Department for use in the Eleventh Census of the United States, etc., submitted by Mr. VEST on the 1st instant, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations; which was agreed to.

CHARLES P. CHOUTEAU.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (S. 5591) for the relief of Charles P. Chouteau, of St. Louis, Mo., reported the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved by the Senate of the United States, That Senate bill No. 5591, entitled "A bill for the relief of Charles P. Chouteau, of St. Louis, Mo.," be, and the same is hereby, referred to the Court of Claims, which court shall proceed with the same in accordance with the provisions of sections 14 and 15 of the act entitled "An act to provide for bringing of suits against the Government of the United States," approved March 3, 1887, and report to the Senate the facts in the case as therein required.*

MRS. CLEMENTINE H. HOLMAN.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 1544) for the relief of Mrs. Clementine H. Holman, reported the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved, That the bill (S. 1544) entitled "A bill for the relief of Mrs. Clementine H. Holman," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.*

#### NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

Mr. LODGE, from the Committee on Printing, to whom was referred a concurrent resolution of the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the House of Representatives (the Senate concurring), That there be printed of the Report of the Board of Managers of the National Home for Disabled Volunteer Soldiers, in addition to the usual number, 500 copies for the use of the Home.*

#### SENATE MANUAL.

Mr. LODGE, from the Committee on Printing, to whom was referred the resolution submitted by Mr. SPOONER February 28, 1899, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved, That there be printed and bound, in cloth, for the use of the Senate Committee on Rules, 1,000 copies of the last edition of the Senate Manual.*

#### EIGHT-HOUR BILL.

Mr. LODGE. I am also instructed by the Committee on Printing, to whom was referred a resolution submitted by the Senator from South Dakota [Mr. KYLE] February 25, 1899, to report it without amendment. I ask for its present consideration.

By unanimous consent, the resolution was considered, as follows:

*Resolved by the Senate, That there be printed, for the use of the Committee on Education and Labor, 5,000 extra copies of Senate Document No. 127, Fifty-fifth Congress, third session, comprising the hearings before said committee on the "eight-hour bill," H. R. 7389.*

Mr. COCKRELL. Are the copies to be printed only for the use of the committee?

Mr. LODGE. For the use of the Senate.

Mr. COCKRELL. The resolution does not say so. It says "for the use of the committee." I think the resolution should be amended.

Mr. LODGE. Yes; it should be amended, as that is a mistake.

Mr. COCKRELL. Then, let it be amended by inserting "Senate" in the place of "Committee on Education and Labor," so as to read "for the use of the Senate."

Mr. LODGE. That is right.

The amendment was agreed to.

The resolution as amended was agreed to.

#### RESERVOIRS FOR IRRIGATION.

Mr. LODGE, from the Committee on Printing, to whom was referred a resolution submitted by Mr. WARREN February 25,

1890, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate of the United States,* That there be printed 5,000 copies of the letter of the Secretary of Agriculture to the President of the United States regarding the practical usefulness of reservoirs to agriculture in the irrigated region of the United States, 3,000 of which shall be for the use of the Department of Agriculture and 2,000 for the use of the Senate.

#### INVESTIGATIONS BY COMMITTEE ON INDIAN AFFAIRS.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution submitted by Mr. PETTIGREW February 28, 1899, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved,* That the Committee on Indian Affairs be, and it hereby is, authorized to continue investigations authorized by resolutions of July 13, 1897, February 7, 1898, and January 30, 1899, during the present session of the Senate, and to continue said investigations during the recess of Congress until the beginning of the next session. And such funds as are necessary to make said investigations are hereby authorized and directed to be paid out of the contingent fund of the Senate.

#### CONTRACTS FOR MILITARY SUPPLIES.

Mr. HAWLEY. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 11879) to amend an act entitled "An act to suspend the operations of certain provisions of law relating to the War Department, and for other purposes," to report it favorably without amendment, and as it is a very important matter of business, I ask to have it immediately considered.

Mr. BERRY. Mr. President, I wish to make a single remark. I had a bill passed yesterday morning, and a motion was entered to reconsider it by the Senator from South Dakota [Mr. PETTIGREW]. I tried all during the day to have that motion considered. I was promised last night that there would be no difficulty about it this morning, and unless I can get an opportunity to have that motion acted upon this morning I shall have to object to the passage of other bills. I do not want to be ungracious about it, but I wish an opportunity to have a vote taken on that motion. I shall not object to the consideration of the bill the Senator from Connecticut has reported, but I will ask that the vote be taken on the other bill as soon as that is disposed of.

Mr. HAWLEY. I am sorry; but I tried all day yesterday to find an opportunity to get this bill considered.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill reported by the Senator from Connecticut?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FORT SMITH AND WESTERN RAILROAD.

Mr. BERRY. I ask unanimous consent to consider the motion made by the Senator from South Dakota to reconsider the vote by which the Senate passed the bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations in the Indian Territory, and for other purposes. The bill was passed yesterday morning. The Senator from Montana [Mr. CARTER] has a right to the floor on another bill, but he has kindly consented to yield to me in this matter, and it will take but a few moments.

The bill was passed. The Senator from South Dakota entered a motion to reconsider the vote, and I have made a motion to table the motion to reconsider. I wish to withdraw the motion to table temporarily in order to let the Senator from South Dakota state why he desires the reconsideration, and it will not take me two minutes to reply. I hope that I can get the consent of the Senate at this time.

The VICE-PRESIDENT. Is there objection to the present consideration of the motion to reconsider the vote by which the Senate passed the bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations in the Indian Territory, and for other purposes? The Chair hears no objection.

Mr. BERRY. I withdraw temporarily the motion to table.

Mr. PETTIGREW. Mr. President, I made the motion to reconsider this bill for the reason that we have passed a general law allowing railroads the right of way over Indian reservations and Indian allotments. A large number of bills of this sort for different railroad companies were before the Committee on Indian Affairs. Some are on the Calendar. Some have passed either the Senate or the other House. The consideration of these various bills took almost the entire time of the committee, and therefore we drew and had passed a general law under which any railroad company, by securing the consent of the Secretary of the Interior and by filing a map of the location of the line, etc., and paying the damages, can get a right of way over Indian lands.

Great pressure was brought to bear to have all the separate bills

go through, this bill among the others, but as chairman of the committee I said to the different parties, and there were a great many of them, that I should object to the passage of any of these separate bills, so that every one would be on the same footing and all would be treated alike, and that they would have to resort to the provisions of the general law, so far as the committee was concerned, in order to secure these rights of way.

In my absence yesterday morning this bill was passed. When I returned to the Senate, in pursuance of the understanding which has been had with almost every one, I moved to reconsider the vote by which the bill was passed, and I think it should be reconsidered and the action in its favor revoked by Congress.

Mr. BERRY. Mr. President, before the bill to which the Senator alludes—a general bill—was passed this company had been organized, had incurred expenses, etc. It had been the custom to grant rights of way to railroads wherever they were to be constructed in good faith through the Territory. The bill passed the House and went to the Committee on Indian Affairs, and was unanimously reported back to the Senate, and my colleague, who is now sick, had it in charge and attempted to have it passed, but objection was made.

I do not know who are these parties who constitute the corporation, except that I know the people of the city of Fort Smith and all down there know that this company intend to build the road.

They have gone to this expense beforehand; the bill has passed the Senate, and it can do no possible hurt to any individual; whereas if they are forced to go on under the law as it now exists, the Secretary of the Interior may give the right of way to other parties and thereby discriminate against this company. It can do no hurt to any individual. It is not a matter of interest to South Dakota or Sioux Falls, but it is a matter of great interest to the people of Fort Smith; and having received telegrams from the commercial bodies and a number of friends day before yesterday, I asked the Vice-President to permit me to call up the bill, which he very kindly did, and it was passed.

I wired friends at Fort Smith that it had passed. I hope that it will stay passed, because, as I said before, no injury can come from it. It is just to those people and an injustice to nobody, and in order that it may stay passed I again make the motion to lay on the table the motion of the Senator from South Dakota to reconsider.

The VICE-PRESIDENT. The question is on the motion of the Senator from Arkansas to lay on the table the motion to reconsider.

Mr. PLATT of Connecticut. I trust the Senator from Arkansas will withdraw the motion. I wish to make an inquiry.

Mr. BERRY. I withdraw it at the request of the Senator from Connecticut.

Mr. PLATT of Connecticut. Why will not this company have an opportunity, under the general right-of-way act that we have passed, to get authority to build this road, the same as any other parties seeking a right of way in the Indian Territory or elsewhere? In other words, I wish to ask this question: Can not the Fort Smith and Western Railroad Company get the right to construct their road under the general law?

Mr. BERRY. I have stated to the Senate already that they will have to take their chances with others, and if the Secretary of the Interior should be disposed to give the right of way to some other company, then he would have the power to do it, and it would work an injustice to this company, which has already an organization and has had passed its bill through the House, with a favorable report in the Senate. The reason why the people of Fort Smith have sent me telegrams is because they know this company intends to build the road. They do not know whether some other company that might get the right from the Secretary of the Interior would build it or not. Therefore I again move to lay the motion on the table.

Mr. PLATT of Connecticut. Mr. President—

Mr. BERRY. I hope we can have a vote on it.

Mr. PLATT of Connecticut. I think the Senator wants a fair understanding of this matter.

Mr. BERRY. I want to reach a vote upon it. I do not want to be cut out by an appropriation bill.

Mr. PLATT of Connecticut. There will be plenty of time.

Mr. BERRY. I withdraw the motion.

Mr. LODGE. Mr. President, may I inquire what is before the Senate?

The VICE-PRESIDENT. The motion to reconsider the vote by which House bill 11916 was passed.

Mr. LODGE. Is that morning business?

The VICE-PRESIDENT. The motion was taken up by unanimous consent.

Mr. PLATT of Connecticut. It will take but a moment.

Mr. LODGE. If it is only here by unanimous consent—

The VICE-PRESIDENT. That was the request of the Senator from Arkansas.

Mr. PLATT of Connecticut. I desire to say just a word. Not knowing particularly about this case, I think it is very unfortunate that we should pass a general right-of-way bill which we intend shall take away from Congress the granting of rights of way through Indian reservations and leave it to the Secretary of the Interior, and then the very next day proceed to pass a special bill. It is setting a precedent which will be followed hereafter, I think, and make us trouble.

Mr. BERRY. The bill had already passed the House.

Mr. VEST. Let me ask the Senator from Connecticut a question. In the case of a company that has made all its arrangements, raised the money, done the work, that is acting in perfectly good faith, as I know to be the fact, for I know the parties engaged in this enterprise—is it not more unjust to them now to discriminate against them, when they have already done this work, than to follow in the line of argument the Senator from Connecticut is making about the general law?

Mr. PLATT of Connecticut. What work have they done?

Mr. VEST. They have made the survey; they have raised the money.

Mr. BERRY. And the bill was passed through the House and a favorable report made upon it here.

Mr. VEST. They did all that could be done before the general law was passed.

Mr. PLATT of Connecticut. But they had not any right of way.

Mr. VEST. They had not any right of way, but they had already made arrangements to obtain it, and they had their agents at work. They have done everything that was possible to be done, as I know. Not only is Fort Smith interested in this matter; people in other States are interested. The road ought to be built and it ought not to be delayed.

Mr. LODGE. Mr. President, I introduced for constituents of mine who are interested in a road passing through Indian reservations a bill giving them the right of way, and I was informed by the chairman of the committee that no such bills were to be passed; that a general act was to be passed, and that all could apply under that general law. It seemed to me that that was an eminently wise proceeding, and I so informed the gentlemen who were interested in this corporation, and who had entered into the work in just as good faith as in the case mentioned by the Senator from Missouri. I replied to the gentleman who wrote me that no such bill could be passed; that he would have to come in under the general law and make his application to the Secretary of the Interior.

Now, I am not alone in that. There are a number of other bills of the same kind. It seems to me that to select one railroad and immediately give it a right of way after passing a general act is extremely unfair to everybody else who has applied, and there are a number who have applied. To put them all aside and refuse them a right and then give it to another does not seem to me to be fair to others who applied in the same way.

Mr. BERRY. Now, Mr. President, just one word more, and that is all I shall have to say.

I repeat that this bill had passed the House and had been favorably reported by the Committee on Indian Affairs of the Senate. These rights have always been granted. These parties have a better right than any others because they have gone to the expense of raising the money, taking it for granted that the bill would go through as a matter of course. I say it would be exceedingly unfair to permit the Secretary of the Interior to grant that privilege to some one else and cut these parties out after they had taken all the steps I have enumerated.

Mr. VEST. Has the bill to which the Senator from Massachusetts refers passed the House?

Mr. BERRY. Has the Senator's bill passed the House, and has it been favorably reported by the Committee on Indian Affairs?

Mr. LODGE. Mine had not, but others had passed the House.

Mr. BERRY. I renew my motion to table the motion to reconsider, and I hope I will now get a vote upon it.

Mr. RAWLINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Arkansas withdraw the motion?

Mr. BERRY. I will withdraw it for the Senator from Utah.

Mr. RAWLINS. It seems to me that the Senator from Arkansas ought not to press the passage of this bill. There are numerous such bills before the Committee on Indian Affairs. Many of them have been reported. The Senator's colleague is a member of that committee. The general bill was framed, carefully considered, and reported in order to do away with the necessity of the committee considering and the Senate passing numerous special bills.

I do not think there is any real ground for urging the bill at this time. Under the general law, as I understand its provisions, there can be no discrimination against the company referred to by the Senator from Arkansas. I do not understand that he claims that any other company is making an application for a right of way there.

Mr. BERRY. If not, then I would ask the Senator from Utah, after this bill has passed both Houses, when the people of Fort Smith and that part of the country want it passed, why he should object to it? My colleague sought to pass it here. He is sick in bed, as is known to all Senators upon this floor. It was his bill that he had in charge. If it be true, then, no man can be injured by it, I do not think it is a fair argument to say because some other Senator can not get his bill through I ought not to be able to hold one that I have already had passed.

Mr. RAWLINS. I dislike very much to object to anything the Senator wants; but for the reason which he urges here for the passage of the bill other bills will also be passed, and we shall have nothing accomplished by the general law.

Mr. BERRY. I ask for a vote.

The VICE-PRESIDENT. The question is on the motion of the Senator from Arkansas to lay on the table the motion of the Senator from South Dakota to reconsider the vote by which the bill was passed.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. ROACH]. As he is absent, I will withhold my vote.

Mr. PROCTOR (when his name was called). I am paired with the junior Senator from Florida [Mr. MALLORY].

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON]. As he is absent, and not knowing how he would vote, I withhold my vote.

Mr. TURLEY (when his name was called). I have a general pair with the junior Senator from Wisconsin [Mr. SPOONER]. I do not know how he would vote on this question. If he were present, I should vote "yea."

The roll call was concluded.

Mr. SEWELL. I am paired with the Senator from Wisconsin [Mr. MITCHELL], and therefore withhold my vote.

Mr. TURLEY. I will transfer my pair to the Senator from Indiana [Mr. TURPIE], and vote "yea."

Mr. TILLMAN. I transfer my pair with the Senator from Nebraska [Mr. THURSTON] to the Senator from Arkansas [Mr. JONES], and vote "yea."

Mr. HANSBROUGH. I am paired with the Senator from Virginia [Mr. DANIEL], and withhold my vote.

Mr. PASCO (after having voted in the affirmative). I am paired with the Senator from Washington [Mr. WILSON]. I notice that he has not yet come into the Chamber. I suggest to the Senator from Vermont [Mr. PROCTOR] that he transfer his pair with my colleague to the Senator from Washington, so that we can both vote. I will then let my vote stand.

Mr. PROCTOR. Very well. I vote "nay."

Mr. BACON. This being a matter not political, I will take the liberty of voting in the absence of the Senator from Rhode Island [Mr. WETMORE], with whom I am paired. I vote "yea."

The result was announced—yeas 36, nays 12; as follows:

## YEAS—36.

Allen,	Clay,	McLauria,	Pritchard,
Bacon,	Cockrell,	Martin,	Shoup,
Bate,	Cullom,	Mills,	Stewart,
Berry,	Faulkner,	Money,	Teller,
Butler,	Gray,	Morgan,	Tillman,
Carter,	Harris,	Murphy,	Turley,
Chandler,	Hawley,	Nelson,	Vest,
Chilton,	Lindsay,	Pasco,	Warren,
Clark,	McEnery,	Penrose,	White.

## NAYS—12.

Fairbanks,	McMillan,	Platt, Conn.	Rawlins,
Gallinger,	Mantlo,	Platt, N. Y.	Ross,
Lodge,	Pettigrew,	Proctor,	Wolcott.

## NOT VOTING—42.

Aldrich,	Frye,	Kyle,	Smith,
Allison,	Gear,	McBride,	Spooner,
Baker,	Gorman,	Mallory,	Sullivan,
Burrows,	Hale,	Mason,	Thurston,
Caffery,	Hanna,	Mitchell,	Turner,
Cannon,	Hansbrough,	Perkins,	Turpie,
Daniel,	Helfeld,	Pettus,	Wellington,
Davis,	Hoar,	Quay,	Wetmore,
Deboe,	Jones, Ark.	Rauch,	Wilson.
Elkins,	Jones, Nev.	Sewell,	
Foraker,	Kenney,	Simon,	

So the motion to reconsider was laid on the table.

## NATIONAL WHITE CROSS OF AMERICA.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 5583) to incorporate the National White Cross of America, and for other purposes, to report it without amendment.

Mr. ALLEN. I ask unanimous consent for the present consideration of that bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let the bill be read for information, Mr. President.

The VICE-PRESIDENT. The bill will be read.

The Secretary read the bill.

Mr. GRAY. Mr. President, it seems a little ungracious to impede even for a moment the progress of a bill which, on its face, seems to have such a wide domain of charity provided for, but the relation of the United States toward corporations is a peculiar one. It is very well known the Red Cross Society is a world-wide institution, approved and recognized by all the nations of the civilized world. Its operations and beneficence and activities are extended wherever suffering exists and wherever men and women need the protecting care of charity, and especially for those who are sufferers by the devastating effects of war.

The United States has by treaty, and by an undisputed exercise of the treaty-making power, recognized with other nations of the world this international institution, and the Red Cross has already occupied the field of beneficent and charitable endeavor both before and during the late war in a way which commended it to the thoughtful approbation of all good and patriotic citizens.

How far this National White Cross Society, apart from the question of the constitutional power of the United States to create such a corporation, is intended to invade that work—for even in the God-like work of benevolence there are competitions and jealousies and interferences—how far it is intended that this society shall invade the field that is already occupied by the international organization, the Red Cross, which exists and is recognized by the treaty-making power of the United States, I do not know.

Mr. ALLEN. I will state to the Senator—

Mr. GRAY. One moment. This I do know, that in my opinion the Congress of the United States is without the constitutional power to create such a corporation as is contemplated by this bill.

Mr. ALLEN. Congress has created a dozen similar corporations or societies.

Mr. GRAY. That may be.

Mr. ALLEN. And I will say to the Senator from Delaware that there is not the slightest jealousy between this organization and the Red Cross, and that this organization has over fifty of its nurses in the field, and has had during the war. Some are in Manila at this time, and others are on their way there.

Mr. GRAY. I notice the bill undertakes to give power to hold real estate in any State of the United States. The powers of acquiring property and distributing it are very unlimited, and are somewhat extraordinary in an eleemosynary corporation such as this. I think we should be careful, although this comes in the guise of white-winged charity, in clothing corporations with such powers.

Mr. ALLEN. If the Senator will examine the previous acts passed by Congress, he will find that the language of those acts is embraced in this bill.

Mr. GRAY. That may be.

Mr. ALLEN. How does it come, then, that this bill is unconstitutional and all the others are constitutional?

Mr. GRAY. I have not said that all the others are constitutional. I can only speak for myself and I can only speak from my own judgment, however imperfect that may be and however liable to error I may be. I only exercise the judgment of one Senator on this floor in regard to the duty of advocating or opposing measures which come before the Senate.

Mr. ALLEN. I have no interest in this bill one way or another, not the slightest, any more than the ordinary citizen has in the work of charity, but I must say that I am surprised that a bill of this kind should lead to a breath of suspicion being cast in the Senate upon this organization.

Mr. GRAY. I have not sought to create any suspicion, except that the field is already occupied by an institution called the Red Cross, which is recognized by the treaty-making power of the United States. That is all. It is not incorporated by the United States and it does not seek a charter from the United States.

Mr. ALLEN. Does it follow that no other people can engage in that work?

Mr. GRAY. Not at all; but the source of power to create all these corporations exists in the States, and if you want to confine the corporation to the District of Columbia there is no trouble about that. I am only speaking of the precedent which I think is being set as one which will be a dangerous one in the future if we let these things go without comment, protest, or objection.

Mr. PLATT of Connecticut. We are, or should be, very much interested in this subject, but the Senate can not hear anything that is being said.

Mr. GRAY. Mr. President, it is very disagreeable to me to object to a matter which is espoused by the Senator from Nebraska [Mr. ALLEN], for whose good will and high purposes in this

matter, as in all others, I am ready to vouch, as well as for those of the good people whose names are mentioned as the incorporators in the first section of the bill. I only do it from a sense of duty, to call the attention of the Senate to the wide exercise of power which the passage of this bill will make necessary, far beyond any constitutional warrant which, in my opinion, exists.

Mr. CHANDLER. Will the Senator allow me to ask him a question?

Mr. GRAY. Yes.

Mr. CHANDLER. This bill locates this corporation at Washington, in the District of Columbia, although its operations may be carried on anywhere in the United States, as necessarily they must be. Does not the fact that it is a localized corporation satisfy the Senator's troubles about a bill of this sort?

Mr. GRAY. I do not think it is a localized corporation.

Mr. CHANDLER. Certainly it is.

Mr. GRAY. I said that there are sources of corporate power which might be appealed to in the States for corporations and to Congress where corporations in the District of Columbia are concerned, but this does not confine itself to the District of Columbia, nor is it a local corporation, like the Garfield Hospital.

Mr. CHANDLER. The corporation is located in the District of Columbia, and it has exactly the same powers throughout the United States as if it was incorporated in a State. What is the objection to that?

Mr. GRAY. I do not understand that the Senator from New Hampshire would go so far, good constitutional lawyer as he is, as to say that the fact that a corporation once locally created can exercise a large scope of activity and power in other States and places than that of its creation would warrant the creation of any corporation, no matter for what purpose or on what account.

Mr. CHANDLER. I say that in the District of Columbia you can have any corporation that you can have in New York City.

Mr. GRAY. Then you can pass any corporation bill here that it is possible for a legislative power anywhere to pass.

Mr. CHANDLER. I think so, in the District of Columbia.

Mr. GRAY. I must differ from the Senator.

Mr. ALLEN. If the Senator will permit me, that portion of the language of the bill is literally taken from the act incorporating the Daughters of the American Revolution.

Mr. President, I hope this bill may be put upon its passage.

Mr. GRAY. Then let the Senator make a motion to that effect.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORGAN. I object to the consideration of the bill, Mr. President.

The VICE-PRESIDENT. Objection is made.

Mr. ALLEN. I move to proceed to the consideration of the bill, notwithstanding the objection.

Mr. COCKRELL. That can not be done, for the bill was reported this morning, and under the rule it goes over under objection.

Mr. ALLEN. I am glad to know the ipse dixit and final decree from the Senator from Missouri, who seems to be lord and master of the situation.

Mr. COCKRELL. I am simply following the rule.

Mr. ALLEN. Then I make the motion to take up the bill.

The VICE-PRESIDENT. The motion can not be entertained in the morning hour except by unanimous consent.

#### PACIFIC RAILROAD INVESTIGATION.

Mr. GEAR, from the Committee on Pacific Railroads, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Whereas a resolution introduced by Senator HARRIS is pending regarding the patents issued of certain lands to the Northern Pacific Railroad Company, and the question having been raised as to the right of said railroad company to said lands: Therefore

Resolved, That a subcommittee of the Committee on Pacific Railroads be, and is hereby, authorized to sit during the adjournment of Congress, to have hearings, and take evidence, and investigate the title of said lands, and the right of said Northern Pacific Railroad Company to hold the same; and be it further

Resolved, That said subcommittee shall have power to call witnesses, administer oaths, and employ a stenographer for the said investigation, the expenses to be paid out of the contingent fund of the Senate.

#### INVESTIGATION BY FINANCE COMMITTEE.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, reported from the Committee on Finance by Mr. ALLISON on the 28th ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Finance be, and they are hereby, authorized and directed, by subcommittee or otherwise, to make an investigation of internal-revenue, customs, currency, and coinage matters, and to report from time to time to the Senate the result thereof; and for this purpose they are authorized to sit, by subcommittee or otherwise, during the recess or sessions of the Senate, at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, and to employ such stenographic,

clerical, and other assistance as may be necessary, the expense of such investigation to be paid from the contingent fund of the Senate.

#### BILL INTRODUCED.

Mr. PENROSE introduced a bill (S. 5593) to correct the military record of David Anglermyer; which was read twice by its title, and referred to the Committee on Military Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate \$250 to pay and reimburse Joel Grayson and C. W. De Knight for services and actual expenses for clerical assistance in preparing a revised index and marginal footnotes for the war-revenue law, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MORGAN submitted an amendment proposing to appropriate \$5,000 to enable the Secretary of War to purchase garden and field seed for distribution among the people of Cuba, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. COCKRELL submitted an amendment authorizing the Secretary of the Interior to make a thorough investigation of all the warrants now or hereafter issued by the Cherokee Nation, drawn by the principal chief of that nation, in accordance with the legal acts of the national council, upon the school, orphan, and asylum funds of that nation, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. McBRIDE submitted an amendment proposing to appropriate \$401.30 for salary of librarian for the General Land Office, Department of the Interior, from March 1 to June 3, 1899, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. PLATT of Connecticut submitted an amendment proposing to appropriate \$15,000, or so much thereof as may be necessary, for an additional amount necessary to acquire land and erect an addition or extension to the United States custom-house and post-office building at Bridgeport, Conn., etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SEWELL submitted an amendment proposing to appropriate \$40,000 for furnishing additional accommodations for postal purposes in connection with the custom-house and post-office building at Newark, N. J., etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WARREN submitted an amendment proposing to appropriate \$5,000 to pay Hattie A. Phillips, widow of John Phillips, as full compensation for the services rendered by him in bearing dispatches from Fort Phil Kearny to Fort Laramie, in December, 1890, etc., intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations.

He also submitted an amendment proposing that in all cases where an officer or enlisted man in either the Army, Navy, or Marine Corps of the United States, or contract surgeon, or trained nurse in the employ of the Government, has died while on duty away from home since January 1, 1898, and the remains have been taken home and buried at the expense of the family or friends of the deceased, the parties who paid the cost of transporting and burying such remains shall be repaid at the expense of the United States by the Secretary of the Treasury, etc., intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations.

He also submitted an amendment proposing to appropriate \$109,136.92 to pay the employees of the War Department for extra labor performed by them from April 1, 1898, to January 31, 1899, as recommended by the Secretary of War, etc., intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations.

He also (by request) submitted an amendment providing that hereafter the allowance of certain retired enlisted men shall include \$7.50 per month as commutation of fuel and quarters, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. THURSTON submitted an amendment proposing to appropriate \$8,000 to enable the Secretary of the Interior to establish and maintain at the city of Omaha, Nebr., a warehouse for Indian supplies, from which distributions shall be made to such Indian tribes of the West and Northwest as the Secretary of the Interior may direct, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment authorizing the holding of the

Greater American exposition at Omaha, Nebr., in the year 1899, and to encourage the same by providing, without expense to the Government, for exhibits from Cuba, Porto Rico, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. LINDSAY submitted an amendment proposing to appropriate \$256.38 to pay the personal representative of James H. Dennis, being the amount found by the Court of Claims to be due him by reason of certain contracts for the improvement of the Tennessee River, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CLARK submitted an amendment proposing to appropriate \$2,917.30 for the employment of additional employees in the office of the Commissioner of the General Land Office for the remainder of the fiscal year 1899; intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations.

He also submitted an amendment providing that examiners of surveys under the direction of the General Land Office when not engaged upon field inspections may be detailed to assist the office examination of surveys in the General Land Office, at a compensation not exceeding \$1,000 per annum when so engaged, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. HEITFELD submitted an amendment proposing to appropriate \$225 to pay Jacob Edelstein for three months' service under the Doorkeeper of the House for the months of August, September, and October, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. PRITCHARD submitted an amendment authorizing the Secretary of the Treasury to pay to Clare M. Ashby, widow of W. W. Ashby, late United States consul at Colon, the sum of \$2,866.66, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### SARAH HAMILTON.

Mr. PRITCHARD submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to: *Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 3466) entitled "An act granting a pension to Sarah Hamilton."*

#### BEET-SUGAR INDUSTRY.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring), That there be printed 50,000 additional copies of the special report on the beet-sugar industry in the United States, submitted to the House of Representatives in a message of the President of the United States of date March 1, 1899, 20,000 for the use of the House of Representatives, 10,000 for the use of the Senate, and 20,000 for the use of the Department of Agriculture.*

Mr. LODGE subsequently, from the Committee on Printing, reported favorably the foregoing concurrent resolution; and it was considered by unanimous consent, and agreed to.

#### PUBLIC BUILDING AT WINSTON, N. C.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 1859) to provide for a public building at Winston, N. C.; which was read twice by its title.

Mr. PRITCHARD. I ask unanimous consent for the present consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### STONE & STANSELL.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 11803) directing the issue of a check in lieu of a lost check drawn by H. C. Newcomer, captain of engineers, in favor of Stone & Stansell, which was read twice by its title.

Mr. TELLER. I ask unanimous consent for the present consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PAYMENT OF CERTAIN PENSIONS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 1055) to amend section 4766 of the Revised Statutes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendment and agree to the conference asked for by the House. The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. GALLINGER, Mr. HANSBROUGH, and Mr. KENNEY were appointed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5300) to amend an act entitled "An act to reimburse the governors of the States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898.

The message also announced that the House had passed the following bills:

A bill (S. 240) to authorize Joseph J. Kinyoun, passed assistant surgeon of the Marine-Hospital Service, to accept a medal from the President of the Republic of Venezuela;

A bill (S. 2284) to authorize Admiral T. O. Selfridge, United States Navy, Capt. G. H. Wadleigh, United States Navy, Lieut. Commander E. H. Gheen, United States Navy, Lieut. Commander Raymond P. Rodgers, United States Navy, Paymaster J. R. Redfield, United States Navy, Lieut. J. J. Hunker, United States Navy, Serg. D. N. Bertolette, United States Navy, and Ensign R. L. Russell, United States Navy, to accept medals presented to them by the Russian Government; and

A bill (S. 5144) authorizing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 2552) to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Mount Ranier National Park;

A bill (S. 4510) to correct the military record of William M. Fore;

A bill (S. 5258) to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak.;

A bill (H. R. 477) to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin;

A bill (H. R. 1079) to enlarge and improve the United States public building at Columbus, Ga.;

A bill (H. R. 1631) to provide for the purchase of a site and the erection of a public building thereon at Rome, in the State of New York;

A bill (H. R. 1959) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department;

A bill (H. R. 2056) for the erection of a public building at Menominee, Mich.;

A bill (H. R. 2598) for the erection of a public building at Newport, Vt.;

A bill (H. R. 2879) providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo.;

A bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1893, and commonly known as the Bowman Act, and for other purposes;

A bill (H. R. 10753) to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate \$58,000 therefor; and

A bill (H. R. 11314) to provide for a public building at New Iberia, La.

#### REIMBURSEMENT OF STATES FOR WAR EXPENSES.

Mr. WARREN. I call up the report of the committee of conference on Senate bill 5260.

The Senate proceeded to consider the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5300) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898, be so amended that the Secretary of the Treasury shall be, and is hereby, authorized to allow, in the settlement of the claims of the governors of States and Territories for reimbursement under the provisions of the said act, expenses incurred after as well as before July 8, 1898: *Provided*, That no reimburse-

ment shall be made for service of members of the National Guard, or organized militia, or Naval Reserves of any State or Territory who were not accepted into the Volunteer Army of the United States, and no reimbursement shall be allowed for payments made to any person in excess of the pay and allowances authorized by the laws of the State or Territory for the grade in which he was accepted into the Volunteer Army of the United States. That the compensation allowed by the laws of the States and Territories to officers and men of the National Guard, or militia, or Naval Reserves of said States and Territories shall be allowed to the States and Territories or the governors of the States and Territories as pay for such officers and men of said National Guard, or militia, or Naval Reserves, as appeared and remained at the place of muster, and who were afterwards received into the service of the United States for the period between the date of assembly at the rendezvous and the date they were mustered into the United States service: *Provided, however*, That in all States and Territories where no laws exist for the payment of the officers and men of the National Guard, or militia, or Naval Reserves, there shall be allowed to said States and Territories or the governors of said States and Territories for the officers the same pay as allowed officers in the Regular Army holding the same rank, and for the men \$1 per day for such officers and men as appeared and remained at the place of muster and were afterward received into the service of the United States for the period between the date of assembly at the rendezvous and the date they were mustered into service of the United States: *Provided further*, That for all officers and men of the National Guard, or militia, or Naval Reserves of the States and Territories, who appeared at the rendezvous for muster, and were rejected by the medical examiner or mustering officer, pay shall be allowed for the same to the States and Territories or the governors of States and Territories, at the several rates as fixed as aforesaid from the date of assembly to the date of their rejection: *Provided further*, That where any States and Territories have not paid amount to the officers and men or any part thereof the pay allowed them by this act, the same shall be paid by the States and Territories direct to the officers and men. And no money allowed by this act for officers and men shall be covered into the treasury of the State or Territory.

"Sec. 2. That under the appropriation made by said act the Secretary of the Treasury is hereby authorized to reimburse the governor of any State or Territory for reasonable expenses incurred by him for the actual transportation of the members of organized militia, or National Guard, or Naval Reserves of his State from the place of company, battalion, or regimental rendezvous to the State rendezvous, or place designated for examination and acceptance of the members of such organization into the Volunteer Army of the United States, and the actual transportation from such State or rendezvous, or such place designated for examination and acceptance, to their respective company, battalion, or regimental rendezvous of such men as were rejected by the medical examiner or mustering officer: *Provided*, That no reimbursement shall be made for the transportation of any man who did not present himself for enrollment in the Volunteer Army of the United States as provided by law: *And provided further*, That the provisions of this section shall apply also to payments made by the governor of any State or Territory for the actual transportation of individual volunteers who presented themselves for enrollment in the Volunteer Army of the United States and who were rejected by the medical examiner or mustering officer.

"Sec. 3. That nothing in said act of July 8, 1898, shall be so construed as to prohibit the reimbursement of the governor of any State or Territory for reasonable expenses incurred and paid for the subsistence of the members of any organization of the organized militia or National Guard or Naval Reserves of his State or Territory after having been called out by the governor on or after April 25, 1898: *Provided*, That such organizations shall afterwards have been accepted into the Volunteer Army of the United States.

"Sec. 4. That the expenses incurred by the governors of States in carrying out the provisions of this act shall be paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts: *Provided*, That when such unsettled account is caused by a default in payment of principal or interest on any bonds or stock issued or guaranteed by any State, the ownership of which is vested in the United States, the Secretary of the Treasury be, and he is hereby, authorized and directed to institute any act or proceeding which he may consider advisable against such State or its representatives to secure the payment of the principal and interest of said bonds or stocks: *And provided further*, That where the governor of any State or Territory, or any officer of the Army detailed as mustering officer of volunteers, or any commander of a company or companies, or troop or troops, or battery or battalion, or regiment or brigade has purchased or authorized the purchase of supplies or equipments, or incurred any necessary expense for the comfort of the men in camp or rendezvous, and said supplies were used and equipments were subsequently taken into the United States service by said volunteers, and no receipts given to such military officer, the certificate to that effect of the governor of the State or Territory to which the volunteers belonged, shall be held sufficient to authorize the settlement and payment of such account on investigation, if the Treasury Department shall be satisfied of the fact of such purchase of such equipment and supplies, or that such necessary expenses were incurred and such use of such supplies, or such taking of such equipments into the United States service, and the voucher or vouchers of said officers be produced by said governor.

"Sec. 5. That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the just and proper account or claim of any railroad, transportation company, or person for transportation of men or troops from place of enrollment to point of rendezvous, furnished at the request of the Quartermaster-General of the Army or his agents, or at the request of any United States mustering officer or other officer authorized by the Secretary of War to enroll, muster, or mobilize volunteers for the war with Spain; and also to pay such just and proper accounts as may be presented for transportation back from point of rendezvous to place of enrollment of men who volunteered and were rejected by the medical examiner or mustering officer: *Provided*, That the amount allowed and paid for such transportation shall not be in excess of the rates charged for transporting troops of the United States under like circumstances.

"All claims under the provision of this act must be filed in the office of the Auditor for the War Department, and must be supported by proper vouchers or other conclusive evidence of interest.

"Sec. 6. That all claims for reimbursement under this act or the act of July 8, 1898, shall be presented in itemized form to the Treasury Department on or before January 1, 1902, or be forever barred."

And the Senate agrees to the same.

FRANCIS E. WARREN,  
THOS. H. CARTER,  
JNO. L. MITCHELL,  
*Managers on the part of the Senate.*  
THAD. M. MAHON,  
T. OTJEN,  
S. B. COOPER,  
*Managers on the part of the House.*

The report was agreed to.

## PERSONNEL OF THE NAVY AND MARINE CORPS.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12 and 14.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 5, 9, 15, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Provided, That each rear-admiral embraced in the nine lower numbers of that grade shall receive the same pay and allowance as are now allowed a brigadier-general in the Army;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "while holding said office, have the rank of rear-admiral and receive the same pay and allowance as are now allowed a brigadier-general in the Army;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In addition to inserting the matter inserted by said amendment, page 4, line 23, after the word "words," strike out "with;" and page 4, line 24, after the word "read," strike out "with;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "No appointments shall be made of civil engineers in the Navy on the active list, under section 1413 of the Revised Statutes, in excess of the present number—21;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In addition to inserting the matter inserted by said amendment, page 5, at the end of line 16, insert "sea;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In addition to inserting the matter inserted by said amendment, page 6, line 24, after the word "the" first appearing, insert "sea;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "the next higher grade, including the grade of commodore, which is retained on the retired list for this purpose;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "or lieutenant. Assistant naval constructors shall have the rank of lieutenant or lieutenant (junior grade). Assistant naval constructors shall be promoted to the grade of naval constructor after not less than eight or more than fourteen years' service as assistant naval constructor: *Provided*, That the whole number of naval constructors and assistant naval constructors on the active list shall not exceed forty in all;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the language proposed insert:

"SEC. 11. That any officer of the Navy, with a creditable record, who served during the civil war, shall, when retired, be retired with the rank and three-fourths the sea pay of the next higher grade."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 13. That after June 30, 1899, commissioned officers of the line of the Navy and of the medical and pay corps shall receive the same pay and allowances, except forage, as are or may be provided by or in pursuance of law for the officers of corresponding rank in the Army: *Provided*, That such officers when on shore shall receive the allowances, but 15 per cent less pay than when on sea duty; but this provision shall not apply to warrant officers commissioned under section 12 of this act: *Provided further*, That when naval officers are detailed for shore duty beyond seas they shall receive the same pay and allowances as are or may be provided by or in pursuance of law for officers of the Army detailed for duty in similar places: *Provided further*, That naval chaplains who do not possess relative rank shall have the rank of lieutenant in the Navy; and that all officers, including warrant officers, who have been or may be appointed to the Navy from civil life shall, on the date of appointment, be credited for computing their pay with five years' service. And all provisions of law authorizing the distribution among captors of the whole or any portion of the proceeds of vessels or any property hereafter captured condemned as prize or providing for the payment of bounty for the sinking or destruction of vessels of the enemy hereafter occurring in time of war are hereby repealed: *And provided further*, That no provision of this act shall operate to reduce the present pay of any commissioned officer now in the Navy, and in any case in which the pay of such an officer would otherwise be reduced he shall continue to receive pay according to existing law: *And provided further*, That nothing in this act shall operate to increase or reduce the pay of any officer now on the retired list of the Navy."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "from time to time, whenever the actual needs of the naval service require it, first;" and page 13, line 8, after the word "or," first occurring, insert "second;" and page 13, line 10, after the word "or," strike out "second" and insert "third;" and page 13, line 11, after the word "or," strike out "third" and insert "fourth;" and the Senate agree to the same.

EUGENE HALE,  
WILLIAM E. CHANDLER,  
B. R. TILLMAN,  
*Managers on the part of the Senate.*  
GEORGE EDMUND FOSS,  
ALSTON G. DAYTON,  
ADOLPH MEYER,  
*Managers on the part of the House.*

The report was agreed to.

## EXTENSION OF S STREET.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11897) to extend S street, in the District of Columbia, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 6, 7, 8, 10, 11, and 14, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same amended as follows: In lieu of the matter proposed to be inserted insert "institute by a petition in the supreme court of the District of Columbia, sitting as a district court, a proceeding to condemn the land necessary;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same amended as follows: In section 2 of the matter proposed to be inserted strike out the words "commence suit for the condemnation of the remainder of the land required;" in each section 3 and section 4 strike out "begin suit for the condemnation of the land required" and insert in each instance the words "institute by a petition in the supreme court of the District of Columbia, sitting as a district court, a proceeding to condemn the land necessary;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same amended as follows: In lieu of the words "two hundred and fifty" insert "two thousand;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same amended as follows: In line 11 strike out "avenue" and insert in lieu thereof "streets or highways;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same amended as follows: In section 8 of the matter proposed to be inserted strike out the words "the Commissioners of the District of Columbia" and insert "said court;" and at the end of said section 8 add the following proviso: "Provided, That each juror shall receive a compensation of \$5 per day for his services during the time he shall be actually engaged in such services under the provisions of this act: *And provided further*, That no appeal by any interested party from any decision of the supreme court of the District of Columbia confirming said assessment or assessments shall delay or prevent the payment of said awards in respect to the property condemned;" and the Senate agree to the same.

JAMES McMILLAN,  
H. C. HANSBROUGH,  
A. P. GORMAN,  
*Managers on the part of the Senate.*  
J. W. BABCOCK,  
G. M. CURTIS,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*

The report was agreed to.

## EXTENSION OF PENNSYLVANIA AVENUE SE.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11829), for the extension of Pennsylvania avenue SE, to the District line, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same amended as follows: On page 1 of the bill, line 14, strike out the words "in rem," and on page 2 of the bill, in line 7, strike out from the words "And said proceedings" to and including the word "highways" in line 13; and in line 7 of the amendment, after the word "which," insert the words "in the judgment of the jury;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, and 7, and agree to the same amended as follows: In each of sections 3, 4, 5, 6, 7, and 8 of the amendments strike out the words "begin suit for the condemnation of the land required," and insert in each instance the words "institute by a petition in the supreme court of the District of Columbia, sitting as a district court, a proceeding to condemn the land necessary;" and at the end of section 8 of the amendment insert a new section to stand as section 9, as follows:

"SEC. 9. That the proceedings for the condemnation of the lands as provided for in this act shall be under and according to the provisions of chapter 11 of the Revised Statutes of the United States relating to the District of Columbia, which provide for the condemnation of lands in said District for public highways; and to provide the necessary funds for the cost of such condemnation proceedings the sum of \$3,500 is hereby appropriated out of the funds of the District of Columbia: *Provided*, That each juror shall receive a compensation of \$5 per day for his services during the time he shall be actually engaged in such services under the provisions of this act: *Provided*, That no appeal by any interested party from any decision of the supreme court of the District of Columbia confirming said assessment or assessments shall delay or prevent the payment of said awards in respect to the property condemned."

Also, in amendment numbered 4, in line 9, after the words "for the extension," insert "and widening."

Also, in amendment numbered 7 strike out, in line 7, after the word "act," down to and including "highways," in line 12.

And the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 12, 13, 15, and 17, and agree to the same with an amendment as follows: Number the sections consecutively. And also amend the title to read: "An act for the extension of Pennsylvania avenue SE, and for other purposes;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 10, 11, 16, and 18, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same amended as follows: In line 5 of said amendment, after the word "said," strike out "avenue" and insert in lieu thereof "streets or highways;" and the Senate agree to the same.

JAMES McMILLAN,  
H. C. HANSBROUGH,  
A. P. GORMAN,  
*Managers on the part of the Senate.*  
J. W. BABCOCK,  
G. M. CURTIS,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*

The report was agreed to.

## CRIMINAL CODE FOR ALASKA.

Mr. CARTER. I now renew my motion that the Senate proceed to the consideration of the bill (H. R. 8571) to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district.

Mr. ALLEN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Nebraska.

Mr. CARTER. I desire to get up the Alaska bill, and thereafter will yield to the Senator from Nebraska.

Mr. ALLEN. There is a little matter that will not cause any discussion at all which I wish to have disposed of.

The VICE-PRESIDENT. The Senator from Montana says he will yield to the Senator from Nebraska later. The Senator from Montana asks unanimous consent for the present consideration of the bill (H. R. 8571) to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. CARTER. I ask unanimous consent that the committee amendments as printed in the bill may be considered as agreed to.

Mr. GALLINGER. Not all of them.

Mr. CARTER. All except one.

## PUBLIC BUILDING AT YORK, NEBR.

Mr. ALLEN. I ask unanimous consent for the present consideration of the bill (S. 5466) for the erection of a public building at the city of York, in the State of Nebraska.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to purchase or receive the donation of a suitable site, and to contract for the erection thereon of a substantial and commodious building, with fireproof vaults therein, for the use and accommodation of the post-office and other Government offices at York, in the State of Nebraska, not to exceed in cost the sum of \$20,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## JAMES GEISSINGER.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (H. R. 5758) to remove the charge of desertion from the record of James Geissinger.

Mr. CARTER. I yield to the Senator from Ohio, and will likewise yield to the Senator from West Virginia [Mr. FAULKNER], with the understanding that the bills will be laid aside if any discussion follows their presentation.

Mr. COCKRELL. We are going to consider all of these bills at a certain hour. Let us not take up this one now. Pension bills and such bills are to be considered later.

The VICE-PRESIDENT. The bill will be laid aside until 1 o'clock.

Mr. FORAKER. I was not aware of that fact. The bill is practically out of the way now.

## LAND TITLES IN THE DISTRICT OF COLUMBIA.

Mr. FAULKNER. I ask unanimous consent for the present consideration of the bill (H. R. 6359) to quiet land titles in the District of Columbia.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, in line 7, before the word "title," to strike out "the" and insert "a;" and in line 9, after the word "his," to strike out "record;" so as to read:

That in all cases when the title or claim of any person out of possession of any real estate in the District of Columbia shall be barred by adverse possession, and the title thereto has vested in the party in possession or the party under whom he claims, the party holding a title which has vested by adverse possession may file a bill in equity, in the supreme court of the District of Columbia, to have his title thereto perfected.

The amendment was agreed to.

The next amendment was, on page 2, line 3, after the word "have," to strike out "of record;" and in line 5, before the word "title," to insert "a;" so as to read:

And in such action it shall not be necessary to make any person a party defendant, except such persons as may appear to have a claim or title adverse to that of the plaintiff. And upon the trial of such cause proof of the facts showing a title in the plaintiff by adverse possession shall entitle him to a decree of the court declaring his title by adverse possession, etc.

The amendment was agreed to.

The next amendment was, on page 2, line 14, after the word "case," to strike out "the person whose adverse claim appears of record" and insert "an adverse claimant;" so as to read:

And if in any case an adverse claimant shall be dead, then the heirs, devisees, or allies of such person, or those claiming by, through, or under him, if known, shall be made defendants as adverse claimants, etc.

The amendment was agreed to.

The next amendment was, on page 3, line 3, after the word

"owner," to insert "or claimant;" and in the same line, before the word "title," to strike out "record;" so as to read:

And service of process on such unknown persons shall be had by designating them in the published notice as the unknown heirs, devisees, or allies of the last known owner or claimant of the title; and when such service shall be had a decree shall be rendered the same as though personal service had been had.

The amendment was agreed to.

The next amendment was, in line 8, after the word "disabilities," to insert the following proviso:

Provided, however, That the entire period during which such rights shall be preserved shall not exceed twenty-two years from the time such rights accrued either in said claimant or in the person or persons under whom he claims.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. FAULKNER. I move that the Senate request a conference with the House of Representatives upon the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. FAULKNER, Mr. McMILLAN, and Mr. MARTIN were appointed.

## CRIMINAL CODE FOR ALASKA.

Mr. CHANDLER. I call for the regular order.

The VICE-PRESIDENT. The regular order is the Alaska bill. The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8751) to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district.

Mr. CARTER. I ask unanimous consent that the committee amendments may be agreed to, subject to amendment as the original text.

The VICE-PRESIDENT. Subject to amendment.

Mr. COCKRELL. The amendments of the Senate committee are to be considered as a part of the original text?

Mr. CHANDLER. And the whole open to amendment?

Mr. CARTER. And the whole open to amendment.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the amendments are agreed to.

Mr. PLATT of Connecticut. Does that agree to the license amendment?

Mr. GALLINGER. It does not apply to that.

Mr. CARTER. It is subject to amendment.

Mr. PLATT of Connecticut. I understood when the bill was up before that a Senator whom I do not think is now present desired to be heard on the amendment.

Mr. CARTER. It is the Senator from New Hampshire [Mr. GALLINGER].

Mr. PLATT of Connecticut. The whole matter is open to amendment?

The VICE-PRESIDENT. The whole matter is open to amendment. The committee amendments have been adopted with that limitation.

Mr. CARTER. I offer the amendment which I send to the desk.

The SECRETARY. In section 14, page 5, line 4, strike out the word "fourteen" and insert "sixteen."

Mr. COCKRELL. Let the clause be reported as it will read.

The SECRETARY. If amended, the clause will read:

SEC. 14. That whoever has carnal knowledge of a female person, forcibly and against her will, or, being 16 years of age, carnally knows and abuses a female person under 16 years of age, with her consent, is guilty of rape.

The amendment was agreed to.

Mr. CARTER. I offer the amendment I send to the desk.

The SECRETARY. On page 26, lines 2 and 3 of section 67, strike out "upon any inclosed lands or premises not his own" and in lieu thereof insert "on any lands or premises in the lawful occupation of any other."

Mr. COCKRELL. That is the place where I wish to offer an amendment. Let us hear the amendment again.

The Secretary again read the amendment.

Mr. CARTER. That is satisfactory to the Senator from Missouri.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CARTER. I offer the amendment I send to the desk.

The SECRETARY. On page 50, in line 2, section 120 strike out the word "not;" and in lines 2 and 3 of said section strike out "except upon the complaint of the husband or wife and;" and in line 3 strike out the word "one" and insert in lieu thereof the word "three;" and in the same line strike out "year" and insert "years."

Mr. COCKRELL. Let the clause be read as proposed to be amended.

The SECRETARY. If amended, the clause will read.

That a prosecution for the crime of adultery shall be commenced within three years from the time of committing the crime or the time when the same shall come to the knowledge of such husband or wife.

The amendment was agreed to.

Mr. CARTER. I offer the amendment I send to the desk.

The SECRETARY. Page 67, line 2, section 144, it is proposed to strike out the words "or marriage;" and in lines 4, 5, and 6 of the same section strike out "without the consent of such father, mother, guardian, or other person."

The amendment was agreed to.

Mr. CARTER. I offer the amendment I send to the desk.

The SECRETARY. On page 91, line 4, amend section 201, Title I, by striking out all after the word "jails," in line 7 of said section, down to and including the word "employed," in line 16 on the following page, and insert in lieu thereof the following:

*Provided*, That the United States marshal for said district may, under such regulations as the Attorney-General may prescribe, employ or cause to be employed upon public works any or all persons sentenced to imprisonment in the jails or the penitentiary within said district.

Mr. CARTER. The amendment is for the purpose of leaving the entire matter of dealing between the marshal and the Attorney-General without interference by the Government and to avoid confusion in that particular.

The amendment was agreed to.

Mr. CARTER. I offer the amendment I send to the desk.

The SECRETARY. On page 98, after the word "summoned," in line 8 of section 13, insert "in each division of the court;" and on the same page, at the end of line 1, section 14, insert "who has been convicted of a felony nor."

The amendment was agreed to.

Mr. CARTER. On page 126 I offer the amendment I send to the desk.

The SECRETARY. On page 126, after the word "codified," in line 4 of section 122, insert "and for the trial of issues of fact in civil actions."

The amendment was agreed to.

Mr. CARTER. I offer the amendment I send to the desk.

The SECRETARY. Page 230, after line 83, insert:  
Wharfage at all public docks, wharves, and warehouses, 10 cents per ton on all freight and merchandise received or discharged.

The amendment was agreed to.

Mr. CARTER. On page 241 I offer what I send to the desk as an additional section, to be numbered 481.

The SECRETARY. It is proposed to amend by adding as a new section, on page 241, the following:

SEC. 481. That in any case where a conviction occurs, except in a case of murder or rape, the court may, when in its opinion the facts and circumstances are such as to make the minimum penalty provided in this act manifestly too severe, impose a less penalty, either fine or imprisonment, or both: *Provided*, That in any such case the court shall cause the reasons for its action to be set forth at large upon the record in the case.

Mr. GRAY. What page is that?

Mr. CARTER. Page 241.

Mr. PLATT of Connecticut. Let the amendment be read again. There was so much noise we could not hear.

Mr. CARTER. Before the reading proceeds, to the end that the purpose of the amendment may be more generally understood, I will state that this amendment is presented at the suggestion of the Senator from Massachusetts, the chairman of the Judiciary Committee. He expressed the opinion that in all cases the minimum penalty should be omitted in the statutes except in the case of murder and its various degrees and in the case of rape. In order to leave some discretion with the court, notwithstanding the minimum penalties fixed by the various sections in this code, the particular amendment presented at the desk and now about to be read was prepared by the committee.

The VICE-PRESIDENT. The Secretary will again read the amendment.

The Secretary again read the amendment.

The amendment was agreed to.

Mr. SPOONER. I should like to inquire of the Senator from Montana if he has passed the provision which fixes the punishment for rape?

Mr. CARTER. The entire bill is subject to amendment, according to the understanding.

Mr. SPOONER. Where is that section?

Mr. CARTER. I will endeavor to find it in a moment.

Mr. HOAR. Mr. President, I should like, as this matter may come up elsewhere, to say a word, in order that it may go on the Record. I will detain the Senate but a single moment. Ever since I came to the Senate, certainly ever since I went upon the Judiciary Committee, whenever the attention of the Senate has been called to the matter, it has with almost entire unanimity voted against the imposition of what are called minimum penalties; that is, in all cases making it obligatory upon the court to impose a fine of a certain amount or imprisonment of a certain

length. The experience of every lawyer, I think, is that that is peculiarly sound policy in the matter of the criminal jurisprudence of the United States, where, as to Alaska, as this case is, or Oregon or California, the pardoning power and the directing power of prosecution is at Washington, and can only be reached after a long time and at great cost and by traveling a great distance.

Now, one illustration is as good as a thousand. I myself was cognizant of a case where the minimum penalty for an offense against the revenue law—selling tobacco without a license, I think it was, but some offense of that kind—was imprisonment. There was no discretion in the court, and the man had acted in ignorance or had construed wrongly, as it proved, a very doubtful provision of law. He supposed he was doing what he had a right to do, and the man had a condition of his lungs which made it probable that six months' imprisonment would end his life, whereas being at liberty would save it, or it might be saved. It was necessary to send to Washington to get first the consent of the Treasury Department and then the consent of the Attorney-General's Office, in order to have the case put on file without pressing it to judgment and sentence. Hundreds of such cases could undoubtedly be put by different Senators.

Mr. SPOONER. I will ask the Senator from Montana to turn again to section 144.

Mr. GRAY. On what page?

Mr. SPOONER. Page 67.

Mr. CARTER. I have before me the section referred to.

Mr. SPOONER. The Senate has amended that section so as to strike out the words "or marriage." I submit to him that that amendment ought not to be made. It reads:

That if any person shall for purposes of prostitution or marriage take away any female under the age of 16 years from her father, mother, guardian, or other person having legal charge of her person—

He shall be punished. Under the bill as the Senator has had it amended a man can entice a girl 11 years of age or 12 years of age for marriage. That ought to be prohibited.

Mr. CARTER. In another section of the proposed statute he would be subject to punishment for marrying without the consent of the guardian or other person.

Mr. SPOONER. What is the limit as to age?

Mr. CARTER. The limit is 16.

Mr. SPOONER. In the other part of the bill?

Mr. CARTER. I understand that to be the fact. I will look it up. But I have no objection to the reconsideration of that part of the amendment which involves striking out the words "or marriage." I accept that from the Senator from Wisconsin. On page 67, line 2, I move that the Senate reconsider that part of the amendment which resulted in striking out the words "or marriage." Then the objection will be obviated.

The VICE-PRESIDENT. If there be no objection, the vote by which that part of the amendment was agreed to will be reconsidered. The question is on agreeing to that part of the amendment. If there be no objection, that part of the amendment will be disagreed to.

Mr. GALLINGER. When the organic act was approved for the district of Alaska, it was treated as all other communities where Indians resided, and a provision was incorporated in the act of a prohibitory nature, so far as concerns the manufacture and sale of intoxicating drinks. That law has continued in force until the present time. It is claimed in certain quarters, and I believe we have to concede the fact, that the liquor laws of Alaska, or the prohibitory laws, so called, have not been very strictly enforced, and that liquor has been sold in that district in violation of the provision of the organic act in that respect.

The Senator from Wisconsin [Mr. SPOONER] suggests to me that men have been killed in trying to enforce it. Men have been killed in New Hampshire in trying to enforce the laws against murder and arson and various other crimes, but we have not thought it necessary to repeal the laws because somebody was killed in trying to enforce them, and I do not think there is any argument in the suggestion made by the Senator from Wisconsin. Undoubtedly there are obstacles in the way of enforcing the law in Alaska. I have taken occasion to investigate the matter somewhat, and I find that the uniform testimony, or almost the uniform testimony, is that no very great effort has been made to enforce the laws.

It may be that the officials are in sympathy with the traffic. It may be that some obstacles have been discovered which it is difficult to overcome. It may be that because somebody has been killed the other officers are afraid to perform their sworn duty. I do not know how this may be, but I have no doubt in my own mind that if an honest, determined effort were made to enforce those laws in Alaska they would be enforced.

I am quite unwilling to admit that this great Government of ours, which has enacted this statute for the district of Alaska, is so weak and so impotent that it can not enforce the laws of its own making. If I felt that such was the fact, I would feel ashamed of the great Government that we all believe is capable of enforcing its own laws, whether it is in the district of Alaska, in the District

of Columbia, in the Indian Territory, or any other part of our country over which it has jurisdiction.

Now, Mr. President, I am not going to indulge in any extended discussion of this question. I presume it is foreordained, if I may use the word, that we are to turn our backs on the policy which has heretofore existed and adopt a license system in Alaska, and it is to be argued that that is to be done, I take it, for two reasons: First, that we get revenue, and next, that the license law will be better enforced than the prohibitory laws.

Mr. President, I have been something of a student on this subject, and I have yet to discover that license laws anywhere are better enforced than prohibitory laws. I have yet to discover that licensed liquor does less harm than unlicensed or prohibited liquor. I venture the prediction that if the policy is changed, if we turn our backs on prohibition in the Territory of Alaska, which has been our uniform method of legislation regarding Territories where Indians constitute perhaps a majority of the population, there will be just as much violation of law, there will be just as much intemperance, there will be just as much disregard of the Federal authority, as there is to-day; and the only earthly advantage, if advantage it may be called, that we will derive from it will be some revenue from the sale of intoxicating drinks; in other words, that we will legalize an immoral traffic and claim that because we get some revenue out of it we are legislating wisely and well.

Now, Mr. President, I am against what I consider to be a retrograde movement in this regard. I am against admitting that the Federal arm is not strong enough to enforce the statute prohibiting the importation and sale of liquors in the Territory of Alaska; and at any rate, I am against admitting that until this code which we are about enacting has had a fair opportunity to be tried in that Territory.

Heretofore Alaska has been under a system of laws that, as I understand it, have been somewhat disjointed, and perhaps somewhat difficult of interpretation. Now, in the wisdom of Congress, we are about to enact a criminal code, and I appeal to the Senate that it will be the part of wisdom for Congress to insist that this code shall be tried without reversing our heretofore established principles of prohibition; and that if it proves in the course of time that this condition of things is continued it will be time for us to consider the advisability of making a change.

Mr. President, there is a very wide difference of opinion existing even in Alaska on this question. I myself chanced to be there three years ago, and I talked with a good many people on this subject. I talked with Mr. Duncan, that devoted man in New Metlakatla, who has a thousand Indians christianized and civilized, a beautiful little town where bonds have been issued and taken by the Indians for internal improvements. Mr. Duncan is very strongly against any change being made in this respect. There is a letter in the last report of the governor of Alaska from Mr. Duncan on that point, in which he very strongly insists that this proposed change should not be made. Others give testimony to the contrary, and it is a mooted question.

There are divided opinions. I am not prepared to say that those who advocate this change are not acting in quite as good faith as those who desire that the existing condition of things shall last; but I do say that in my judgment the statute or the provision of the organic act in this regard has never had a fair trial, and that there has never been an honest, earnest, determined effort made by the officers of the Government to enforce prohibition in the district of Alaska.

Mr. President, I close by repeating that as we are about to adopt a new code for that district, it seems to me we ought not to reverse this well-established principle of our Government, which has existed, I think, from its foundation, at least from the time when we first began to enact laws governing our Indian wards; but that we should, under this new code, give the question of prohibition a fair trial and not make undue haste, as I think we are making undue haste when we turn our backs upon the former and the well-established policy of our Government, and adopt a license law simply because we will get some revenue from that form of legislation.

Now, Mr. President, I have no disposition to delay the action upon this bill. I have been appealed to from various quarters to interpose objections to its enactment. I have not seen fit to do so. I simply am willing to rest this contention upon what I have so poorly said, and upon the proposition I shall make to strike out sections 460 to 480, inclusive, which are the provisions relating to the licensing of intoxicating liquors in the district of Alaska, and to move as a substitute the following, which I send to the desk.

The SECRETARY. It is proposed to strike out sections 460 and 480, inclusive, and to insert in lieu the following:

That the provisions of chapter 3, Title XXIII, of the Revised Statutes of the United States, relating to the unorganized Territory of Alaska, shall remain in full force except herein specially otherwise provided; and the importation, manufacture, and sale of intoxicating liquors in said district, except for medicinal, mechanical, and scientific purposes, is hereby prohibited under the

penalties which are provided in section 1955 of the Revised Statutes for the wrongful importation of distilled spirits. And the President of the United States shall make such regulations as are necessary to carry out the provisions of this section.

Mr. PERKINS. Mr. President, those of us who have believed that the provision presented by the committee as an amendment is the only way to control the liquor traffic in Alaska speak from our experience of doing business in that Territory for the past twenty years. We believe it should be done by a high license, by making everyone who pays a license for doing business in the Territory, so to speak, an officer of the law. For thirty years this Government has had control of the municipal affairs of the district of Alaska, and upon our statute books there is a law prohibiting the importation into that Territory of alcoholic and other intoxicating liquors. Yet, as a matter of fact, there is not a shipping point, a mining camp, or a town in that Territory where there are not saloons, low grogeries, gambling dens, and places where liquor is sold and the general public debauched. Even the law prohibiting the sale of liquor to Indians is violated.

Now, for one I do not propose to be placed in the position of opposing any measure that is calculated to be for the general interest of the public. I believe a high-license provision is the strongest law we can put upon our statute book in favor of good government, good morals, and good society.

The amendment proposed by the committee is simply a copy of the law that is to-day on the statute books of the District of Columbia, regulating the sale of liquor and other articles of merchandise. That is the general plan of the amendment. Every governor we have had in Alaska from the first to the present, every public official, has advocated and recommended in his report to the Government—all the special agents of the Government have recommended a high-license system.

They state that the only way this business can be controlled in that district is by recognizing a fact that exists—that liquor is there publicly sold; that the venders are indicted, and every petit jury that tries them disagrees or acquits them, because they say the General Government has given them a license for selling liquor. I find, by reference to the report of the Commissioner of Internal Revenue, that there were issued in Alaska during the last year for the sale of spirituous liquor 403 licenses. The Government in one hand comes and says, "Here is a license for selling these liquors," and then it turns around and says to the officer of the law, "Prosecute that man for conducting a business that another officer of the same Government has authorized him to conduct."

Mr. GALLINGER. If the Senator from California will permit me, is he not mistaken in saying that when the Government issues an internal-revenue license of this kind the Government gives any authority whatever to sell liquor? Must not that man take his chances, so far as State laws or the laws relating to this Territory are concerned?

Mr. PERKINS. The Senator is right so far as New Hampshire and other States are concerned. I see that the Government issued 1,535 licenses in New Hampshire last year.

Mr. GALLINGER. Exactly; but it does not give any one of those men a right to sell liquor in contravention of the State law.

Mr. PERKINS. But we have no State law in Alaska. We have no other law except that which you make here and place upon the statute book.

Mr. GALLINGER. Precisely.

Mr. PERKINS. Therefore the juries and the courts have held by their verdict and otherwise that the sale of liquor there is no violation of any State law, because none exists.

I commend the efforts of the good people who want to bring about reform and prohibit the sale of intoxicating liquors, but they ought to commence right at home, here in the District of Columbia. The District of Columbia is not 10 miles square, and yet you are selling liquor here for which the liquor sellers pay a license fee which goes into the treasury of the District, and that money is appropriated for the support of this District. Here is an opportunity for my enthusiastic temperance prohibition friends. I am a temperance man myself. That is different from prohibition. If I could not get it, I do not know what the temptation might be; perhaps I should desire it; but that is the situation right here in this District, and I want my friends from New Hampshire and South Dakota, and my other friends to commence that work right here. The District is not 10 miles square.

When we have perfected this great reformation here in the capital city of the nation, I will go with them hand in hand to the district of Alaska, embracing 578,000 square miles, and we will do as Brother Duncan has done on the island of Metlakatla. There are some 20,000 islands in Alaska. He has done a splendid work there, but it is because he has the exclusive control of that little island. The most successful temperance colonies in this country, in my own State of California, are where the people in a district 1 mile or 5 miles square say we will submit the question to the people of that district, and if a majority determine that

there shall be no saloons here we will have a temperance colony. So we have several of those colonies.

In our cities we control it by high license, and every man who pays his license becomes an officer of the law to see that others do not enjoy a privilege for nothing which he is paying for. So I believe that plan will work in Alaska. At all events I claim that those of us who have been in that district, and who have had business with it for these twenty-five years, know more about it than our friends living here, who have only a theoretical knowledge of it. I know they are acting in good faith. I know the charge which is made is not true so far as their being privy to this conspiracy, but I send to the desk and ask to have read an extract from one of the leading papers of Seattle in relation to the pending bill now before Congress, which provides for a high license.

Mr. PLATT of Connecticut. Before that communication is read I should like to ask the Senator from California just what advantage he supposes is to result from the enactment of this license law over the present law on this subject as applicable to that district? What advantage does he think is to be derived from it other than that the Government is going to receive money for authorizing the sale?

Mr. PERKINS. I believe that everyone who takes out a license will become, as it were, an officer of the law to see that the laws are executed and that no one is permitted to vend liquors without paying a license for the same. I believe it will result in respect for law. I believe a high license will be a bond for law and order.

Mr. HOAR. May I ask the Senator from California a question? Mr. PERKINS. Certainly.

Mr. HOAR. Does the Senator think it tends to increase the respect for law to have all the barkeepers and people of that class enlisted in the cause?

Mr. PERKINS. That depends upon who the barkeeper is. I have seen barkeepers—

Mr. HOAR. I speak not of individual cases, but of my friend's general experience as to the character and standing of barkeepers.

Mr. PERKINS. From my observation in Alaska and statements of the condition which exists there are hundreds of people engaged in illicit traffic there, not only in selling liquor without a license, but in smuggling it into the Territory. There is a band of smugglers, commencing at the southeastern part of Alaska, at Fort Wrangell, and extending around the coast through its inlets and different towns up to Point Barrow, who are engaged in this illicit traffic.

It would take as large an army as we have to-day in Cuba to prevent them from smuggling liquor into that Territory. Mr. Hamlin, who comes from the same State that my friend who asks me the question does, when Assistant Secretary of the Treasury under President Cleveland, visited Juneau. He went there thinking he was to visit one of our largest towns—a temperance town. He went on shore and counted the saloons, and he counted 28 of them at that time. I am informed that there are to-day 57 there. He went to the subcollector of the port and said, "Mr. Collector, why is this permitted? Close up these saloons at once. They are run in violation of the laws of the United States." The subcollector said, "Mr. Secretary, detail every marine from your revenue cutter on shore, and I will endeavor to carry out your orders."

The Secretary viewed the situation, a high-minded, conscientious officer of the law as he was and is, and an honorable gentleman, and he said, "It is a physical impossibility to enforce the law." I have the testimony of the grand jury and of the United States district attorney, which I will later submit, but I want an article read to show how a certain element in Alaska is working with my friend from New Hampshire and his associates in trying to defeat this measure, which is drafted in the interest of temperance and good morals and good government.

Mr. TELLER. I should like to ask the Senator a question.

Mr. PERKINS. Certainly.

Mr. TELLER. I understand that the governor of that Territory is here. He is a man of high character. What does he say about this measure?

Mr. PERKINS. I want to bear my testimony as to the present governor of Alaska. He went there a missionary over twenty years ago. He is a teetotaler, a man who I do not believe ever drank a drop of anything stronger than Alaska coffee, and that is not very strong. He says all these years of observation and experience lead him to the conclusion that the only course we can now pursue to control the liquor traffic of Alaska is by a high license. That is the testimony of clergymen throughout that district, of the collectors of the ports, of the judges of the courts, of the United States marshal, and all others who have been students of this question; and no one for a moment can impugn the high, patriotic, or moral grounds that they take in relation to this question. I ask that the article be read.

The PRESIDING OFFICER (Mr. GRAY in the chair). The Secretary will read as requested.

The Secretary read as follows:

**FINDS STRANGE ALLIES—SKAGWAY'S DISORDERLY PEOPLE AID PROHIBITION PARTY—TO DEFEAT HIGH LICENSE—KEEPERS OF DANCE HALLS AND HOUSES OF ILL REPUTE SAID TO HAVE RAISED A PURSE TO HELP IN DEFEATING THE MEASURE—SATISFIED WITH PRESENT LIQUOR LAWS—WOULD BE FORCED OUT OF BUSINESS BY HEAVY TAX.**

According to a report brought down from the north by W. H. Bush, purser on the steamer *Al-Ki*, the Prohibition party is being made a shield behind which its enemies are assisting to defeat the bill providing for a liquor license in Alaska. A purse amounting to several thousands is said to have been made up by the dance-hall element and keepers of houses of ill repute in Juneau, Skagway, Dyea, and Douglas City and forwarded to the agent for the Prohibition party at Washington, to be used by him in defeating the license measure. This money was not sent as coming from the people donating it, but as "sympathizers of the Prohibition party in Alaska."

The affair has just leaked out and is causing no little comment among the citizens of the towns in Alaska. Mr. Bush said yesterday that the story was given him by one of the oldest citizens of Juneau, a man who is an Alaskan pioneer and who is respected by all who know him, with the assurance that he would give it to the press. "I was in a hotel at Juneau when the gentleman in question told me the story," said Mr. Bush. "He said that the money had been contributed by those who were in favor of no license, because if there was one it would undoubtedly be a high license and their business would have to be closed, as they could not pay the license. The contribution has only been sent on to Washington during the past month. Coming as it is supposed to, the Prohibition party will use it all in good faith."

"It is a shame that a license can not be obtained for Alaska," said Purser Bush. "For many years the best citizens have been struggling to procure a license, but the Prohibition party, with the aid of Rev. Sheldon Jackson and his Presbyterian mission, has so far defeated the bill. A license has always been conceded the best thing for Alaska. Liquor can always be secured, and the way a good deal is being procured is by shipping it through in bond to the lakes. Then it is smuggled back into United States territory. The Prohibition party, in trying to do what it imagines is for the best, sometimes makes serious errors, and the attempt to defeat the license measure is one of them."

Mr. GALLINGER. Is that a newspaper article?

The SECRETARY. From the Post-Intelligencer, of Seattle, under date of January 23, 1899.

Mr. GALLINGER. I should like the Secretary to go back a little and read again the very serious accusation that money has been sent to Washington to control this matter.

The PRESIDING OFFICER. If there is no objection, the Secretary will read as requested.

The Secretary read as follows:

According to a report brought down from the north by W. H. Bush, purser on the steamer *Al-Ki*, the Prohibition party is being made a shield behind which its enemies are assisting to defeat the bill providing for a liquor license in Alaska. A purse amounting to several thousands is said to have been made up by the dance-hall element and keepers of houses of ill repute in Juneau, Skagway, Dyea, and Douglas City, and forwarded to the agent for the Prohibition party at Washington, to be used by him in defeating the license measure. This money was not sent as coming from the people donating it, but as "sympathizers of the Prohibition party in Alaska."

Mr. GALLINGER. I wish to ask the Senator from California, who has sent up this newspaper article which says it is reported that a certain thing has been done, whether he believes it or not?

Mr. PERKINS. If my friend will accept my belief on the other proposition, that high license is for the benefit of Alaska, good government, and good morals, I will say that this is a part of the truth painted in Titian colors. No; I do not believe all the newspapers say. They look at the truth sometimes at very acute angles. That is a rumor, and I give it for what it is worth. It is published in one of the leading papers of Washington.

But I want to give the testimony of the grand jury of the district of Alaska. I want to give the testimony of the United States district attorney for Alaska, who has written me upon the subject-matter. I will read an extract from the report of the grand jury of Alaska which convened in November, 1898—four months ago. I will read only the concluding paragraphs:

The history of the present prohibitive liquor laws in Alaska has proven it to be a farce and tends only to the encouragement of smuggling.

In our opinion a high-license law, with proper restrictions, is the most practical solution of the question. The need of such legislation is very urgent, and we recommend that the matter be brought to the attention of Congress.

Respectfully submitted.

J. H. McWATTERS, Foreman.

J. J. C. BARBER, Clerk.

The report of the Committee on Territories has the testimony of the present governor of Alaska; it has the testimony of other officials in that Territory, and it seems to me it has been uncontroverted. It is impossible for anyone who has a knowledge of that Territory, of its geographical situation, of the class of population there, knowing that for thirty years this Government has been unsuccessful in prohibiting the importation of liquor into that Territory, to deny that it is our duty to try for a time at least, two years or one year, another plan.

I will ask the Secretary to read an extract from a letter from the present United States district attorney of Alaska, and I will submit the case, as we have a special order at 1 o'clock; but the official records in all the reports from Alaska bear out and are corroborative of the statement submitted by the United States district attorney.

The Secretary read as follows:

Extract from letter of United States Attorney R. A. Friedrich, Sitka, Alaska, under date of January 24, 1899:

"I see by the newspapers that Alaska is receiving considerable attention

at the hands of Congress, but I am afraid the liquor or license law as I see it reported will not help us very much if the sale of liquor under license in the Territory be limited to sales of not less than 5 gallons; the old trouble will still prevail. The only evil it will remedy will be to do away with smuggling. Those who obtain a license and sell in quantities of not less than 5 gallons will simply become the wholesale dealers, and the dive keepers and irresponsible dealers in liquor will simply have an easier and more ready base of supplies.

"I succeeded in getting 238 indictments against men engaged in the liquor business in the district at the term of the court just closed. There was a disposition on the part of the grand jury at the beginning to ignore the law, but I represented to them that, in my best judgment, we would have relief at this session of Congress, and that it would ill become the residents of the Territory, at the time when they are demanding and appealing for so much legislation, to put themselves in the attitude of treating with contempt and refusing to obey the laws they now have. This argument had its effect, and I succeeded in procuring indictments against every man in the Territory whose name and location was possible to learn.

"I very much fear that this is the last term of court in the Territory, if no relief is had, that the grand jury can be prevailed upon to indict under the present status of affairs; and if they should indict, petit juries will refuse to convict. Should these men demand trials, under our present system they can absolutely clog and obstruct the courts and render it impossible to transact civil business or any other than the trial of whisky cases, or, on the other hand, to try the civil and important criminal cases would take up the entire time of the court and exhaust the appropriation, and the whisky men would go unwhipped of justice, so you see the situation may be an awkward one, and it puts us almost at the mercy of these men."

**MR. HANSBROUGH.** Mr. President, the strongest argument that has heretofore been made by the advocates of high license in the district of Alaska has been that there were no means of communication between the various communities and inhabited districts in that Territory. It has been claimed that heretofore the officers of the law have been unable to reach the communities where liquor is sold unlawfully in the district of Alaska, but that argument can not be used any longer for the reason that at the present time the means of communication in Alaska are very much improved. Railroads are being built in all the important parts of Alaska; the navigable rivers are open during the season, and are thickly dotted with steamers during the entire summer. People are pouring into Alaska by thousands; it is no longer a wilderness, but it has come within the pale of civilization, and I believe that we ought to apply to it civilized methods.

Mr. President, there is no sentiment among the people of the district of Alaska in favor of high license. The demand for high license in that country comes largely from the wholesale liquor dealers of the Pacific coast. I know whereof I speak. It is the purpose of those dealers to send liquors into that country which no living being can take into his stomach without serious danger to health and life. We all know the class of liquors that are sent to the mining camps. I believe it is the duty of the American Congress to protect the people who go to that country, who are obliged to engage in desperate callings and desperate occupations, and not to place in their hands such a temptation as will be placed there by the men who propose to flood that country with cheap and poisonous liquors.

Mr. President, the Senator from California [Mr. PERKINS] tells us that if we do not have high license in Alaska the Indians of the various islands there will be permitted to have all the liquor they want through a system of smuggling which he claims prevails in that country. What the Senator from California proposes is that we shall establish a system whereby the people of those various islands shall have all the liquor they want without any restraint whatever. That is the effect of the legislation which the Senator from California and the Senator from Montana advocate here.

Now, as to another point in relation to this subject. The Senator from California has several times referred to the fact that the place to begin with these reforms is here in the District of Columbia. The conditions in the District of Columbia are altogether different from those existing in the district of Alaska. Here in the District of Columbia we have an entirely different class of people to deal with. We have here the foreign embassies, the foreign legations, and a very large class of people who could not exist, or think they could not exist, without having their liquors at their tables—their wines and their beer—and it is proposed to-day, before we shall undertake to legislate in behalf of the people in Alaska, that we shall pass a prohibition law in the District of Columbia. There is no relevancy whatever in the comparison made by the Senator from California.

Mr. President, I do not propose to detain the Senate, because I understand there is a special order at 1 o'clock, and I am willing that a vote shall now be taken upon the question.

**MR. CARTER.** At the suggestion of the Senator from Missouri, I move to amend, on page 55, line 1 of section 139, by inserting, after the word "person," the words "other than an officer on lawful business."

**THE PRESIDING OFFICER.** The question is on the amendment of the Senator from Montana.

The amendment was agreed to.

**MR. CARTER.** Now, Mr. President—

**MR. VEST.** Will the Senator permit me for just a moment?

**MR. CARTER.** I yield with pleasure to the Senator.

**MR. VEST.** Mr. President, I have nothing so important to say

that I desire to delay the action of the Senate upon the bill, but it is very evident that we shall not vote upon it before 1 o'clock.

I desire to say simply, from personal observation, that I think the present condition in regard to the selling of liquor in Alaska is not only a broad farce, but absolutely detrimental to the people in that district, not to call it a Territory.

I regard intemperance as the greatest evil that ever afflicted the human race. I think it is the fabled Pandora's box, out of which comes all the crime known to civilization or barbarism. But we are compelled to take human nature as we find it. There never has been a people discovered, no matter what their condition, who did not have a stimulant, unless it be the American Indians, who had tobacco; and when whisky was introduced amongst them they made up for lost time [laughter], until two-thirds of the Indians upon the continent were destroyed.

If I had the power, by any sort of legislation known to the ingenuity of mortal man, to destroy the last drop of alcoholic stimulant upon the face of the earth, I would do it with the greatest pleasure and alacrity. But it can not be done, and the experience of the whole human race shows it. The only result of absolute prohibition to the appetites of men as they are is to deteriorate the stimulant that is used. If any man wants to see this illustrated, let him go to Alaska. They have there a drink called "Russian brandy," in which there are fifty murders to every pint. [Laughter.] It is absolute lunacy to use it, and yet it is used, and it is impossible, from the geographical condition of the country, to keep out liquor, with all the vile compounds that are known to the avarice and greed of smugglers.

Mr. President, one of the officers of the Coast and Geodetic Survey told me recently that he loaned to the authorities of Alaska a Government vessel and that it was seized for smuggling—one of our own vessels—and that they found in the hold a large quantity of the vilest liquors possible, which the subordinate officers of the vessel were smuggling and peddling out on account of the immense price they were enabled to receive for it.

The temptation to violate the law and the facility with which it is done are such in Alaska that the present system of absolute prohibition amounts to nothing except as an inducement to crime.

Now, if you have high license, you create a detective force from interest that will not only lessen the amount of liquor that is used, but bring a better quality into general use.

You can not eradicate the appetite, especially in a climate like Alaska. The man who goes to Alaska, under perpetual fog and without seeing the sun more than once in six weeks, who is a strict teetotaler, is a marvel and very rarely to be found. The climate is such as to induce an appetite for stimulants. Then when you add to this the temptation of greed and the enormous prices that can be had for these vile compounds, you make an irresistible case against absolute prohibition.

The Senator from New Hampshire, with whom I sympathize entirely in his desire to eradicate intemperance, speaks of Mr. Duncan, who is at the head of a colony of the Metlakatla. Mr. President, Metlakatla is sui generis; it is different from any other community in the United States.

**MR. GALLINGER.** I dislike extremely to interrupt the Senator, but I will suggest that the time has arrived for the special order to be executed. I think, however, an arrangement may be made whereby the Senator can proceed.

**MR. VEST.** I am ready to stop.

**MR. CARTER.** I ask unanimous consent that such time as may be taken by the Senator from Missouri and by the Senator in the final disposition of the pending bill, continuing henceforth, may be added to the time of the special order accorded to the Senator from New Hampshire [Mr. GALLINGER].

**MR. GALLINGER.** That will be agreeable to me.

**MR. PASCO.** If that meets with the approval of the Committee on Appropriations, I have no objection.

**MR. CARTER.** I ask that the Senator from New Hampshire, upon the conclusion of this bill, may have the three-quarters of an hour which has been agreed to for the consideration of the bills embraced in that agreement.

**THE VICE-PRESIDENT.** Is there any objection to the request? The Chair hears none. The Senator from Missouri will proceed.

**MR. VEST.** I am obliged to the Senator from Montana for his suggestion to give me time, but I shall not consume it. I have very little more to say in regard to this question.

I was speaking in regard to the peculiar colony of Metlakatla, at the head of which is Mr. Duncan, a very remarkable man, and one to whom there can not be given enough credit, in my opinion, for the self-sacrifice he has exhibited in that wild country in humanizing and christianizing a people once cannibals.

I think Mr. Duncan is entirely right when he favors absolute prohibition as to the Indians under his charge. There are but a limited number of them and they are absolutely controlled by him. They were driven out of the British possessions by the action of the ecclesiastical authorities in Vancouver and in England, and they took refuge within the territory of the United States. They

look to Mr. Duncan as the absolute authority to control them. It is not the Government of the United States nor the laws of the United States that restrain them. It is their personal affection for Mr. Duncan, whom they have followed, giving up their homes in British America in order to come with him to the domain of the United States. He can control them.

That reservation is not like any other Indian reservation, where the nonintercourse laws with police are to be enforced. When one of the Metlakahla Indians is in doubt about any question he goes to Mr. Duncan to have it solved. The Indian who has followed a white man away from his domicile into a foreign land, who has given up everything except his personal veneration for that man, it is easily seen can be controlled by personal influence and personal affection.

But, Mr. President, if that were a reservation like an ordinary Indian reservation, the case would be entirely different. When you come to a Territory or a district, like Alaska, where whites and Indians are intermingled, and all the different nationalities of the zones outside, yes, and inside, the temperate zone, it can easily be seen that absolute prohibition, with as extensive a coast as that of Alaska, is absolutely impossible.

High license and local option, I honestly believe—and I am as thoroughly opposed to intemperance as any man living—constitute the only remedy as to this infernal appetite for drink, which exists amongst all the people of the world. Unless you have public sentiment and public opinion to maintain your laws in favor of temperance, the evil is but aggravated, and intensely aggravated.

There is a disposition on the part of thousands of our race to violate a law if it assumes anything like the character of coercion. A great American lecturer has declared graphically that if the Mississippi River ran whisky, if every stone on its banks was a lump of sugar, and every shrub was mint, and everybody could go there and drink without let or hindrance, fewer people would drink than if you put up a fence with placards upon it declaring that no man should touch the liquid in that river. [Laughter.] From the time that the boy will climb a fence to take an apple in a forbidden orchard up to the time that he dies an old and gray-haired man, there is a disposition to resist anything like restraint upon personal appetite and personal liberty.

Prohibition has been a failure wherever it has been attempted. You take the reports of the Internal Revenue Department of the United States, and what will you find? You find more United States licenses to sell liquor, to sell alcoholic stimulants, in the prohibition States than in those where there is high license and local option.

Mr. HANSBROUGH. If the Senator will permit me a moment, I will say that that is not true with respect to the State I have the honor in part to represent.

Mr. VEST. I have not looked recently, but I did some years ago when we had a debate on this question in the Senate, and I found it then to be the case.

Mr. CARTER. Supplemental to what the Senator from Missouri says, if he will permit an interruption—

Mr. VEST. Certainly.

Mr. CARTER. I have here a statement from the reports of the Commissioner of Internal Revenue for the years 1896, 1897, and 1898, wherefrom it appears that in 1896 taxes were collected from 112 retail dealers in Alaska; in 1897, from 147 retail dealers, and in 1898 from 373 retail dealers in liquor in the Territory or district of Alaska.

Mr. VEST. Mr. President, it is no answer to this statement that the United States licenses do not give the right to sell alcoholic stimulants within a State or Territory where the local laws are against it. Let me ask the question, Why are these United States licenses taken out at all in prohibition States? Do men go and pay their money to an internal-revenue collector for amusement?

Mr. HANSBROUGH. In my State they are taken out largely by people who are engaged in keeping what are known as billiard halls or pool tables, and who sell what are known as "soft drinks."

Mr. VEST. Yes; and they are taken out by drug stores.

Mr. HANSBROUGH. And taken out by drug stores.

Mr. VEST. Exactly; because the pool sellers or pool-room proprietors—

Mr. HANSBROUGH. But they take out no State license, though they sell liquor.

Mr. VEST. Exactly, and the Senator is reenforcing my argument. They have no State license, and they are willing to run the chance of beating the State law, but they are afraid of the United States. The drug-store keeper buys a few bottles of miserable decoctions for medicine, which would take the hair off the oldest dog in the township [laughter], and he then, without any State license—which he can not obtain on account of prohibition—takes out a United States license, puts it up conspicuously in his drug store, and he peddles out crime and disease, the State law being inoperative, because he is enabled by personal and local

influence to evade it, but he is afraid to come in contact with the United States authorities and therefore he pays the United States license.

I repeat, does he pay this license for amusement? What is his object in taking it out? What is the meaning of the word "license?" It is a permit. And he buys a license from the United States because he is afraid of the Federal courts. The fact remains glaringly distinct that he is pandering to the appetite for alcoholic viands, and he is evading, or rather he is treating contemptuously and with the utmost disrespect, the laws of the Commonwealth in which he lives, and evading at the same time the punishment that would come upon him under the United States statute.

Mr. President, I am not arguing for intemperance, but in favor of temperance, because I believe the worst legislation that can be had is that which challenges the appetites that are universal in the human race and that undertakes not to restrain, but to eradicate them absolutely. It can not be done. Take any of the passions or appetites which God mysteriously has implanted in us and undertake to stamp them out and you but increase their violence. Therefore, the wise legislator seeks to restrain, to modify, to do away with the worst effects, and, without encouraging, to diminish by putting such safeguards around it as human nature itself will permit.

It passes all understanding with me how any man has ever gone to Alaska and come to the conclusion that prohibition is possible in that district. What has been the experience in regard to opium? I saw when on my visit to Alaska hundreds of small craft out upon the waters a mile or a mile and a half from land, which I supposed to be engaged in fishing. When I made inquiry of experienced denizens domiciled at that place, I found they were what were called opium boats, plying their nefarious trade at night, bringing in opium and selling it at enormous prices, and then in the day time lazily floating upon the water in the guise of fishing craft engaged in a lawful and innocent business.

I am in favor of this amendment. Anything is better than the present system. Give a trial to the new one. Let us endeavor by some sort of sensible legislation to do away with that enormous evil which afflicts Alaska as it afflicts every other community in the country.

Mr. PLATT of Connecticut. Mr. President, I am not going at this late hour in the session to enter into any extensive discussion of this amendment, but I want to say before the vote is taken, although I may be somewhat old-fashioned in my notions, I do not believe that the United States ought to enter into the business of licensing for a compensation, a fee, the business of selling liquor in Alaska or anywhere else where it has complete and entire jurisdiction. I asked the Senator from California [Mr. PERKINS] what he expected to get by a license law of this character other than the fact that the Government would receive considerable money from it, but I listened in vain for an answer.

I have listened to the Senator from Missouri [Mr. VEST] and I learn from him that the liquor which is sold in Alaska contrary to the United States law is very poor and calculated to do a great deal more harm than what might be called pure liquor; but I do not believe that there will be any less liquor sold in Alaska under the license law or that the quality of the liquor will be improved. The sale will go on as it does now. The man who has a wholesale place will have to pay the Government \$2,000 a year, and the man who has a retail place will have to pay the Government from \$500 to \$1,000 a year.

Mr. PERKINS. May I ask the Senator if he does not believe that it will stop smuggling both by the vessels that are now plying between Seattle and Puget Sound and also from over in the British territory, which is divided by an imaginary line only?

Mr. PLATT of Connecticut. There may be a sentimental benefit in the stopping of the smuggling of liquor, but I do not think that the Government can afford to go into partnership with the liquor dealer and make him, according to the idea of the Senator from California, an officer of the United States just for the purpose of stopping smuggling. I think the Government could stop the smuggling somewhat, perhaps not entirely, if it were more vigilant than it is now.

I did not rise to discuss this matter, but because I am going to vote against the amendment of the committee I simply desire to say that I do not believe any good is to come from it. I do not believe the sale of liquor is to be prevented there. I do not believe the quality of the liquor is to be improved. I believe the Government is going to make money out of it.

Mr. MALLORY. I desire to call the attention of the Senator in charge of the bill to what I think is a clerical error. On page 232, line 11, after the word "male," there should be inserted the words "and female."

Mr. CARTER. I agree with the Senator.

Mr. MALLORY. The word "citizens" should be changed to "residents." We have used the word "residents" in a former part of the section.

Mr. CARTER. I agree with the Senator from Florida. I believe the amendment will be in order upon the disposition of the amendment proposed by the Senator from New Hampshire.

The VICE-PRESIDENT. The Chair will state that the amendment suggested is now in order, because it is a part of the matter proposed to be stricken out.

Mr. CARTER. I accept the amendment. After the word "male" in line 11, section 1, page 232, I move to insert the words "and female" and strike out "citizens" in the same line and insert "residents."

The amendment was agreed to.

The VICE-PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. It is proposed to strike out of the bill sections 460 to 480, inclusive, and insert in lieu thereof the following:

That the provisions of Chapter 3, Title XXIII, of the Revised Statutes of the United States, relating to the unorganized Territory of Alaska, shall remain in full force, except as herein specially otherwise provided; and the importation, manufacture, and sale of intoxicating liquors in said district, except for medicinal, mechanical, and scientific purposes, is hereby prohibited, under the penalties which are provided in section 1955 of the Revised Statutes for the wrongful importation of distilled spirits. And the President of the United States shall make such regulations as are necessary to carry out the provisions of this section.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER].

Mr. GALLINGER and Mr. PLATT of Connecticut called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I have a general pair with the Senator from New Jersey [Mr. SMITH]. He not being here, I withhold my vote.

Mr. PETTUS (when Mr. MORGAN's name was called). The senior Senator from Alabama [Mr. MORGAN] is paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. SEWELL. I am paired with the Senator from Wisconsin [Mr. MITCHELL].

The result was announced—yeas 11, nays 49; as follows:

#### YEAS—11.

Allen, Frye, Gallinger,	Hansbrough, Hoar, Lodge,	McLaurin, Platt, Conn. Proctor,	Roach, Ross.
-------------------------------	--------------------------------	---------------------------------------	-----------------

#### NAYS—49.

Bate, Berry, Caffery, Carter, Chandler, Clark, Clay, Cockrell, Cullom, Daniel, Deboe, Fairbanks, Faulkner,	Foraker, Gray, Hanna, Harris, Hawley, Hittfield, Jones, Nev. Kenney, Lindsay, McBride, McEnery, McMillan, Mallory,	Mantle, Martin, Mills, Money, Murphy, Nelson, Penrose, Perkins, Pettus, Platt, N. Y. Rawlins, Shoup, Simon,	Spooner, Stewart, Sullivan, Thurston, Tillman, Turley, Turner, Vest, Wellington, White.
--	--	---	--

#### NOT VOTING—30.

Aldrich, Allison, Bacon, Baker, Burrows, Butler, Cannon, Chilton,	Davis, Elkins, Gear, Gorman, Hale, Jones, Ark. Kyle, Mason,	Mitchell, Morgan, Pasco, Pettigrew, Pritchard, Quay, Sewell, Smith,	Teller, Turpie, Warren, Westmore, Wilson, Wolcott.
--	--	--	---

So Mr. GALLINGER's amendment was rejected.

The VICE-PRESIDENT. Four committee amendments are before the Senate—sections 460 to 480. Is there objection to agreeing to the amendments? The Chair hears none; and the amendments are agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. CARTER. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. SHOUP, Mr. CARTER, and Mr. MALLORY were appointed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 2413) for the relief of T. R. Mason, of Adairville, Ky.;

A bill (H. R. 4831) to authorize B. H. Buckingham, lieutenant-commander, United States Navy, to accept certain books from the Government of Mexico;

A bill (H. R. 6130) to authorize C. R. Dobbins, keeper of the Moose Peak (Maine) light station, to accept a gold watch from the Government of the Dominion of Canada;

A bill (H. R. 10881) to authorize Clifton R. Breckinridge to accept a medal presented to him by the Russian Government; and

A bill (H. R. 12064) to encourage the holding of a pan-American exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BOUTELLE of Maine, Mr. HILBORN, and Mr. CUMMINGS managers at the conference on the part of the House.

The message further announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 11597) to extend S street, in the District of Columbia, and for other purposes; and

A bill (H. R. 11629) for the extension of Pennsylvania avenue SE.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 240) to authorize Joseph J. Kinyoun, passed assistant surgeon of the Marine-Hospital Service, to accept a medal from the President of the Republic of Venezuela;

A bill (S. 2284) to authorize Admiral T. O. Selfridge, United States Navy; Capt. G. H. Wadleigh, United States Navy; Lieut. Commander Edward H. Gheen, United States Navy; Lieut. Commander Raymond P. Rodgers, United States Navy; Paymaster J. B. Redfield, United States Navy; Lieut. J. J. Hunker, United States Navy; Surg. D. N. Bartollette, United States Navy, and Ensign R. L. Russell, United States Navy, to accept medals presented them by the Russian Government;

A bill (S. 5144) authorizing and directing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck;

A bill (S. 5352) creating the office of Admiral of the Navy;

A bill (S. 5578) for increasing the efficiency of the Army of the United States, and for other purposes;

A bill (H. R. 631) to confirm title to lots 13 and 14, in square 959, in Washington, D. C.;

A bill (H. R. 1213) granting an honorable discharge to W. G. Neeley, of Canon City, Colo.;

A bill (H. R. 1859) to provide for a public building at Winston, N. C.;

A bill (H. R. 3190) granting an honorable discharge to John H. Smith;

A bill (H. R. 4253) granting an honorable discharge to Thomas West;

A bill (H. R. 7632) to remove charge of desertion from the military record of Robert Flower;

A bill (H. R. 8694) to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes;

A bill (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama;

A bill (H. R. 10353) for the relief of the International Cotton Press Company, of New Orleans, La.; and

A bill (H. R. 11799) to amend the act of Congress approved July 8, 1898, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia."

#### PENSION AND MILITARY RECORD BILLS.

Mr. GALLINGER. In connection with the special order, I desire to suggest to the Senator from Florida [Mr. Pasco] that the bills be alternated, first taking up a pension bill and then a bill to correct a military record, and that we proceed in that way until the close, if the bills are of equal number.

Mr. PASCO. That is entirely satisfactory.

The VICE-PRESIDENT. That will be the order pursued.

#### ELIZABETH V. LITZENBERG.

The VICE-PRESIDENT laid before the Senate the message of the House of Representatives reconsidering its action on the amendment of the Senate to the bill (H. R. 4833) granting an increase of pension to Elizabeth V. Litzenberg and returning the bill to the Senate.

Mr. GALLINGER. I move that the votes whereby the bill

was ordered to be engrossed, read a third time, and passed be reconsidered, with the view to further amending it.

The motion was agreed to.

Mr. GALLINGER. In line 6, I move to strike out "Henry" and substitute the word "Hervey;" and in line 7, strike out "eighth" and insert "second."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EDWARD C. PARSONS.

Mr. PASCO. Order of Business 1512.

The bill (H. R. 2646) for the relief of Edward C. Parsons was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. BOURNE.

The bill (S. 4876) granting a pension to Benjamin F. Bourne was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Bourne, late of Company F, Twenty-seventh Indiana Volunteers, and to pay him a pension of \$20 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM HAZELBECK.

Mr. PASCO. Order of Business 1604.

The bill (H. R. 8854) to correct the military record of William Hazelbeck, of Portsmouth, Ohio, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendment, in line 4, after the words "directed to," to strike out "remove from" and insert "correct;" and in line 6, after the word "Cavalry," to strike out "any charge of desertion that may exist against him, and to grant him an honorable discharge" and insert:

By entering therein that he was absent without leave from the 12th day of October, 1865, to the 1st day of July, 1866, in place of the statement that he deserted on the date first named.

So as to make the bill read:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of William Hazelbeck, of Portsmouth, Ohio, late bugler, Company H, Eleventh Ohio Volunteer Cavalry, by entering therein that he was absent without leave from the 12th day of October, 1865, to the 1st day of July, 1866, in place of the statement that he deserted on the date first named: *Provided,* That no pay, bounty, or other emoluments shall become due or payable by reason of the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES S. ANDERSON.

The bill (H. R. 8804) granting an increase of pension to James S. Anderson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James S. Anderson, late of Company C, First Illinois Infantry Volunteers, in the Mexican war, and to pay him a pension of \$20 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB SHELA.

Mr. PASCO. Order of Business 1638.

The bill (H. R. 4651) for the relief of Jacob Shela, of Portsmouth, Ohio, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT PERSLEY.

The bill (H. R. 1773) granting a pension to Robert Persley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "eighteen" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Robert Persley, late a Government employee in the United States military railroad service, on the pension roll and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ISAAC ALGER.

Mr. PASCO. Order of Business 1639.

The bill (H. R. 4332) to correct the military record of Isaac Alger was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANN COLLINS.

The bill (H. R. 10328) granting a pension to Ann Collins was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Ann Collins, dependent mother of John Collins, late of Company D, Third Maryland Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAWRENCE RESSLER.

Mr. PASCO. Order of Business 1640.

The bill (H. R. 5046) to remove the charge of desertion from the military record of Lawrence Ressler was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 10, after the word "service," to insert "as of date August 12, 1865;" so as to read:

That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Lawrence Ressler, formerly of Company I, One hundred and sixty-ninth Regiment Pennsylvania Volunteers, later a soldier in Company D of the Two hundred and thirtieth Regiment of Pennsylvania Volunteer Infantry, and to issue to said Ressler an honorable discharge from said last service as of date August 12, 1865.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES W. INGRAM.

The bill (H. R. 10696) granting an increase of pension to James W. Ingram was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Ingram, late captain Company G, Eighty-fourth Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that which he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CORYDON WINKLER.

Mr. PASCO. Order of Business 1643.

The bill (H. R. 997) to correct the military record of Corydon Winkler, late private, Eighth Company, First Battalion First Ohio Sharpshooters, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BUREAU OF ENGRAVING AND PRINTING INVESTIGATION.

Mr. MASON. I desire to have the attention of the senior Senator from Kentucky. I ask to dispose of a pending motion to reconsider.

Mr. GALLINGER. I trust it will not be taken out of the time for the pension and other bills.

Mr. COCKRELL. I hope the unanimous-consent agreement will be adhered to.

The VICE-PRESIDENT. Forty-five minutes, by unanimous consent, was set apart for the consideration of two classes of bills.

Mr. MASON. I ask pardon. It would not take more than a moment, however, if the Senator would allow me.

Mr. GALLINGER. If it can be immediately disposed of I will yield.

Mr. COCKRELL. Oh, no.

Mr. MASON. I withdraw the request for the present.

HOLLIS O. DUDLEY.

The bill (H. R. 10862) granting an increase of pension to Hollis O. Dudley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hollis O. Dudley, late captain of Company C, Eleventh Regiment New Hampshire Volunteers, and to pay him a pension of \$36 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES MILLER.

Mr. PASCO. Order of Business 1646.

The bill (H. R. 4607) granting an honorable discharge to Charles Miller was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LESTER P. COOPER.

The bill (H. R. 2366) granting an increase of pension to Lester P. Cooper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lester P. Cooper, of Company B, Fiftieth New York Volunteer Engineers, and pay to him a pension of \$24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES J. FLUKE.

Mr. PASCO. Order of Business 1647.

The bill (H. R. 6649) to remove the charge of desertion against James J. Fluke was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DORTHA E. KENNOCH.

The bill (H. R. 4661) granting a pension to Dortha E. Kennoch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Dortha E. Kennoch, widow of William W. Kennoch, deceased, late of the United States Navy, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SYLVESTER F. HILDEBRAND.

Mr. PASCO. Order of Business 1652.

The bill (H. R. 8607) to correct the military record of Sylvester F. Hildebrand was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment in line 3, after the word "That," to insert "extract No. 33 of;" so as to read:

That extract No. 33 of special order No. 268, issued by the War Department under paragraph 1371, referring to restrictions and penalties, be, and the same is hereby, set aside, and that Sylvester F. Hildebrand be given an honorable discharge as of date June 7, 1865, by reason of expiration of service as a private in Company E, One hundred and thirty-ninth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CLARENCE L. CHAPMAN.

The bill (H. R. 11876) granting an increase of pension to Clarence L. Chapman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment in line 8, before the word "dollars," to strike out "forty-five" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clarence L. Chapman, late captain of Company B, First Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he now receives.

Mr. GALLINGER. I hope the amendment will be disagreed to. The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN PHELAN.

Mr. PASCO. Order of Business 1902.

The bill (H. R. 6616) to remove the charge of desertion against John Phelan, deceased, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIA S. URBAN.

The bill (H. R. 12104) granting an increase of pension to Maria S. Urban was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Maria S. Urban, widow of Casper Urban, late major Fifth Regiment New York Heavy Artillery, and to pay her a pension of \$20 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE GREGG.

Mr. PASCO. Order of business 1903.

The bill (H. R. 7092) for the relief of George Gregg was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW J. TAYLOR.

The bill (H. R. 10892) granting an increase of pension to Andrew J. Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew J. Taylor, late a private in Captain Vernon's company of Tennessee Vol-

unteers in the Indian war, and to pay him a pension of \$12 per month, in lieu of the pension that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK DUNN.

Mr. PASCO. Order of Business 1906.

The bill (H. R. 2419) for the relief of Frank Dunn was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 4, after the word "Corporal," to insert "Charles Simpson, alias;" so as to read:

That the Secretary of War be, and is hereby, authorized and directed to issue to Corp'l. Charles Simpson, alias Frank Dunn, a noncommissioned officer of the Fifth Pennsylvania Cavalry, a certificate of honorable discharge as of the date of his dishonorable discharge from the Army, and all disabilities imposed upon him by reason of said dishonorable discharge and of the sentences of the general court-martial by which he was tried, and the same are hereby removed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Charles Simpson, alias Frank Dunn."

## PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following acts:

An act (S. 88) to provide for the purchase of sites for public buildings in the cities of Hastings and Norfolk, in the State of Nebraska, and for other purposes;

An act (S. 109) for the erection of a public building at Aberdeen, S. Dak.;

An act (S. 164) to provide for the construction of a public building at Butte City, Mont.;

An act (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri;

An act (S. 346) providing for the erection of a public building at the city of Seattle, in the State of Washington;

An act (S. 706) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California;

An act (S. 926) to provide for the erection of a public building at Beaumont, Tex.;

An act (S. 927) to provide for the erection of a public building at Abeline, Tex.;

An act (S. 1371) for a public building at the city of Wilkesbarre, Pa.;

An act (S. 1896) to provide for the purchase of a site, and for the erection of a public building thereon, at Salt Lake City, the capital of the State of Utah;

An act (S. 2048) for the erection of a public building at Fergus Falls, Minn.;

An act (S. 2904) for the investigation of leprosy;

An act (S. 5319) to change and fix the time of holding the terms of the district and circuit courts at Batesville, Ark.;

An act (S. 5376) authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi; and

A bill (S. 5578) for increasing the efficiency of the Army of the United States, and for other purposes.

## DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. ALLISON. At this moment I desire to submit a conference report on the District of Columbia appropriation bill. I understand that an order is now operating, by unanimous consent, in reference to pension bills, etc. I do not wish to disturb that order, but I suggest that it be temporarily suspended, to enable me to make the report, and that it be prolonged thereafter for a period of time equal to that occupied by the conference report.

Mr. GALLINGER. That is satisfactory.

Mr. PASCO. That is entirely satisfactory.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11083) Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 7, 10, 16, 17, 18, 24, 25, 26, 30, 31, 42, 46, 55, 59, 63, 65, 69, 70, 71, 72, 73, 77, 78, 79, 82, 83, 84, 85, 87, 90, 99, 101, 112, 115, 116, 120, 124, 127, 129, 138, and 172.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 12, 13, 20, 21, 29, 32, 34, 37, 38, 39, 41, 43, 44, 47, 48, 49, 50, 51, 54, 60, 61, 62, 64, 66, 67, 68, 74, 75, 76, 80, 81, 113, 114, 117, 118, 119, 123, 126, 128, 130, 132, 135, 137, 139, 141, 142, 145, 146, 147, 171, 173, 174, 175, 176, and 177 and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$19,400;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,300;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$67,752;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "One assistant librarian, \$600;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,320;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,250;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$130,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$160,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$38,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$44,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In line 3 of said amendment strike out "twenty-five" and insert "twenty;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$60,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$130,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$145,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$172,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For one four-room building and site, Takoma Park, \$18,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: Add at the end of said amendment the following: "or so much thereof as may be necessary;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: On page 23 of the bill, before the word "manual-training," in lines 24 and 25, insert the word "fireproof;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Commissioners of the District of Columbia, on application of any corporation or individual, or in their own discretion, may appoint special policemen for duty in connection with the property of, or under the charge of, such corporation or individual; said special policemen to be paid wholly by the corporation or person on whose account their appointments are made, and to be subject to such general regulations as the said Commissioners may prescribe."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$22,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$29,185;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "machinist, \$1,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$83,620;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the

Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$9,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$11,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$19,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: Strike out the matter proposed to be inserted by said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$70,200;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$57,900;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,306;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$500;" and on page 37 of the bill, in lines 6 and 7, strike out "four hundred and fifty" and insert "five hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,198;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$3,250;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 170, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,000;" and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 57, 58, 91, 92, 93, 94, 95, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, and 168.

W. B. ALLISON,  
S. M. CULLOM,  
F. M. COCKRELL,

Managers on the part of the Senate.

WILLIAM W. GROUT,  
HENRY H. BINGHAM,  
ALEX. M. DOCKERY,

Managers on the part of the House.

The VICE-PRESIDENT. The question is on agreeing to the report just presented to the Senate and read.

The report was agreed to.

Mr. ALLISON. That is not a final report on the bill. There are still in disagreement the provision inserted by the Senate relating to electric lighting, the provision inserted in the Senate for additional police, and also the entire question of charities in the District of Columbia, the Senate having made material amendments in nearly every item in the House bill as respects charities. The conferees on the part of the House of Representatives make some suggestions respecting electric lighting which may possibly result in an agreement upon that question. They are very firm in resisting any increase relating to the police, and also adhere to their position respecting charities.

I move that the Senate still further insist upon its amendments still in disagreement, and ask for a further conference with the House of Representatives upon those amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. ALLISON, Mr. CULLOM, and Mr. COCKRELL were appointed.

The VICE-PRESIDENT. Pension and military-record bills will be proceeded with, under the order of the Senate.

SOPHIA GRUBER.

The bill (H. R. 1724) granting an increase of pension to Sophia Gruber was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mrs. Sophia Gruber,

widow of Charles A. Gruber, late captain and adjutant of the Thirty-fourth Regiment Kentucky Infantry Volunteers, and to pay her a pension of \$20 per month in lieu of that she now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN DINSBEER.

Mr. PASCO. Order of Business 1952.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8119) granting an honorable discharge to John Dinsbeer, late second lieutenant in Company C, First Regiment of Missouri State Militia, which had been reported from the Committee on Military Affairs with an amendment, in line 4, after the word "directed," to strike out:

Correct the military record of and grant an honorable discharge to John Dinsbeer, of St. Louis, Mo., late second lieutenant in Company C, First Regiment of Missouri State Militia.

And in lieu thereof to insert:

Revoke and set aside the provision in General Orders, No. 5, Headquarters Department of the Missouri, dated January 15, 1864, approving the finding and sentence of the general court-martial, which sentence was dismissal from the service of John Dinsbeer, second lieutenant of the First Regiment of Infantry, Missouri State Militia, and to disapprove the said findings and sentence, and to order and cause to be issued to him an honorable discharge as of date January 15, 1864.

So as to make the bill read:

*Be it enacted, etc.,* That the Secretary of War be, and he hereby is, authorized and directed to revoke and set aside the provision in General Orders, No. 5, Headquarters Department of the Missouri, dated January 15, 1864, approving the finding and sentence of the general court-martial, which sentence was dismissal from the service of John Dinsbeer, second lieutenant of the First Regiment of Infantry, Missouri State Militia, and to disapprove the said findings and sentence, and to order and cause to be issued to him an honorable discharge as of date January 15, 1864: *Provided,* That no pay, bounty, or other allowance shall become due or payable by reason of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ANDREW MORSE, JR.

The bill (H. R. 3476) granting an increase of pension to Andrew Morse, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew Morse, jr., late of Company C, First Louisiana Cavalry, and pay him a pension of \$40 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN P. HENDERSON.

Mr. PASCO. Order of Business 1953.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8506) to remove the charge of desertion from the military record of John P. Henderson and to grant him an honorable discharge, which had been reported from the Committee on Military Affairs with an amendment, in line 8, after the word "discharge," to insert "as of date February 15, 1865;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against John P. Henderson, who enlisted as a private in Company H, One hundred and twenty-fourth Indiana Volunteer Infantry, and to grant to said John P. Henderson an honorable discharge as of date February 15, 1865: *Provided,* That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM B. PAUL.

The bill (H. R. 11568) granting an increase of pension to William B. Paul was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William B. Paul, late of Company H, Tenth Vermont Infantry Volunteers, and to pay him a pension of \$20 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

W. H. CASTLE.

Mr. PASCO. Order of Business 1954.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4670) to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA M. DE VOU.

The bill (H. R. 7636) granting a pension to Martha M. De Vou was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha M. De Vou, formerly the widow of Joseph L. Mahan, deceased, brevet captain of the Sixth Regiment Maryland Volunteer Infantry, and to pay her a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIUS C. KLOENNE.

Mr. PASCO. Order of Business 1956.

The Senate, as in Committee of the Whole, proceeded to the consideration of the bill (H. R. 2017) for the relief of Julius C. Kloenne.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA S. REDFIELD.

The bill (H. R. 12148) granting a pension to Eliza S. Redfield was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza S. Redfield, formerly widow of Freeman R. Gardner, late private, First Regiment New Hampshire Cavalry Volunteers, and to pay her a pension at the rate of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PATRICK DUNPHY.

Mr. PASCO. Order of Business 1917.

The Senate, as in Committee of the Whole, proceeded to the consideration of the bill (H. R. 9669) to correct the military record of Patrick Dunphy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL G. EMERT.

The bill (H. R. 11767) granting a pension to Daniel G. Emert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel G. Emert, of Company K, Second Regiment of Tennessee Volunteer Cavalry, and pay him a pension of \$12 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES GEISSINGER.

Mr. PASCO. Order of Business 1962.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5758) to remove the charge of desertion from the record of James Geissinger, which had been reported from the Committee on Military Affairs with an amendment, in line 7, after the word "Infantry," to insert "and to issue him an honorable discharge of date October 19, 1864;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now borne on the records of the War Department against the name of James Geissinger, formerly a member of Company A, Seventy-second Regiment of Ohio Volunteer Infantry, and to issue him an honorable discharge of date October 19, 1864: *Provided,* That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM R. WARDEN.

The bill (H. R. 7093) granting an increase of pension to William R. Warden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William R. Warden, late a private in Company F, Third Regiment Kentucky Volunteer Infantry, at \$12 per month, and pay him said rate under certificate No. 108925, issued to him under the law of June 27, 1890, without deducting therefrom any sum theretofore erroneously paid to him under any former law.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANSON W. GILLET.

Mr. PASCO. I ask that cases may be taken from the table. The first one is that of Anson W. Gillett.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6062) for the relief of Anson W. Gillett.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA ADAMS.

The bill (H. R. 8406) granting an increase of pension to Martha Adams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha Adams, widow of Nathan Adams, of Company E, One hundred and thirty-

fourth Regiment Ohio Infantry, and pay her a pension of \$12 per month in lieu of that now received by her.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES ROCHE.

Mr. PASCO. The next is House bill 2412.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2412) to amend the military record of James Roche.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY F. COBB.

The bill (H. R. 6328) granting a pension to Mary F. Cobb was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Mary F. Cobb, widow of Lewis Bryant (otherwise known as Louis H. Bryan), late of the Second Kentucky Volunteers, war of 1812, and daughter of Daniel Gano, late an officer of artillery, Revolutionary war, and pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAIAH MITCHELL.

Mr. PASCO. There is a bill to which the Senator from Colorado [Mr. TELLER] calls my attention, which he thinks comes under the spirit of this order, and, with the consent of the Senator from New Hampshire, I will ask that it be considered now.

Mr. GALLINGER. I shall be pleased to have the bill considered.

Mr. PASCO. It is House bill 7915.

The VICE-PRESIDENT. The bill will be considered, if there be no objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7915) allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain land.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. HOLWAY.

The bill (H. R. 3186) granting an increase of pension to William J. Holway was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Holway, late private in Company G, Sixty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension of \$30 per month in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NAVAL RECORD BILLS.

Mr. PASCO. There are some naval record bills of a similar character and I ask that they now be considered in order as the military record bills have been considered.

The VICE-PRESIDENT. Is there objection to naval record bills being considered?

Mr. GALLINGER. There is no objection.

The VICE-PRESIDENT. Shall they be considered together?

Mr. GALLINGER. Let them be considered alternately with pension bills.

The VICE-PRESIDENT. In the absence of objection, that course will be pursued.

MICHAEL BAKER.

Mr. PASCO. Order of Business 1901.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1388) to remove the charge of desertion from the record of Michael Baker.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES H. BARBER.

The bill (H. R. 9359) granting an increase of pension to Charles H. Barber was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Charles H. Barber, late of Company G, Twenty-fifth Regiment Connecticut Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third, and passed.

CHARLES THOMPSON.

Mr. PASCO. Order of Business 1791.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10132) to remove the charge of desertion from the naval record of Charles Thompson.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY B. WOTRING.

The bill (H. R. 8895) granting a pension to Mary B. Wotring was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary B. Wotring, widow of Dr. Jonathan Wotring, assistant surgeon Eighty-third Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTIN U. SINGHI.

Mr. PASCO. Order of Business 1792.

The Senate, as in Committee of the Whole, proceeded to the consideration of the bill (H. R. 5924) to correct the naval record of Martin U. Singhi.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY CHAMBERLIN.

The bill (H. R. 2625) granting a pension to Mary Chamberlin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Chamberlin, dependent mother of Charles L. Chamberlin, late of Company D, Ninth Vermont Infantry, and Company B, Seventeenth United States Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY SHALEY.

The bill (H. R. 10241) granting a pension to Nancy Shaley was considered as in Committee of the Whole. It proposes to place the name of Nancy Shaley, widow of Thomas Shaley, late of Company H, Eleventh Regiment of Kentucky Cavalry Volunteers, on the pension roll, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN E. GULLETT.

The bill (H. R. 8329) granting an increase of pension to John E. Gullett was considered as in Committee of the Whole. It proposes to increase the pension of John E. Gullett, of Wilcox County, Ala., a lieutenant in the Creek Indian war of 1836, from \$8 to \$15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORIN LONG.

The bill (H. R. 11148) granting an increase of pension to Orin Long was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Orin Long, late of Company G, One hundred and forty-fourth Regiment of Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IRA BACON.

The bill (H. R. 2830) granting an increase of pension to Ira Bacon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ira Bacon, late of Company A, Fifty-second Indiana Infantry Volunteers, and to pay him a pension of \$30 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABIGAIL WILSON.

The bill (H. R. 8207) granting a pension to Abigail Wilson, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abigail Wilson, the dependent mother of Alden M. Wilson, late of Company B, Fifty-second Pennsylvania Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH E. STUBBS.

The bill (S. 4767) granting a pension to Sarah E. Stubbs, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah E. Stubbs, widow of Martin D. Stubbs, late of Company G, Eleventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Sarah E. Stubbs."

CHARLES F. HOLMES.

The bill (H. R. 877) granting a pension to Charles F. Holmes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles F. Holmes, the permanently helpless and dependent child of Joseph H. Holmes, late a private in Company E, Ninth Regiment New York State Militia, and to pay him a pension of \$15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. ROBINSON.

The bill (H. R. 9293) granting a pension to Mary E. Robinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Robinson, formerly widow of David Hollenbach, orderly sergeant Company D, Third Regiment Pennsylvania Reserve Corps, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TENNESSEE N. BUCKLES.

The bill (H. R. 10534) granting a pension to Tennessee N. Buckles was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Tennessee N. Buckles, late of Company I, Sixth Kansas Cavalry, and to pay him a pension of \$13 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. OHNGEMACH.

The bill (H. R. 5802) granting an increase of pension to John W. Ohngemach was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Ohngemach, late of Company E, Second Regiment Colorado Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. DETWILER.

The bill (H. R. 4745) to increase the pension of George W. Detwiler was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of George W. Detwiler, late of Company H, Twelfth Regiment of Pennsylvania Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that which he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VINCENT DE FRIETAS.

The bill (S. 4636) granting a pension to Vincent de Frietas was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the name "Vincent de Frietas," to strike out "who served in the United States Navy from April, 1853, to April, 1860, and pay him a pension at the rate of \$20 per month" and insert "late officer, steward U. S. S. Vincennes, United States Navy, and pay him a pension at the rate of \$12 per month;" so as make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Vincent de Frietas, late officer, steward U. S. S. Vincennes, United States Navy, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA M. WEHE.

The bill (H. R. 1677) granting a pension to Anna M. Wehe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna M. Wehe, dependent mother of William Wehe, Company B, Eleventh Ohio Infantry Volunteers, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY A. THOBURN.

The bill (H. R. 1698) granting an increase of pension to Henry A. Thoburn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry A. Thoburn, late mate of the ship *Fairy*, in the United States Navy, and to pay him a pension of \$24 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHARINE HARRIS.

The bill (S. 5456) granting a pension to Catharine Harris was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the name "Catharine Harris," to strike out "son" and insert "dependent mother;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catharine Harris, dependent mother of Mathias Harris, late of Company I, Seventeenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANN E. COOLEY.

The bill (H. R. 204) granting a pension to Ann E. Cooley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ann E. Cooley, widow of Benjamin Cooley, late of Company K, Seventy-third Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PATRICK O'NEAL.

Mr. GALLINGER. There are a few bills on the table which were reported this morning, which I ask to have now considered.

The VICE-PRESIDENT. In the absence of objection, that order will be made.

The bill (H. R. 11673) to increase the pension of Patrick O'Neal was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Patrick O'Neal, late private in Company G, Second Regiment California Volunteers, and to pay him a pension of \$30 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES WILLIAMS.

The bill (H. R. 8959) granting an increase of pension to Charles Williams, was considered as in Committee of the Whole. It proposes to place the name of Charles Williams, late captain Company A, Eighty-second Regiment Pennsylvania Volunteer Infantry, on the pension roll and to pay him a pension of \$24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RUTH WALKER.

The bill (H. R. 9619) granting a pension to Ruth Walker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ruth Walker, widow of Lyman D. Hammond, late of Company B, Second Regiment Iowa Volunteers, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REBECCA M'MULLEN AND CATHERINE EAKIN.

Mr. GALLINGER. In behalf of the Senator from Ohio [Mr. HANNA], I report favorably from the Committee on Pensions the bill (H. R. 4677) to increase the pension of Rebecca McMullen, and the bill (H. R. 9059) granting a pension to Catherine Eakin, which I ask may also be considered at this time.

The VICE-PRESIDENT. The bills just reported will be considered, in the absence of objection.

The bill (H. R. 4677) to increase the pension of Rebecca McMullen was considered as in Committee of the Whole. It proposes to place the name of Rebecca McMullen, widow of Alexander McMullen, late a soldier of the war of 1812, on the pension roll, and to pay her a pension of \$20 per month in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The bill (H. R. 9059) granting a pension to Catherine Eakin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catherine Eakin, widow of Alexander McI. Eakin, of Company D, One hundred and seventy-ninth New York Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW GEDDES.

Mr. GALLINGER. Senate bill 5566 is an army bill, which I think might properly come under this order, and I ask unanimous consent for its consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5566) to authorize the

President to place Andrew Geddes on the retired list with the rank of captain; which had been reported with an amendment to strike out all after the enacting clause and insert:

That the President be, and he is hereby, authorized to revoke his order of December 8, 1880, confirming the sentence of dismissal in the case of Capt. Andrew Geddes, Twenty-fifth United States Infantry, and to disapprove the sentence and to revoke and set aside General Court-Martial Orders No. 64, Headquarters of the Army, Adjutant-General's Office, Washington, December 4, 1880, approving the pending sentence in the said case and ordering his dismissal to take effect December 31, 1880, and to order and cause to be issued to said Geddes an honorable discharge as of date December 31, 1880, and to nominate and, by and with the advice and consent of the Senate, appoint said Geddes a captain of infantry in the United States Army, and place him upon the retired list with the rank of captain, the retired list being increased for that purpose only: *Provided*, That no pay, compensation, or allowance shall accrue by reason of this act for any cause prior to its passage.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the President to correct the record of Andrew Geddes and to place him on the retired list with the rank of captain."

Mr. COCKRELL. Has the order of the Senate in relation to the consideration of pension and military bills been completed?

The VICE-PRESIDENT. The order is completed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3675) authorizing the exchange of lot 6, of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11083) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, further disagrees to the amendments of the Senate numbered 57, 58, 91, 92, 93, 94, 95, 148, and 163, inclusive, agrees to a further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. BINGHAM, and Mr. DOCKERY managers at the further conference on the part of the House.

The message further announced that the House had agreed to the concurrent resolution of the Senate to return to the Senate the bill (S. 3466) granting a pension to Sarah Hamilton.

#### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 10403) to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States; and it was thereupon signed by the Vice-President.

#### BOND IN ADMIRALTY CAUSES.

Mr. THURSTON. I ask unanimous consent for the present consideration of the bill (H. R. 11178) to amend section 941 of the Revised Statutes. It is an important bill, reported by the Judiciary Committee, and will only take a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 941 of the Revised Statutes so as to read as follows:

SEC. 941. When a warrant of arrest or other process in rem is issued in any cause of admiralty jurisdiction, except in cases of seizures for forfeiture under any law of the United States, the marshal shall stay the execution of such process, or discharge the property arrested if the process has been levied, on receiving from the claimant of the property a bond or stipulation in double the amount claimed by the libellant, with sufficient surety, to be approved by the judge of the court where the cause is pending, or, in his absence, by the collector of the port, conditioned to answer the decree of the court in such cause. Such bond or stipulation shall be returned to the court, and judgment thereon, against both the principal and sureties, may be recovered at the time of rendering the decree in the original cause.

And the owner of any vessel may cause to be executed and delivered to the marshal a bond or stipulation, with sufficient surety, to be approved by the judge of the court in which he is marshal, conditioned to answer the decree of said court in all or any cases that shall thereafter be brought in said court against the said vessel, and thereupon the execution of all such process against said vessel shall be stayed so long as the amounts secured by such bond or stipulation shall be at least double the aggregate amount claimed by the libellants in such suits which shall be begun and pending against said vessel; and like judgments and remedies may be had on said bond or stipulation as if a special bond or stipulation had been filed in each of said suits.

The court may make such orders as may be necessary to carry this section into effect, and especially for the giving of proper notice of any such suit. Such bond or stipulation shall be indorsed by the clerk with a minute of the suits wherein process is so stayed, and further security may at any time be required by the court. If a special bond or stipulation in the particular cause shall be given under this section, the liability as to said cause on the general bond or stipulation shall cease.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### EIGHT-HOUR BILL.

Mr. TURLEY. I ask unanimous consent for the present consideration of the bill (H. R. 7389) limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of or work done for the United States, or any Territory, or the District of Columbia.

Mr. PERKINS. I desire to have the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, laid before the Senate, and then I will yield to the Senator from Tennessee.

Mr. CARTER. I desire in the meantime, Mr. President, to make a privileged conference report on the census bill.

The VICE-PRESIDENT. Does the Senator from Tennessee [Mr. TURLEY] accept the suggestion of the Senator from California [Mr. PERKINS] that the fortifications bill may be placed before the Senate, and then that the request of the Senator from Tennessee be put?

Mr. TURLEY. Mr. President, I believe I shall prefer, if it be in order, to make the bill to which I have referred the order of business after the fortifications appropriation bill shall have been concluded, if I can secure an arrangement to that effect.

Mr. PERKINS. I will yield to the Senator for the consideration of his bill before the consideration of the fortifications appropriation bill is proceeded with. I only wanted that bill to have what it is entitled to have—the right of way.

Mr. CAFFERY. Do I understand there is unanimous consent asked to take up the eight-hour bill and to pass it?

The VICE-PRESIDENT. The Chair so understood the Senator from Tennessee.

Mr. CAFFERY. By unanimous consent?

The VICE-PRESIDENT. The request for unanimous consent has not been put to the Senate. The Senator from Tennessee made the request for the consideration of the bill, and the Senator from California addressed the Chair and asked that the fortifications appropriation bill be laid before the Senate.

Mr. CAFFERY. There has been no unanimous consent?

The VICE-PRESIDENT. No unanimous consent has been given.

Mr. TURLEY. The Senator from California [Mr. PERKINS] yields to me to allow the bill I have in charge to be taken up.

Mr. PERKINS. With the understanding that it will not bring on a long discussion.

Mr. PLATT of Connecticut. The Senator from California can not make any such agreement for the Senate.

Mr. PERKINS. Certainly not.

Mr. TURLEY. Then I will make a motion to take up the bill, and I will ask that it be put to a vote of the Senate. The eight-hour bill is very important, and if we are going to do anything about it at all it ought to be settled now. I want the Senate to settle the question. It is a bill in which many of our citizens are deeply interested, and, if it be in order, I now move to take up the bill.

The VICE-PRESIDENT. The Senator from Tennessee abandons his request for unanimous consent, and moves that the Senate proceed to the consideration of the bill (H. R. 7389) limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for the United States, or any Territory, or the District of Columbia.

Mr. CAFFERY. Is unanimous consent asked?

Mr. TURLEY. No; I have moved to take up the bill.

Mr. CARTER. The condition of business is such that I feel constrained to request that the privileged report which I have forwarded to the Secretary's desk be now considered, pending the motion of the Senator from Tennessee [Mr. TURLEY].

Mr. TURLEY. If my motion is in order, I ask to have it put to the Senate at this time.

The VICE-PRESIDENT. The privileged report of the Senator from Montana [Mr. CARTER] may be laid before the Senate, and it will then be a question for the Senate to determine whether or not it will proceed to its consideration. Is there objection to the present consideration of the report?

Mr. TURLEY. I ask for a vote on my motion, Mr. President.

Mr. PLATT of Connecticut. I suggest the absence of a quorum.

The VICE-PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Deboe,	Mantle,	Platt, N. Y.
Bacon,	Fairbanks,	Martin,	Hawkins,
Bate,	Foraker,	Mills,	Roach,
Berry,	Gallinger,	Mitchell,	Ross,
Butler,	Gear,	Money,	Sewell,
Caffery,	Hanna,	Morgan,	Shoup,
Carter,	Hawley,	Murphy,	Spooner,
Chandler,	Heitfeld,	Nelson,	Thurston,
Chilton,	Jones, Nev.	Pasco,	Tillman,
Clark,	Lindsay,	Penrose,	Turley,
Clay,	McBride,	Perkins,	Vest,
Cockrell,	McEnery,	Pettus,	Wellington,
Cullom,	Mallory,	Platt, Conn.	White.

The VICE-PRESIDENT. Fifty-two Senators have answered to their names. A quorum is present.

Mr. TURLEY. I believe I have the floor on my motion to take up the eight-hour bill. I shall, however, let the conference report be presented, and then I shall ask to have my motion submitted to the Senate.

The VICE-PRESIDENT. That will be the order of proceeding, unless some privileged question intervenes. The Chair recognizes the Senator from Montana.

#### THE CENSUS.

Mr. CARTER submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That a census of the population, of deaths, and of the manufacturing, mechanical, and agricultural products of the United States shall be taken in the year 1900, and once every ten years thereafter.

"SEC. 2. That there shall be established in the Department of the Interior a Census Office, the chief officer of which shall be denominated the Director of the Census. It shall be his duty to superintend and direct the taking of the Twelfth Census of the United States, in accordance with the laws relating thereto, and to perform such other duties as may be required of him by law. The Director of the Census shall be appointed, as soon as practicable after the passage of this act, by the President, by and with the advice and consent of the Senate, and shall receive an annual salary of \$6,000; and there shall also be an Assistant Director of the Census, to be appointed in like manner, who shall be an experienced practical statistician, and shall receive an annual salary of \$4,000: *Provided*, That nothing herein contained shall be construed to establish a census bureau permanent beyond the Twelfth Census.

"SEC. 3. That during the absence of the Director of the Census, or when the office of Director shall become vacant, the Assistant Director shall perform the duties of the Director.

"SEC. 4. That there shall also be in the Census Office, to be appointed by the Director thereof in the manner hereinafter specified, five chief statisticians, who shall be persons of known and tried experience in statistical work, at an annual salary of \$3,000 each; a chief clerk, one disbursing clerk, and one geographer, at an annual salary of \$2,500 each; five expert chiefs of division and two stenographers, at an annual salary of \$2,000 each; ten clerks of class 4, fifteen clerks of class 3, twenty clerks of class 2, and such number of clerks of class 1, and of clerks, copyists, computers, and skilled laborers, with salaries at the rate of not less than \$500 nor more than \$1,000 per annum, to be appointed from time to time, as may be found necessary for the proper and prompt performance of the duties herein required to be undertaken. The disbursing clerk herein provided for shall, before entering upon his duties, give bond to the Secretary of the Treasury in the sum of \$50,000, which bond shall be conditioned that the said officer shall render a true and faithful account to the proper accounting officers of the Treasury, quarter-yearly, of all moneys and properties which shall be received by him by virtue of his office, with sureties to be approved by the Solicitor of the Treasury. Such bond shall be filed in the office of the Secretary of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

"The Director of the Census may also appoint 1 captain of the watch, at a salary of \$640 per annum; 2 messengers, and such number of watchmen, assistant messengers, and laborers, at salaries of \$600 each per annum; messenger boys, at salaries of \$400 each per annum; and charwomen, at salaries of \$240 each per annum, as may be necessary to carry out the provisions of this act.

"SEC. 5. That the chief clerk and the chief statisticians provided for in section 4 of this act, and all other employees authorized by this act below the Assistant Director of the Census, shall be appointed by the Director of the Census, subject to such examination as said Director may prescribe: *Provided*, That no examination shall be required in the case of enumerators or special agents, nor of employees below the grade of skilled laborers at \$600 per annum: *And provided further*, That employees in the existing branches of the departmental service, whose services may be specially desired by the Director of the Census, not exceeding 6 in all, may be transferred without examination, and at the end of such service the employees so transferred shall be eligible to appointment in any Department without additional examination, when vacancies exist.

"SEC. 6. That the collection of the information required by this act shall be made, under the direction of the Director of the Census, by supervisors, enumerators, and special agents, as hereinafter provided.

"SEC. 7. That the Twelfth Census shall be restricted to inquiries relating to the population, to mortality, to the products of agriculture, and of manufacturing and mechanical establishments. The schedules relating to the population shall comprehend for each inhabitant the name, age, color, sex, conjugal condition, place of birth, and place of birth of parents, whether alien or naturalized, number of years in the United States, occupation, months unemployed, literacy, school attendance, and ownership of farms and homes; and the Director of the Census may use his discretion as to the construction and form and number of inquiries necessary to secure information under the topics aforesaid. The mortality schedules shall comprehend for each decedent the name, sex, color, age, conjugal condition, place of birth, and birthplace of parents, occupation, cause and date of death, and, if born within the census year, the date of birth. The form and arrangement of the schedule and the specific questions necessary to secure the information required shall be in the discretion of the Director. The schedules relating to agriculture shall comprehend the following topics: Name of occupant of each farm, color of occupant, tenure, acreage, value of farm and improvements, acreage of different products, quantity and value of products, and number and value of live stock.

"All questions as to quantity and value of crops shall relate to the year ending December 31 next preceding the enumeration. The specific form and division of inquiries necessary to secure information under the foregoing topics shall be in the discretion of the Director of the Census. The schedules of inquiries relating to the products of manufacturing and mechanical establishments shall embrace the name and location of each establishment; character of organization, whether individual, cooperative, or other form; date of commencement of operations; character of business or kind of goods manufactured; amount of capital invested; number of proprietors, firm members, copartners, or officers, and the amount of their salaries; number of employees, and the amount of their wages; quantity and cost of materials used in manufacture; amount of miscellaneous expenses; quantity and value of products; time in operation during the census year; character and quantity of power used, and character and number of machines employed. The form and subdivision of inquiries necessary to secure the information under the foregoing topics relating to manufacturing and mechanical industries

shall be in the discretion of the Director of the Census. The information collected shall be of and for the fiscal year of such corporations or establishments having its termination nearest to and preceding the 1st of June, 1900.

"Whenever he shall deem it expedient, the Director of the Census may withhold the schedules for said manufacturing and mechanical statistics from the enumerators of the several subdivisions in any or all cases, and may charge the collection of these statistics upon special agents, to be employed without respect to locality. In cities or States where an official registration of deaths is maintained the Director of the Census may, in his discretion, withhold the mortality schedule from the several enumerators within such cities or States, and may obtain the information required by this act through official records, paying therefor such sum of money as may be found necessary, not exceeding 2 cents for each death thus returned. The Director of the Census is also authorized and directed to make suitable provisions for the enumeration of the population and products of Alaska and the Hawaiian Islands, for which purpose he may employ supervisors and enumerators or special agents, as he may deem necessary.

"The only volumes that shall be prepared and published in connection with the Twelfth Census, except the special reports hereinafter provided for, shall relate to population, mortality and vital statistics, the products of agriculture, and of manufacturing and mechanical establishments, as above mentioned, and shall be designated as and constitute the census reports, which said reports shall be published not later than the 1st day of July, 1902. The report upon population shall include a series of separate tables for each State, giving by counties the number of male persons below and above the age of 21 years, their color, whether native or foreign born, whether naturalized or not, and their literacy or illiteracy. All terms expressing weight, measure, distance, or value shall be expressed in the terms of the English language as spoken in this country.

"SEC. 8. That after the completion and return of the enumeration and of the work upon the schedules relating to the products of agriculture and to manufacturing and mechanical establishments provided for in section 7 of this act, the Director of the Census is hereby authorized to collect statistics relating to special classes, including the insane, feeble-minded, deaf, dumb, and blind; to crime, pauperism, and benevolence, including prisoners, paupers, juvenile delinquents, and inmates of benevolent and reformatory institutions; to deaths and births in registration areas; to social statistics of cities; to public indebtedness, valuation, taxation, and expenditures; to religious bodies; to electric light and power, telephone and telegraph business; to transportation by water, express business, and street railways; to mines, mining, and minerals, and the production and value thereof, including gold, in divisions of placer and vein, and silver mines, and the number of men employed, the average daily wage, average working time, and aggregate earnings in the various branches and aforesaid divisions of the mining industry: *Provided*, That the reports herein authorized relating to mines, mining, and minerals shall be published on or before July 1, A. D. 1903.

"And the Director of the Census shall prepare schedules containing such interrogatories as shall in his judgment be best adapted to elicit the information required under these subjects, with such specifications, divisions, and particulars under each head as he shall deem necessary to that end. For the purpose of securing the statistics required by this section, the Director of the Census may appoint special agents when necessary, and such special agents shall receive compensation as hereinafter provided. The statistics of deaths and births provided for in this section shall be obtained from, and restricted to, the registration records of such States and municipalities as possess records affording satisfactory data in necessary detail, in the discretion of the Director, the compensation for the transcription of which shall not exceed 2 cents for each birth or death reported. The statistics of special classes, and of crime, pauperism, and benevolence specified in this section shall be restricted to institutions containing such classes: *Provided*, That at the time of the census enumeration the data relating to these classes may, in the discretion of the Director of the Census, be collected by the enumerators of such institutions, who shall receive compensation therefor at rates not exceeding, in per capita districts, 5 cents for each name enumerated and returned. The collection of statistics authorized by this section shall be made at such time or times and in such manner as will not interfere with nor delay the rapid completion of the census reports provided for in section 7 of this act, and all reports prepared under the provisions of this section shall be designated as 'Special Reports of the Census Office.'

"SEC. 9. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Twelfth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census to be appointed within each State and Territory, the District of Columbia, Alaska, and the Hawaiian Islands, who shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the whole number of such supervisors shall not exceed 300: *And provided further*, That wherever practicable and desirable the boundaries of the supervisor's districts shall conform to the boundaries of Congressional districts.

"SEC. 10. That each supervisor of census shall be charged with the performance within his own district of the following duties: To consult with the Director of the Census in regard to the division of his district into subdivisions most convenient for the purpose of the enumeration, which subdivisions shall be declared and the boundaries thereof fixed by the Director of the Census; to designate to the Director suitable persons, and, with the consent of the Director, to employ such persons as enumerators within his district, one or more for each subdivision and resident therein; but in case it shall occur in any enumeration district that no person qualified to perform and willing to undertake the duties of enumerator resides in that subdivision the supervisor may employ any fit person to be the enumerator of that subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in event of discrepancies or deficiencies appearing in the returns for his district, to use all diligence in causing the same to be corrected and supplied; to forward to the Director of the Census the completed returns for his district in such time and manner as shall be prescribed by the said Director, and to make up and forward to the Director the accounts required for ascertaining the amount of compensation due to each enumerator in his district, which accounts shall be duly sworn to by the enumerator, and the same shall be certified as true and correct, if so found, by the supervisor, and said accounts so sworn to and certified shall be accepted by the said Director, and payment shall be made thereon by draft in favor of each enumerator.

"The duties imposed upon the supervisor by this act shall be performed, in any and all particulars, in accordance with the instructions and directions of the Director of the Census: *Provided*, That if the supervisor of any district has not been appointed and qualified on the ninetieth day preceding the date fixed for the commencement of the enumeration, the Director of the Census may appoint a special agent, who shall be a resident of the same district, to perform the work of subdivision into enumeration districts: *And provided*, That any supervisor who may abandon, neglect, or improperly perform the duties required of him by this act may be removed by the Director of the Census, and any vacancy thus caused or otherwise occurring during the process of the enumeration may be filled by the Director of the Census.

"SEC. 11. That each supervisor of census shall, upon the completion of his duties to the satisfaction of the Director of the Census, receive the sum of

\$125, and in addition thereto, in thickly settled districts, \$1 for each thousand or majority fraction of a thousand of the population enumerated in such district, and in sparsely settled districts \$1.40 for each thousand or majority fraction of a thousand of the population enumerated in such district; such sums to be in full compensation for all services rendered and expenses incurred by him, except that in serious emergencies arising during the progress of the enumeration in his district, or in connection with the reenumeration of any subdivision, he may, in the discretion of the Director of the Census, be allowed actual and necessary traveling expenses and an allowance in lieu of subsistence not exceeding \$3 per day during his necessary absence from his usual place of residence, and that an appropriate allowance for clerk hire may be made when deemed necessary by the Director of the Census: *Provided*, That in the aggregate no supervisor shall be paid less than the sum of \$1,000. The designation of the compensation per thousand, as provided in this section, shall be made by the Director of the Census at least one month in advance of the date fixed for the commencement of the enumeration.

"SEC. 12. That each enumerator shall be charged with the collection, in his subdivision, of facts and statistics required by the population schedule, and such other schedules as the Director of the Census may determine shall be used by him in connection with the census, as provided in section 7 of this act. It shall be the duty of each enumerator to visit personally each dwelling house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of each family, or of the member thereof deemed most credible and worthy of trust, or of such individual living out of a family, to obtain each and every item of information and all particulars required by this act as of date June 1 of the year in which the enumeration shall be made. And in case no person shall be found at the usual place of abode of such family, or individual living out of a family, competent to answer the inquiries made in compliance with the requirements of this act, then it shall be lawful for the enumerator to obtain the required information, as nearly as may be practicable, from the family or families or person or persons living nearest to such place of abode; and it shall be the duty of each enumerator to forward the original schedules, duly certified, to the supervisor of census of his district as his returns under the provisions of this act; and in the event of discrepancies or deficiencies being discovered in his said returns he shall use all diligence in correcting or supplying the same.

"In case the subdivision assigned to any enumerator embraces all or any part of any incorporated borough, village, town, or city, and also other territory not included within the limits of such incorporated borough, village, town, or city, or either, it shall be the duty of the enumerator of such subdivision to clearly and plainly distinguish and separate, upon the population schedules, the inhabitants of all or any part of such borough, village, town, or city as may be embraced in the subdivision assigned to such enumerator from the inhabitants of the territory not included therein. No enumerator shall be deemed qualified to enter upon his duties until he has received from the supervisor of census of the district to which he belongs a commission, under his hand, authorizing him to perform the duties of an enumerator, and setting forth the boundaries of the subdivision within which such duties are to be performed by him.

"SEC. 13. That the subdivision assigned to any enumerator shall not exceed 4,000 inhabitants, as near as may be, according to estimates based on the preceding census or other reliable information, and the boundaries of all subdivisions shall be clearly described by civil divisions, rivers, roads, public surveys, or other easily distinguished lines: *Provided*, That enumerators may be assigned for the special enumeration of institutions, when desirable, without reference to the number of inmates.

"SEC. 14. That any supervisor of census may, with the approval of the Director of the Census, remove any enumerator from his district and fill the vacancy thus caused or otherwise occurring. Whenever it shall appear that any portion of the enumeration and census provided for in this act has been negligently or improperly taken, and is by reason thereof incomplete or erroneous, the Director of the Census may cause such incomplete and unsatisfactory enumeration and census to be amended and made anew under such methods as may, in his discretion, be practicable.

"SEC. 15. That the Director of the Census may authorize and direct supervisors of census to employ interpreters to assist the enumerators of their respective districts in the enumeration of persons not speaking the English language. The compensation of such interpreters shall be fixed by the Director of the Census in advance, and shall not exceed \$4 per day for each day actually and necessarily employed.

"SEC. 16. That the compensation of the enumerators shall be ascertained and fixed by the Director of the Census as follows: In subdivisions where he shall deem such allowance sufficient, an allowance of not less than 2 nor more than 3 cents for each living inhabitant and for each death reported; not less than 15 nor more than 20 cents for each farm; and not less than 30 nor more than 35 cents for each establishment of productive industry enumerated and returned may be given in full compensation for all services. For all other subdivisions per diem rates shall be fixed by the Director of the Census according to the difficulty of enumeration, having reference to the nature of the region to be canvassed and the density or sparseness of settlement, or other considerations pertinent thereto; but the compensation allowed to any enumerator in any such district shall not be less than \$3 nor more than \$6 per day of ten hours' actual field work each. The subdivisions to which the several rates of compensation shall apply shall be designated by the Director of the Census at least two weeks in advance of the enumeration. No claim for mileage or traveling expenses shall be allowed any enumerator in either class of subdivisions, except in extreme cases, and then only when authority has been previously granted by the Director of the Census, and the decision of the Director as to the amount due any enumerator shall be final.

"SEC. 17. That the special agents appointed under the provisions of this act shall have equal authority with the enumerators in respect to the subjects committed to them under this act, and shall receive compensation at rates to be fixed by the Director of the Census: *Provided*, That the same shall in no case exceed \$6 per day and actual necessary traveling expenses and an allowance in lieu of subsistence not exceeding \$3 per day during their necessary absence from their usual place of residence: *And provided further*, That no pay or allowance in lieu of subsistence shall be allowed special agents when employed in the Census Office on other than the special work committed to them, and no appointments of special agents shall be made for clerical work.

"SEC. 18. That no supervisor, supervisor's clerk, enumerator, interpreter, or special agent shall enter upon his duties until he has taken and subscribed to an oath or affirmation, to be prescribed by the Director of the Census; and no supervisor, supervisor's clerk, enumerator, or special agent shall be accompanied by or assisted in the performance of his duties by any person not duly appointed as an officer or employee of the Census Office, and to whom an oath or affirmation has not been duly administered. All appointees and employees provided for in this act shall be appointed or employed, and if examined, so examined, as the case may be, solely with reference to their fitness to perform the duties herein provided to be by such employee or appointee performed, and without reference to their political party affiliations.

"SEC. 19. That the enumeration of the population required by this act shall

commence on the 1st day of June, 1900, and on the 1st day of June of the year in which each succeeding enumeration shall be made, and be taken as of that date. And it shall be the duty of each enumerator to complete the enumeration of his district and to prepare the returns hereinbefore required to be made, and to forward the same to the supervisor of census of his district, on or before the 1st day of July in such year: *Provided*, That in any city having 8,000 inhabitants or more under the preceding census the enumeration of the population shall be taken and completed within two weeks from the 1st day of June as aforesaid.

"SEC. 20. That if any person shall receive or secure to himself any fee, reward, or compensation as a consideration for the appointment or employment of any person as enumerator or clerk or other employee, or shall in any way receive or secure to himself any part of the compensation provided in this act for the services of any enumerator or clerk or other employee, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not more than \$3,000, or be imprisoned not more than one year, or both, in the discretion of the court.

"SEC. 21. That any supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other employee, who, having taken and subscribed the oath of office required by this act, shall, without justifiable cause, neglect or refuse to perform the duties enjoined on him by this act, or shall, without the authority of the Director of the Census, communicate to any person not authorized to receive the same any information gained by him in the performance of his duties, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not exceeding \$500; or if he shall willfully and knowingly swear or affirm falsely, he shall be deemed guilty of perjury, and upon conviction thereof shall be imprisoned not exceeding three years and be fined not exceeding \$800; or if he shall willfully and knowingly make a false certificate or a fictitious return, he shall be guilty of a misdemeanor, and upon conviction of either of the last-named offenses he shall be fined not exceeding \$5,000 and be imprisoned not exceeding two years.

"SEC. 22. That each and every person more than 20 years of age belonging to any family residing in any enumeration district or subdivision, and in case of the absence of the heads and other members of any such family, then any representative of such family, shall be, and each of them hereby is, required, if thereto requested by the Director, supervisor, or enumerator, to render a true account to the best of his or her knowledge, of every person belonging to such family in the various particulars required, and whoever shall willfully fail or refuse to render such true account shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$100. And every president, treasurer, secretary, director, agent, or other officer of every corporation, and every establishment of productive industry, whether conducted as a corporate body, limited liability company, or by private individuals, from which answers to any of the schedules, inquiries, or statistical interrogatories provided for by this act are herein required, who shall, if thereto requested by the Director, supervisor, enumerator, or special agent, willfully neglect or refuse to give true and complete answers to any inquiries authorized by this act, or shall willfully give false information, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding \$10,000, to which may be added imprisonment for a period not exceeding one year.

"SEC. 23. That all fines and penalties imposed by this act may be enforced by indictment or information in any court of competent jurisdiction.

"SEC. 24. That the Director of the Census may authorize the expenditure of necessary sums for the traveling expenses of the officers and employees of the Census Office and the incidental expenses essential to the carrying out of this act, as herein provided for, and not otherwise, including the rental of sufficient quarters in the District of Columbia and the furnishing thereof and the maintenance of the printing outfit in the Census Office.

"SEC. 25. That the Director of the Census is hereby authorized to print and bind in the Census Office such blanks, circulars, envelopes, and other items as may be necessary; and to print, publish, and distribute from time to time bulletins and reports of the preliminary and other results of the various investigations required by this act.

"SEC. 26. That in case the Director of the Census deems it expedient he may contract for the use of electrical or mechanical devices for tabulating purposes: *Provided*, That in such case due notice shall be given to the public, and no system of tabulation shall be adopted until after a practical test of its merits in competition with other systems which may be offered.

"SEC. 27. That all mail matter, of whatever class, relative to the census and addressed to the Census Office, the Director of the Census, Assistant Director, chief clerk, supervisors, enumerators, or special agents, and indorsed 'Official business, Department of the Interior, Census Office,' shall be transmitted free of postage, and by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage or registry fee on his or her private letter, package, or other matter in the mail the person so offending shall be guilty of a misdemeanor and subject to a fine of \$300, to be prosecuted in any court of competent jurisdiction.

"SEC. 28. That the Secretary of the Interior, on request of the Director of the Census, is hereby authorized to call upon any other department or office of the Government for information pertinent to the work herein provided for.

"SEC. 29. That such records, books, and files as relate to preceding censuses, and the printing-office outfit used in the Eleventh Census, and such furniture and property of whatever nature used at the Eleventh Census as may be necessary in conducting the work of the Census Office and can be spared from present uses, shall be transferred to the custody and control of the Census Office created by this act. The said furniture and property shall be inventoried by the proper officers of the Department of the Interior when such transfer is made, and a copy of the inventory filed and preserved in the office of the Secretary of the Interior and of the Director of the Census.

"SEC. 30. That upon the request of the governor of any State or Territory, or the chief officer of any municipal government, the Director of the Census shall furnish such governor or municipal officer with a copy of so much of the population returns as will show the names, with the age, sex, color, or race, and birthplace only of all persons enumerated within the territory in the jurisdiction of such government, upon payment of the actual cost of making such copies; and the amounts so received shall be covered into the Treasury of the United States, to be placed to the credit of, and in addition to, the appropriations made for taking the census.

"SEC. 31. That the Director of the Census shall provide the Census Office with a seal containing such device as he may select, and he shall file a description of such seal with an impression thereof in the office of the Secretary of State. Such seal shall remain in the custody of the Director of the Census, and shall be affixed to all certificates and attestations that may be required from the Census Office.

"SEC. 32. That for the organization and equipment of the Census Office to perform the preparatory work necessary to carry out the provisions of this act, the sum of \$1,000,000, to be available on the passage of this act, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to continue available until exhausted. Of said appropriation such amount as may be considered by the Director of the Census to be necessary for immediate preliminary printing may be expended under the direction of the Public Printer. And the Secretary of the Interior shall submit to the Secre-

tary of the Treasury, on or before October 1, 1890, further estimates for the work herein provided for.

"Sec. 33. That the act entitled 'An act to provide for the taking of the Eleventh and subsequent censuses,' approved March 1, 1889, and all laws and parts of laws inconsistent with the provisions of this act are hereby repealed."

And agree to the same.

THOS. H. CARTER,  
EUGENE HALE,  
B. R. TILLMAN,  
*Managers on the part of the Senate.*

A. J. HOPKINS,  
CHARLES A. RUSSELL,  
MARION DE VRIES,  
*Managers on the part of the House.*

Mr. CARTER. Mr. President, I ask unanimous consent that the reading of the bill, as it will finally be enacted into law, may be dispensed with, as the bill has been passed by the Senate substantially as it appears here, with certain amendments in part incorporated in the conference report from the House bill and in part a portion of the Senate bill amended in certain ways.

This conference report was adopted in the House of Representatives yesterday, and in connection with the consideration of the matter a full and complete statement was made and printed. It will be found in the CONGRESSIONAL RECORD of yesterday's proceedings, at page 2663.

The essential differences in the bill as here presented and in the bill as originally passed by the Senate will be found to be that the power and authority of the Director of the Census is somewhat increased. The bureau, however, is, as provided in the original census bill, organized within the Interior Department. The number of employees contemplated by the Senate bill remains the same, with the exception of a disbursing clerk, provided for in the census bill as here presented.

Mr. SPOONER. The House bill made the census an independent bureau, did it not?

Mr. CARTER. The House bill made it an independent bureau.

Mr. SPOONER. And the conference report makes it a bureau of the Interior Department?

Mr. CARTER. It makes it a bureau of the Interior Department. There was another feature of the bill which challenged some attention, and which does not appear in this bill as produced by the conference committee. It will be recalled that certain officers—the enumerators, I believe—were to be selected from the two political parties, or from more if such exist, in the proportion of two-thirds to one party and one-third to the other. Upon that question I will say that after very full and mature deliberation we concluded that the present arrangement is better.

Mr. TILLMAN. I will say to the Senator that there was no limitation in the Senate bill as to the officers who were protected by that provision. It simply provided that not more than two-thirds should belong to any one party.

Mr. BERRY. Will the Senator permit me? Do I understand that that provision was taken out by the conference committee?

Mr. CARTER. In that we agreed with the House provision. That was for the reason that upon very mature deliberation the conferees were of the opinion that the designation of a certain proportion of the employees to be taken from political parties would in and of itself import into the census work the very feature we most earnestly desired from all points of view to exclude. By and through that peculiar provision the Director of the Census would be compelled to open a set of books with all the political parties in the country. That political feature being once imported by authority of Congress, would of necessity be regarded as in some measure flavoring or coloring every feature of the census work.

Mr. CHANDLER. Would not the Director of the Census be obliged to ask the politics of every employee from the highest to the lowest?

Mr. CARTER. There is no question about that. It was deemed best to enact in the law provisions requiring that the test of merit, and merit alone, should be applied, without reference to the party affiliations of any employee.

Mr. PASCO. May I ask the Senator from Montana a question?

Mr. CARTER. Certainly.

Mr. PASCO. How is that test of merit determined in the bill now reported by the conference committee? Is it through a civil-service examination?

Mr. CARTER. That test of merit will be applied as the Senate has heretofore directed, by and through an examination to be conducted under such rules and regulations as the Director of the Census, the person charged with the responsibility, may direct.

Mr. PASCO. Which section provides for that examination?

Mr. CARTER. Section 5, the Senator will observe, makes the provision referred to.

Mr. PASCO. There is nothing about a nonpartisan examination there. The provision says:

Subject to such examination as said Director may prescribe.

He may prescribe a purely political examination. It seems to me that the Senate conferees should have adhered to the provision

that was put in the bill by a very large majority of the Senate, including both sides of the Senate Chamber. I do not see anything in section 5 that protects us from a partisan census. It is well known that there were grave suspicions that there was such a census as that taken ten years ago.

It is well known that in the city of New York alone there were enough names left off the census list which, if placed on that list, would have allowed an additional member of the House of Representatives from the State of New York; and if there is no protection whatever from partisanship in this census there are grave reasons to apprehend that it will enter into the taking of the present census. I see nothing in section 5 that prevents such a result.

Mr. TILLMAN. Mr. President—

Mr. CARTER. I yield to the Senator from South Carolina.

Mr. TILLMAN. Mr. President, as a conferee on the part of the minority on the census bill, I will try to explain the motives which influenced me in agreeing to the report as made and as we have it before the Senate to-day.

The provision in the bill which passed the Senate requiring that not more than two-thirds of the employees and appointees under the bill should be members of the same political party was very objectionable to me for this reason: In the South, if you have a Director required to carry out that provision, and he undertook to find enough intelligent Republicans in every enumeration district to give them the one-third and to give the other party the two-thirds, I do not hesitate to say they could not be found, taking the districts through, in a third of them.

Now, we have provided that the employees and appointees shall undergo such examination as the Director may see fit to institute or order, having reference solely to their fitness. If the Director is a partisan and is narrow and determined to have a partisan census, the provision in the Senate bill which required him not to give all the appointees to one party would simply be an excuse for, as well as direction to, him to give to one party in the South at least a third and to the other party two-thirds.

You can not get a nonpartisan census unless the man who is at the head of the Bureau is an honest man and proposes to stand by the law as we write it. We can not be responsible for his administration of it. We will make the act like it ought to be. We will guard and limit it as best we can; and if he shall, after his appointment and after the power is given him, make it a partisan census and abuse the power, we can not help ourselves. That is all there is about it.

As the Senator from Montana has said, that provision would have required that every applicant for enumerator, every applicant for supervisor, every applicant for a clerkship should be set down and some evidence produced as to what party he belonged to. I thought it was best to make a good clean law; and while those of us who take this view may be "buncoed," if I may use the phrase, the responsibility will rest with those who make the appointment of the Director and upon the Director after he is appointed, whether he will carry out the law as we intend it and as we have written it, or in a narrow, partisan spirit.

Mr. MONEY. What is the provision to which the Senator refers?

Mr. TILLMAN. It expressly declares that the appointments shall be made solely with reference to their fitness and character and not with reference to their partisan relationship.

Mr. RAWLINS. May I ask the Senator where that clause appears in the conference report?

Mr. TILLMAN. I have not had time to get the bill since the report was agreed to in the other House.

#### BUREAU OF ENGRAVING AND PRINTING INVESTIGATION.

Mr. MASON. I wish to make an inquiry. Is the Senator from South Carolina going to make any remarks on this question? I see the Senator from Kentucky [Mr. LINDSAY] is in his seat. Will the Senator yield to me that I may have an understanding in regard to a matter?

The Committee on Printing reported favorably a resolution which ordered the printing of the depositions of certain persons taken before an investigating committee in reference to the Bureau of Engraving and Printing. After it was passed the Senator from Kentucky entered a motion to reconsider.

I do not know just what date it was entered, but it was entered in time. I did not happen to be in the Chamber at the time it was entered, and I am informed that the Public Printer has started to print a part of the evidence. Now, the Senator from Kentucky suggests that my resolution only calls for the printing of a part of the evidence and that it ought all to be printed in justice to the parties, and I can see the justice of that statement. I had no disposition to print any part that might be offensive to anyone or to do anything that did not include the full opportunity of defense if a defense were required.

I have never read the evidence and have never seen it, and have no special interest in it. I simply want to have it printed so that all the facts may be laid before the Senate. I desire that the

resolution may include all the depositions, or else I desire to dispose of the motion to reconsider made by the Senator from Kentucky. In order to have a perfect understanding, I ask unanimous consent that the resolution may be reconsidered and amended to include all the evidence taken.

The PRESIDING OFFICER (Mr. PASCO in the chair). The Chair understands that the matter is not properly before the Senate and that the resolution can not be amended unless it be brought back to the Senate by reconsideration or in some other way.

Mr. MASON. If the Senator from Kentucky will consent to have that done, it will not take a moment. If it is going to take much, I withdraw the whole subject.

Mr. LINDSAY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Kentucky?

Mr. MASON. Yes; I yield to hear the Senator's statement of what he is willing to do. There seems to be a desire to have this evidence printed, and I do not wish to do anyone any injustice by printing a part, if it is all desired, and I am very sure the Senator from Kentucky does not want to withhold any of the evidence. I merely want to know what plan he will suggest, either to reconsider the vote by which the resolution was agreed to, amend it, and pass it by unanimous consent, or else let me have a vote upon his motion to reconsider.

Mr. TILLMAN. It appears that this matter is one that could be deferred, unless the printing is necessary for some action to be taken in this body before we adjourn. What is the Senator from Illinois trying to do? If he will explain it, I will give way to a reasonable request.

Mr. MASON. I either want this motion—

The PRESIDING OFFICER. The Senator from South Carolina is entitled to the floor.

Mr. CARTER. It is manifest that this matter interjected here will require mutual explanation by the Senator from Kentucky and the Senator from Illinois, and I think we had better dispose of the report before that is taken up.

#### THE CENSUS.

The Senate resumed the consideration of the conference report on the bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses.

Mr. TILLMAN. The question has been raised or the point made by some Senator, I have forgotten whom, that the examination for appointees and employees under the census bill which we have does not bear on the partisan aspect of the case at all. If the Senators will look at the end of section 18, as the bill is printed in the RECORD as having been reported and agreed to by the House, at the latter part of that section they will read these words:

All appointees and employees provided for in this act shall be appointed or employed, and if examined, so examined, as the case may be, solely with reference to their fitness to perform the duties herein provided to be by such employee or appointee performed, and without reference to their political party affiliations.

The proposed law, as far as I can understand it—and I gave the subject very deep and close study and attention after I was appointed on the committee—will be a good census act. It insures an efficient corps of officers and appointees, and will give us a non-partisan census, which will be satisfactory to the country and a credit to the administrator if the Director will do his duty and simply carry it out in good faith and with a decent regard for the conditions which exist in certain sections of this country where all the decency and all the intelligence pretty much are on one side and all the ignorance is on the other.

Mr. CARTER. Mr. President, one word in line with the suggestion made by the Senator from South Carolina. This bill was framed, and the purpose of those who had to do with it was that it should be framed, so as to have fitness the sole test for persons to be employed in connection with this work. The taking of the decennial census, in conformity with a requirement of the Constitution, furnishing as it does a basis for representation from the States in the lower House of Congress, should in the minds of all good men rise above the trifling ephemeral party prejudice and feeling of the hour.

The census embraces, as elaborated, a line of statistical matter, the value of which must of necessity be greatly impaired if the understanding can justly exist, or if the suspicion may properly arise, that the facts and figures were collected, not for the sole purpose of bringing forth the truth, but for the unworthy purpose of attempting to prostitute a great national undertaking for a mere partisan advantage.

I trust that throughout every department of the Government having to do with the census work henceforth until its final completion, the purposes and motives of those who framed the proposed law will at all times be regarded, so that the census taken at the close of this eventful century will be one in which all parties and all sections and all communities in our common country

will have unlimited and abiding confidence. I move the adoption of the report.

Mr. PETTUS. Did the Senator from Montana have read all the changes made by the report?

Mr. CARTER. I call the attention of the Senator to the fact that, for the purpose of saving time and likewise avoiding unnecessary work of reproducing, all the changes appear in the RECORD of yesterday's proceedings, at page 2665, the full and complete statement having been printed in the proceedings of the House of Representatives. We can have the report duplicated in the RECORD of to-day if desirable, but it does not appear that any good purpose would be thereby subserved.

The PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

#### EIGHT-HOUR BILL.

Mr. TURLEY. I renew my motion that the Senate proceed to the consideration of the bill (H. R. 7389) limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the United States, or any Territory, or the District of Columbia, and on that motion I ask for the yeas and nays.

Mr. GALLINGER. Let the bill be read for the information of the Senate. I do not know what the bill is.

The PRESIDING OFFICER. The bill will be read at length for the information of the Senate.

The Secretary read the bill.

The PRESIDING OFFICER. The question is on taking up the bill for consideration.

Mr. PERKINS. I ask that the bill may be temporarily laid aside for the purpose of considering a general appropriation bill.

Mr. CHANDLER. The bill is not up yet.

The PRESIDING OFFICER. The bill has not yet been taken up. The question is on proceeding to the consideration of the bill.

Mr. TURLEY. I ask to have the motion put to see whether the Senate is going to take up the bill or not. If it is taken up, I will then agree that it shall be temporarily laid aside for the consideration of the appropriation bill.

Mr. PERKINS. Pending the motion, I am directed by the Committee on Appropriations to move that the Senate proceed to the consideration of House bill 12198, making appropriations for fortifications and ordnance.

Mr. TURLEY. My motion is entitled to be put.

The PRESIDING OFFICER. The motion of the Senator from Tennessee can not be displaced by a motion to take up another bill. Does the Senator from Tennessee withdraw his motion?

Mr. TURLEY. No, sir; I want my motion put, and then if the bill is taken up I shall be willing to give way to the appropriation bill. But I want the motion put.

Mr. CHANDLER. I shall vote for the Senator's motion when it is voted on, but I understand that a motion to take up a general appropriation bill has preference.

Mr. GORMAN. It is always in order.

Mr. HALE. Under the rule.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to take up House bill 7389.

Mr. MILLS. Let us have the yeas and nays.

Mr. TURLEY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HALE. Does the Chair rule that under the rule that appropriation bills shall be given the precedence at all times the Senator from California can not make his motion at any time?

The PRESIDING OFFICER. The Chair does so rule. If it is the desire of the Senator from California afterwards to move to take up the appropriation bill he can do so.

Mr. HALE. But that will be after the bill moved by the Senator from Tennessee is up.

The PRESIDING OFFICER. It will be after the bill is up. It will be in the power of the Senate to lay it aside at any time after it is taken up.

Mr. HALE. But the rules do not proceed upon the assumption that an appropriation bill has by a vote to displace something else. They give the preference to appropriation bills.

The PRESIDING OFFICER. The Senator is right as to the morning hour, until 2 o'clock, but the Chair rules otherwise, the motion of the Senator from Tennessee having been made after the morning hour closed.

Mr. CHANDLER. Then the ruling of the Chair is that under clause 1 of Rule IX a motion to proceed to the consideration of an appropriation bill or a revenue bill must be made during the morning hour to have precedence. I can only say that that is contrary to my understanding of the rule.

Mr. HALE. It is contrary to the entire spirit of the rule, because appropriation bills are not considered commonly in the morning hour, but after the morning hour. If that is the ruling of the Chair, or if it is the Clerk's ruling, I should be glad to know,

**The PRESIDING OFFICER.** Rule IX provides that—

Immediately after the consideration of cases not objected to upon the Calendar is completed, and not later than 2 o'clock, if there shall be no special orders for that time, the Calendar of General Orders shall be taken up and proceeded with in its order, beginning with the first subject on the Calendar next after the last subject disposed of in proceeding with the Calendar; and in such case the following motions shall be in order at any time as privileged motions, save as against a motion to adjourn, or to proceed to the consideration of executive business, or questions of privileges, to wit:

First. A motion to proceed to the consideration of an appropriation or revenue bill.

Second. A motion to proceed to the consideration of any other bill on the Calendar, which motion shall not be open to amendment.

Third. A motion to pass over the pending subject, which if carried shall have the effect to leave such subject without prejudice in its place on the Calendar.

Fourth. A motion to place such subject at the foot of the Calendar. Each of the foregoing motions shall be decided without debate and shall have precedence in the order above named, and may be submitted as in the nature and with all the rights of questions of order.

The roll will be called on agreeing to the motion of the Senator from Tennessee.

Mr. HALE. I do not by any means—

Mr. TURLEY. I ask that my motion may be put.

Mr. HALE. I do not by any means, for one, admit that the ruling of the Chair is correct, limiting the preference of appropriation bills to the morning hour. That has never been considered or thought of by the Senate. The rule has been, and especially has it been enforced near the close of a session, that, in order to get the business finished which must go through, appropriation bills shall have the preference during the entire day. If the clerks in looking up this matter have made up their minds to countervail this understanding of the Senate, I for one enter a protest against it.

The PRESIDING OFFICER. The ruling is made by the present occupant of the chair, and there is no necessity for the Senator from Maine to refer to it as the ruling of the clerks.

Mr. HALE. The necessity exists in the mind of the Senator from Maine, not in that of the Chair.

Mr. FAULKNER. It strikes me that the ruling of the Chair—

The PRESIDING OFFICER. The motion is not debatable. The roll will be called.

Mr. FAULKNER. Is exactly in accordance with what has always been the practice.

Mr. CHANDLER. Mr. President—

The PRESIDING OFFICER. The roll will be called.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS].

Mr. HANSBROUGH (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). My colleague [Mr. JONES of Arkansas] is sick and unable to be here. He has a general pair with the Senator from Maine [Mr. HALE], I think. If my colleague were present, he would vote "yea."

Mr. KENNEY (when his name was called). I announce my pair with the junior Senator from Pennsylvania [Mr. PENROSE], who is absent from the Chamber.

Mr. McLAURIN (when his name was called). I announce my pair with the Senator from North Carolina [Mr. PRITCHARD]. If he were present, I should vote "yea."

Mr. MONEY (when his name was called). I am paired with the Senator from Oregon [Mr. McBRIDE].

Mr. PETTUS (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR].

Mr. TURLEY (when his name was called). I am paired with the junior Senator from Wisconsin [Mr. SPOONER]. If he were here, I should vote "yea."

The roll call was concluded.

Mr. CLARK. I wish to ask if the Senator from Kansas [Mr. HARRIS] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. CLARK. I withhold my vote, being paired with that Senator.

Mr. BATE (after having voted in the affirmative). I should like to know if the junior Senator from Kentucky [Mr. DEBOE] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. BATE. I withdraw my vote, as I am paired with that Senator.

Mr. BACON. I announce my pair with the Senator from Rhode Island [Mr. WETMORE].

Mr. CULLOM. I do not see the Senator from Delaware [Mr. GRAY] in his seat. I will transfer the pair I have with that Senator so that he will stand paired with the Senator from Minnesota [Mr. DAVIS], and the Senator from Texas [Mr. CHILTON] and I will vote. I vote "yea."

Mr. CHILTON. That will leave two to vote "yea." I vote "yea."

Mr. GALLINGER. That is not fair.

Mr. CHILTON. I will not do that, if there is any question about it. I withdraw my vote, if there is any question about it.

Mr. HALE (after having voted in the negative). I transfer my pair with the Senator from Arkansas [Mr. JONES] to the Senator from Rhode Island [Mr. ALDRICH] and will let my vote stand.

Mr. CULLOM (after having voted in the affirmative). As the exchange of pairs was not carried out, I think I ought to withdraw my vote, as the Senator from Delaware is not present and has not voted. If he were present, I should vote "yea."

The result was announced—yeas 30, nays 19; as follows:

## YEAS—30.

Allen,  
Berry,  
Burrows,  
Butler,  
Chandler,  
Clay,  
Daniel,  
Fairbanks,

Faulkner,  
Foraker,  
Heitfeld,  
Jones, Nev.,  
Kyle,  
Lindsay,  
Lodge,  
Mallory,

Mantle,  
Martin,  
Mason,  
Mitchell,  
Murphy,  
Pasco,  
Perkins,  
Roach,

Smith,  
Sullivan,  
Thurston,  
Turner,  
Wellington,  
White.

## NAYS—19.

Allison,  
Caffery,  
Gallinger,  
Gear,  
Hale,

Hanna,  
Hawley,  
Mills,  
Morgan,  
Platt, Conn.,  
Platt, N. Y.,  
Proctor,  
Rawlins,  
Rosa,  
Sewell,

Teller,  
Tillman,  
Vest,  
Warren.

## NOT VOTING—41.

Aldrich,  
Bacon,  
Baker,  
Bate,  
Cannon,  
Carter,  
Chilton,  
Clark,  
Cockrell,  
Cullom,  
Davis,

Deboe,  
Elkins,  
Frye,  
Gorman,  
Gray,  
Hansbrough,  
Harris,  
Hoar,  
Jones, Ark.,  
Kenney,  
McBride,

McEnery,  
McLaurin,  
McMillan,  
Money,  
Nelson,  
Penrose,  
Pettigrew,  
Pettus,  
Pritchard,  
Quay,  
Shoup,

Simon,  
Spoonor,  
Stewart,  
Turley,  
Turpie,  
Wetmore,  
Wilson,  
Wolcott.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7389) limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of or work done for the United States or any Territory, or the District of Columbia.

Mr. PERKINS. I ask the Senator from Tennessee if he will now yield to me to call up the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The PRESIDING OFFICER. The Senator from California asks that the eight-hour bill be temporarily laid aside in order that the fortifications appropriation bill may be taken up.

Mr. TURLEY. Then the eight-hour bill will keep its place and will come up after the appropriation bill is disposed of?

The PRESIDING OFFICER. It will if the appropriation bill is laid before the Senate in that manner.

Mr. MORGAN. I understand that requires unanimous consent.

The PRESIDING OFFICER. It does.

Mr. MORGAN. I object.

Mr. PERKINS. Then I move that the Senate proceed to the consideration of the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes. It is one of the general appropriation bills passed by the House of Representatives, and if it does not pass the Senate this evening it will probably fail to become a law.

The PRESIDING OFFICER. The Senator from California moves that the bill indicated by him be now taken up.

Mr. TURLEY. I hope the Senator from Alabama will withdraw his objection and let the appropriation bill come in and the eight-hour bill keep its place.

The PRESIDING OFFICER. The motion is not debatable.

## NAVAL APPROPRIATION BILL.

Mr. HALE. The naval appropriation bill should be laid before the Senate in order to get it into a conference.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives nonconcurring in the amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HALE. I move that the Senate insist on its amendments and agree to the conference requested by the House.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. PERKINS, and Mr. GORMAN were appointed.

## FORTIFICATION APPROPRIATION BILL.

The PRESIDING OFFICER. The question is on the adoption of the motion of the Senator from California [Mr. PERKINS], that the Senate proceed to the consideration of the bill (H. R. 12198)

making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mr. TURLEY. Let us have the yeas and nays on that question.

Mr. PERKINS. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. CULLOM. If I may be allowed to say a word, in my judgment the bill asked to be called up will take but a few minutes.

Mr. TURLEY. We are perfectly willing to let the appropriation bill come in at this time if the eight-hour bill can be temporarily laid aside.

Mr. GALLINGER. The question is not debatable, and I insist on the regular order.

Mr. CHANDLER. I object to debate.

The PRESIDING OFFICER. The roll will be called on agreeing to the motion of the Senator from California.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS].

Mr. CLARK (when his name was called). I again announce my pair with the Senator from Kansas [Mr. HARRIS]. He is absent, and I withhold my vote.

Mr. HALE (when his name was called). I transfer my pair with the Senator from Arkansas [Mr. JONES] to the Senator from Rhode Island [Mr. ALDRICH], and vote "yea."

The PRESIDING OFFICER (when Mr. PASCO's name was called). The present occupant of the chair is paired with the Senator from Washington [Mr. WILSON], and withholds his vote.

Mr. PETTUS (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR].

Mr. TURLEY (when his name was called). I am paired with the junior Senator from Wisconsin [Mr. SPOONER]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BACON. I announce my pair with the junior Senator from Rhode Island [Mr. WETMORE].

The result was announced—yeas 39, nays 11; as follows:

## YEAS—39.

Allen,	Foraker,	McLaurin,	Proctor,
Allison,	Gallinger,	McMillan,	Rawlins,
Burrows,	Gear,	Mills,	Roach,
Caffery,	Hale,	Money,	Ross,
Chandler,	Hansbrough,	Morgan,	Sewell,
Clay,	Hawley,	Nelson,	Teller,
Cullom,	Jones, Nev.	Perkins,	Tillman,
Daniel,	Kyle,	Platt, Conn.	Vest,
Fairbanks,	Lodge,	Platt, N. Y.	Wellington.
Faulkner,	McBride,	Pritchard,	

## NAYS—11.

Bate,	Lindsay,	Martin,	Thurston,
Berry,	Mallory,	Murphy,	Turner.
Heitfeld,	Mantle,	Smith,	

## NOT VOTING—40.

Aldrich,	Deboe,	McEnery,	Spooner,
Bacon,	Elkins,	Mason,	Stewart,
Baker,	Frye,	Mitchell,	Sullivan,
Butler,	Gorman,	Pasco,	Turley,
Cannon,	Gray,	Penrose,	Turpie,
Carter,	Hanna,	Pettigrew,	Warren,
Chilton,	Harris,	Pettus,	Wetmore,
Clark,	Hoar,	Quay,	White,
Cockrell,	Jones, Ark.	Shoup,	Wilson,
Davis,	Kenney,	Simon,	Wolcott.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

## FREEDMAN'S SAVINGS AND TRUST COMPANY.

Mr. DANIEL. The Senator from California [Mr. PERKINS], who has charge of the pending appropriation bill, kindly yields to me a moment that I may make a report.

From the Committee on Finance, to whom was referred the bill (H. R. 7343) authorizing the Commissioner of the Freedman's Savings and Trust Company to pay certain dividends barred by the act of February 21, 1881, I am instructed to report it favorably, and to submit a written report thereon. I ask unanimous consent that the bill may be now considered and put upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Commissioner of the Freedman's Savings and Trust Company to pay, from the funds in his hands available for that purpose, to all claimants otherwise legally entitled thereto who have not yet received them, the 62 per cent in dividends heretofore declared in favor of the depositors of the company, notwithstanding the limitation for the payment of such dividends contained in section 8 of an act entitled "An act amending the charter of the Freedman's Savings and Trust Company, and for other purposes," approved February 21, 1881.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## PAN-AMERICAN EXPOSITION ON NIAGARA FRONTIER.

Mr. PLATT of New York. I ask the Senator from California to yield to me in order that I may have a bill from the House of Representatives laid before the Senate.

Mr. PERKINS. There are several Senators who have bills in which they are interested, which I understand will call for no discussion and will occasion no particular delay, and so I will yield for a few minutes.

Mr. PLATT of New York. I ask the Chair to lay before the Senate House bill 12064.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 12064) to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901.

Mr. PLATT of New York. I ask unanimous consent that the bill may be considered at this time.

Mr. VEST. Let the bill be read for information.

The bill was read, and by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. VEST. I want to inquire of the Senator in charge of this bill under what authority this corporation is created? I did not understand it from the reading of the bill. Is it the State of New York?

Mr. PLATT of New York. It is a corporation under the laws of the State of New York. A special charter was granted to the exposition company by the last legislature of the State.

Mr. VEST. I am not disposed to antagonize the bill, although I must say frankly to the Senator that I think there ought to be more than \$500,000 required to be subscribed when the Government pays \$500,000. We have passed several of these bills—

Mr. PLATT of New York. The citizens of Buffalo have subscribed over a million and a half of dollars and the State of New York has subscribed \$300,000.

Mr. VEST. I understood from the reading of the bill—and that is all I know about it, although it comes from a committee of which I am a member, but I was not present when it was passed upon, and I will say to the Senator that I am not an enemy of the bill—but I understand from its reading here by the Secretary that when \$500,000 has been subscribed the Government is to become liable for \$500,000 immediately, for the erection of buildings, I suppose.

Mr. PLATT of New York. That is the least that can be subscribed. There has been already \$1,500,000 subscribed by the citizens of Buffalo, as I have said.

Mr. VEST. The bill itself specifies \$500,000, and, as I understand the last section, it says that the Government shall be liable for \$500,000 immediately upon the passage of the act. I ask the Secretary to again read the last section of the bill.

The Secretary read as follows:

SEC. 8. That the appropriation herein made of \$500,000 in all shall take effect and become available immediately upon the passage of this act.

Mr. VEST. Does that mean that as soon as \$500,000 is subscribed by the stockholders the Government shall be liable for \$500,000, or does it mean that the Government shall be liable immediately on the passage of the act without reference to the other payments?

Mr. PLATT of New York. I do not think the Senator is correct in his supposition. As I understand, not a cent can be paid out of the Treasury until the Secretary of the Treasury has given his approval.

Mr. VEST. One section says that the Government shall be liable for \$500,000 when \$500,000 is subscribed, and the last section says the Government shall be liable for \$500,000 when the act is passed. I think that ought to be corrected so that we can understand it. I am not opposing the Senator's bill, but I think it ought to be made clear and explicit. Under the last section, as soon as this bill becomes a law, the officers of this corporation can draw upon the Treasury for \$500,000. If, then, it is said, "But you have not raised the \$500,000," they will say, "Yes; but the last section is mandatory and without condition." There ought not to be room for any such question as that under the bill.

Mr. McBRIDE. As a member of the committee which considered this bill, I wish to say—

Mr. FORAKER. Will the Senator allow me?

Mr. McBRIDE. I yield to the Senator from Ohio.

Mr. FORAKER. The proviso in this bill, which is found in section 4, on page 7, is very explicit, and I think it will control the last provision to which the Senator from Missouri has referred. The proviso states explicitly:

That no liability against the Government shall be incurred, and no expenditure of money under this act shall be made, until the officers of said exposition shall have furnished the Secretary of the Treasury proofs to his satisfaction that there has been obtained by said exposition corporation subscriptions of stock in good faith, contributions, donations, or appropriations from all sources for the purposes of said exposition a sum aggregating not less than \$500,000.

Mr. VEST. I referred to that section, but let the Senator look at the last section.

Mr. FORAKER. The last section, I think, would have to be construed with reference to what I have just read, and it would be held to mean nothing more than that the money is available whenever the conditions precedent to the use of it shall have been complied with, and the provision that the appropriation of \$500,000 shall become available immediately upon the passage of this act would mean available, of course, immediately upon the passage of this act when those conditions in the proviso I read shall have been complied with. I take occasion to speak about this bill because there is another bill for Toledo, Ohio, which is framed in the same way as the pending bill, and I am familiar with that bill.

Mr. VEST. It may be that one judge would decide as the Senator from Ohio says, and that another judge would decide it in another way. The rule of construction and interpretation would demand that the whole act be taken together and the sections reconciled, if possible.

Mr. FORAKER. Yes.

Mr. VEST. I am not opposing the bill, and I have only to say that if I had charge of it, I would remove that ambiguity, because there will be trouble about it, in all probability, with those two sections confronting each other.

Mr. FORAKER. If we had more time, perhaps we could amend it.

Mr. McBRIDE. I should like to call the attention of the Senator from Missouri to the fact that the \$500,000 appropriation provided for in the bill is for a Government exhibit only, and not a dollar of that is to be appropriated and used by the commission in the city of Buffalo. Therefore the money can only be used for the purposes specified in the bill.

Mr. VEST. I understand that; but the question is as to when the money is to be paid.

Mr. FORAKER. It does not seem to me, with all due deference to the Senator from Missouri, that there can really be any danger of the money being paid until these conditions are complied with, because, while the bill says that the money is available—and perhaps better language might be used in that connection in view of this proviso—yet the proviso remains, and is explicit, and it positively prohibits the Secretary of the Treasury from taking any action in the matter of payment until all the conditions precedent have been complied with. It expressly so states, and I do not think any Secretary of the Treasury would make any payment or allow any payment to be made until the conditions were complied with.

I suppose the bill could be amended and sent back to the other House if there was time to do so. I defer to the Senator from New York [Mr. PLATT] in regard to that.

I have the same interest as the Senator from New York has, and I would be satisfied with the Toledo bill as it came from the House if the Senator from New York is satisfied with his bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 4852) to ratify agreements with the Indians of the Lower Brule and Rosebud reservations, in South Dakota, and making an appropriation to carry the same into effect.

The message also announced that the House had passed the bill (S. 5130) to provide for the erection of a building for the Department of Justice, with amendments in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 3973) to remove the charge of desertion from the military record of Sebastian Belkard; and

A bill (H. R. 12102) to encourage the holding of the Ohio centennial and Northwest exposition at the city of Toledo, Ohio.

#### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 11803) directing the issue of a check in lieu of a lost check drawn by H. C. Newcomer, captain of engineers, in favor of Stone & Stansell; and it was thereupon signed by the Vice-President.

#### PROPOSED EXECUTIVE SESSION.

Mr. HOAR. I wish to state that as soon as the fortifications bill is disposed of I shall deem it my duty to move a short executive session.

#### IMMIGRATION AND CONTRACT-LABOR LAWS FOR HAWAII.

Mr. FAIRBANKS. I ask unanimous consent to call up for present consideration the bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii.

The PRESIDING OFFICER (Mr. PASCO in the chair). Is there objection to the present consideration of the bill?

Mr. STEWART. I object.

The PRESIDING OFFICER. There is objection.

Mr. GORMAN. Regular order.

Mr. STEWART. I do not think we ought to deal with that piecemeal. We ought to have dealt with the whole question before this time.

Mr. FAIRBANKS. Mr. President, it is perfectly obvious that it is impossible to extend a complete and symmetrical system of laws to Hawaii during the few hours that remain of this session. All that this bill attempts to do is to extend the present immigration, contract labor, and Chinese-exclusion acts now in force in the United States to the islands of Hawaii. The islands have come under the jurisdiction and authority of the United States, and it is of the utmost importance that the immigration, contract labor laws, and Chinese-exclusion acts of the United States should be extended to them.

Mr. MORGAN. What is the proposition before the Senate?

Mr. FAIRBANKS. There are being imported into the islands to-day thousands of laborers under contract, and if the policy of excluding contract labor is a wise one in the United States, as I believe it to be, the same policy should be extended to the Hawaiian Islands. I trust the Senator from Nevada will not interpose objection to the immediate consideration of the bill.

Mr. STEWART. I shall not object, but I will offer as an amendment House bill 11191, extending to those islands the laws relating to the customs and internal revenue. I have no objection to the bill if the amendment is agreed to.

Mr. PERKINS. I am very desirous of seeing the bill proposed by the Senator from Indiana become a law, but we have the fortifications bill before the Senate, and I might say parenthetically that the bill he proposes to call up is a fortifications bill, so to speak.

It fortifies the people of this country from the great inroads of peon and contract labor from Japan and other countries of the Orient. Ships are under contract to bring contract laborers from the Azore Islands. I think there is no measure of more importance. Certainly it is a proper fortifications bill, and I should like to see it added to the pending bill.

Mr. STEWART. What law is there to stop the Japanese from coming into San Francisco now?

Mr. PERKINS. They are bringing them in Japanese steamers into the Hawaiian Islands now—

Mr. PLATT of Connecticut. Mr. President, what is the order of business before the Senate?

Mr. PERKINS. And there have been contracts made for over 7,000 since we annexed that Territory.

Mr. STEWART. Will this law—

Mr. PLATT of Connecticut. Is this a debatable question?

Mr. STEWART. Will the extension of the contract-labor laws to Hawaii exclude those people?

Mr. PERKINS. It will when they come under contract.

Mr. PLATT of Connecticut. I rise to a question of order.

The PRESIDING OFFICER. Does the Senator from California yield further?

Mr. PERKINS. I hope unanimous consent will be given. If it is not I must insist that we proceed to the consideration of the appropriation bill.

Mr. STEWART. I have no objection to the bill being taken up, but I will offer the amendment.

The PRESIDING OFFICER. The Chair will again submit to the Senate the request of the Senator from Indiana. The Senator asks unanimous consent that the bill the title of which has been stated by him be now taken up.

Mr. GORMAN. Mr. President—

Mr. MORGAN. I object.

The PRESIDING OFFICER. Objection is made.

Mr. PERKINS. I ask that we may proceed with the consideration of the fortifications bill.

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Maryland?

Mr. GORMAN. All I desired was that we should go on with the appropriation bill. The Senate is very well aware that unless the appropriation bills are considered this afternoon some of them may be lost, and I only wanted to appeal to the Senator in charge of the bill to take it up. Probably it can be disposed of in one hour.

The PRESIDING OFFICER. The regular order is insisted upon.

#### FORTIFICATIONS APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The Secretary proceeded to read the bill, and continued to the end of line 22, on page 5.

Mr. GORMAN. I should like the attention of the Senator from California as to the provision on page 5, from lines 15 to 22, for machine guns, caliber .30, ordered by the Ordnance Bureau. I understand that those guns were a part of our war outfit and were provided for out of the allotment of \$50,000,000.

Mr. PERKINS. I did not understand the question of the Senator from Maryland.

Mr. GORMAN. I asked for some information in regard to the item on page 5, lines 15 to 17, machine guns, caliber .30, amounting to \$100,000. My impression is—I do not know that my memory is correct about it—that provision was made for them out of the allotment from the \$50,000,000 for war purposes.

Mr. PERKINS. The estimate made by the Department for the appropriation this year amounted to \$12,151,898. The hearings before the committee in the House go into this matter in detail. It was decided to reduce the appropriation from the amount estimated for to \$4,744,798, and this reduction was made so that it would be a pro rata reduction. It had the approval of the Chief of Ordnance. We appropriated during the last Congress, under the deficiency act, the amount appropriated from the allotment and the general appropriation, \$30,918,232.

While we did not go into the detail of these guns as to the particular caliber, etc., the reduction was made by the Chief of Ordnance, or the gentleman who is acting as the Chief of Ordnance at this time, Maj. C. S. Smith, and these figures meet with his approval, providing we make any reduction from the general estimates that were submitted by the War Department. I think therefore it was expedient and wise that we should accept their division of this amount of money, inasmuch as they were conversant with the full matter of the guns in detail as to caliber.

Mr. GORMAN. I understand that during the last year we have expended for the fortifications nearly \$31,000,000. That is true. It grew out of the conditions that existed because of the war. A certain part of the national defense fund was spent on these works, and the total of the bill is therefore reduced to about \$5,000,000. I did not find in the hasty glance that I made over the papers any special recommendation for this new item—for it is new—for these machine guns and also for the Sims-Dudley guns. I should like to have some information about those provisions, if the Senator has it at hand.

Mr. PERKINS. I will send for the Estimate Book.

Mr. GORMAN. We can pass the item for the moment.

Mr. HAWLEY. I can give the Senator from Maryland some information about it.

Mr. GORMAN. I should be very glad to have it.

Mr. HAWLEY. Machine guns have been appropriated for every year for a good many years. They are kept constantly on hand, or something of a supply is. They have not a supply of modern .30 caliber, and there was difficulty in mounting a battery or two for Cuba. Machine guns were engaged in Santiago and El Caney, and were considered an especially brilliant chapter in those operations. Captain Parker commanded the guns, and it so happened the other day that I was in the presence of Governor Roosevelt.

Parker's name was referred to. I said, "Do you know him?" He said, "Indeed, I do. He was right by my side." He went on with a very high commendation of the guns and of the excellent service they rendered. It is not a new appropriation at all.

Mr. GORMAN. I call the attention of the Senator to the fact that it is a new appropriation—that is to say, that they have acquired these guns heretofore under the general appropriation, with no specific item, as in the pending bill.

Mr. HAWLEY. Machine guns have been named in the paragraph in previous years—those two exact words.

Mr. GORMAN. I have the bill analyzed, as we always have before the committee, and this for the first time appears. It is new.

Mr. HAWLEY. The matter of machine guns appears as new?

Mr. GORMAN. They have acquired them heretofore under the general appropriation. This is a new item. It did not appear in the last act. That is the reason why I asked for the information.

Mr. HAWLEY. As an independent paragraph?

Mr. GORMAN. As an independent paragraph. Why was it not covered, as heretofore, in the general appropriation for the acquisition of guns of that character? That is the information I desire. Why is it brought in as a separate item here for the first time?

Mr. HAWLEY. It is hardly covered by the general appropriation. I know of my own personal knowledge that it has been contained in several appropriation bills. I know, because the guns are made in my town.

Mr. GORMAN. It is new and here for the first time.

Mr. HAWLEY. It may be the first time that it is grammatically independent of some other gun.

Mr. GORMAN. I want to get the information. We can pass it over for the time being.

Mr. CHANDLER. I notice that the Committee on Appropriations recommend the passage of the fortifications bill exactly as it came from the House of Representatives, which is something very unusual and something very gratifying if it is justified by the terms of the bill itself. I will ask the Senator from California to inform me, if he can readily do so—perhaps he may have already stated it to the Senate—what the total amount of the appropriation is.

Mr. PERKINS. Four million seven hundred and forty-four thousand seven hundred and ninety-eight dollars.

Mr. CHANDLER. I suppose that that very moderate appropriation results from the fact, to which the Senator from Maryland has alluded, that very large appropriations were made during the last year for fortifications from the \$50,000,000 defense fund appropriated by Congress.

Mr. PERKINS. Twelve million eight hundred and sixty-five thousand eight hundred and forty dollars and sixty cents was allotted from the \$50,000,000 special fund.

Mr. CHANDLER. Is that all that has been expended?

Mr. PERKINS. Also \$8,674,898, appropriated subsequent to that appropriation. That was embodied in the deficiency bill.

Mr. CHANDLER. Making about \$30,000,000?

Mr. PERKINS. Making \$9,377,494, which is in the general bill. It makes \$30,918,232.60 as a total.

Mr. CHANDLER. That accounts for the small appropriation in this bill, and I am willing to vote for the bill exactly as it came from the House.

My opinion may not be worth much, because I speak only from a general knowledge of the subject, but I have looked the bill through, and it seems to me that the various provisions are carefully made. There is a limit of 22 cents a pound to the appropriation of \$535,000 for guns, and I understand the Senator from Maryland believes that that is a sufficiently low price for those guns. I am not certain whether or not the Senator believes that price to be a fair one.

Mr. GORMAN. To answer the Senator, heretofore I have tried to reduce that amount to 21 cents or 20 cents, but the Senate and House both voted that 22 cents would be a fair reduction. We have reduced it, I think, from 26 now to 22, which makes about \$440 a ton for this material. Whether it now can be made for less I am not prepared to say.

I know that the Ordnance Department have antagonized in every case the attempted reduction, and have in the beginning stated that it was impossible to get it even for 24 cents, and now they recommend 23 cents as the proper price. But not having information which would warrant an amendment proposing a further reduction at this time, I permitted it to go on. That is all.

Mr. CHANDLER. The Senator has undoubtedly noticed, being a member of the Committee on Appropriations, that the proposed price for armor for our battle ships is 27 cents a pound, and that the armor is merely armored plate. It is not carefully shaped and finished, certainly not with any such minuteness as is necessary for a high-power coast-defense gun. Apparently, I submit to the Senator, a high-power gun such as is made for the Army and Navy ought to cost twice as much per pound as any armor plate that we can conceive of according to known processes. Yet here it appears that while we are asked 27 cents a pound for our armor plate we are to get these finished guns, the best that modern ingenuity can devise, for 22 cents a pound. The 22 cents a pound may be too much, but it is very low as compared with 27 cents a pound for armor plate.

Now, Mr. President, this bill, I think, was wisely framed in the House, and it is nearly all of it for expenditures to be made for fortifications and guns that will be of value to the country. We have a right to expect that the departments of the Army and Navy which are concerned in modern defenses will want to make experimentation more or less on different lines, and we ought to grant money with reasonable liberality for experimentation.

I looked to see how much is in this bill for the Board of Ordnance and Fortification for experimentations concerning guns and all the paraphernalia which go along with guns. The amount on page 8 is only \$100,000, and before that is to be expended the bill guards the subject by providing that the board must be satisfied that any invention which may be involved in any of the subjects of experimentation shall be subject to the use of the United States in case the invention is found to be a useful one. So, protesting that my opinion is not of any great value, I am very happy to say that I never have seen a bill any more carefully guarded or any more acceptable to my judgment or one which ought more quickly to be passed as it comes from the House of Representatives without amendment in the Senate.

Mr. PROCTOR. Mr. President, the price of armor plate and of forgings for guns has been referred to. It was my impression that there was a difference in regard to the finishing—that the forgings were shaped, but furnished in the rough. I supposed the

armor plate was planed and bored for the bolting—fitted partly or entirely for use on the ships. As the Senator is also a member of the Naval Committee, he can probably inform us in regard to that.

Mr. PERKINS. I beg the Senator's pardon.

Mr. PROCTOR. I was referring to the difference in price—22 cents for forgings and 27 cents for armor plate—and my inquiry was if there was not a difference in the cost of finishing, forgings being furnished in the rough, merely shaped, and armor plate being planed and grooved and bored.

Mr. PERKINS. Last year I made that inquiry of General Flagler, who appeared before us. My recollection is that he estimated that it was about 30 cents for finishing armor in addition to the 22 cents for forgings.

Mr. PROCTOR. Another matter occurs to me in discussing the question of calibers. I should like to make an inquiry of the Senator from California. I see here that there are several guns of the same nominal caliber as the Navy guns. I should like to inquire whether they are really of the same caliber so that the ammunition can be used interchangeably.

Mr. PERKINS. I understand that the large guns, the 8, 10, and 12 inch are, but I am sorry to say that the small guns are not of the same caliber. As to the machine guns this year, the Chief of Ordnance not being present, I was not able to make that inquiry of him. Last year I did, and inquired why the same caliber did not exist in the Navy with the Marine Corps as with the infantry in the Army. The reply was that I should ask the Navy. I inquired of an officer in the Navy who was competent to give me a proper answer, and he referred me to the War Department. My friend, the Senator from Vermont, having been Secretary of War, and having supervised and directed the manufacture of a part of this armament, I now make the inquiry of him, asserting that there is no one so competent to answer as he is.

Mr. PROCTOR. At the present time I am not representing the War Department. It is my impression that the Senator is mistaken in regard to the caliber of the 8, 10, and 12 inch guns. I have been informed, and I believe it to be true, that there is not a single weapon, from the smallest pistol in the service of the Army and Navy to the largest seacoast gun, where the ammunition can be used interchangeably.

The Senator from Maryland [Mr. GORMAN] has been familiar for years with these appropriation bills and can tell how that is. At Guantanamo the Marine Corps was serving on shore with the Army. If either branch had got short of ammunition, there was not a single weapon that could be used by borrowing from the other corps. It seems to me this is an illustration of the harmony and beauty of the system which has prevailed between these two very important branches.

Mr. HAWLEY. There is a movement going on to bring them to even calibers and interchangeable ammunition. Some one asks about the caliber of these machine guns. The Navy caliber adapted to small arms was two hundred and thirty-six thousandths, or otherwise .236, a little over one-fifth of an inch. The caliber of the Army gun is small enough in the judgment of many—it is .30—and it is especially unfortunate that the two arms should have different cartridges.

All our small arms should be of the same caliber, allowing interchangeable ammunition. The machine guns provided for in this bill are mostly intended, I think, for flank defenses in the forts on the coast. There is no mistake about the estimate for them. There is nothing about it that is discreditable nor doubtful. It is what the Department wants. The Ordnance officer estimated for \$107,000. He was cut down \$7,000. Probably he fared better than in some of the other appropriations.

The PRESIDING OFFICER. Does the Senator from Maryland desire the pending item to be passed over for the present?

Mr. HAWLEY. The Senator from Maryland suggested that this item wait for a few moments and that we pass on.

Mr. GORMAN. Yes.

Mr. HAWLEY. Let it be so until we can get the estimate.

Mr. GORMAN. Now, Mr. President, before leaving the subject, I think the Senator from Vermont [Mr. PROCTOR] is rendering really a very great service to the country in calling attention again to the discrepancy between the calibers of guns of all descriptions for the Navy and the Army. In the very matter that we have just passed through, the small and insignificant affair, we have found that it was utterly impossible to use interchangeable ammunition.

The Navy had plenty of ammunition on board the vessels to supply the Army when they were short of ammunition, but every weapon differs in size, and as we go on from year to year appropriating for immense numbers that we are making, not only machine guns and guns of similar character, including in this item the rapid-fire gun, we are going further and further apart, which makes it all the more difficult to correct this defect, which is admitted, I believe, on all sides.

There ought to have been before this time some central authority composed of officers including both the Navy and the Army that

could have adjusted this matter. It would have saved an untold amount of money if that could have been done. Now that you are entering upon another scheme of looking abroad and probably involving ourselves in all sorts of complications where we will be compelled to have both an army and navy employed, it becomes all the more desirable, and it would be a very wise thing if it could be taken in hand by the Congress and adjusted.

I assume from my knowledge of what has occurred in the past that it is going to be a very difficult matter indeed to ever get a recommendation from any Secretary of the Navy or Secretary of War to bring about this most desirable reform. The officers of both Departments have gotten into a groove. The majority of them, I believe, desire to separate their two Departments in this particular. We have ordered, as I said a moment ago, an immense number of larger guns and smaller, and we will be met by the statement that it will cost millions of dollars to make the change.

So with the War Department. The Senator from New Hampshire speaks of the Board of Fortifications. That Board of Fortifications was created, I think, upon the motion of General Logan, of Illinois, who gave the matter of fortifications great attention. It stands, however, now practically without any power. That was eliminated and all the power that we gave them was put in the hands of these bureau officers, the head of the Ordnance Department and the head of the Engineer Department. So there is to-day no central control—nobody to direct a uniform management of these affairs.

Whenever you go to the matter of reforming it by reorganizing it, one of the subjects that ought to be brought up and considered and insisted upon in connection with the suggestion made by the distinguished Senator from Vermont is to make the heads of these different corps or organizations and bureaus in the War Department subject to the control of the Secretary of War and the President of the United States every four years.

Mr. President, I want to say only one word about the cost of the steel for the guns. The Senator from New Hampshire called attention sharply to the fact that we have by law compelled the manufacturers to furnish this raw material in the rough for the manufacture of the 10 and 12 inch guns at 22 cents a pound.

That reduction, as I stated a moment ago, was, I think, upon my motion. It was an arbitrary reduction made by Congress against the protest of all the Ordnance officers of the War Department who were honestly of opinion at that time that it would be impossible to obtain from the two or three—I think at that time only two—great firms that could manufacture them, the tubes for the guns. But when the appropriation was made they did agree to it; they did furnish it, and they have furnished the very best character of steel; and it is now said that after the test which we have recently had it has stood greater test than the steel made for any other guns on the face of the earth; that even the Krupp is not better. So we have made a great saving in that respect.

But I do want to call attention, for I happened to be absent on committee service yesterday, to what occurred in the matter of the arbitrary reduction by Congress, if it is to be enacted into law, of the armor for these ships. I think, from the information I have been able to gather from a close study of this matter from the time we began to purchase armor, if that bill becomes a law as it passed here yesterday, with all the conditions that confront us and with the earnest desire that the majority of Congress, and certainly the Administration, have had to prepare for trouble, we will adjourn on Saturday, or at the end of to-morrow's session, having made provision for a large army with any amount of money to start it; that we shall have made no provision whatever that will be effective in the next two years for the increase of the Navy; and that by the provision of the bill as it stands as it passed the Senate you have not only prohibited any increase over that authorized by the act of last year, but the provision itself will prevent the completion of the ships of war that were ordered at the last session of Congress. So we will probably have for the time being, until 1901, a top-heavy Army and no Navy to go with them to our foreign possessions or elsewhere where they may be required to go, except what was improvised and constructed prior to the war with Spain.

While I am as anxious as any Senator to reduce the cost of armor, and while I believe firmly that there has been and is a very close understanding between the manufacturers of armor all over the world, and that from all the governments which have been constructing ships they have obtained a larger amount than the actual value or a fair value for the armor, yet under the conditions in which we are I fear that in our anxiety to economize, in our desire to prevent extortion, you have made provisions which will seriously embarrass the Government. If it were in a time of absolute peace or in a time when we were conducting the affairs of the Government as all Administrations have conducted them heretofore until we reached the present Administration by keeping out and not getting ourselves into a position to be involved in the quarrels of other nations, it would have been probably

wise to have taken our manufacturers and given them an object lesson as you propose to do. But as to whether the policy which was agreed to yesterday in these conditions is wise or not I do not hesitate to express my individual opinion that it is unfortunate, and that while we shall be spending \$100,000,000 or \$200,000,000, probably six or seven hundred million dollars, to benefit and elevate peoples that are distant from us, it would have been better to have gone on and submitted to the extortion for the time being.

Mr. PROCTOR. Mr. President, I heartily agree with everything the Senator from Maryland has said in regard to the importance of some action which will lead to uniformity of calibers of our different arms of the service in the Army and Navy. It would save money and it would greatly increase the efficiency of both branches of the service. It might save us a battle.

I will state that a bill was introduced early in the session looking to that end, providing for a board of Army and Navy officers, under the Secretary of War and the Secretary of the Navy, for the purpose of securing uniformity and general harmony of action. It was referred to the Committee on Military Affairs and reported back promptly and favorably, and was then referred to the Committee on Naval Affairs, of which the Senator from California is an honored and useful member, and, so far as I know, it still rests with that committee. I commend it to his attention.

#### NATIONAL WHITE CROSS OF AMERICA.

Mr. ALLEN. I ask the Senator in charge of the bill to yield to me for a moment.

Mr. PERKINS. I will yield to the Senator from Nebraska provided the bill he desires to have considered does not lead to any discussion. I am informed by members of the Judiciary Committee that it is absolutely necessary that there should be an executive session later, and I am very desirous that the fortifications appropriation bill shall be disposed of in a very short time, as I think it can be if there is no interruption.

Mr. ALLEN. I do not think the measure I wish considered will lead to any discussion whatever.

Mr. CHANDLER. On what subject does the Senator from Nebraska wish to speak?

The PRESIDING OFFICER. Will the Senator from Nebraska send to the desk the bill which he desires to have considered?

Mr. ALLEN. I was just going to call the Chair's attention to it.

Mr. CHANDLER. I had taken the floor to make a few remarks on the fortifications appropriation bill, but will yield to the Senator from Nebraska if he will tell us what is the bill he desires to have considered.

Mr. ALLEN. I was not aware that the Senator from New Hampshire had the floor. Of course, I will yield to him.

Mr. CHANDLER. I will yield to the Senator if he will state what the bill is.

Mr. ALLEN. It is a bill which I called up this morning and which was objected to by the Senator from Delaware [Mr. GRAY], but which I am led to believe by a conversation I have had with the Senator since he will not antagonize further. It is the bill (S. 5583) to incorporate the National White Cross of America, and for other purposes.

Mr. CHANDLER. I yield to the Senator.

Mr. ALLEN. I think the bill will not lead to any discussion.

Mr. PLATT of Connecticut. The bill has been read, has it not?

Mr. ALLEN. The bill has been read. I wish to have it amended in the way I have indicated on the copy sent to the desk.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill? The Chair hears none, and the bill is before the Senate as in Committee of the Whole. The bill has been read.

Mr. ALLEN. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

Mr. SPOONER. Let the bill be read.

Mr. PLATT of Connecticut. The bill was read this morning.

The PRESIDING OFFICER. As stated by the Senator from Connecticut, the bill has been read.

Mr. SPOONER. I should like to have it read again.

Mr. ALLEN. I withdraw the bill, Mr. President.

The PRESIDING OFFICER. The Senator from Nebraska withdraws his request.

#### FORTIFICATIONS APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The reading of the bill was resumed and concluded.

Mr. PETTIGREW. I move to amend the bill, on page 3, by striking out lines 24 and 25; and by striking out lines 1 and 2, on page 4; which read as follows:

For construction of one 18-inch Gathmann gun, \$65,000.

For powder and projectiles for test of 18-inch Gathmann gun, \$10,000.

Mr. PERKINS. I hope the amendment proposed by the Senator from South Dakota will not prevail. The bill has passed the House of Representatives. This provision has been duly considered by the committees in both Houses; it has the approval of the War Department; and the general consensus of opinion of the Department is that it is a wise and judicious appropriation for the purpose named. Therefore I hope the amendment will not prevail and that the bill will be passed without amendment.

Mr. PETTIGREW. Mr. President, yesterday we voted an amendment to the naval appropriation bill appropriating \$250,000 for experiments with the Gathmann guns, in the discretion of the Secretary of the Navy; that is, we appropriated \$250,000 for him to invest in these guns in his discretion. That being the case, until these guns have passed the experimental stage it does not seem to me necessary to purchase any more of them. I contend that they are in an experimental stage and that it has not yet been demonstrated that they are a success or can be made a success.

I have here a report of the Chief of Ordnance on this subject, from which it appears that—

An act of Congress approved June 10, 1893, provided \$50,000 "for testing methods of throwing high explosives from guns on board ship with the ordinary velocities," this being an item in the regular naval appropriation bill for the years 1893 and 1897.

While the particular line of experiments was not specified, it was understood at the Navy Department that they were to be in connection with the so-called Gathmann gun and projectiles. Accordingly an improvised 12-inch gun was made of a tube intended for one of the 13-inch guns of the battleship *Kearsarge*, the intention being to use this tube for its original purpose after the Gathmann experiments were concluded, in case it survived them.

The gun was rapidly pushed to completion at the Washington Navy-Yard, and at the same time a number of projectiles were made of special type designed by Mr. Gathmann. The gun was completed about January, 1897, and was sent to the naval proving ground at Indian Head and mounted on a proof mount belonging to the station. It was first fired about February 4, 1897, the shells being filled with a colored liquid and fired through light wooden screens.

The shells were found to have too thin walls, as they broke up after leaving the gun, and some new shells having thicker walls were made, and fired about May 14, 1897. These shells gave better results, and various experiments were made to test the details of the shell, primer, etc., and finally there remained but to test the loaded projectile in the gun. This was done on June 9, 1897. The shell was of forged nickel-steel, and weighed, with its charge of wet gun cotton, 950 pounds, the weight of the gun cotton being 367 pounds.

This shell, like all the Gathmann shells of that date, had a movable piston-like base, which was considered one of its special features. On firing the gun there was a simultaneous explosion of the gun-cotton shell within the bore, which completely wrecked the gun and its mount, rendering it necessary to purchase a new tube for the *Kearsarge*. The cause of this premature explosion has never been satisfactorily accounted for, but is supposed to have been due to the faulty action or design of the primer and detonating charge. After this a number of experiments were carried on at Indian Head with projectiles of various kinds (designed by Mr. Gathmann) which were fired from an old muzzle-loading 8-inch converted rifle, their chief object being to show that long columns of wet gun cotton could be safely fired with powder impulse at moderately high velocities and pressures, and these experiments were attended with more or less success.

Further experiments were made in detonating large masses of wet gun cotton in contact with armor plates. In these experiments the gun cotton, containing only about 13 per cent of moisture, was placed in contact with the plate, and care was taken to secure an explosive of a high order. The results were not as marked as was expected, and in one instance they were surprisingly insignificant.

A heavy plate was, in one of the above-cited cases, broken by the explosion of 500 pounds of wet gun cotton, but as no comparison was made with any other explosive it is difficult to arrive at any definite conclusion as to what would have happened had 500 pounds of powder been exploded under like circumstances. In another of the cases 300 pounds of wet gun cotton was exploded against a plate with practically no effect.

The appropriation having been expended the Bureau of Ordnance, on October 14, 1897, notified the Gathmann Torpedo Company to that effect, and that no further experiments could be made.

We expended \$50,000, then, in 1897 on these guns.

Subsequent to this the parties interested applied to the War Department, and a number of experiments were carried on under its auspices, and complete reports of these are on file in the Army Ordnance Bureau.

On July 5, 1898, the Chief of the Bureau of Ordnance of the Navy recommended to the Secretary of the Navy that a joint board of army and naval officers be ordered "to consider the question of firing projectiles charged with high explosives from the guns of the military service of the United States." The Gathmann Torpedo Company requested to be heard by this board and were accorded the opportunity, and in making its report, on July 14, 1898—

Less than eight months ago—

the board concludes with the following remark:

"It is considered proper and pertinent to record its [the board's] opinion that the Gathmann system, if successful, would have a limited field of action as compared with modern ordnance, and the tests thus far made with this system have not shown results that warrant any further expenditure by the Government in its development."

After this, in October, 1898, at the request of the parties interested in this scheme, two naval officers of marked ability were directed by the Secretary of the Navy to visit Sandy Hook to investigate the extent of success that had attended the Gathmann experiments. These officers reported to the Secretary of the Navy, under date of November 4, 1898, the result of their investigations, and conclude as follows—

This was on the 4th of last November, only a month before Congress convened, and the board say:

We are therefore of the opinion that the Gathmann shell is not sufficiently developed to justify its adoption by the Government.

Now I insist that, having appropriated \$250,000 yesterday for these experiments, we are not justified in appropriating \$75,000

more to-day. We are treating these inventors with great liberality and great generosity by putting in the hands of the Secretary of the Navy \$250,000, to be expended in his discretion in this connection, in view of the report on November 4 last of the Ordnance Bureau.

Among the many experiments made at Sandy Hook, the following are cited from the official reports to show how little damage was done by three 12-inch Gathmann shells fired against one plate:

On May 31, 1898, a 12-inch shell, weighing 844 pounds and containing 284 pounds of wet gun cotton, was fired at a nickel-steel plate 10 inches thick and 8 feet long by 4 feet high. The shell struck the plate and exploded, whirling the plate around and dislodging it from its supports, but doing it no damage. Considerable unconsumed gun cotton was picked up near the plate, but apparently most of it exploded.

On June 10, 1898, another 12-inch shell, weighing 905 pounds and containing 299 pounds of wet gun cotton containing 30 per cent of moisture, was fired at the same plate. The shell exploded on impact, and while the plate was forced through the sand some 20 feet, it was but slightly injured—merely bulged on the back to a slight extent. Some unconsumed gun cotton was picked up near the plate, but not as much as in the preceding experiment.

On June 16, 1898, another 12-inch shell, weighing 900 pounds and containing 248 pounds of wet gun cotton (30 per cent moisture), was fired at the same plate, but owing to a premature explosion of the detonator the shell was not exploded. It struck the plate, however, and knocked it down.

It will be seen that while this plate was struck three times by heavy 12-inch shells, containing large charges of wet gun cotton, two of which exploded on impact, it was not injured aside from the slight bulge referred to. It is positively certain that an ordinary armor-piercing shell without any bursting charge or a semiarmor-piercing shell containing gunpowder would have wrought greater destruction to this plate than did the gun-cotton shells.

On September 23, 1898, at Sandy Hook, a 12-inch shell of the same type as those used in the three foregoing experiments, weighing 945 pounds and containing 210 pounds of gun cotton completely saturated, was fired at this same plate, which was supported by an oak frame, heavily backed with sand. This plate, which had already been struck and slightly bulged, as previously described, was struck by the shell, which exploded on impact, breaking the plate in two pieces through the point of impact and the depression just mentioned, and an examination of the fracture revealed an old crack through the depression, extending beyond its edges. An ordinary uncharged 12-inch shell would, beyond doubt, have smashed this plate as effectively as did the gun-cotton shell.

On December 2, 1898—

Bringing these experiments up to the beginning of this session of Congress—

On December 2, 1898, the first of the new type of Gathmann shells, tapering at the front end, was tested in a 12-inch gun at Sandy Hook. It weighed 744 pounds and contained but 116 pounds of wet gun cotton. It was fired against a 19-inch nickel-steel plate and exploded on impact, breaking the plate in two pieces, both of which were thrown considerable distance, and the target structure was demolished. This was a very successful shot, but an ordinary 12-inch shell would have wrecked the plate, but would not have made as much havoc, probably, with the sand and oak backing.

Here is the only experiment of all the experiments which were made which amounted to anything whatever.

Another trial was that of a 12-inch mortar shell weighing 1,000 pounds and containing 49 pounds of wet gun cotton. This shell was fired against a 41-inch nickel-steel plate and perforated it, as might be expected; but the shell failed to explode and was recovered whole in rear of the target, the fuse having been blown off.

Two more of the new shells were fired to show that they would explode on striking the water. One failed entirely, and the other exploded, not on first impact, but on ricochet.

These instances are cited as being among the most important of the many experiments made, and it will be seen that they were attended with but limited success, except in one particular, namely, there were no accidents due to premature explosion in the gun.

And that was all the success they did have.

It may be thought that in citing the foregoing experiments those have been selected which are unfavorable in character to the exclusion of others more favorable, but such is not the case. They are selected as being the most interesting and important.

Mr. President, it seems to me, under these circumstances, that we are not justified in having Gathmann guns in every bill that goes through Congress, and that the \$250,000 appropriated in the naval appropriation bill yesterday to carry on these experiments is a liberal allowance to an uncertain scheme, as this is denominated by the Chief of Ordnance of the Navy Department.

These experiments were carried on up into December last, and there is nothing before the body at present to show that anything has occurred since that time to justify us in buying experimental Gathmann guns in two different acts of Congress. Therefore I move to strike out the provision for the purchase of those guns.

Mr. CHANDLER. Mr. President, I hope the amendment proposed by the Senator from South Dakota will not prevail. Yesterday he opposed the amendment to the naval appropriation bill for the purchase, in the discretion of the Secretary of the Navy, of two Gathmann guns because there was an appropriation of \$65,000 in the fortifications bill for one Gathmann gun, and the Senator did not object to the appropriation in the fortifications bill. He signified no intention to move to strike it out, but he gave this appropriation as a reason why the appropriation of yesterday should not be made. To-day—

Mr. PETTIGREW. I wish to say right now—

Mr. CHANDLER. To-day he says that this appropriation should not be made because the appropriation of yesterday was made.

Mr. PETTIGREW. If the appropriation of yesterday had not been made, I would not now move to strike this out. I am willing to experiment.

Mr. CHANDLER. Very good. The Senator has made my point. This appropriation in the pending bill, if passed by the Senate, is made beyond any contingency. The other amendment attacked by the Senator from South Dakota and by the Senator from Georgia, who went over the same ground traversed by the Senator from South Dakota, has gone into conference, and we have no means of predicting whether it will be adopted or whether it will not be adopted.

I am in favor of the appropriation in the pending bill. I hope it will not be stricken out. I desire that it shall not be stricken out independent of the question what may become of the amendment which was made to the naval appropriation bill.

I will not follow the Senator in his recital of the last experiments to which he refers as to the effect of the explosion of gun cotton against armor plate. That gun cotton exploding under those circumstances will not produce as great havoc as the explosion of an equal number of pounds of ordinary gunpowder, I can not believe; but it is not a question as to what will be the effect of one explosive as against another explosive when it strikes a plane. The question is as to the Gathmann invention, which is designed to produce safety in firing high explosives from ordinary cannon by the use of gunpowder.

There may be a difference of opinion as to whether the Gathmann invention has passed the experimental stage. The Senator from Ohio [Mr. HANNA] yesterday argued that it had absolutely passed the experimental stage. Captain O'Neil, the Chief of the Bureau of Ordnance, contends that it has not passed the experimental stage. Both the inventor and the Senator from Ohio, on the one hand, and Captain O'Neil and his associates on the other, are honest in their opinions.

It is a question of judgment merely as to whether the invention has or has not passed the experimental stage. I stand occupying a medium position from the investigation which I have made of this subject. I saw certain experiments with a Gathmann shell at Sandy Hook in September last. The Gathmann shell is designed to accomplish the highly important object of firing dynamite or gun cotton or other high explosives with ordinary gunpowder from a modern cannon. This attempt is exceedingly important, because if it can be done it will revolutionize naval and military warfare.

In my judgment the Gathmann shell has so far passed the experimental stage that it is not only expedient for the War Department to buy one gun, but it is also expedient for the Navy Department to buy two guns and place them upon one of its harbor-defense vessels. That is the only proposition before Congress—the proposition for the one gun for the War Department in this bill, the proposition for the two guns for the Navy Department upon a harbor-defense vessel, which is in the naval bill and has gone into conference.

Mr. President, I am confident that to the extent of this expenditure for the one gun for the Army and for the two guns for the Navy, whether you call the guns experimental or whether you contend that they are past the experimental stage, the appropriations ought to be made, and above all there should be made this appropriation, which can be made certain by the rejection of the motion of the Senator from South Dakota and the passage of this bill as it came from the House of Representatives.

I am surprised at the motion of the Senator from South Dakota, because, if he intended to make this motion to-day, he ought to have given notice yesterday not only that he would oppose the amendment then proposed by the Senator from Ohio, but that when the fortifications bill would come up he would move to strike out the clause. Why did not the Senator say then that the proposition in this bill, which he gave as a reason for defeating the amendment to the naval bill, he would attack when it came up in the Senate to-day? I think, in all fairness, he should have given that notice, and, not having given that notice, I think now he ought to let the matter go without moving to strike out the very gun which he made a part of his action against the amendment yesterday.

Mr. PETTIGREW. Mr. President, the only real argument the Senator from New Hampshire has made hardly needs answering; that is, that I ought to have given notice yesterday of what I would do to-day with regard to a bill which was not being considered yesterday.

Mr. CHANDLER. Will the Senator allow me?

Mr. PETTIGREW. I have not yielded the floor to the Senator from New Hampshire.

Mr. CHANDLER. Will the Senator permit me?

Mr. PETTIGREW. I will be very glad to yield after I get through.

Mr. CHANDLER. Will the Senator yield to me right now?

Mr. PETTIGREW. Not now.

Mr. CHANDLER. Just a moment.

Mr. PETTIGREW. Mr. President, I decline to yield. It is not experimenting with this gun to which I object, but I object

to too much experimenting with it. It seems to me if one branch of the Government experiments with this gun it ought to be sufficient until it has passed the experimental stage, and then we would not need further experiments. I doubt the value of ascertaining whether or not we can fire gun cotton if we have so fixed the gun cotton before we fire it that it will not explode.

The experiments show that the gun cotton is saturated with water, and it appears that when the shell struck the target in two instances a considerable quantity of gun cotton was picked up that did not explode. You might just as well shoot clay in these guns as gun cotton which will not explode. That is one of the reasons why I say this is experimental.

If they have fixed the gun cotton so that it will not go off when it hits the target or an enemy's ship, it is no better than so much corn meal, and therefore the experiment is valueless. If the targets were in every instance, as the Ordnance Department show, no more injured than they would have been with a solid shot with an ordinary shell using gunpowder, then it certainly is an experiment. The mere fact that you can fire from one of our high-class rifled cannon gun cotton that will not explode is, as a piece of knowledge, absolutely valueless to the Government.

If we were going to buy one of these guns, I would not object. I did not object yesterday to buying one of these guns and testing it, but up to the 2d of December these guns have been found to be a failure, and have been pronounced a failure by the Ordnance Department; and they give in detail the experiments. They show what they have done, and they have accomplished nothing. They fired gun cotton that would not explode when it got to the mark, and they fired it without exploding the gun from which it was fired.

Very remarkable, is it not, Mr. President, that they could fire gun cotton that would not explode when it reached the target and not burst the gun out of which it was fired? You could have done as much with so much clay or corn meal. The clay or corn meal would not have exploded when it hit the target and neither would it have burst the gun from which it came.

Therefore it seems to me that this is in the experimental stage, and I object to the purchase of too many guns, at least until you have passed the experimental stage, and that is all there is to it. If yesterday we had not adopted the amendment appropriating \$250,000 for this purpose, I should have been willing that this clause should remain in the bill and that the Government should make the further experiment and see if we can not get a gun that will fire gun cotton which will explode. They have a gun now, it appears, which will fire gun cotton that will not explode. I do not know whether that is of value to anybody or not. I think not.

Mr. CHANDLER. Inasmuch as the Senator from South Dakota concedes that he is willing that this gun shall be purchased, that ends the argument, and I hope he will withdraw his amendment in accordance with his declaration.

Mr. HANNA. Mr. President, I do not care to discuss this subject again. I have not made a statement with reference to this projectile and gun that can not be proved by the best expert testimony in the Army and by a number of prominent experts in the Navy. The argument the Senator from South Dakota has made goes to show conclusively that he does not know what he is talking about. Therefore I will pass that part of it.

But in reference to the status of this legislation I wish to say a word. The amendment which was offered to the naval appropriation bill provided for the equipment of two monitors with Gathmann guns, instead of the other guns usually furnished—12-inch guns—at an additional cost of about \$5,000. From the report of Captain O'Neil, which is the only evidence offered in both these cases, it is quite evident that if he can prevent the use of any Gathmann gun in naval construction or equipment he will do so.

Therefore, when I amended my amendment by making it discretionary with the Secretary of the Navy as to whether or not he would use these guns on the monitors, we left it entirely in the hands of the Navy Department; and if it is referred to this expert O'Neil he will condemn it, and there will not be one of them put on a ship. The Secretary of War, who has reports in his hands made by Major Heath under the direction of the War Department, has recommended the making of an appropriation for this gun, to be placed at Sandy Hook. If I had known that this discussion was to come up again to-day, I would have fortified myself with the evidence and the testimony, for I am prepared, as I stated, to prove by officers who made the experiments every statement I have made.

In view of the fact that I admitted the amendment to the amendment, which makes it conditional with the Navy Department whether or not this gun shall be adopted by the Navy (and I think it extremely doubtful whether it will be), I insist on this amendment and accept the Senator's idea that we ought to have one. The amendment on the naval bill has not been concurred in by the House or by the committee, but has been sent to conference, and is in conference to-day. If the conference committee

should report adversely, then there would be no provision for a Gathmann gun.

Mr. PETTIGREW. Mr. President, about the only information I gain from the Senator from Ohio [Mr. HANNA] is that I know nothing about this subject. That he has vast knowledge on the subject is evidenced by the speech which he has just made. In contradistinction to the experiments of the Navy Department, the results of which I have read, we have his bare assertion, unsupported, that he knows all about it. That ought to be convincing and satisfactory to the Senate. It certainly must be.

We have a gun for firing gun cotton. Sampson fired earthquakes at Morro Castle during the six weeks' siege of Santiago. He destroyed Morro Castle every morning; and when it was finally captured, it was found that none of the old smoothbore guns built in 1688 had been harmed at all or the castle injured. The range is so short with the *Vesuvius* that although they can throw gun cotton—and he threw considerable of it—it appears that it was so fixed that it would not explode or else it did not reach Morro Castle. We did not harm it a particle, and there were no modern guns there to prevent them from getting close to it, and Sampson, who does not appear to be a brave man, stayed so far from Morro Castle and these ancient smoothbores that he could not see with the powerful field glasses he had on his vessel whether he hit it or not.

Now, it appears that up to December 2—here are the detailed reports of the experiments—this gun was a total failure. Yet it is said that the Senator from Ohio knows all about the subject and no one else knows anything about it. Here is the report of the Chief of the Ordnance Department, as I say, giving the detailed experiments. We spent \$50,000 in 1897, and very much more in 1898, and carried the experiments to the 2d of December. The results are given in detail; and the only answer to all this is that the Senator from Ohio knows all about it and that other people know nothing about it. I do not care to discuss the question further.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from South Dakota [Mr. PETTIGREW].

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. CHANDLER. Mr. President, I desire to say only a word in reference to the remarks of the Senator from Maryland [Mr. GORMAN] a short time ago, when I contrasted the price of 23 cents a pound for steel for the high-power guns with the price of 27 cents a pound for armor to be made according to the Krupp process. I repeat that it is impossible for me to believe that the price as proposed for armor is not very excessive if the steel for the guns can be produced for 22 cents a pound.

Mr. President, the Senator from Maryland has warned us that the action of the Senate yesterday may tend to cripple the construction of the new Navy, and he has stated that he is afraid that while we are making ample provision for the Army, to send our soldiers to far distant regions, we are neglecting to make proper provision for the Navy.

Upon that point I wish to call the attention of the Senator to the fact that we have approaching completion eight battle ships; and if by our amendments yesterday to the naval bill we delay until next winter the construction of any more battle ships, or if we delay for a longer period the construction of any more battle ships, we shall still have eight first-class battle ships. We should be in no haste in providing for additional battle ships, with the payment to the combined armor manufacturers of the country of \$545 a ton for armor.

It is true that if the amendment which was agreed to by the Senate were to be adopted by the conference committee and by the two Houses exactly as it has passed, it would prevent contracts for the armor for the *Maine*, *Missouri*, and *Ohio*. To-day the Secretary of the Navy has authority to contract for that armor at \$400 a ton. If before he makes the contracts we pass the amendment which we adopted yesterday, he can not make a contract for the armor for more than \$300 a ton.

Mr. TILLMAN. Mr. President—

Mr. CHANDLER. One moment. He can not contract for more than \$300 a ton. I should like to have the Senator from Maryland tell me, if he can, why it is, if we need to make haste now to pay 27 cents a pound for armor for ships to be authorized by the pending bill, the Secretary of the Navy has allowed nearly one year to go by without making contracts at \$400 a ton for the *Maine*, *Missouri*, and *Ohio*, when the armor manufacturers tell us in a communication which was submitted to the Senate that they can make more profit on Harvey armor at \$400 a ton than on Krupp armor at \$545 a ton?

Does the Senator from Maryland, who is on the naval subcommittee of the Committee on Appropriations, know why it is, if

there should be so much haste in paying this enormous price for armor, that the Secretary of the Navy has made the contracts for the hulls of the *Maine*, *Missouri*, and *Ohio*, and has made no contract up to the present time for the armor for those ships? Does the Senator know?

Mr. GORMAN. Of course, I do not know except from the general statements that come to us that the Secretary of the Navy, after an examination of the question, believed there had been such an improvement in the manufacture of armor as compared with the Harvey process that he desired to wait and have the new ships constructed with armor under the new process, which would cost more money. I understand that is his idea. Whether that be right or not I do not know.

In addition, I think that as the keel of the *Maine* has only been laid within the last few days they hold that this delay has not retarded the completion of the ships; but what I said was that, in my judgment, if the naval appropriation bill were to become a law with the amendments that were adopted in the Senate it would prevent the completion of any of the vessels that were ordered at the last session of Congress or any that are contemplated by that bill.

Mr. CHANDLER. What the Senator says is important; it is *ex cathedra*; he is on the conference committee which is now considering this very amendment of the Senate of yesterday. I will ask him why it will prevent the completion of the *Maine*, the *Missouri*, and the *Ohio*? The Senator does not make it clear.

Mr. GORMAN. I tried to make it clear. We attempted once before to restrict the price of armor and did by law fix the price per ton to be paid by the Navy Department at \$300 a ton. It was found that it was impossible to procure the armor at that price; and three large vessels were on the stocks, the frames all completed, and waiting a year for their armor. You will have claims presented to Congress, if they have not already been presented, for the damages to the shipbuilders.

In my judgment, it is as impossible to-day to procure armor that is to go on these vessels at \$300 a ton as it was a year ago, when this delay occurred. I merely express my opinion about the matter. I believed then, as I believe now, that if you intended to adjust this matter of the cost of armor by building a plant, it was useless to order the construction of ships until you had that plant completed, which it will take from one to two years to construct.

Owing to the very serious, as I think, conditions, which I have had no part in bringing about, which have been brought about by the action of the Executive and by this body—conditions which I regret more than I can express—I think it is unwise to stop at this critical moment and talk about the cost of \$300 or \$400 a ton for this armor. That is all I desire to say.

Mr. CHANDLER. I did not intend to discuss with the Senator the propriety of the \$300 price as to ships that are contained in the pending naval appropriation bill, but why the Senator should say that the *Maine*, the *Missouri*, and the *Ohio* can not be completed when the Secretary could have made the contracts at any time within the last ten months at \$400 a ton, I do not understand. I do not understand why the Secretary has not made the contracts. I think the Department has not been justified in delaying the armor contracts on those three ships.

Mr. TILLMAN. I will ask the Senator from Maryland if he can state authoritatively that there is no clause in the contracts for those three vessels which protects the Government against any claim for delay. I know that when Secretary Herbert appeared before the Committee on Naval Affairs he presented us with the blank form, or rather he brought the contracts themselves which had been entered into for the three previous battle ships, and there is in those contracts a clause expressly providing that the Government does not hold itself responsible for any delays in regard to armor, but that the contractor can finish the vessel as specified up to the point when the armor must go on, and no harm can come to the Government by reason of any delay.

Mr. GORMAN. That is true. There was such a general clause in that contract, as there is in all of them; but I say to the Senator, who has had great experience in this matter heretofore, that that contract must be construed fairly and it was intended for this only, that if there was a fault on the part of the contractor to furnish promptly and in time under his contract the armor to go on the vessel the builder of the hull would have had no claim on the Government, but when the Government deliberately and in pursuance of the law fails to enter into a contract at all and keeps the yards occupied by the hull of a ship and takes no action whatever to give to the constructor the armor, he comes here with a claim which, if it were a private claim, an honest man could not reject, and I do not believe that Congress can reject it in the end.

Mr. TILLMAN. Has the Senator attended the launching of any of the battle ships?

Mr. GORMAN. I have not done so recently.

Mr. TILLMAN. Well, it has been my good luck to attend to both at the Cramp yards, and I will inform him that the battle

ship kisses the water with not a particle of armor on it; that the superstructure is added afterwards and bolted to the framework; that there can be no just or proper claim, no fair claim, against the Government for any delay in completing the contract, so far as the ship and its hull is concerned, and that the addition of the armor afterwards is provided for in these contracts to protect the Government against any claim for damages on account of delay. It would be, in my judgment, a very unfair interpretation of that clause to say that if we willfully and designedly delayed furnishing the armor because we were trying to hold this trust up and make it loosen its grasp on our throats and give us armor at a fair price, we were necessarily compelled to pay the contractors because of that delay.

Mr. LODGE. Mr. President, a question has been raised here as to the action of the Secretary of the Navy in delaying contracts for armor plate on some of the ships now building. I was not present yesterday in the Senate, and I have had no conversation with the Secretary in regard to that point, but as I understand it, before those contracts were made it appeared that there had been an armor developed much superior to the armor we are now using, one which would afford the same power of resistance with 25 per cent less weight and a corresponding reduction in the ultimate cost, although as a whole a somewhat more expensive armor. The Secretary very properly, as I believe, withheld all contracts in view of this improvement in armor. It was the wise and right thing to do.

Mr. President, as I was unavoidable absent yesterday, and as this debate has come up, I wish to say what I should like to have said then, although I know how vain it is. The reduction of the contract price for armor to \$300 before we have built a Government armor plant means the stoppage of work on ships now building, and will stop the building of the ships in future.

Without any reference to the Philippines or any other acquisitions of the war, the defense of the United States rests in our Navy more than in anything else. We have proved it in the last war. We have proved that we could not buy ships in a moment; and yet the Senate has gone to work and stricken out some of the ships that the House authorizes, and, worst of all, it has reduced the number of sailors by 3,000, so that twelve vessels at least will have to go out of commission. Think of putting ships out of commission deliberately at such a time as this.

We have passed bills appropriating millions of dollars to build public buildings up and down this country, every one of which could wait. We have put millions of dollars into rivers and harbors, seven-eighths of which at least could wait, and having done this, we have now selected as a subject for economy the Navy of the United States, the great arm of national defense. Post-offices we are to have, and dredging, but we are to cut off ships of war.

Although, Mr. President, I know it is vain to say anything about it, I wish at least to enter my protest against a policy like this, which it seems to me the war has taught us in the strongest way is the most mistaken, the dearest policy that could possibly be engaged in by a great nation. What we may save in one or two years in armor plate is trivial. What we might lose if we should have trouble with any great nation to-morrow is enormous.

The Cramps to-day, if I am not misinformed, are paying \$575 a ton for this armor to put on the Russian battle ships. England is paying £117 per ton to put on their battle ships this new and improved armor. If we leave it at \$400 we force the Secretary of the Navy to put an inferior and heavier armor on the ships. If we put it at \$300 we stop shipbuilding altogether.

I am no lover of the makers of armor in this country or their pool. I have no love for the man among them who sold fraudulent armor plates to the Government in the past—an infamous transaction. I should be the last to wish to do anything that would help or profit such a concern as that.

But, Mr. President, we have no armor plant of our own, and until we have an armor plant, which, I believe, conditions are showing that we must build if we are to be masters of the situation, I agree with the Senator from Maryland that we are making the greatest possible mistake, not only in the way we have reduced the price of armor, but in the way the Senate has cut down the authorization of ships and men.

I read with the greatest regret of the action of the Senate, and I for one hope the House will stand firm in its contest for all that it originally put in the bill. I think it is much better that we should face an extra session than that we should allow the Navy of the United States to receive such a blow as it seems to me is aimed at it by these amendments.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 1st instant approved and signed the following acts and joint resolutions:

An act (S. 146) to provide for the erection of a public building at Indianapolis, Ind.;

An act (S. 1040) to provide compensation for a bridge and for buildings and other improvements constructed by certain persons upon public lands afterwards set apart and reserved as the Yellowstone National Park;

An act (S. 1154) granting a pension to George Hughes;

An act (S. 1776) to increase the pension of Mrs. Letitia Tyler Semple;

An act (S. 5169) authorizing the legislative assembly of the Territory of New Mexico to create an additional indebtedness for the completion and furnishing of the Territorial capitol;

An act (S. 5427) granting to the Clearwater Short Line Railway Company a right of way through the Nez Perces Indian lands in Idaho;

A joint resolution (S. R. 202) providing for the printing of the Report on the Financial and Industrial Conditions of the Philippine Islands, by Edward W. Harden, special commissioner of the United States; and

A joint resolution (S. R. 239) authorizing the Director of the Geological Survey to prepare maps of Alaska, showing all known topographic and geologic features, etc.

#### ADDITIONAL REPORTS OF COMMITTEES.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, to report it with amendments. I ask that it be printed and give notice that I shall ask the Senate to take it up the first thing in the morning.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. SEWELL, from the Committee on Appropriations, to whom was referred the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900, reported it with amendments.

Mr. FAIRBANKS, from the Committee on Claims, to whom was referred the bill (H. R. 7865) to pay the J. S. Stearns Lumber Company \$379, reported it without amendment, and submitted a report thereon.

#### MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE LOVE.

Mr. MONEY. Mr. President, I desire to give notice to the Senate that the hour of 9.30 this evening has been agreed upon to set aside the public business for eulogies on the Hon. WILLIAM FRANKLIN LOVE, late a member of the House of Representatives from the State of Mississippi.

#### OUTAGE OF DISTILLED SPIRITS.

Mr. VEST. I rise to move that the Senate proceed to the consideration of the bill (H. R. 10253) to amend the internal-revenue laws relating to distilled spirits, and for other purposes. I do this at the instance of the acting chairman of the Committee on Finance [Mr. ALLISON], who is detained in the Appropriations Committee. The bill comes by unanimous report from the Committee on Finance with the recommendation of the Secretary of the Treasury, and it must be passed this evening in order to become a law.

The VICE-PRESIDENT. Is there objection?

Mr. TILLMAN. Mr. President—

Mr. HOAR. I understand the bill will take no time.

Mr. VEST. I hope not. I do not see why it should.

The VICE-PRESIDENT. Will the Senate act on the fortifications bill or not before this bill is taken up?

Mr. PERKINS. The fortifications bill is now in the Senate, having been passed upon by the Committee of the Whole. I suggest that it be placed upon its passage first.

Mr. TILLMAN. We can not allow that after the speeches which have just been uttered without some opportunity to present the other side of that question.

The VICE-PRESIDENT. The Chair must put before the Senate the request of the Senator from Missouri.

Mr. PLATT of Connecticut. Mr. President—

Mr. HOAR. I rose to move that the Senate proceed to the consideration of executive business.

Mr. PLATT of Connecticut. But the Senator withholds his motion.

Mr. HOAR. I withhold the motion.

Mr. PLATT of Connecticut. I wish to say in regard to the bill for which the Senator from Missouri asks consideration that it has received the unanimous consideration of the Finance Committee. There are amendments upon it. If the bill is to have any chance for passage, the amendments ought to be considered and the bill passed to-night, and I hope the Senate will consent to consider it now. I do not think there will be any discussion on it.

Mr. LINDSAY. It is recommended by the Secretary of the Treasury.

Mr. PETTIGREW. Let the bill be read for information.

Mr. HOAR. I will withhold my motion with the understanding that I shall be recognized after the bill has been passed.

The VICE-PRESIDENT. If there be no objection, the bill will be read for information. The bill called up by the Senator from Missouri will be read.

The Secretary read the bill (H. R. 10253) to amend the internal-revenue laws relating to distilled spirits, and for other purposes, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert as section 1:

That under the conditions imposed by section 50 of the act of August 28, 1894, entitled "An act to reduce taxation, to provide revenue for the support of the Government, and for other purposes," allowance for loss shall be made as to all distilled spirits produced and entered for deposit prior to January 1, 1899, and which lawfully remain in any internal-revenue bonded warehouse, after the expiration of the period of forty-eight months: *Provided, however,* That the allowance for loss herein authorized shall not exceed 9½ gallons for forty-nine, fifty, fifty-one, and fifty-two months; 10 gallons for fifty-three, fifty-four, fifty-five, and fifty-six months; 10½ gallons for fifty-seven, fifty-eight, fifty-nine, and sixty months; 11 gallons for sixty-one, sixty-two, sixty-three, and sixty-four months; 11½ gallons for sixty-five, sixty-six, sixty-seven, and sixty-eight months; 12 gallons for sixty-nine, seventy, seventy-one, and seventy-two months; 12½ gallons for seventy-three, seventy-four, seventy-five, and seventy-six months; 13 gallons for seventy-seven, seventy-eight, seventy-nine, and eighty months; and 13½ gallons for eighty-one, eighty-two, eighty-three, and eighty-four months.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. VEST. There are additional amendments which the Committee on Finance recommend which I ask may be read.

The VICE-PRESIDENT. The additional amendments will be read.

The SECRETARY. In section 1, page 14, line 3, after the word "conditions," insert "and limitations;" in line 8, after the word "and," strike out the word "entered" and insert "originally gauged;" in line 11, after the word "months," insert "from the date of original gauge;" and in line 25, after the word "months," insert "and no further allowance shall be made;" so as to make the section read:

That under the conditions and limitations imposed by section 50 of the act of August 28, 1894, entitled "An act to reduce taxation, to provide revenue for the support of the Government, and for other purposes," allowance for loss shall be made as to all distilled spirits produced and originally gauged for deposit prior to January 1, 1899, and which lawfully remain in any internal-revenue bonded warehouse, after the expiration of the period of forty-eight months from the date of original gauge.

*Provided, however,* That the allowance for loss herein authorized shall not exceed 9½ gallons for forty-nine, fifty, fifty-one, and fifty-two months; 10 gallons for fifty-three, fifty-four, fifty-five, and fifty-six months; 10½ gallons for fifty-seven, fifty-eight, fifty-nine, and sixty months; 11 gallons for sixty-one, sixty-two, sixty-three, and sixty-four months; 11½ gallons for sixty-five, sixty-six, sixty-seven, and sixty-eight months; 12 gallons for sixty-nine, seventy, seventy-one, and seventy-two months; 12½ gallons for seventy-three, seventy-four, seventy-five, and seventy-six months; 13 gallons for seventy-seven, seventy-eight, seventy-nine, and eighty months; and 13½ gallons for eighty-one, eighty-two, eighty-three, and eighty-four months, and no further allowance shall be made.

The amendments to the amendment were agreed to.

The amendment as amended was agreed to.

Mr. PETTIGREW. Has the entire amendment been read?

Mr. LINDSAY. The second section has not been read yet.

The Secretary read the next amendment of the Committee on Finance, which was to insert the following as section 2:

SEC. 2. That the allowance for loss herein provided shall be ascertained by regauge on request of distiller before the expiration of eighty-four months from date of original gauge, and shall apply to spirits remaining in any internal-revenue bonded warehouse which shall have been regauged heretofore under the provisions of section 50 of the said act of August 28, 1894.

Mr. LINDSAY. To meet the difficulty that arises out of the delay during the time the bill was on the Calendar, I offer a proviso which has been submitted to the Committee on Finance and approved, giving two months additional time in which to make the request as to certain whiskies.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. Amend by adding to section 2 the following:

*Provided,* That for the regauge of spirits originally gauged for deposit on or before the 1st day of March, 1892, the request of the distiller for a regauge, under the provisions of this act, may be made at any time before the 1st day of May, 1899.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. PETTIGREW. As I understand, the bill provides for allowing for the shrinkage of whiskies in bonded warehouses.

Mr. LINDSAY. That is it.

Mr. PETTIGREW. I understand that it ranges from 6 or 8 gallons to 12 or 13 gallons in the barrel.

Mr. LINDSAY. That is right.

Mr. PETTIGREW. What effect will the passage of the bill have upon the revenue?

Mr. LINDSAY. There is a letter here from the Secretary of the Treasury in which he says it will have no material effect upon the quantity of revenue collected, but will very much aid in the collection of the revenue by obviating a difficulty which he states, owing to the loss after the fourth year of 1½ gallons each year, so that the older the whisky becomes the less valuable it is. The whole matter has been considered by the Committee on Finance.

Mr. PETTIGREW. I should like to ask the Senator from Kentucky whether this shrinkage is allowed now?

Mr. LINDSAY. The shrinkage is allowed for four years, which is 9 gallons, and then the extent of the shrinkage for three years more will make it 13½ gallons altogether.

Mr. PETTIGREW. As I understand it, we collect \$1.10 a gallon upon the whisky.

Mr. LINDSAY. Yes.

Mr. PETTIGREW. And if it should remain in bond eight years, under this bill we should lose \$4.40 on each barrel; that is, 9 gallons is allowed for shrinkage in four years, and if it is kept in nine years, we lose 13 gallons, which would be 4 more.

Mr. LINDSAY. I will simply ask to have the letter from the Treasury Department read.

Mr. HOAR. This bill was taken up with the understanding that it would create no debate, and I must renew my motion for an executive session if the debate is to go on.

The VICE-PRESIDENT. The Senator from Massachusetts moves that the Senate proceed to the consideration of executive business.

Mr. GORMAN. I hope the Senator will allow the fortifications bill to be first passed. It has not yet been passed.

Mr. FORAKER. I hope the Senator from Massachusetts will withdraw his motion until the letter from the Treasury Department can be read.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts that the Senate proceed to the consideration of executive business.

Mr. HOAR. I will not press the motion if the letter referred to is brief; but can it not be printed in the RECORD without reading?

The VICE-PRESIDENT. The Secretary will read the letter.

Mr. HOAR. I suggest that the letter be printed in the RECORD without reading.

Mr. LINDSAY. I send the letter to the Secretary's desk.

The Secretary proceeded to read the letter from the Commissioner of Internal Revenue, dated February 20, 1899, but was interrupted by

Mr. HOAR. I made the request that that letter be printed in the RECORD without reading. What became of that request?

The VICE-PRESIDENT. The Chair did not hear it.

Mr. HOAR. I made that request, Mr. President.

The VICE-PRESIDENT. The Senator from Massachusetts requests that the letter be printed in the RECORD without reading. Is there objection? The Chair hears none, and that order is made.

The letter referred to is as follows:

#### MEMORANDUM.

TREASURY DEPARTMENT,  
OFFICE OF THE COMMISSIONER OF INTERNAL REVENUE,  
Washington, D. C., February 20, 1899.

SIR: The act of August 23, 1894, extended the bonded period of distilled spirits from three to eight years, but extended the outage period only from three to four years.

The whisky (the term used to designate the finer grade of distilled spirits) is stored in the bonded warehouses in barrels, and while its quality slowly improves with age its quantity constantly diminishes.

The purpose of the act extending the bonded period from three to eight years was manifestly to give the time necessary for the whisky to age or ripen, but the practical and successful operation of the act has been greatly interfered with by the limiting of the outage period to four years; this limit operates to raise the rate of tax after the expiration of the four years, and the specific tax of \$1.10 per proof gallon is thus converted into more or less of an ad valorem tax. The laws heretofore enacted imposing tax upon distilled spirits has from the beginning been specific in its character, and it is not to be inferred from any of the laws on this subject that it was ever the intention of the Congress to make the tax partake in the slightest degree of an ad valorem tax.

Taking the loss after the fourth year to be 1½ gallons, the tax is, by the present law, in effect raised 5 cents per proof gallon each year, and is therefore instead of a uniform tax of \$1.10 per proof gallon \$1.15 at the end of the fifth year; \$1.20 at the end of the sixth year; \$1.25 at the end of the seventh year, and \$1.30 at the end of the eighth year, and in like proportion for any fraction of the year. In practical business operations the dealer must distribute the tax upon the lost whisky or outage upon the remaining contents of the package.

It is this discrimination against the older and finer grades of whisky which the pending outage bill will remove, and unless this discrimination is removed the constant tendency will be to the use of younger and cheaper grades until the older and finer grades disappear from the market in any commercial quantity. This is shown by the falling off in the production of the finer grades in the last three years.

The ripening of the whisky is a slow process and proceeds in almost imperceptible degrees, while the increase of the tax in the practical operation of the existing law is a perceptible quantity; and experience proves that the whisky begins to fall in market value after the fourth year, and is, in fact, unfavorably affected as it begins to approach this period.

The revenue from distilled spirits is not involved in this question to any appreciable extent. The history of the various laws imposing tax on distilled spirits and the text of the existing law exclude the idea that the outage provision was intended to produce revenue; that provision, together with all other similar details, were intended to add to the security and to contribute finally to the collection of the tax.

The collection of the tax upon the outage was originally intended to prevent fraud, and in the necessarily crude condition of the revenue service so soon after its establishment, this and other similar precautions were justifiable, but in the present effective condition of the service no fear of fraud need be entertained, and the reason for the imposition of the tax upon the outage entirely disappears. This opinion is fully sustained by the results following

the act of 1890, which made allowance for loss during the then existing bonded period.

The revenue received by the Government from the tax upon distilled spirits depends upon the consumptive requirements of the country; there is a demand annually for so many gallons, and no more revenue can be obtained than this consumptive demand will yield. A larger sum could be collected, as a matter of course, from a higher than a lower rate, provided the higher rate did not lessen the consumptive demand or increase the production of illicit spirits. Experience shows that both these results might reasonably be expected.

But the amount of revenue received annually will not be reliably nor permanently increased by a tax which discriminates in favor of one grade of whisky against another. The result of this discrimination is not to increase the revenue, but simply to increase the consumption of the grade which pays the lower rate of tax and to decrease the consumption of the grade paying the higher rates.

This result does not rest on theory only, but is proved by actual figures in the markets of the country. I am reliably informed that whisky three years old brings a higher price in bond than the same brand six or even seven years old; thus the whole experience of the trade has, by the operation of existing law, been reversed. The owner of the whisky may have been reluctant for a time to admit that the laws of trade, within his own experiences, would thus be reversed, and may therefore have held on for a better price, to find himself finally forced to accept a still lower price, or pay the taxes at the end of the bonded period, and receive into his store whisky which he could sell only at a heavy loss in competition with whisky younger in age and inferior in quality, but which meets the general demand.

The administration and the enforcement of the revenue laws proceed with less difficulty and with much more general satisfaction and regularity when the business subject to taxation is reasonably profitable and free from unnecessary interference or hardships.

Respectfully, yours,

N. B. SCOTT,  
Commissioner.

HON. WILLIAM B. ALLISON,  
United States Senate.

Mr. PETTIGREW. I am not satisfied of the wisdom of this measure. I have no information as to the amount of whisky now in bond. I understand that this bill applies only to that which is now on hand, but that information has not been furnished the Senate. Here we are within a few hours of the close of the session, and we are expending money by the hundreds of millions, and collecting it per capita from the people of this country, and now while we need all these revenues we propose to relieve a class of whisky distillers. That seems to be the proposition presented to the Senate. It does not seem to me that it is the thing to do.

This bill ought to have come in at the proper time, so as to have been fairly discussed and fully considered. I do not think anyone understands the effect of it and how much revenue we shall lose by it. For my own part, I am not willing to legislate at this hour of the session in favor of this particular class, in view of the fact that the money collected to pay these enormous expenditures must be levied upon the people of this country per capita.

Mr. TILLMAN. I should like to ask the Senator from South Dakota a question. Will the Senator yield for that purpose?

Mr. PETTIGREW. I yield.

Mr. TILLMAN. The whisky in bond, if I understand this bill—and I listened to the reading of it—will not pay taxes until it is taken out, and the shrinkage or loss by evaporation, for which the allowance is made, will be a loss to the Government?

Mr. PETTIGREW. Certainly.

Mr. TILLMAN. And at the same time the balance of the liquor will improve by age, and therefore rise in price. So this is simply a proposition which looks to increasing the value of this whisky for the benefit of distillers and letting the Government wait for its revenue.

Mr. PETTIGREW. Undoubtedly, and I object to the present consideration of the bill, Mr. President.

The VICE-PRESIDENT. Objection is made.

#### EXECUTIVE SESSION.

Mr. HOAR. I renew my motion that the Senate proceed to the consideration of executive business.

Mr. FORAKER. Before that motion is put, I desire to give notice that at the conclusion of the executive session I shall move to go into legislative session again for a few moments that I may present resolutions relative to the death of Hon. STEPHEN A. NORTHWAY, late a member of the House of Representatives from the State of Ohio.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts [Mr. HOAR] that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty-two minutes spent in executive session the doors were reopened.

#### DEATH OF HON. STEPHEN A. NORTHWAY.

Mr. FORAKER. Mr. President, I ask that the resolutions which were adopted by the House of Representatives upon the death of STEPHEN A. NORTHWAY, late a Representative from the State of Ohio, be now laid before the Senate.

The VICE-PRESIDENT. In accordance with the request, the Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, February 18, 1899.

The House of Representatives has heard with profound sorrow that the Hon. STEPHEN A. NORTHWAY, a Representative from the Nineteenth

Congressional district of the State of Ohio, died at his home in Jefferson, Ohio, on September 8, 1898; Therefore, be it

*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. STEPHEN A. NORTHWAY, late a member of the House of Representatives from the State of Ohio.

*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

*Ordered*, That the Clerk communicate the resolutions to the Senate.

Mr. FORAKER. Mr. President, I offer the resolutions which I send to the desk and ask to have read.

The VICE-PRESIDENT. The resolutions submitted by the Senator from Ohio will be read.

The Secretary read as follows:

*Resolved*, That the Senate has heard with deep and profound sorrow of the death of Hon. STEPHEN NORTHWAY, late a Representative from the State of Ohio.

*Resolved*, That the business of the Senate be now suspended in order that fitting tribute may be paid to his eminent public services and high personal character.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives.

Mr. FORAKER. Mr. President, STEPHEN A. NORTHWAY very closely confined himself to his own particular duties and walks in life. On that account he was seldom seen in this Chamber, and was not well known to many members of this body. His service was in the House of Representatives, and there, when that body was in session, he was always to be found. To his fellow-members he was thoroughly known and appreciated, and they have borne testimony to the fidelity and efficiency of his services among them, and in glowing eulogies have spread upon the record their estimate of his lofty character and noble qualities as a man and citizen. In view of their tributes, it is not necessary that I should speak at length of his career and virtues.

But in moving the adoption of these resolutions it is fit and proper that I should say that Ohio has always been fortunate in the character of men who have represented her in the halls of Congress. Almost without exception they have been self-made men, and to an unusual number they have been men of commanding ability, who have impressed themselves on the whole nation.

STEPHEN A. NORTHWAY, while not so distinguished as many others, was yet a most worthy member of these delegations. He fell short of the highest distinction only for lack of opportunity. His services in the House of Representatives covered only two terms and a part of a third. He had the character, the zeal, the industry, and the intellectual endowment that warranted the opinion that had his life been spared he would have made for himself a great name.

He had the self-reliance that comes from self-help; the hard, common sense that comes from contact with the people; the direct, straightforward methods of those who live and fight in the open; the generosity of impulse and the tenderness of heart of those who know the sorrows and weaknesses of mankind. He had a mind that was analytical and logical, a copious vocabulary, and great fluency of speech. He was a hard student, a close reasoner, and an active participator in public affairs.

United with a high order of ability, he had a commanding figure—tall, erect—and a most affable and pleasing manner and address. In his intercourse with others, and particularly when addressing popular assemblages, he seemed to forget himself entirely, and to have no thought except only to interest and instruct his hearers, and, on controverted propositions, to carry them with him by reason and force of argument.

He had a fine vein of humor, that cropped out naturally, almost unconsciously, in his speech, and he freely employed anecdotes for illustration; but he never sacrificed dignity nor fell below the high plane of sincerity and patriotic purpose.

He was a frank, manly man, who always had convictions and the courage of them. He was never marked "doubtful" in any canvass made to determine beforehand the fate of a pending proposition. He was always squarely on one side or the other, and whichever it might be had in him a fearless and able champion. And so it was that in person, mind, and character he was a rare man, and a worthy successor in the representation of his district of Elisha Whittlesey, Joshua R. Giddings, and James A. Garfield. No higher eulogy can be spoken.

Mr. President, I ask for the adoption of the resolutions which have been read.

The PRESIDING OFFICER (Mr. WELLINGTON in the chair). The question is on agreeing to the resolutions submitted by the Senator from Ohio.

The resolutions were unanimously agreed to.

#### RECESS.

Mr. FORAKER. I now move, in honor of the memory of Mr. NORTHWAY, that we take a recess until quarter after 8 o'clock, instead of an adjournment, as is usual. I am compelled to make that innovation upon the custom out of regard for the great pres-

sure of public business in the closing hours of the session and the circumstances generally by which we are attended.

The motion was agreed to; and (at 7 o'clock p. m.) the Senate took a recess until 8 o'clock and 15 minutes p. m.

#### EVENING SESSION.

The Senate reassembled at 8.15 o'clock p. m.

#### FORTIFICATIONS APPROPRIATION BILL.

Mr. CHANDLER. I ask unanimous consent that the Senate resume the consideration of the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the Senate resume the consideration of the fortifications appropriation bill. Is there objection?

Mr. LINDSAY. I believe the outage bill is before the Senate for consideration. I shall not object to letting it lie over temporarily, so that the Senator from New Hampshire may go on with his bill.

Mr. CHANDLER. I shall not object if it is considered the business before the Senate.

Mr. LINDSAY. How is that?

Mr. CHANDLER. If the fortifications bill is considered the business before the Senate, I shall not object; and any other bill can be taken up that the Senator desires to have taken up.

Mr. LINDSAY. It is before the Senate already. It was when we went into executive session.

Mr. CHANDLER. I think the appropriation bill had better be considered the bill before the body, and then I will yield for the other bill.

Mr. LINDSAY. I do not want to have the outage bill considered now, but I do not wish it to lose its place.

The PRESIDENT pro tempore. If the Senator will pardon the Chair, the Chair is informed that unanimous consent was asked that the bill to which the Senator from Kentucky refers be taken up, and it was objected to by the Senator from South Dakota [Mr. PETTIGREW].

Mr. LINDSAY. No, sir. It was taken up and amended, and after it had been amended and the question was whether or not the bill should be reported to the Senate from the Committee of the Whole, then the objection was made. At that stage the Senate went into executive session.

The PRESIDENT pro tempore. Then it would go back to the Calendar, objection having been made, and it would require a motion to take it up again. The bill is on the Calendar, objection having been made. The executive session followed, leaving the bill on the Calendar, and the Senator from Kentucky would be obliged to move to take it up or ask unanimous consent that it be taken up in order to remove it from the Calendar.

Mr. LINDSAY. Of course, I yield to the Chair, but it seems to me that it would not lose its place by the Senate going into executive session.

Mr. CHANDLER. I hope the Senator will not object to my having the fortifications bill taken up. Then I will yield to him.

Mr. LINDSAY. I do not want to prejudice my rights.

Mr. CHANDLER. The Senator does not. I will yield to him for that purpose. The appropriation bill has preference, and I renew my request.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the consideration of the fortifications bill be resumed. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mr. CHANDLER. The question is, Shall the bill pass?

The PRESIDENT pro tempore. The question is on the passage of the bill.

#### BUILDING FOR DEPARTMENT OF JUSTICE.

Mr. QUAY. I ask the Senator from New Hampshire, who has in charge at present the fortifications bill, to yield to me in order that the bill to authorize the construction of a public building on the ground adjoining the Attorney-General's office may be laid before the Senate. I merely desire to have the Senate concur in the House amendment.

The PRESIDING OFFICER (Mr. PASCO in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 5130) to provide for the erection of a public building for the Department of Justice, which was, on page 2, after line 21, to insert as a new section the following:

SEC. 4. The limit of cost of said building is \$1,000,000, and no plan therefor shall be accepted or construction entered upon that will involve an expenditure exceeding the limit of cost fixed herein.

Mr. QUAY. I move that the Senate concur in the amendment of the House of Representatives.

Mr. COCKRELL. What change does the amendment make?

Mr. QUAY. It imposes a limit of \$1,000,000 and is unobjectionable to the Department.

Mr. COCKRELL. It makes no other change?

Mr. QUAY. No, sir.

The amendment was concurred in.

ANNIE M. CLEMENS.

Mr. GALLINGER. I ask my colleague to yield to me that I may make two reports on pension bills, which it is very important shall be passed. It will take but a moment.

Mr. CHANDLER. Very well.

Mr. GALLINGER. I am instructed by the Committee on Pensions, to whom was referred the bill (H. R. 2550) granting a pension to Annie M. Clemens, to report it favorably without amendment; and I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Annie M. Clemens, widow of George Clemens, late of Company H, Tenth United States Cavalry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM W. PATTERSON.

Mr. GALLINGER. I am instructed by the Committee on Pensions, to whom was referred the bill (H. R. 11097) granting an increase of pension to William W. Patterson, to report it favorably without amendment, and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of William W. Patterson, late of Company K, Seventy-ninth Regiment Illinois Infantry, and of First United States Engineers, and to pay him a pension at the rate of \$24 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN F. BRANSFORD, U. S. N.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill (S. 5210) for the promotion and retirement of P. A. Surg. John F. Bransford, of the United States Navy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to authorize the President to appoint P. A. Surg. John F. Bransford a surgeon in the Navy of the United States and then place the name of said Bransford on the retired list thereof.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

POINT BARROW RELIEF EXPEDITION.

Mr. NELSON. I ask unanimous consent for the present consideration of the joint resolution (S. R. 229) recognizing the able and gallant services of Capt. Francis Tuttle, Revenue-Cutter Service, his officers and men of the *Bear*; also the heroic services of Lieut. David H. Jarvis, Ellsworth P. Bertholf, and Dr. Samuel J. Call, composing the overland expedition to Point Barrow, Arctic Ocean, for the relief of imperiled whalers.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. COCKRELL. Let the joint resolution be read for information.

The PRESIDING OFFICER. The joint resolution will be read at length for the information of the Senate.

The joint resolution was read.

Mr. COCKRELL. Let the report be read.

The Secretary proceeded to read the report submitted by Mr. NELSON, from the Committee on Commerce, February 2, 1899.

Mr. CHANDLER. I ask that the further reading of the report be dispensed with.

The PRESIDING OFFICER. The Senator from New Hampshire asks that the further reading of the report be dispensed with. It is so ordered, in the absence of objection. Is there objection to the present consideration of the bill called up by the Senator from Minnesota?

Mr. HAWLEY. I think that is rather an extraordinary document, Mr. President. Usually in giving thanks, even to the greatest of men, a little simple, plain, straightforward English, without extravagant words, conveys the purpose of those who adopt the resolution. I am afraid I am speaking unkindly, but here is a sort of theatrical description, at great length, of the expedition. It is not in order. I have never known such a case.

There is nothing of the kind in the history of the war. When Grant in the Army was thanked, and when Farragut in the Navy was thanked, it was a simple vote of thanks. Such, I have no doubt, those men deserved; but I do not like the florid, swollen style of the report.

The PRESIDING OFFICER. Is there objection?

Mr. HAWLEY. I will object until to-morrow at any rate.

The PRESIDING OFFICER. Objection is made.

EXTENSION OF ANTI-CONTRACT LABOR LAWS TO HAWAII.

Mr. FAIRBANKS. I ask for the present consideration of the bill (H. R. 11247) to extend the anti-contract labor laws of the United States to Hawaii.

The PRESIDING OFFICER. Is there objection?

Mr. MORGAN. I am very sorry to have to object to that bill, but it will take two or three hours to discuss it before the Senate. There is no possibility of passing it through this session of Congress. It ought not to pass for the reason that it is a mere disturbance of the situation in Hawaii, which if let alone will redound to the advantage of those people and also of the United States. No harm is being done in Hawaii by anything that is going on there now, and I am compelled, if that bill is to be put through the Senate—

Mr. FAIRBANKS. I will state to the Senator, if he will permit me, that this bill simply extends the immigration, the contract labor, and the Chinese exclusion laws of the United States to Hawaii—laws that are in force to-day in the United States, laws that have the entire approval of the country. It is an important question.

Mr. MORGAN. I know it is.

Mr. FAIRBANKS. I hope the Senator will permit the bill to be laid before the Senate for consideration.

Mr. MORGAN. I am not so certain about the laws on the statute books of the United States as they are now having the entire approval of the country, and I am quite sure that they are not executed in any proper way. I am sure, also, that if we pass this bill we have no agencies whatever in Hawaii for the purpose of executing the law. We have no judicial establishment there and the law would be a dead letter on the statute book, merely interfering—

Mr. FAIRBANKS. If the Senator will permit me, the third section of the proposed law provides all the necessary machinery for executing it, for carrying it into full operation. It is provided that the circuit judges in chambers of Hawaii shall be invested with the authority of United States judges, and that the marshals and deputy marshals of Hawaii shall perform all the duties now devolved upon United States marshals under our immigration laws. The collectors of customs and deputy collectors are clothed with the authority which is now vested in the internal-revenue collectors of the United States under our Chinese-exclusion acts. It will be observed that the bill provides for the requisite official machinery to give as full and complete effect to the laws in question in the Hawaiian Islands as in the United States.

Mr. MORGAN. Mr. President, the Government sent a commission down there consisting of Mr. CULLOM and myself and Mr. HITT of the House of Representatives in connection with two gentlemen in Hawaii, President Dole and Judge Frear, who, by the way, is a very able man as well as a great jurist. That commission have examined into these questions most critically. We made our report here to the Congress of the United States. The bill that we recommended went before the Committee on Foreign Relations in this body, and also in the other House, and those bills have been reported and are on the Calendar. They provide a full and complete system of government in Hawaii.

I am not quite sure—I say it with all sincerity—that no movement can be made for special legislation in Hawaii that will not disturb that community without doing any good to the people of the United States.

Mr. FAIRBANKS. Will the Senator permit me to interrupt him?

Mr. MORGAN. Certainly.

Mr. FAIRBANKS. I know very well, as the Senator does, that an able commission was sent to Hawaii. The distinguished Senator from Alabama was one of its members. That commission has reported to the Senate. I am familiar with its report. It is entitled to the very highest commendation. I regret that the few hours remaining of this session are not adequate to permit the Congress of the United States to take from the Calendar the bill reported by the commission and give it due and proper consideration.

The bill which is offered by the Committee on Immigration has been withheld in the hope that the work of the Senator from Alabama and his colleagues might receive the approval of Congress, but it is quite evident that it can not now be done. The bill to which I invite the attention of the Senate is intended to meet a present pressing emergency, and unless it becomes a law thousands of contract laborers now pouring into the islands at the rate of a thousand or more a month will be added to the undesirable population of Hawaii. It seems to the committee having this bill in charge that it is of the utmost importance that the importation of contract laborers into the Hawaiian Islands, which are now within the jurisdiction and control of the United States, should be stopped at the earliest practicable moment.

Mr. MORGAN. Mr. President, the Hawaiian laborers will come to Hawaii, under our laws as they exist in the United States, just as freely as they come now under the supposed contract. The Hawaiian Government, the Hawaiian people, do not want the contract. It amounts to nothing so far as they are concerned. Our laws do not keep Japanese out of the United States, and the Hawaiian laws prohibit the immigration of Chinese, so that the immigration into Hawaii consists now entirely, so far as Orientals are concerned, of Japanese.

The labor contracts that are authorized by those laws are no incentive to bringing Japanese there at all. On the contrary, they are rather an embarrassment. Japanese had a perfect right to go there until we annexed Hawaii. They did not have the right to go there except under the Hawaiian permission, but they go there now freely, not more freely than they did before, except that before they went as contract laborers, and now they go as rightful immigrants. That is the only difference.

We may here pass this bill, and we do nothing at all except to interrupt the autonomy in Hawaii in such a way as to produce confusion in the whole government. I assure the Senate that that is so, and the difficulties will be multiplied every day after we pass this one single bill. It is a subject that we are obliged to take up and treat as a whole, every part considered with reference to the balance. Otherwise we are going to produce confusion there of the worst kind.

Now, if we are compelled to go into this matter by a vote of the Senate, of course I shall take the liberty of occupying as much time as is necessary to present the subject fully before the Senate. I make no threat of delay or anything of that sort, but I will not consent upon a subject of this kind to be hastened into legislation that I know will be ruinous to those people.

The PRESIDING OFFICER. The Chair reminds the Senate that this discussion is proceeding by unanimous consent.

Mr. MORGAN. I know it is proceeding by unanimous consent.

Mr. CHANDLER. I should like to ask the Senator from Alabama a question. Does he not think that we ought immediately to prevent the importation of laborers under contract into the Hawaiian Islands?

Mr. MORGAN. I do not.

Mr. CHANDLER. Why not, if the Senator will tell me?

Mr. MORGAN. If the Senator will allow me to read some papers here, it is all right, but I do not want to take half an hour of the time of the Senate in reading papers.

Mr. CHANDLER. Of course, if the Senator has made up his mind, I could not hope to change it, but I thought every Senator here would be willing to do the one thing, if it is to be done, and that is to prevent the importation of laborers under contract into Hawaii, which may be done now under the Hawaiian laws.

Mr. MORGAN. It is not necessary to prevent the importation of laborers into Hawaii under contract or laborers not under contract. It is not necessary, and by all means it is not emergent, that we should do anything of the kind. In doing what is proposed in this bill we will interrupt the course of legislation in Hawaii and interrupt our own legislation here, and confuse it to such a degree that the courts will not be able to administer the laws in that country.

Now, I have said this much in a preliminary way with a view of trying to persuade the Senate not to take up the bill.

The PRESIDING OFFICER. Objection is made, and there is nothing before the Senate.

Mr. MORGAN. I do object.

Mr. FAIRBANKS. I regret that the Senator feels obliged to object.

Mr. MORGAN. I regret it very much, too.

Mr. FAIRBANKS. I give notice now that at the earliest moment practicable to-morrow I shall ask the Senate to consider and vote upon the bill.

Mr. CHANDLER. Regular order.

Mr. MORGAN. In reply to that notice, I will state that whenever the bill is taken up I shall undertake to amend it in such a way as to try to save those people from ruin in consequence of this legislation, and I will take all the time that is necessary to do it.

Mr. CHANDLER. I call for the regular order.

The PRESIDING OFFICER. The regular order is called for. The question is on the passage of the fortification appropriation bill which was before the Senate. The question is, Shall the bill pass?

Mr. TILLMAN. Mr. President—

Mr. TELLER. Will the Senator from South Carolina yield to me?

Mr. TILLMAN. Certainly.

#### COURTS IN VIRGINIA.

Mr. TELLER. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 11160) to authorize the appointment of a clerk of the district courts of the United

States within and for the eastern district of Virginia, to validate their acts, and prescribe where the records shall be kept, to report it without amendment.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill just reported.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.,* That within and for the eastern district of Virginia there shall be only one clerk, to be appointed by the judge of the district court, and said clerk may have as many deputies as may be necessary, to be appointed as now provided by law.

SEC. 2. That all acts heretofore performed by the several persons acting as the clerks of said court at its several places of meeting, and all payments heretofore made, in pursuance of law or judgments and decrees of said court, or sums due, to any one or all of said clerks, are hereby validated.

SEC. 3. That the records of said court shall be kept at the respective places of meeting thereof.

SEC. 4. That this act shall be in force from and after its passage.

Mr. COCKRELL. I move to strike out the last section—"That this act shall be in force from and after its passage." It is wholly unnecessary.

The SECRETARY. It is proposed to amend the bill by striking out section 4.

Mr. MARTIN. I hope that will not be done, as it is a House bill.

Mr. COCKRELL. I withdraw the amendment. I understood that it was a Senate bill.

The PRESIDING OFFICER. Is the amendment withdrawn?

Mr. COCKRELL. I understood it was a Senate bill. Now I am informed that it is a House bill, and I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn. The bill is in the Senate and still open to amendment.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### WASHINGTON PUBLIC LIBRARY.

Mr. TILLMAN and others addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina is recognized as speaking to the pending question, which is on the passage of the fortifications appropriation bill.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from New Hampshire?

Mr. TILLMAN. If I could get through by one or two yieldings I would do so, as I am always agreeable and try to do whatever is proper; but I do not want to have an inundation of these requests.

Mr. CHANDLER. I hope the Senator from South Carolina will yield in order that the Carnegie library bill may be put into conference.

Mr. GALLINGER. It will take but a few moments to do it. It is an important matter.

Mr. CHANDLER. I feel that after that is disposed of, as the Senator from Mississippi [Mr. MONEY] proposes to go on at half past 9, we ought to proceed with the fortifications bill.

Mr. MONEY. That is the order at half past 9. Meanwhile I should like to get consent—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from New Hampshire?

Mr. TILLMAN. I do.

Mr. GALLINGER. I am directed to report back favorably from the Committee on the District of Columbia the bill (H. R. 11712) to provide a site for a building for the Washington Public Library, with an amendment. I will state that the amendment consists in striking out the House bill and inserting the bill that has passed the Senate heretofore. Hence I suggest that it will be unnecessary to read the amendment, as the Senate will understand precisely what it is.

Mr. TELLER. Will the Senator who has the bill in charge tell us what will be done when the bill passes? What shape will it be in?

Mr. GALLINGER. If we adopt the amendment proposed by the committee, the bill will go into conference, and the belief is that we will agree upon a bill in conference beyond a doubt.

Mr. TELLER. But what kind of a bill, I should like to know?

Mr. GALLINGER. I can not state to the Senator in advance what conclusion will be reached.

Mr. TELLER. I shall object to the bill if the Senator can not give me an idea as to whether the Senate committee are in favor of the Mount Vernon site or some other site.

Mr. GALLINGER. I will state that the Senate reported in the first place a bill in favor of the Mount Vernon site, but the proposed Senate amendment proposes the purchase of a site.

Mr. TELLER. I should like to say that I do not think the Mount Vernon site ought to be taken. I think that destroys the streets there.

Mr. GALLINGER. I will say to the Senator that there has been

no discussion of that at all between the committees of the House and the Senate, and we want to send it to conference for that purpose.

Mr. TELLER. I am very much opposed to the bill going through if it means that. We shall have a chance at it, I suppose, when it comes back from the conference.

Mr. GALLINGER. Unquestionably. I have no authority to state to the Senator what conclusion will be reached, only that we hope to reach a conclusion.

Mr. HAWLEY. Does the Senator expect to abandon the Mount Vernon Square site or modify it? That is the whole question.

Mr. GALLINGER. I am reporting this bill in behalf of the chairman of the committee, the Senator from Michigan [Mr. McMILLAN], who is unavoidably absent. I will frankly say that I have not discussed this matter either with the chairman of the committee or with any other Senator, or with members of the House.

Mr. NELSON. I should like to ask the Senator a question. Does the bill appropriate \$250,000 for a site?

Mr. GALLINGER. The Senate amendment does.

Mr. NELSON. Does it appropriate that amount for a site?

Mr. GALLINGER. It does, if we adopt the amendment; but it will then go to conference, and what conclusion the conferees may reach I can not state in advance, of course.

Mr. BUTLER. What does the bill provide for?

Mr. GALLINGER. The House bill provides for building the library on Mount Vernon Square. The Senate has taken another view of the case. I simply ask that the Senate amendment be adopted and that the bill may be sent into conference.

Mr. BUTLER. What is the difference between the House bill and the Senate bill?

Mr. GALLINGER. I have stated the nature of the House bill as I understand it, and also the proposed Senate amendment.

Mr. CHANDLER. The House bill provides for the Mount Vernon site.

Mr. TELLER. Let the bill be read.

Mr. GALLINGER. I have stated that the House bill provides for Mount Vernon Square and the Senate amendment provides for the purchase of a site.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CHANDLER. I hope, in justice to the fortifications bill—

Mr. NELSON. I must object if it appropriates \$250,000 for a site.

Mr. GALLINGER. The purpose is merely to send the bill into conference, and I do not think the Senator ought to object to that.

The PRESIDING OFFICER. Objection is made.

Mr. CHANDLER. I call for the regular order.

#### ESTATE OF ROGER A. HIERN.

Mr. MONEY. I ask the Senator from South Carolina to yield to me.

Mr. TILLMAN. I yield to the Senator from Mississippi, but can not yield any further; otherwise I shall have no time.

Mr. CHANDLER. If the Senator from South Carolina yields to the Senator from Mississippi, I give notice that I shall not consent to yield to anyone else.

Mr. MONEY. I ask for the present consideration of the bill (S. 2403) to remove a suspension upon the disbursement of an appropriation, favorably reported from the Committee on Claims. It is a small matter that I want to get on the general deficiency appropriation bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PLATT of Connecticut. Let the bill be read for information.

The Secretary read the bill, as follows:

*Be it enacted, etc.* That the appropriation made by act of March 3, 1879, to be paid to Robert Otis, as administrator of the estate of Roger A. Hiern, be, and hereby is, made available for payment to the administrator de bonis non of said estate, said Robert Otis having died; and the suspension imposed by joint resolution of July 1, 1879, upon the disbursement of said appropriation until the further action of Congress is hereby raised and removed.

Mr. SPOONER. What are the restrictions?

Mr. MONEY. An act was passed about twenty years ago to pay certain owners of a steamboat, and the share belonging to Roger A. Hiern, or rather to his estate, was held in suspension because it was urged that he had been disloyal. That was afterwards disproved abundantly by affidavits, and no further attempt was made to block it; but it simply hung suspended, the money having been already appropriated. It has been investigated carefully and a report made in favor of the removal of the suspension.

Mr. SPOONER. By what committee?

Mr. MONEY. By the Committee on Claims of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SPOONER. The title is too indefinite, I think, for any bill. Can not the Senator amend it?

Mr. MONEY. The bill was originally entitled "A bill for the relief of Robert Otis, administrator de bonis non of Roger A. Hiern," but the title was corrected by the committee.

Mr. SPOONER. Is it a House bill?

Mr. MONEY. No, sir; it is a Senate bill. The title itself was corrected to its present form.

Mr. SPOONER. It is a very ridiculous title.

Mr. MONEY. I am not responsible for the action of the committee. I was very greatly obliged to them to get a report at all.

#### ORDER OF BUSINESS.

Mr. BUTLER. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina still further yield?

Mr. TILLMAN. To whom?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Carolina?

Mr. BUTLER. I have a bill of but four lines.

Mr. TILLMAN. I have yielded until there are only about thirty-five minutes left. I should like to yield to my friend, but some one else then will impose on my good nature, and I am afraid I will have to refuse him.

Mr. CHANDLER. I give notice that I shall object to the consideration of any other business until the fortification appropriation bill is disposed of.

The PRESIDING OFFICER. The regular order is called for, and the Senator from South Carolina is entitled to the floor.

Mr. PLATT of Connecticut. Mr. President, I rise to a question of order.

The PRESIDING OFFICER. The question of order will be stated.

Mr. PLATT of Connecticut. When a bill is under consideration and a Senator takes the floor to make a speech, I desire to know whether it is in order for him to yield to Senators to have other bills passed?

The PRESIDING OFFICER. It seems to be a time-honored practice here.

Mr. PLATT of Connecticut. It may be a time-honored practice. The PRESIDING OFFICER. No bill has been taken up without the unanimous consent of the Senate since the present occupant was in the chair.

Mr. TELLER. I should like to say just a word in answer to the Senator from Connecticut.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. TILLMAN. With pleasure.

Mr. TELLER. I have always understood that was the purpose of the unanimous consent of the Senate. A Senator has no right to farm it out. When nobody objects, he yields, and it is under the unanimous consent of the Senate that he does so, otherwise he would have to decline to yield.

Mr. TILLMAN. I am glad to say that if I am proceeding in disorder it is because I have learned that from my older associates here, for the practice has been going on ever since I have been a member of this body.

Mr. GALLINGER. The Senator is strictly in order.

#### FORTIFICATIONS APPROPRIATION BILL.

The Senate resumed the consideration of the bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The PRESIDING OFFICER. The question is, Shall the bill pass? on which the Senator from South Carolina [Mr. TILLMAN] is entitled to the floor.

Mr. TILLMAN. Mr. President, we have under consideration the bill appropriating money for fortifications. I shall not address myself to that measure, because I have no criticism to make on the bill as reported, and I would not impose on the Senate but for the fact that this afternoon one of the Senators, who is a member of the Appropriations Committee, took occasion to inject into the debate on this bill a discussion and a criticism of the armor-plate matter, and to indicate, as far as one could judge from his language, that he disagrees very much with the action of the Senate, and feels that we made a great blunder and ought to correct it. He being, as I said, one of the conferees, and the other two conferees being opposed to the action of the Senate, we are in this anomalous condition that the Senate by a considerable majority has taken action limiting the armor-plate price to \$300 and instructing the Secretary of the Navy to commence the erection of an armor-plate factory in the event contracts can not be made at that price.

Mr. BUTLER. By a vote of 39 to 27.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Carolina?

Mr. TILLMAN. The Senator from North Carolina simply interjected a statement of fact in regard to the vote, that it was by a vote of 39 to 27 that the order for the armor-plate factory was passed by the Senate.

Now, as I said, the anomaly is presented of this measure, which is of vital importance in the estimation of many of us, being in the hands of Senate conferees who are opposed to it and who will naturally be inclined to yield the point to the House conference committee, and they will report back here to-morrow, in all likelihood, a conference report in which this provision or these provisions will be stricken out and some objectionable agreement made, and tell us under whip and spur, "Now, we must pass this bill, because we can not cripple the Navy. There are forty-odd million dollars in this measure, and the whole thing must go through whether you like it or not. We have not got time to do anything else."

Well, the objection I have to that is that the conferees on the part of the Senate ought to stand by the Senate's action, and if there is any compromise, as there may be one necessary, it ought to be one that the Senate will agree to after a discussion as a proper and reasonable compromise rather than one that will be added after coercion. We do not want to cripple the Navy. We do not want to refuse enough money to carry on the work now being done, or enough men, or enough munitions of war, or to weaken in any wise the Administration in its undertaking to use our vessels to the best advantage in any way that seems proper for the public welfare.

Mr. President, the argument was advanced this afternoon that the armor for the three battle ships ordered last July, not having been contracted for, if we did not change the bill in essential particulars, those vessels can not be completed. I do not like to appear to criticize the Secretary of the Navy.

I believe if there is a man connected with the Administration whose work as the head of a Department has been satisfactory to the country and has reflected credit on himself, that man is John D. Long. I believe that the Secretary of the Navy is as high and clean a man as there is in Washington. But he has to depend in a large measure in his official capacity upon the advice and the initiative of his heads of bureaus.

If this armor plate has not been contracted for at \$400, the amount authorized last July and appropriated for, whose fault is it? It can not be our fault. We gave all the money that was necessary to complete these vessels so that their armament could be placed on them and they could go to sea. But they contracted for the vessel and left the armor uncontracted for.

In saying this I do not intend in the slightest degree to cast any reflections upon the Secretary of the Navy; but I say the object appears to have been to leave the armor for these three vessels—10,000 tons—uncontracted for, with a view to get the House of Representatives to authorize the purchase of new, improved armor made by Krupp at a higher price of \$145, at \$545 a ton.

Mr. PLATT of Connecticut. May I ask the Senator a question?

Mr. TILLMAN. I yield with pleasure.

Mr. PLATT of Connecticut. The House provision was for the payment of \$445 a ton for armor plate. It is said that the Krupp armor costs \$545 a ton, and the present law is for the payment of \$400 a ton.

Mr. TILLMAN. There is no present law except for the battle ships authorized last July.

Mr. PLATT of Connecticut. I know, but it was \$400 a ton for those.

Mr. TILLMAN. Yes, sir.

Mr. PLATT of Connecticut. Now, does not the Senator understand that this \$445 is expected to purchase Krupp armor?

Mr. TILLMAN. No, sir, I do not; and we have the express authority of Captain O'Neil for saying that we can not get it at that price, and we have also letters from Carnegie and the Bethlehem Company saying that they will not furnish it for that price.

Mr. PLATT of Connecticut. If it could be bought for that price, it would be a good purchase, would it not?

Mr. TILLMAN. It would be if it is so much better than the other; but I do not believe a word of it. I think it is simply a scheme to rob us of \$145 a ton more than what we pay for the armor we now get, which ought to be good enough for us until we have by some battle demonstrated the effect of artillery on our present ships, until we have demonstrated that the armor which is at present on the *Iowa*, on the *Oregon*, and the other vessels is not as good as any that is made.

Mr. PLATT of Connecticut. I can not agree with the Senator from South Carolina that anybody is attempting to rob us, or if they are, that anybody connected with the Government is willing to permit that robbery.

Mr. TILLMAN. I do not say that anybody connected with the Government is in collusion with these armor thieves. I only say

that the Secretary of the Navy and his bureaus have left themselves open to suspicion that they have delayed making these contracts solely for the purpose of having us pay \$145 a ton more for armor than was authorized to be paid. That is all.

It may be, and I dare say it is, true that those gentlemen are perfectly honest in the belief that the Krupp armor at \$145 more a ton is more desirable. If it had been proven satisfactorily that this armor was so much more desirable that we ought to give \$145 a ton more for it, I would be the last man to say one word. I am not an unreasonable man; but in this instance we have no proof to that effect. It is only a surmise and guesswork.

Mr. BUTLER. I wish to ask the Senator, is there a particle of proof put before us by the Secretary of the Navy or his Department, so far as he has informed us, to show that the Krupp armor is superior to the Harvey armor?

Mr. TILLMAN. The Senator from New Hampshire [Mr. CHANDLER] yesterday evening read the formula under which the two armors are made. I think one has 1 per cent of chromium in it and the other has no chromium in it. I ask the Senator from New Hampshire if that is not so.

Mr. CHANDLER. There is very little difference.

Mr. TILLMAN. The difference is so little, so insignificant, that it would take a great stretch of the imagination to have anyone believe that the Krupp armor is more valuable.

Mr. BUTLER. Not only that, but the specifications as to how these classes of armor were made show that the Krupp armor is made by the use of natural gas, while the Harvey armor is made by wood charcoal, which is much more expensive, and that the results of the two processes do not differ materially.

It is all set out in the RECORD of yesterday, and I challenge any proof to show, first, that that Krupp armor is superior in quality to the Harvey armor, and second, to show that it costs any more to produce it. If the Navy Department have any such evidence, they have for some mysterious reason withheld it from the Naval Committee and from the Senate.

Mr. TILLMAN. Mr. President—

Mr. PLATT of Connecticut. Will the Senator permit me?

Mr. TILLMAN. Certainly.

Mr. PLATT of Connecticut. I understood the Senator from Massachusetts [Mr. LODGE] this afternoon to say that the Krupp armor was lighter, that it made a battle ship lighter, and that it did not weigh as much as the Harvey armor.

Mr. TILLMAN. The claim is that the Krupp armor is 25 per cent better, and therefore you can make it 25 per cent thinner or lighter than the other and have the same protection; but we have no proof to that effect. We have only the assertions of those interested in having this armor put upon the Government at this increase in price.

Mr. President, I am sorry the Senator from Massachusetts [Mr. LODGE], who interposed here this evening as the defender of the Secretary of the Navy, who needs no defense, is not here. I say that we agreed last July to raise the price of armor from \$300 a ton to \$400 a ton under the plea that the war was on, that we could not afford to delay hurrying forward the battle ships, and if \$100 a ton was all that stood between us and ordering those ships, that was not a sufficient amount to warrant our refusal. Therefore we increased the price from \$300 a ton to \$400 after the Senate had on two previous occasions peremptorily refused to stand the imposition and the robbery practiced upon the Government by Carnegie and the Bethlehem Company.

Notwithstanding all the rush and hurry which was then supposed to exist, the Secretary of the Navy quietly pursues his way and orders a vessel and then leaves the armor uncontracted for. If there was not any real hurry then, when there was war, what is the need of hurry now, when we have no war? If there was a need for hurry then, why was not the armor contracted for?

Mr. President, I think there is one way out of this. While the Senate conferees will do as they please and will report back to us just such an agreement as they deem best and proper, I would suggest that I for one am willing to do this: I am willing to authorize the purchase of enough armor, 10,000 tons, at \$400 a ton, to finish the three vessels now on the stocks—the *Maine*, the *Missouri*, and the *Ohio*. But I want to carry with that the proposition that we will order an armor factory to be built immediately and give the appropriation for it.

We are told that a million and a half is not enough for an armor factory. Well, let us give three millions, let us give five millions, if need be, to build for the Government a first-class armor factory, so that we shall be in a position to be independent of this armor trust; and hereafter, two years from now, after these battle ships are completed, we shall not be compelled to go over this same fight and this same struggle with these greedy corporations, which have got us in their power and stand here as a monopoly demanding any price they please, we being helpless and unable to resist their demand.

That is what I am willing to do. Let us finish every battle ship now authorized at \$400 a ton, and then let us order an armor

factory without regard to any contracts that may be made hereafter, or else we will be two years from now or next year in the same fix we are now, helpless, and we will have to stand whatever imposition or demand the armor-plate trust sees proper to present.

If this country were now in dire distress and at war with a great power, and we were strained to the utmost to create a new navy rapidly, those people would be able to say to us, "We will not make your armor at less than \$1,000 a ton," and we could not help ourselves. That is what I am trying to get this country out of. I am trying to get it out of the power of this combination, which is now robbing us every year, and doing it under the pretense of patriotism as the basis of their action.

Mr. PLATT of Connecticut. Mr. President, I do not propose to detain the Senate by a discussion of the armor-plate question. I have no special regard for the establishments which are making armor plate in this country. If anyone has a prejudice against them, I think, after all I have heard about this subject, that I share that prejudice. What I want, Mr. President, is that the American battle ships shall be covered with the very best armor in the world. I should regret very much that any American battle ship should be covered with armor inferior to that upon the ships of any other nation, and I think the Senator from South Carolina would regret that just as much as I would.

Mr. TILLMAN. I certainly would.

Mr. PLATT of Connecticut. I think every Senator would regret it. I think what every American Senator wants is that our battle ships shall be covered with the very best armor in the world. We may not understand this matter, but it seems to me that with the great navy that England is building, with the great navy that Germany is building, and with the great navy that Russia is building—these three great naval powers—it is scarcely supposable that they are paying extravagant prices for armor. If these three great nations are paying for a certain kind of armor this high price, I think that fact of itself is some evidence that the price which is asked for the best kind of armor is not too high.

Mr. TILLMAN. Mr. President—

Mr. PLATT of Connecticut. Excuse me a moment. Whatever we may do in this country with regard to armor-plate monopolies and trusts and all that of sort of thing, I can not believe that these three great nations—England, Germany, and Russia—are also being taken by the throat by a combination and are submitting to it, and I think there is in that fact a certain degree of evidence that the price is not so exorbitant after all.

That is all I desire to say.

Mr. TILLMAN. Will the Senator from Connecticut answer me a question before he sits down?

Mr. PLATT of Connecticut. I do not know that I can.

Mr. TILLMAN. What proof have you that those nations are paying this high price?

Mr. PLATT of Connecticut. It has been so stated here.

Mr. TILLMAN. Has not the Senator heard those of us who have investigated this question, the Senator from New Hampshire [Mr. CHANDLER], myself, and other members of the Naval Committee, reiterate time and again that there is an armor trust that is world-wide, embracing every armor factory in the world?

Mr. PLATT of Connecticut. Yes.

Mr. TILLMAN. Very well. Then, if all these other nations must submit to it, must we do it, too?

Mr. PLATT of Connecticut. I do not believe that England and Germany and Russia are submitting in any great degree to the exactions of a trust. I do not believe they would do so.

Mr. BUTLER. Does the Senator from Connecticut believe the Secretary of the Navy, who investigated this question, and who has written a report and sent it to the Senate stating that fact?

Mr. PLATT of Connecticut. Stating what—that those nations are submitting to an unconscionable price at the hands of a trust? Has he stated that?

Mr. TILLMAN. That is the very thing he has stated.

Mr. BUTLER. Exactly that very thing; and it has been read to the Senate and put into the Record three or four times; twice by me.

Mr. TILLMAN. Secretary Herbert, if the Senator from North Carolina will permit me, presented these facts to us, and he presented the report of his two experts who had been sent to Europe to find out what it cost to make armor, and they reported that it cost about \$264 a ton.

Mr. CHANDLER. One hundred and sixty-seven dollars.

Mr. TILLMAN. But, taking all the etceteras and percentages, the wear and tear of plant, interest on the investment, and everything else—

Mr. BUTLER. And 6 per cent interest on the investment.

Mr. TILLMAN. The Senator from New Hampshire, who knows as much or more about the Navy than any other man in this country, after fully investigating the subject, reported that if we allowed \$300 we would allow 33½ per cent profit at that price.

Mr. PLATT of Connecticut. I think the Senator is perhaps wandering a little away from the question about which I inquired. That, I understand, had reference to the old armor.

Mr. TILLMAN. The harveyized armor, not the Krupp armor. The Krupp armor is just a figment of the imagination which these people have conjured up with which to come into this Senate and say to us now, "The Harvey armor we formerly used is obsolete; we have got something very much better, 25 per cent better, and we simply want \$145 a ton above the price you are now paying," which is \$100 a ton more than the Senator from New Hampshire says we ought to pay. That is the situation.

Mr. PLATT of Connecticut. Is it or is it not true that Great Britain, Russia, and Germany are paying \$575 a ton for armor?

Mr. TILLMAN. There is no proof that they are.

Mr. PLATT of Connecticut. It has been stated here over and over again. If they are not—

Mr. TILLMAN. All we know is this—

Mr. PLATT of Connecticut. There is nothing in my point if they are not paying that price; but if they are, I insist there is something in it.

Mr. TILLMAN. All we know is this: That when this fight first came on, the origin of it, I believe, came about from the Senator from New Hampshire [Mr. CHANDLER] discovering that the Bethlehem Iron Works had been charging us \$580 a ton and at the same time made armor for Russia at \$240 a ton.

Mr. STEWART. Mr. President, my objection to this armor-plate business is that I do not want anybody—Carnegie or anybody else—to have an option on what we shall be charged to build a navy. I want to take away that option. If we find that we are in a tight place, they may charge the Government more than we can afford to pay to have a navy at all.

I believe the expenditure of \$5,000,000 to build a Government armor plant, even if we never use it—and probably we would not, for they would then come right down—would be a wise expenditure, for we would then take away the option of these monopolies and the world would then compete. I do not want these companies to have the power to control the building of a navy by the United States, which they now have and which they are exercising most arbitrarily.

I shall be opposed to any bill going through here leaving that option in the Carnegie Company or any other company. Build your own armor plant. I do not know whether you can build it cheaply or not. Then they will not have that option, because the Government can manufacture the armor itself; otherwise these companies can charge what they please, and make you pay it, or you will have no Navy.

It is a most disgraceful position for the United States to occupy to be under the control of a monopoly of this kind. It must not be. I think we are not doing our duty if we allow the United States longer to occupy such a position as that.

Mr. CHANDLER and Mr. TILLMAN addressed the Chair.

Mr. CHANDLER. Mr. President, who has been recognized?

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. CHANDLER. Mr. President, I only wish to take two or three minutes to call attention to the actual situation.

The difficulty about the armor companies and the Navy Department at this time, I will say, is that they have precipitated this question upon us within the last two or three weeks. We authorized the payment of \$400 a ton for armor. We authorized that price—

Mr. TILLMAN. Under war excitement.

Mr. CHANDLER. We authorized that price for the *Maine*, the *Missouri*, and the *Ohio*, and it was not until two weeks ago that I knew that the armor for the *Maine*, the *Missouri*, and the *Ohio* had not been contracted for. The Senator from South Carolina may be able to tell me how long ago it was since he knew that the ships we authorized nearly a year ago did not have their armor contracted for.

Mr. TILLMAN. I never knew it until I got it from you. You always find out all the devilment that it is about sooner than anybody else in the Senate. [Laughter.]

Mr. CHANDLER. Mr. President, whether it is devilment or not, I never knew until two weeks ago that the contract for this armor at \$400 a ton had not been made.

The Senator from Massachusetts [Mr. LODGE], who was absent yesterday and could not then make his speech on this subject, came in to-day to complain that there is want of patriotism in this body because we are not willing to pay \$545 a ton for armor. He seemed to think that we must make haste to authorize more battle ships and authorize the payment of \$545 a ton for armor, when the Navy Department, which had authority a year ago—right in the middle of the war, when we did not know how many wars with other nations that war would involve—to build these three battle ships, contracted for the hulls of the ships and left the armor uncontracted for; and now, Mr. President, we have been told within a fortnight that we must authorize the payment

of not only \$545 a ton for armor for our future ships, but that we must authorize it for the *Maine*, the *Missouri*, and the *Ohio*.

Mr. TILLMAN. And the new monitors.

Mr. MORGAN. I wish to ask the Senator from New Hampshire, with his permission, some questions strictly for information. I ask him what is the classification or name of the armor plate that is to cost \$400 a ton?

Mr. CHANDLER. That is called the Harvey armor.

Mr. MORGAN. What class of armor below that is upon our battle ships?

Mr. CHANDLER. There is none below that upon our battle ships. Our present battle ships are covered with Harvey armor.

Mr. MORGAN. All with Harvey armor?

Mr. CHANDLER. Yes.

Mr. MORGAN. And now it is proposed to put on the Krupp armor, at \$545 a ton. What is the advantage of the Krupp armor over the Harvey armor?

Mr. CHANDLER. Does the Senator want to catechise me by asking one question at a time, or will he put all his questions at once, and let me answer them all at once?

Mr. MORGAN. It will be easier for me to have the Senator answer my questions as I put them.

Mr. CHANDLER. Well, I remain on the stand, Mr. President. [Laughter.]

Mr. MORGAN. I repeat the question to the Senator: What is the difference between the Harvey armor and the Krupp armor?

Mr. CHANDLER. The formula is before the Senate. I can not detect the chemical difference.

Mr. MORGAN. Is there anybody here who knows of the difference?

Mr. CHANDLER. No. Captain O'Neil says it is called a secret, but the formula is well known.

Mr. MORGAN. How much of that additional cost is a contribution to the patentee?

Mr. CHANDLER. Forty-five dollars. The American manufacturers tell us that the Krupp armor will cost \$100 more a ton than the present armor; that is, \$500 a ton, and \$45 a ton for what they call royalties. They are not royalties, but they are payments for a secret, which is no secret, as Captain O'Neil says.

Mr. MORGAN. Now, I want to ask the Senator, do we want any better ships in his opinion—he was once Secretary of the Navy—than those with which we whipped in the battles at Manila and Santiago de Cuba?

Mr. CHANDLER. That is a very general question. We do want them if we can get them.

Mr. MORGAN. But can you get them?

Mr. CHANDLER. Now, I should like to proceed with my argument.

Mr. MORGAN. Is there any assurance that they can be gotten?

Mr. CHANDLER. There is no assurance that we can get them by using the Krupp armor in place of the Harvey armor. There is no such assurance as would compel us here and now to stand and deliver at the demand of these manufacturers between now and Saturday noon.

Mr. MORGAN. Part of what we are paying for new-fashioned armor we are paying in the way of royalties to the patentees?

Mr. CHANDLER. Forty-five dollars a ton is what they ask. Now will the Senator allow me to go on?

Mr. MORGAN. I will, with great pleasure. I have got all the information I want.

Mr. CHANDLER. If the discovery had been made that here was a better armor—25 per cent better and stronger for the same weight and material—which justified the Navy Department in not making a contract for armor for these three ships and justified the demand for \$545 a ton for the armor which we might put on any of the new ships we would authorize this year, should not those facts have been presented to Congress on the first Monday in December?

Should not the Navy Department and the makers of this armor have come here more than sixty days ago and told us of this discovery, and shown us the facts, and convinced us of them, instead of waiting? So far as the Senate is concerned and the Senate committee is concerned, we remained in profound ignorance of this armor and of the demand that \$545 a ton was to be made upon us if we contracted for any more ships, and in profound ignorance of the fact that the armor for the *Maine*, the *Missouri*, and the *Ohio* had not been contracted for.

I say, Mr. President, in all candor, that no attempt ought to have been made to ignore the Senate in this way. The naval bill came over here, I think, within the last ten days, at least very recently, and until that bill passed the House we had no knowledge that this demand was to be made upon us. Now we are told, without sufficient evidence, I may say with substantially no evidence whatever, that this new armor is better than the \$400 armor, and that we must take it, or else present ourselves to the world as willing to have inferior battle ships to those of any other nation.

Mr. PLATT of Connecticut. Will the Senator allow me?

Mr. CHANDLER. I will yield to the Senator when I answer the question he asked me when he was up a few minutes ago.

It is said that European Governments are paying this high price for armor. There is no proof of it. Captain O'Neil says "I am reliably informed;" and the evidence we get is merely the say so of A, B, and C. There has been no investigation of the subject of armor made since Secretary Herbert made his investigation, as the result of which he reported that it cost \$400 a ton to make armor, allowing a liberal profit.

Mr. TILLMAN. Mr. President—

Mr. CHANDLER. I yield to the Senator from Connecticut.

Mr. PLATT of Connecticut. The Krupp armor, I understand, is lighter than the Harvey armor.

Mr. CHANDLER. No, Mr. President, it is not lighter.

Mr. PLATT of Connecticut. It is thinner?

Mr. CHANDLER. We do not know, it is not clear, whether it is proposed to put the gain in strength into making the battle ships stronger, or whether it is proposed to put the gain into making the plates lighter so as to gain in displacement.

Mr. PLATT of Connecticut. If the Krupp armor is thinner and lighter than the harveyized armor, then it is possible, is it not, that the armor for battle ships would not cost any more at \$545 a ton for the Krupp armor than at \$400 a ton for the Harvey armor? I do not myself know how that is.

Mr. CHANDLER. It goes without saying that if you get a better article for a larger price, you are just as well off. Now I yield five minutes to the Senator from North Carolina [Mr. BUTLER].

Mr. BUTLER. Mr. President—

Mr. TILLMAN. Before the Senator from New Hampshire [Mr. CHANDLER] sits down, I know the Senator from North Carolina [Mr. BUTLER] will allow me to ask the Senator from New Hampshire a question.

The PRESIDING OFFICER. Does the Senator from North Carolina yield?

Mr. BUTLER. I wish first to make a parliamentary inquiry. I ask if the Senator from New Hampshire has a monopoly on the time of the Senate?

Mr. TILLMAN. I would state for the information of the Senator, with the permission of the Chair, that at half past 9 o'clock we have to stop all of this kind of talk and commence eulogies on a late member of the House of Representatives from the State of Mississippi.

Mr. BUTLER. Yes.

Mr. TILLMAN. I want to ask the Senator from New Hampshire a question, with the permission of the Senator from North Carolina.

Mr. CHANDLER. Will the Senator let me first settle with the Senator from North Carolina? There is an appointment for eulogies in this Chamber at half past 9 o'clock, and it is very important that this bill should be voted on before the eulogies commence. I knew that the Senator from North Carolina wanted to say a few words by way, I hope, of closing this discussion, and I yielded to him, knowing that he was always ready and always eager.

Mr. BUTLER. Mr. President—

Mr. TILLMAN. Now, if the Senator from North Carolina will permit, I do not want to appear to be—

The PRESIDING OFFICER. The Senator from North Carolina [Mr. BUTLER] is recognized.

Mr. BUTLER. The Senator from South Carolina can say what I was about to say so much better than I could say it that I gladly yield to him.

The PRESIDING OFFICER. Does the Senator yield to the Senator from South Carolina?

Mr. BUTLER. I do.

Mr. TILLMAN. I thank the Senator for the compliment, but I do not think by any means that the Senator can not say better than I whatever he desires to say.

Mr. CHANDLER. I ask that we may have a vote.

Mr. TILLMAN. I beg pardon. I must have an answer from you to one question. When we had the subject of the cost of armor under investigation, and devoted day after day and week after week to the examination of witnesses, did we not almost beg Carnegie and the Bethlehem people to show us their books, so that we could arrive at some intelligent conclusion as to what they actually were paying for this armor, what it cost them, and did they not invariably refuse?

Mr. CHANDLER. The Senator always tells the truth except upon some phases of the Southern question. [Laughter.]

Mr. TILLMAN. I will say for the benefit of my friend that I tell it more directly and frankly on that question than on almost anything else. [Laughter.]

Mr. CHANDLER. Now I ask for a vote.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. BUTLER. Mr. President, I attempted to get the floor this

afternoon when the junior Senator from Massachusetts [Mr. LODGE] finished his remarks. I regret that he is not present tonight, because I wish to reply to him and to ask him certain questions. It is a little awkward to reply to a Senator who is absent, and impossible to propound to him questions, and, besides, embarrassing to have such a speech go into the RECORD without a reply, though it has been partially replied to by the Senators who have spoken.

Mr. President, a year ago certain Senators, I think including the Senator from Massachusetts, told us that we ought to submit to this high price for armor, because we were in the midst of war, and because we were building a few ships now, and that it was not certain that we would build many more; it was during a time of war. Senators told us then that it was not certain that we would ever build more than one or two ships a year hereafter, and therefore we should submit to the dictation and extortion of the armor trust and not enter upon the scheme of building our own armor factory.

We are now told we should submit because we are going to build a big navy, and I suppose because we are not at war with a naval power. We are also lectured for not authorizing the building of more ships. I am in favor of a big navy, and if it had appeared that we could advance that object by authorizing more ships at this time, I should have voted for it. We have as many war ships authorized now as it is possible for us to build or get under way before the next Congress meets.

The Senator from Massachusetts also said that here is a wonderful invention, a new and improved armor, vastly superior to anything we have, and therefore we should pay any price to get it.

I am sorry I can not say it in his presence, but I will say here now that there is not a particle of proof that the Krupp armor is superior to that which we have, and there is not a line in the bill to show that we are going to buy Krupp armor or anything superior to what we have. These armor people have not dealt squarely with us. They have not dealt frankly with us, as the Senator from New Hampshire says:

If they had come to us in a manly and frank way two months ago and told us they had a new invention and showed us their hand, we would have dealt squarely with them, and if they had had a good thing, we would have paid them a good price for it. The best proof that they did not have it is that they have not dealt squarely with us. I do not believe they have it. I put into the RECORD yesterday the specifications of the two processes, and if they prove anything, they prove that the Harvey armor is superior and also that it will cost more than the Krupp armor. We want a big navy and want the best armor, but we do not want to be robbed and trifled with.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was passed.

#### MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE LOVE.

Mr. MONEY. I ask the Chair to lay before the Senate the resolutions of the House of Representatives relative to my late colleague in the House of Representatives, Mr. LOVE.

The PRESIDING OFFICER. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, February 25, 1899.

Whereas the House of Representatives has heard with profound sorrow of the death of the Hon. W. F. LOVE, late a Representative from the State of Mississippi: Therefore, be it

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of the late Representative W. F. LOVE, and as a particular mark of respect to the memory of the late Representative LOVE, and in recognition of his eminent abilities and distinguished public services, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

That a copy of these resolutions be transmitted to the family of the late Representative LOVE; and

That the Clerk be ordered to communicate these resolutions to the Senate.

Mr. MONEY. Mr. President, I submit the resolutions I send to the desk.

The PRESIDING OFFICER. The resolutions will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. WILLIAM F. LOVE, late a Representative from the State of Mississippi.

Resolved, That the business of the Senate be now suspended in order that fitting tribute be paid to his memory.

Resolved, That the Secretary be directed to communicate a copy of these resolutions to the House of Representatives.

Mr. MONEY. Mr. President, in the last few weeks almost daily memorial services have been held in this Capitol in honor of the dead of this Congress. We have become familiarized with eulogies, and only when the stroke comes home and one is called upon to speak the sentiments of affection and respect is our loss fully realized. It is, perhaps, a wise provision that the poignancy

of sorrow is mitigated and shortened by the constant diversion made by the calls of our official business.

We bury our dead, we lay our offerings of flowers upon the tomb, we moralize, we speak of the certainty of death, we think with softened hearts of our friend who has gone down into his narrow house, and, turning to the world, resume our work and give our minds seriously to other things, yet taking occasionally retrospective glimpses of the departed friend, and in the struggle and unrest of our labors we sigh "for the touch of a vanished hand and the sound of a voice that is still."

In the press of business—business that must be done in the closing hours of the session—we have put aside the usual order to attest by our tributes the virtues and excellencies of WILLIAM FRANKLIN LOVE, late a Representative in Congress from the State of Mississippi. He was born in Amite County, Miss., April 26, 1832, and died October 16, 1898, at the place of his birth. This part of the State was the earliest settled, and the pioneers were of the best stock of the older States, and the family of Mr. LOVE enjoyed the esteem and respect of all who knew them.

He was heir neither to affluence nor poverty, and toiled upon the farm as much on account of an industrious disposition as of the *res angusta domi*. He had the advantage of good country schools and completed his education at the University of Mississippi. His farm life gave him moral, physical, and intellectual robustness and health. Entering upon the duties of manhood he took an active interest in all public affairs, and his aptitude for public business gave him an important part in popular movements, especially those concerning the agriculturist.

He served ten years in the house of representatives and eight years in the senate of his State legislature, and was a member of the constitutional convention of 1890, in which he was a most intelligent and efficient worker, and by his familiarity with legislative business, his sound, good sense, and his knowledge of the necessities of the situation, contributed largely to the success of that great work.

He was elected a member of this Congress, and was unanimously nominated by his party to succeed himself, and had begun his canvass when seized by the fever which terminated his honorable and useful life.

Mr. LOVE had a gentle and amiable disposition, a high sense of duty, delicate moral perceptions, and strong religious convictions which governed absolutely all his conduct. One of his strongest characteristics was his trustworthiness. No one ever relied upon him in vain. He was kind-hearted and sympathetic with the poor, the weak, and the afflicted. "He was as open as the day to melting charity." Though amiable, he was firm; and though conciliatory, he was resolute. No fear of public or private displeasure or opposition ever swerved him a hair's breadth from the line of duty laid down for him by a discriminating judgment and a tender conscience.

He was ambitious, not for the mere selfish enjoyment of honors, but to win the applause of the good; to gratify his family and friends; to be useful in his day and generation. "His ambition never stooped its wing to any lower flight than this." He was a member of the Baptist Church, adhering strictly to the doctrines of that great evangelical denomination. He believed fully the inspirations of the holy Scriptures, never was harassed by any doubts, declined all controversy, and steadily pursued a consistent Christian life, leaving polemics to other minds.

He was very happy in his domestic relations, and was a tender and devoted husband to a lovely and accomplished wife, an indulgent and considerate father to a beautiful daughter, and what he gave of love to them they repaid him in kind from the exhaustless fertility of the female heart. He was an excellent husband and father, neighbor and friend, citizen and public official, and went his way performing his duty as he conceived it in all these relations with a singleness of heart, a steadiness of purpose, a fidelity and conscientiousness, that justified the compliments and admiration of all who came within the sphere of his acquaintance.

To a man of the world it seems hard that Mr. LOVE should have died in the vigor of a life whose promise was still crescent, when he had achieved the object of his ambition, and with increasing zeal was laboring for distinction by good works, when a long career seemed open before him. Of what avail the study, the struggle, the triumph? But to the Christian such as he was, how willingly he resigned earthly honors for the joyous assurances of a future life.

He had walked uprightly before God and man, and he knew it. His reward was certain, and he knew it; and save the pang of separation from his beloved, he went into the "valley of the shadow of death" supported by that rod and staff which God had given to comfort him.

This good man was my friend, and I loved him. It is said that every man has his vice. I never found any in him. If faults he had, they were not grave enough to sully his honor or dim his purity. In that pleasant land where he was born, reared, and died, under the pines which hold solemn whispers with the soft Gulf wind over his tomb, he sleeps, awaiting the last summons.

Mr. BERRY. Mr. President, I met Mr. LOVE for the first time in the early days of the first session of the present Congress. I became acquainted with him because General Walthall, with whom I was very intimately associated, knew Mr. LOVE well and liked him much, and he desired that I should know him.

Mr. LOVE was deeply interested, at the time when I knew him, in certain acts and contemplated laws with reference to the health of the country. He was deeply anxious that some law should be passed which would adjust the differences and difficulties and aid in some way to keep off that greatest of all scourges, yellow fever, from the southern portion of our Republic. In consequence of this I had frequent interviews with General Walthall and Mr. LOVE.

He impressed me as a quiet, modest, and unobtrusive gentleman, yet a very earnest and energetic Representative, anxious to serve the people of the State of Mississippi, more anxious to accomplish something than to parade himself before the country. He was not a man who sought notoriety by newspaper advertisement. He cared more to perform acts for the people who had trusted him and to comply, as far as it was proper to do, with all their requests rather than to seek to make a national reputation.

I met him at the Departments and I met him here, and he was always earnest and active in trying to serve the people of Mississippi. As I said, he was a modest, unobtrusive gentleman. He was a man who impressed me as one who would never willingly wound the feelings of any human being, yet withal a man who would suffer no indignity and would permit no injustice to himself or the people he represented.

He went from here in July last. He was afterwards unanimously renominated by the people of his district to a seat in the next Congress. He had served his State in the legislature for a period of eighteen years, which showed how fondly they were attached to him and what great confidence they had in his integrity and ability. He had been ambitious to come to Congress, and that ambition had been gratified.

He made acquaintances and friends here, and he learned the manner of doing business. He went home and was full of hope that during the next session he would be able to accomplish the great purpose which would contribute to the health and happiness of the people he represented. He went from here full of life, full of hope, and full of health, and to-day, Mr. President, he sleeps beneath the magnolias of southern Mississippi, that beautiful land where summer is almost perpetual and the flowers scarcely ever cease to bloom.

And while it may be that here in the activity and rush of life his memory will soon pass away, yet with those—his neighbors and friends—who knew him best, with the wife and the daughter, who loved him most, the memory of the genial and courteous and kindly gentleman, the tender husband, the indulgent father, will be cherished for many years to come.

Mr. PASCO. Mr. President, less than two weeks ago the ordinary business of the Senate was laid aside to pay tributes of respect to the memory of a distinguished Representative, who was born and lived in an atmosphere of comfort and luxury, with all the surroundings that wealth and culture can afford. After obtaining a liberal education at a famous seat of learning, instead of a life of ease and mere enjoyment, he devoted himself to the public service, entered the arena of political life, and after an apprenticeship among his home people in his town and county and an experience in the two houses of his State legislature, the citizens of his district rewarded him with the distinction, which is the dream of every ambitious young American, of a seat in the National Congress. Here he discharged his duties with zeal and fidelity, and maintained an honorable rank among his associates; but while life was still full of promise and the future apparently had much in store for him, the end came and he was cut off in the midst of his usefulness.

To-day we are here to honor the memory of another Representative who reached the same goal of ambition, but under greater difficulties and with more toilsome steps. WILLIAM FRANKLIN LOVE was born and brought up on a farm in Mississippi, was early taught to labor, followed the plow, and accustomed himself to all the details of plantation life during his minority. But he had an eager desire for knowledge and an aspiration for a life of usefulness and honor. He attended the sessions of the schools in his neighborhood when they were open to him, and with diligent effort, as opportunities were presented, pursued the studies necessary for admission to the University of Mississippi, where he enjoyed the educational advantages which fitted him for his future career.

Upon the completion of his course he stood at the threshold of active life, and it may be profitable to consider his situation and compare it with that of his former associate to whom I have already referred. Their lives had been far apart in their early youth; their surroundings had greatly differed; narrow circumstances and hard conditions had not discouraged the one, wealth and abundance had not enervated the other. Each was a type of our American citizenship and was endowed with his special traits and characteristics.

They followed like careers, and, notwithstanding the different routes by which they had reached manhood, they traveled for many years on parallel lines along the journey of life, as the subsequent history of Mr. LOVE will show when compared with the other life which I have briefly outlined.

He had scarce reached his majority when he was chosen as a representative of his county in the legislature of his State, and he rendered such faithful and satisfactory service that he was continued there for ten years, and was then elected and reelected until he had served eight years longer in the State senate.

In 1890 the people of Mississippi held a convention to revise their State constitution. A hard and bitter experience had taught them the evils of misgovernment, and after mature deliberation they had determined to follow the example of other States in other sections and eliminate the ignorant and vicious from the voting citizenship. Our late and honored associate, Senator J. Z. George, devoted his efforts and great learning to this important work.

So important did he regard it that he consented to become a member of this convention, and I remember well when he asked for a leave of absence from his senatorial work so that he might assist in working out the great problem his people desired to solve. The different constituencies sought out their ablest and most trusted men to send to this body, and Amite County, that had so long honored and trusted Mr. LOVE, chose him as one of her delegates. His great ability and ripe experience were valuable to the convention, and he took an influential part in its deliberations and work, which were brought to a satisfactory and successful conclusion.

He was again in the State senate, at the head of one of its most important committees, when he was elected to the House of Representatives, and took his seat at the opening of the Fifty-fifth Congress. As we all know, our line of work here is largely determined by our committee assignments. Mr. LOVE was appointed upon the Committee on the Post-Office and Post-Roads, and he devoted himself most industriously to all the details of this great subject, and was ready at all times to discuss them clearly and intelligently when they came before the House. His associates in the committee and upon the floor bear testimony to his industry, his accuracy, his reliability, his usefulness.

It was my good fortune to be brought into intimate and friendly relations with him and his family early in his Congressional life. We met daily under the same roof during all the time he was in attendance upon the House. I soon learned to regard and esteem him, to enjoy his conversation, to value his opinions, to take pleasure in his society. He had a kind word for all with whom he came in contact, and no one could know him long without being impressed with his sincerity.

We parted at the close of the long session in July last, and he returned to his people. He had made a good beginning of his Congressional work, had secured the confidence and respect of his associates, and it was evident to his colleagues that if continued in the public service he would continue to grow in influence and strength, and that his integrity, his industry, his methods of careful investigation, his readiness in debate would secure him a high position in the membership of the House.

Physically he appeared to be vigorous and strong, with a fair prospect of long life. The future looked bright, and there were no clouds visible in the horizon. His constituents welcomed him home and expressed their appreciation of his services by a unanimous renomination, the highest and most gratifying tribute that can be paid to a public servant. Soon after he was stricken with a mortal disease, and his promising career was brought to a sudden close about three weeks before the day to which he had looked hopefully forward when he had good reason to expect a reelection by an almost unanimous vote.

His sudden removal was a serious blow to the State of Mississippi, but especially to the people of the district which he represented and to the large circle of friends and admirers who had for so many years given him a loyal and cordial support. It is proper that I should refer also to the loss sustained by his family. He was their stay and comfort, a considerate and affectionate husband, a kind and indulgent father. His home life was full of contentment and happiness and quiet enjoyment, and the dear ones who shared it with him suffered in his death a loss that is irreparable.

In paying this last tribute of respect to our departed friend, it is pleasant to reflect that he left behind him the record of a well-spent life, full of good deeds, of noble thoughts, of lofty aspirations. But these aspirations were not all limited to the present life. He looked forward to a higher and better life beyond the grave, and we may indulge the hope and belief that, if his earthly plans and expectations were not all realized, he has entered upon a realization of the higher hopes and aspirations to which he looked forward in the great hereafter.

Mr. TURLEY. Mr. President, I never had the pleasure of a personal acquaintance with Mr. LOVE, but I have passed my whole life within a short distance of the State of Mississippi, and

the relations between the people of that State and the citizens among whom I have lived have been extremely close and cordial, and in this way, through mutual friends, I learned of Mr. LOVE before I ever came to the Senate.

But, Mr. President, if I had never heard of Mr. LOVE until to-night, and I were then told as I am to-night that he served the people of Mississippi in public office for more than twenty years, that he won their confidence and was called by them into public position when he was but little beyond 21 years of age, I would have known that he was a man far beyond the common, of sterling qualities and of capacity. I say this, Mr. President, because I know so well the people of Mississippi. That State was settled by the best blood of Virginia and the older States, gallant, adventurous, high-minded men, and the community those people built up has been equally gallant and high minded.

Mississippi has always been represented by men of high capacity. No man has attained to public office and retained it for any number of years in that State unless he was a man of marked capacity. It has had one of the best supreme courts in this Union, a court which has had honor shed upon it by such names as Sharkey, Yerger, Handy, Ellett, and others. It has always been represented in Congress, where the Representatives have continued to hold office for any length of time, by men of the highest character.

It has furnished to Congress probably the greatest orator this country has ever known—the famous Prentiss—and the members of this body who have represented it have shed glory and luster not only over their own State, but also over the whole country. When I mention such names as Davis and Lamar and George and the lamented Walthall, whom we all loved so well and mourn so deeply, the class of men who have for years occupied public positions as the representatives of Mississippi becomes obvious.

Hence when I turn to the facts, and see that Mr. LOVE had been honored by a people like those of Mississippi for so long a time in public position, had served them so long in their State legislature, and so faithfully in the State constitutional convention, and then was elevated to Congress, I know from that he was everything that his friends depict him—a truthful, honest, gallant, capable gentleman, a good citizen, and a faithful public servant. If his years had been prolonged, I am sure he would have shed honor on his State and his services would have been valuable both to his own State and to the Union. In his death his State not only sustains a great loss, but our country sustains equally a great loss.

Mr. SULLIVAN. Mr. President, we meet to-day to pay the last tribute to him who in the midst of a useful and busy life has heard the whisper, "Come with me." For the moment we stand amazed at the suddenness of his taking off, aghast at its remarkableness! Yet the ancient visitor, Time, with his bony fingers and his unrelenting scythe, beckons, Come! This strange, sad scene is often enacted, and still I feel that I would throw wide the windows, sing the sweetest song, bring the brightest flowers—flowers, not crapes; hosannas, not dirges, should greet us to-day.

If a pure life is a perfect title to mansions in the sky—where the heartsick, the weary may find rest; where this fretful fever ceases and the roseate light of morning never dies, and death alone gives us this possession—God quicken its coming, and bless its eternal stay!

I do not share the view of those who feel that death is always a thing to be dreaded. I do not feel that it is the greatest calamity that can befall us. Life is but a poor boon at best, with its sorrows, its heartaches, its discouragements and disappointments. Tell me, ye philosophers, who shall drop a plummet to the bottom of a sigh? Who shall analyze a single tear? And still these shadows soften and give rich and sweet chance to do some kindly act for our fellow-man; that which is right, high and noble—to lift the humble, to help the poor, to heal the wounds, to minister to the afflicted. Sweet, sacred privileges!

While we meditate upon his life, peaceful, serene, manly, and true, we recall that he was so well poised mentally and so strong morally that he was not disturbed by the clamor of factions, the appeals of zealots, nor intimidated by those who hold sway. Strong in the power that comes from a conscience clear and unstained, he dared, at all times, to do his duty, let the consequences be what they may.

And so it was that his people, the people of his childhood, of his youth, of his manhood, watching all the while, and better still, approving, applauding, raised him higher, and still yet higher, to the place from which death alone dethroned him.

He is indeed gone. The kind-hearted neighbor and friend, the prudent legislator, the wise and ever watchful statesman has passed from the light of this life to the mysteries of the unseen world, of which we know so little! Blessed be the peace that bides him.

From the heart that may ache, yet can not break, I wish him God's best welcome, for surely he is worthy.

From the fireside and out of the home life the friend, the father, the husband has taken his eternal leave.

Yet it is our sweet privilege to know that he was one of those who so lived that when the final summons came "he wrapped the drapery of his couch around him and laid down to pleasant dreams."

His influence and the impress of his life, labor, and character will live when those of us gathered here to pay the last tribute to his memory shall have folded our arms in the last long sleep.

As a pebble dropped in the placid bosom of the sleeping lake awakens the waves that widen, and yet grow wider still, till they reach the farthest shore, so his gentle, earnest, manly, Christian life shall live and speak to the coming sons of men and find echo in their better lives.

There be those who, in the perplexity of the hard lives in which their lines have fallen in this tempestuous life, fret, fume, and even doubt "the divinity that shapes our ends," and question whether, after the evening shadows come, there be sunlight beyond; the trial is too severe, the attenuated thread breaks, and life is, with its golden fruitage, lost. The life of WILLIAM F. LOVE was a triumph over this desperation, and shone like a beacon light to the mariner upon the storm-beaten shore.

His life and example only illustrates the thought so beautifully expressed by another—

It can not be that earth is man's only abiding place. It can not be that our life is a bubble, cast up by the ocean of eternity, to float another moment upon its surface, and then sink into nothingness and darkness forever. Else why is it that the high and glorious aspirations, which leap like angels from the temples of our hearts, are forever wandering abroad satisfied?

Why is it that the rainbow and the cloud come over us with a beauty that is not of earth, and then pass off and leave us to muse on their faded loveliness?

Why is it that the stars, which hold their festival around the midnight throne, are set above the grasp of our limited faculties and are forever mocking us with their unapproachable glory? Finally, why is it that bright forms of human beauty are presented to the view and then taken from us, leaving the thousand streams of the affections to flow back in an Alpine torrent upon our hearts?

We are born of a higher destiny than that of earth. There is a realm where the rainbow never fades, where the stars will be spread out before us like the islands that slumber on the ocean, and where the beautiful beings that here pass before us like visions will stay in our presence forever.

Riches were not among his possessions; nor did he court the favor of the great. He simply and modestly walked the paths of virtue and of duty as his God gave him light to see that duty, trusting that the final end could bring to him no harm.

His work as a member of the State legislature of Mississippi for ten years, and of the State senate for eight years, and of Congress for nearly two years, attests the real merit of the man and the high esteem in which he was held by those who knew him best.

No language can describe the nearer and tender relations of husband and father. Here the scene deepens; the curtain is drawn, and we would not if we could invade these sacred precincts of the heart, for this is hallowed ground.

Generous, earnest, honest, and true in every relation of life, "he added to the sum of human joy, and were everyone for whom he did some loving service to bring a blossom to his grave he to-night would sleep beneath a wilderness of flowers."

WILLIAM FRANKLIN LOVE, honored son of Mississippi, whose heart was attuned to the sweet zephyrs of her sunny land, farewell! farewell!!

Mr. President, I ask for the adoption of the resolutions.

The resolutions were unanimously agreed to.

Mr. SULLIVAN. I move that the Senate, in further token of respect to our deceased brother, adjourn until 11 o'clock to-morrow.

The motion was unanimously agreed to; and the Senate (at 10 o'clock and 8 minutes p. m.) adjourned until to-morrow, Friday, March 3, 1899, at 11 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate March 2, 1899.*

##### COLLECTOR OF CUSTOMS.

Charles H. Marchant, of Massachusetts, to be collector of customs for the district of Edgartown, in the State of Massachusetts, to succeed Abraham Osborn, whose term of office has expired by limitation.

##### SURVEYOR OF CUSTOMS.

Henry L. Hines, of Massachusetts, to be surveyor of customs for the port of Springfield, in the State of Massachusetts, to succeed William S. Collins, whose term of office has expired by limitation.

##### RECEIVER OF PUBLIC MONEYS.

Roland C. Nichols, of Wapakoneta, Ohio, to be receiver of public moneys at Peavy, Alaska, a new office created by Executive order of February 14, 1899.

##### REGISTER OF LAND OFFICE.

Boetious H. Sullivan, of Plankinton, S. Dak., to be register of the land office at Peavy, Alaska, a new office created by Executive order of February 14, 1899.

## POSTMASTERS.

Eldridge M. Barnes, to be postmaster at Alexander City, in the county of Tallapoosa and State of Alabama, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

John C. Campbell, to be postmaster at Bellevue, in the county of Jackson and State of Iowa, in the place of J. E. Petite, whose commission expired March 1, 1899.

Frank E. Briggs, to be postmaster at Turners Falls, in the county of Franklin and State of Massachusetts, in the place of Frank E. Briggs, whose commission expired March 1, 1899. (Re-appointment.)

Charles C. Cowperthwait, to be postmaster at Mount Holly, in the county of Burlington and State of New Jersey, in the place of B. P. Wills, whose commission expired February 6, 1899.

Marcellus L. Jackson, to be postmaster at Hammon, in the county of Atlantic and State of New Jersey, in the place of J. T. French, whose commission expired June 16, 1898.

Charles W. Harding, to be postmaster at Whitehall, in the county of Washington and State of New York, in the place of H. C. Hall, whose commission expired March 1, 1899.

John I. Traphagen, to be postmaster at Suffern, in the county of Rockland and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1898.

Thomas W. Ashworth, to be postmaster at Tippecanoe City, in the county of Miami and State of Ohio, in the place of S. E. Smith, whose commission expired January 28, 1899.

H. H. Riddell, to be postmaster at The Dalles, in the county of Wasco and State of Oregon, in the place of J. A. Crossen, removed.

Alonzo D. Webster, to be postmaster at Orangeburg, in the county of Orangeburg and State of South Carolina, in the place of W. L. Izlar, whose commission expired February 20, 1899.

John T. Hale, to be postmaster at Trenton, in the county of Gibson and State of Tennessee, in the place of William Moore, whose commission expired February 6, 1899.

Augustus M. High, to be postmaster at Reading, in the county of Berks and State of Pennsylvania, in the place of J. S. Thompson, whose commission expired March 1, 1899.

Asa Crocker, to be postmaster at Suisun City, in the county of Solano and State of California, in the place of A. C. Wood, removed.

J. W. Rambo, to be postmaster at Florence, in the county of Fremont and State of Colorado, in the place of Albert Guiling, whose commission expired January 30, 1899.

James A. Hunter, to be postmaster at Odell, in the county of Livingston and State of Illinois, in the place of C. E. Axt, whose commission expired January 10, 1899.

Elbridge G. McIntire, to be postmaster at Mendota, in the county of LaSalle and State of Illinois, in the place of C. T. Madden, whose commission expired January 15, 1899.

Clark J. McManis, to be postmaster at Princeton, in the county of Bureau and State of Illinois, in the place of E. K. Mercer, removed.

Willet B. Stickney, to be postmaster at National Stock Yards, in the county of St. Clair and State of Illinois, in the place of W. J. Broderick, whose commission expired January 28, 1899. (Through error Mr. Stickney was nominated to the Senate and confirmed as William B. Stickney.)

Albert Gaylor, to be postmaster at Mishawaka, in the county of St. Joseph and State of Indiana, in the place of J. F. Eberlein, whose commission expired February 16, 1898.

John C. Clifton, to be postmaster at Senatobia, in the county of Tate and State of Mississippi, the appointment of a postmaster for said office having, by law, become vested in the President on and after October 1, 1898.

G. A. Gessner, to be postmaster at Fremont, in the county of Sandusky and State of Ohio, in the place of L. A. Dickinson, whose commission expired February 25, 1899.

B. F. Jackson, to be postmaster at Clyde, in the county of Sandusky and State of Ohio, in the place of Thomas Hunt, whose commission expired March 1, 1899.

E. J. Lewis, to be postmaster at Girard, in the county of Trumbull and State of Ohio, in the place of E. H. Lotze, whose commission expired December 12, 1898.

Otis T. Locke, to be postmaster at Tiffin, in the county of Seneca and State of Ohio, in the place of Kora F. Briggs, whose commission expired January 10, 1899.

Elias R. Monfort, to be postmaster at Cincinnati, in the county of Hamilton and State of Ohio, in the place of C. E. Brown, removed.

William T. Orton, to be postmaster at West Unity, in the county of Williams and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1899.

William H. Stoutt, to be postmaster at Uhrichsville, in the

county of Tuscarawas and State of Ohio, in the place of C. F. Wilkins, whose commission expired August 3, 1898.

Charles R. Bindhamer, to be postmaster at Whitestone, in the county of Queens and State of New York, in the place of W. S. McCall, deceased.

Eli B. Black, to be postmaster at Whitney Point, in the county of Broome and State of New York, in the place of W. W. Collins, whose commission expired March 1, 1899.

John J. Taylor, to be postmaster at Cornwall on the Hudson, in the county of Orange and State of New York, in the place of Leroy Akins, whose commission expired March 1, 1899.

James N. Weaver, to be postmaster at Sayre, in the county of Bradford and State of Pennsylvania, in the place of G. M. Lull, removed.

Leonard H. Kimball, to be postmaster at Neenah, in the county of Winnebago and State of Wisconsin, in the place of J. W. Brown, whose commission expired February 13, 1899.

## MARSHAL.

Vivian J. Fagin, of Ohio, to be marshal of the United States for the southern district of Ohio, vice Michael Devanney, to be removed.

## PROMOTIONS IN THE ARMY.

*Medical Department.*

Capt. Edward C. Carter, assistant surgeon, to be surgeon, with the rank of major, December 21, 1898, vice Pope, promoted.

*Infantry arm.*

Capt. Theodore F. Forbes, Fifth Infantry, to be major, February 27, 1899, vice Palmer, Fourth Infantry, retired from active service.

## APPOINTMENT IN THE VOLUNTEER ARMY.

*Third Regiment Volunteer Engineers.*

First Lieut. Julius A. Schuelke, assistant surgeon, to be surgeon with the rank of major, vice Lyon, resigned.

## PROMOTION IN THE NAVY.

Asst. Naval Constructor Richmond P. Hobson, to be advanced ten numbers, from No. 1 on the list of assistant naval constructors to be No. 8 on the list of naval constructors, for extraordinary heroism, under the provisions of section 1506 of the Revised Statutes.

## TO BE FIRST LIEUTENANT.

Second Lieut. Alexander T. Ovenshine, Seventeenth Infantry, to be first lieutenant of infantry, February 6, 1899, vice Stevens, Twenty-third Infantry, promoted.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 2, 1899.*

## CONSULS.

William Small, of the District of Columbia, to be consul of the United States at Collingwood, Ontario.

## DISTRICT JUDGE.

John B. McPherson, of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania.

## MARSHAL.

Vivian J. Fagin, of Ohio, to be marshal of the United States for the southern district of Ohio.

## ASSOCIATE JUSTICE.

Harry M. Clabaugh, of Maryland, to be associate justice of the supreme court of the District of Columbia.

## REGISTER OF THE LAND OFFICE.

Boetius H. Sullivan, of South Dakota, to be register of the land office at Peavy, Alaska.

## APPRAISER OF MERCHANDISE.

S. Stillman Blanchard, of Massachusetts, to be appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts.

## RECEIVER OF PUBLIC MONEYS.

Roland C. Nichols, of Ohio, to be receiver of public moneys at Peavy, Alaska.

## SURVEYORS OF CUSTOMS.

Lewis Voight, sr., of Ohio, to be surveyor of customs for the port of Cincinnati, in the State of Ohio.

Jeremiah J. McCarthy, of Massachusetts, to be surveyor of customs in the district of Boston and Charlestown, in the State of Massachusetts.

La Fayette Redmon, of Iowa, to be surveyor of customs for the port of Des Moines, in the State of Iowa.

Cadet Taylor, of Nebraska, to be surveyor of customs for the port of Omaha, in the State of Nebraska.

## APPOINTMENTS IN THE ARMY.

## CORPS OF ENGINEERS.

*To be second lieutenants.*

1. Cadet James A. Woodruff.
2. Cadet William Kelly.
3. Cadet Horton W. Stickle.
4. Cadet Lewis H. Rand.

*To be additional second lieutenants.*

5. Cadet Edward M. Markham.
6. Cadet Thomas H. Jackson.

## ARTILLERY ARM.

*To be second lieutenants.*

To fill original vacancies created by section 4 of the act of Congress approved April 26, 1893:

7. Cadet Le Vert Coleman.
8. Cadet Alfred B. Putnam.
9. Cadet George W. Bunnell, jr.
11. Cadet Albert E. Waldron.
12. Cadet Jesse C. Nicholls.
13. Cadet Frank C. Jewell.
14. Cadet Fred H. Gallup.
15. Cadet Michael J. McDonough.
19. Cadet Herman W. Schull.
20. Cadet Henry B. Farrar.
21. Cadet Clifton C. Carter.
25. Cadet Henry B. Clark.
29. Cadet Francis N. Cooke.
30. Cadet Stanley D. Embick.
32. Cadet Ralph S. Granger.

## CAVALRY ARM.

*To be second lieutenants.*

10. Cadet Hubert L. Wigmore.
16. Cadet Patrick W. Guiney.
17. Cadet Hugh A. Roberts.
22. Cadet Leon B. Kromer.
23. Cadet Charles A. Romeyn.
34. Cadet Evan H. Humphrey.
37. Cadet George V. H. Mosley.
38. Cadet Charles C. Farmer, jr.
43. Cadet Stuart Heintzelman.
50. Cadet John D. Long.
53. Cadet Grayson V. Heidt.
54. Cadet James C. Rhea.

## INFANTRY ARM.

*To be second lieutenants.*

18. Cadet Charles B. Clark.
24. Cadet Irvin L. Hunt.
26. Cadet George S. Simonds.
27. Cadet Llewellyn N. Bushfield.
28. Cadet James B. Ray.
31. Cadet Samuel T. Ansell.
33. Cadet Robert H. Peck.
35. Cadet Halsey E. Yates.
36. Cadet Clement A. Trott.
39. Cadet Wilson B. Burt.
40. Cadet Walter S. Brown.
41. Cadet Josiah C. Minus.
42. Cadet Charles M. Bundel.
45. Cadet Henry L. Harris, jr.
46. Cadet Laurence Halstead.
47. Cadet Pierce C. Foster.
48. Cadet Frederick W. Van Duyno.
49. Cadet Charles D. Herron.
51. Cadet Robert B. Calvert.
52. Cadet George D. Jarrett.
55. Cadet James Hanson.
56. Cadet Fred R. Brown.
57. Cadet William T. Merry.
58. Cadet Frederick B. Kerr.
59. Cadet Lawrence D. Cabell.
60. Cadet Clyffard Game.
61. Cadet George W. Stuart.
62. Cadet Robert C. Foy.
63. Cadet Henry N. Way.
64. Cadet William T. Patten.
65. Cadet Duncan K. Major, jr.
66. Cadet James Justice.
67. Cadet Llewellyn W. Oliver.
68. Cadet Arthur S. Cowan.
69. Cadet Hector A. Robichon.
70. Cadet Reginald E. McNally.
71. Cadet Ephraim G. Peyton.
72. Cadet Albert N. McClure.

## INFANTRY ARM.

Capt. Robert W. Dowdy, United States Army, retired (formerly first lieutenant, Seventeenth Infantry), to be captain, to date from April 26, 1898.

## APPOINTMENTS IN THE VOLUNTEER ARMY.

## THIRD REGIMENT VOLUNTEER ENGINEERS.

Second Lieut. Raymond W. Hardenbergh, to be first lieutenant.  
Sergt. James F. Nourse, Company E, to be second lieutenant.

## FIFTH REGIMENT VOLUNTEER INFANTRY.

Second Lieut. William A. Crossland, to be first lieutenant.  
First Sergt. Albert G. Goodwyn, Company F, to be second lieutenant.

## NINTH REGIMENT VOLUNTEER INFANTRY.

*To be assistant surgeon with the rank of first lieutenant.*

Allen J. Black, of Virginia, late assistant surgeon Sixth Virginia Volunteers.

*To be brigade surgeon.*

Azel Ames, acting assistant surgeon, United States Army.

*To be chief surgeon with the rank of lieutenant-colonel.*

Maj. Jefferson R. Kean, chief surgeon, United States Volunteers.

## SECOND REGIMENT VOLUNTEER INFANTRY.

*To be assistant surgeon with the rank of first lieutenant.*

Vincente Gomez, acting assistant surgeon, United States Army.

## POSTMASTERS.

Isaac Martin, to be postmaster at Westgrove, in the county of Chester and State of Pennsylvania.

Adam Strickler, to be postmaster at Hummelstown, in the county of Dauphin and State of Pennsylvania.

S. B. Gilmore, to be postmaster at Holstein, in the county of Ida and State of Iowa.

Elias R. Monfort, to be postmaster at Cincinnati, in the county of Hamilton and State of Ohio.

George R. Cornwell, to be postmaster at Penn Yan, in the county of Yates and State of New York.

Robert E. Woodside, to be postmaster at Millersburg, in the county of Dauphin and State of Pennsylvania.

Alfred E. Williams, to be postmaster at Plymouth, in the county of Luzerne and State of Pennsylvania.

Gilman A. Wheeler, to be postmaster at West Derry (late Derry Depot), in the county of Rockingham and State of New Hampshire.

Horace L. Burrill, to be postmaster at Weedsport, in the county of Cayuga and State of New York.

Frank R. Utter, to be postmaster at Friendship, in the county of Allegany and State of New York.

Walter W. Mason, to be postmaster at Plymouth, in the county of Grafton and State of New Hampshire.

James M. Requa, to be postmaster at Tarrytown, in the county of Westchester and State of New York.

John F. Dinkel, to be postmaster at Irvington, in the county of Westchester and State of New York.

John P. Leonard, to be postmaster at Oroville, in the county of Butte and State of California.

Frank A. Egan, to be postmaster at Angels Camp, in the county of Calaveras and State of California.

Thomas B. Smith, to be postmaster at Livingston, in the county of Sumter and State of Alabama.

Clarence R. Ellis, to be postmaster at Rico, in the county of Dolores and State of Colorado.

Samuel M. Biggs, to be postmaster at Durango, in the county of La Plata and State of Colorado.

Orlando J. Lincoln, to be postmaster at Santa Cruz, in the county of Santa Cruz and State of California.

Wilbur W. Smith, to be postmaster at Seymour, in the county of New Haven and State of Connecticut.

George W. Randall, to be postmaster at Rockville, in the county of Tolland and State of Connecticut.

Charles A. Keyes, to be postmaster at Southington, in the county of Hartford and State of Connecticut.

Thomas E. Thompson, to be postmaster at Howard, in the county of Elk and State of Kansas.

Frank B. Myer, to be postmaster at Rensselaer, in the county of Jasper and State of Indiana.

Frederick L. Tibbals, to be postmaster at Milford, in the county of New Haven and State of Connecticut.

James P. Harter, to be postmaster at Hagerstown, in the county of Washington and State of Maryland.

Abel H. Harriman, to be postmaster at Bridgeton, in the county of Cumberland and State of Maine.

George M. Dickey, to be postmaster at Cynthiana, in the county of Harrison and State of Kentucky.

Charles L. Stevens, to be postmaster at Clinton, in the county of Worcester and State of Massachusetts.

Alexander Grant, to be postmaster at Chicopee, in the county of Hampden and State of Massachusetts.

Stanley B. Dearborn, to be postmaster at Wakefield, in the county of Middlesex and State of Massachusetts.

Gilmore O. Bush, to be postmaster at Tuxedo Park, in the county of Orange and State of New York.

Herbert Bailey, to be postmaster at Claremont, in the county of Sullivan and State of New Hampshire.

Andrew J. Robison, to be postmaster at Liberty, in the county of Clay and State of Missouri.

Jared C. Thompson, to be postmaster at Dickinson, in the county of Stark and State of North Dakota.

Edward L. Nolan, to be postmaster at Chateaugay, in the county of Franklin and State of New York.

Mortimer N. Cole, to be postmaster at Castile, in the county of Wyoming and State of New York.

John L. Sullivan, to be postmaster at St. Marys (late St. Mary), in the county of Auglaize and State of Ohio.

James D. Gardner, to be postmaster at Ripley, in the county of Brown and State of Ohio.

Wilson S. Burgoon, to be postmaster at Richwood, in the county of Union and State of Ohio.

George Sinclair, to be postmaster at Ritzville, in the county of Adams and State of Washington.

Roger H. Murphey, to be postmaster at Urbana, in the county of Champaign and State of Ohio.

J. M. Pardue, to be postmaster at Sweetwater, in the county of Monroe and State of Tennessee.

## HOUSE OF REPRESENTATIVES.

THURSDAY, March 2, 1899.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

The SPEAKER. By permission of the House, the Clerk will add the conference reports which were made yesterday, as soon as they are obtainable. They were not printed in the RECORD, although they should have been, and they will be printed in the permanent RECORD in their proper places.

### DONATING LIFE-SAVING BEACH APPARATUS TO IMPERIAL JAPANESE SOCIETY.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (S. 5144) authorizing and directing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck.

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to donate to the Imperial Japanese Society for Saving Life from Shipwreck, organized in 1890, of which Count Kozo Yoshii is president, one Lyle gun and a complete set of beach apparatus used in connection with it by the United States Life-Saving Service in rescuing persons from shipwrecks.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MANN, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the report of the committee, which is only a page long, be printed.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

The report (by Mr. STEWART of New Jersey) is as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 5144) authorizing and directing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck, beg leave to submit the following report, and recommend that said bill do pass:

This is a bill enacting that the Secretary of the Treasury be authorized and directed to donate to the Imperial Japanese Society for Saving Life from Shipwreck, organized in 1890, of which Count Kozo Yoshii is president, one Lyle gun and a complete set of beach apparatus used in connection with it by the United States Life-Saving Service in rescuing persons from shipwreck.

This bill passed the Senate January 25, 1899, and was duly reported to the House of Representatives, and referred to the Committee on Interstate and Foreign Commerce. The bill was, by direction of the committee, referred to the Secretary of the Treasury, whose reply, accompanied by a report from the Superintendent of the Life-Saving Service, recommending the passage of the bill, is hereto attached, also letter of Count Kozo Yoshii, and made a part of this report.

Your committee therefore report the bill back to the House with favorable recommendation.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY.  
Washington, D. C., February 4, 1899.

SIR: In response to the request of your committee for information touching the merits and the propriety of the bill (S. 5144) entitled "An act authorizing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck," I trans-

mit herewith a report upon the matter from the General Superintendent of the Life-Saving Service, with my approval.

Respectfully, yours,

L. J. GAGE,  
Secretary.

The CHAIRMAN COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,  
House of Representatives.

TREASURY DEPARTMENT,  
OFFICE GENERAL SUPERINTENDENT LIFE-SAVING SERVICE,  
Washington, D. C., February 4, 1899.

SIR: In response to the request of the Committee of the House on Interstate and Foreign Commerce, of February 3, 1899, inclosing bill (S. 5144) entitled "An act authorizing and directing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck," and requesting information touching the merits of the act and the propriety of its passage, I have the honor to transmit herewith a copy of a letter addressed to this office by Count Yoshii, president of the Imperial Japanese Society for Saving Life from Shipwreck, setting forth the origin of the society and its operations and results up to the present time, and stating its need of the apparatus named in the bill, and asking the assistance of this Department in obtaining it. This account shows that the society is partly supported by the Japanese Government, has been ably conducted, and has already achieved remarkable results.

A portion of the apparatus desired—the Lyle gun and its accessories—is manufactured only in this country, being the invention of Capt. D. A. Lyle, of the Ordnance Department of the Army, while detailed to the Life-Saving Service, with a view of increasing the effectiveness of life-saving apparatus, and is furnished to this service by the War Department. The cost of the gun and the rest of the beach apparatus, complete, as contemplated in the bill, will be about \$360.

As the Japanese society has appealed to this service on account of its pre-eminence among institutions of the kind and the effectiveness of its apparatus—the Lyle gun in particular—it seems to me it would be a gracious act on the part of this Government to express its commendation of the Japanese society by presenting this small contribution to its equipment.

I would therefore recommend the passage of the act.

Respectfully, yours,

S. I. KIMBALL,  
General Superintendent.

The SECRETARY OF THE TREASURY.

59 MINAMI CHO, TAKANAWA, TOKYO, JAPAN.

DEAR SIR: Although I have not yet the honor of knowing you personally, I have known you by your admirable work in organizing and developing the Life-Saving Service in the United States, the results of which I have always read with the greatest pleasure in the reports of your service sent to us by our successive ministers at Washington.

I am in charge of a society with the object of saving life from shipwrecks on the coasts of Japan. It is called "Dai Nippon Tei Koku Sulman Kinsai Kwai," organized in 1890, and supported by voluntary contributions only until May last year, but since partially supported by the Government. I have now 12 stations established and doing good work on the coasts. Four new stations are in course of construction, and over 100 in project.

Our lifeboats are not perfect, the model taken being local fishing boats, modified partially to increase its sea qualities and stronger built. We have as yet no guns or rockets in use. But with all these imperfections, we saved, from November, 1890, to September, 1898, 356 vessels, large and small, and 1,651 persons. To get better results I must have guns or rockets, and it is on this subject that I request your kind assistance. Will you kindly take the trouble to give an order to the qualified maker of life-saving apparatus in behalf of our society, for a life gun and breeches-buoy apparatus, with all the necessary articles for the proper working of them, and send them out to me? I want them as specimens, and to see if any part of them can be made here. I shall be very glad if you will kindly tell the maker whom you have chosen to send me an estimate at once, that I may know the probable amount of cost as soon as possible.

Hoping, sir, you will kindly comply with my request,

I remain, your obedient servant,

COUNT KOZO YOSHII.

Commander, I. J. N., Retired, Member of the House of Nobles,  
President Imperial Japanese Society for Saving Life from Shipwrecks.

S. I. KIMBALL, Esq.,  
General Superintendent United States Life-Saving Service.

T. R. MASON.

Mr. CLARDY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2413) for the relief of T. R. Mason, of Adairville, Ky.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to T. R. Mason the sum of \$482, out of any money in the Treasury not otherwise appropriated, it being the amount due said Mason as contractor for carrying the United States mails on route No. 9083 and on route No. 10003, the former being between Springfield, Tenn., and Hopkinsville, Ky., and the latter between Springfield, Tenn., and Russellville, Ky., in the year 1891.

The amendments recommended by the committee were read, as follows:

In line 5 strike out "\$482" and insert "\$169.45."

After line 9 strike out the following words: "and on route No. 10003, the former being."

Lines 12 and 13, strike out the words "and the latter between Springfield, Tenn., and Russellville, Ky."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CLARDY, a motion to reconsider the vote by which the bill was passed was laid on the table.

C. R. DOBBINS.

Mr. HITT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 6130, and I would like to make a request for consideration covering a little more. The gentleman from Iowa [Mr. COUSINS] has been called home by the illness

of a member of his family, and left bills of which he was in charge—eight or ten—that are alike, that are here; and I ask consideration of the first one, but I would be glad to have the House consider them all. They are all of them for watches or medals or decorations given by foreign governments to our officers for various acts and international courtesy.

**Mr. BAILEY.** With the statement that they are all that, and only that, I think there will be no danger in getting unanimous consent; but I think it is dangerous, and I hope the gentleman will take up one at a time.

**Mr. CLARK of Missouri.** I think I can save a little about this—

**The SPEAKER.** The gentleman from Illinois asks unanimous consent for the present consideration of measures which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6130) to authorize C. R. Dobbins, keeper of the Moose Peak (Maine) light station, to accept a gold watch from the government of the Dominion of Canada.

*Be it enacted, etc.,* That C. R. Dobbins, keeper of the Moose Peak (Maine) light station, be, and he is hereby, authorized to accept from the government of the Dominion of Canada a gold watch, in recognition of his humane and gallant services to the shipwrecked crew of the British schooner *Ashton*, of Weymouth, Nova Scotia.

**The SPEAKER.** Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of **Mr. HITT**, a motion to reconsider the vote by which the bill was passed was laid on the table.

JOSEPH J. KINYOUN.

**Mr. HITT.** If the Chair will indulge the endeavor to obtain unanimous consent, I will try a similar one. I ask unanimous consent for the present consideration of the bill S. 240.

The bill was read, as follows:

A bill (S. 240) to authorize Joseph J. Kinyoun, passed assistant surgeon of the Marine-Hospital Service, to accept a medal from the President of the Republic of Venezuela.

*Be it enacted, etc.,* That Joseph J. Kinyoun, passed assistant surgeon of the Marine-Hospital Service, be, and he is hereby, authorized to accept from the President of the Republic of Venezuela a gold medal of the fourth class of the Order of the Liberator, awarded in recognition of scientific services.

**The SPEAKER.** Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of **Mr. HITT**, a motion to reconsider the vote by which the bill was passed was laid on the table.

B. H. BUCKINGHAM.

**Mr. HITT.** Mr. Speaker, I ask unanimous consent to consider the bill H. R. 4831.

The Clerk read as follows:

A bill (H. R. 4831) to authorize B. H. Buckingham, lieutenant-commander, United States Navy, to accept certain books from the Government of Mexico.

*Be it enacted, etc.,* That B. H. Buckingham, lieutenant-commander, United States Navy, be, and he is hereby, authorized to accept from the Government of Mexico a copy of the works of Lord Brassey, in 11 volumes, entitled "The Naval Annual," in recognition of scientific services.

**The SPEAKER.** Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of **Mr. HITT**, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADMIRAL T. O. SELFIDGE AND OTHERS.

**Mr. HITT.** Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 2384.

The bill was read, as follows:

A bill (S. 2384) to authorize Admiral T. O. Selfridge, United States Navy, Capt. G. H. Wadleigh, United States Navy, Lieut. Commander E. H. Gheen, United States Navy, Lieut. Commander Raymond P. Rodgers, United States Navy, Paymaster J. B. Redfield, United States Navy, Lieut. J. J. Hunker, United States Navy, Surg. D. N. Bertolotto, United States Navy, and Ensign R. L. Russell, United States Navy, to accept medals presented to them by the Russian Government.

*Be it enacted, etc.,* That Admiral T. O. Selfridge, United States Navy, Capt. G. H. Wadleigh, United States Navy, Lieut. Commander E. H. Gheen, United States Navy, Lieut. Commander Raymond P. Rodgers, United States Navy, Paymaster J. B. Redfield, United States Navy, Lieut. J. J. Hunker, United States Navy, Surg. D. N. Bertolotto, United States Navy, and Ensign R. L. Russell, United States Navy, be, and they are hereby, authorized to accept medals presented to them by the Russian Government on the occasion of the coronation of the Czar Nicholas II, in May, 1896.

**The SPEAKER.** Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of **Mr. HITT**, a motion to reconsider the vote by which the bill was passed was laid on the table.

HAMILTON M. SAILORS.

**Mr. STEELE.** Mr. Speaker, allow me to break the monotony of these proceedings by asking unanimous consent for the present consideration of the bill (H. R. 7090) for the relief of Hamilton M. Sailors.

**The SPEAKER.** The monotony seems to be about the same to the Chair, but the gentleman from Indiana is recognized. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Hamilton M. Sailors, Company K, One hundred and first Indiana Volunteers, the difference in pay between that of a private and a second lieutenant from May 26, 1863, to October 10, 1863, he having performed the duties of the office under proper appointment and assignment.

**Mr. LOUD.** I would like to hear the report read.

**Mr. STEELE.** If the gentleman will accept an explanation instead, the act of March 3, 1863, provided that under the direction of the Secretary of War regiments should be deprived of a colonel when below the minimum, and companies should be deprived of second lieutenants when below the minimum. This man, a sergeant, was ordered on duty, being properly selected, as a second lieutenant. He performed the duty faithfully up to the time stated in the bill, covering a period of about five months. He was on active duty and not accessible to the mails, and his commission was not received until after the order of the Secretary of War prohibiting the muster in of second lieutenants in companies. The most of these cases have been cured. I do not know of another one, except this one, that has not been cured by legislation.

**Mr. LOUD.** Was this officer commissioned at the time?

**Mr. STEELE.** Everything was done, except that he was not accessible to the mails, and did not receive his commission until after the order prohibiting his muster, because the company was below the minimum. This law virtually said that companies should go into battle, and if their ranks are decimated to below the minimum, and then there should be no promotion, in case of a vacancy of second lieutenant, instead of saying to them to go in and fight, if the last man shall earn a commission he shall have it.

**Mr. CLARK of Missouri.** Mr. Speaker, I shall object to this, unless we can have the other bills considered allowing persons to accept decorations.

**Mr. STEELE.** I do not object to that.

**Mr. LOUD.** This bill is similar, while not so extreme a case, to the bill that was up the other day, to which I objected. The gentleman must understand the danger of establishing a precedent of paying a man before he was a commissioned officer, because there were hundreds and thousands of them.

**Mr. STEELE.** This man was in the campaign at Chattanooga, of which my friend from Illinois was aware, and he was inaccessible to the mails and thereby lost his chance. Active service ought not to be a bar to promotion.

**Mr. LOUD.** Does not the gentleman know that dozens of men were away from the regular United States mail for weeks at a time during the war? There are thousands of cases similar to this.

**Mr. STEELE.** I do not know anything of the kind.

**Mr. LOUD.** Well, Mr. Speaker, I think I will object.

CLIFTON R. BRECKINRIDGE.

**Mr. HITT.** Mr. Speaker, I will call up the bill (H. R. 10891) to authorize Clifton R. Breckinridge to accept a medal presented to him by the Russian Government.

The bill was read, as follows:

*Be it enacted, etc.,* That Clifton R. Breckinridge be, and he is hereby, authorized to accept a medal presented to him by the Russian Government on the occasion of the coronation of the Czar, Nicholas II, in May, 1896.

**The SPEAKER.** Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and accordingly it was read the third time, and passed.

On motion of **Mr. HITT**, a motion to reconsider the vote whereby the bill was passed was laid on the table.

**Mr. HICKS rose.**

**Mr. BARRETT.** Mr. Speaker—

**Mr. HITT.** If the gentleman from Massachusetts will wait, I will be through in a moment.

**Mr. BARRETT.** I would like to get in now.

**The SPEAKER.** The gentleman from Illinois [Mr. HITT] having occupied the attention of the House for some time, the Chair will recognize the gentleman from Pennsylvania [Mr. HICKS].

EXTENSION OF LETTERS PATENT.

**Mr. HICKS.** Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10890) granting an extension of letters patent No. 244898.

**Mr. DOCKERY.** Mr. Speaker, I hope bills of that kind will not be considered at the present time.

**The SPEAKER.** Objection is made.

## PAN-AMERICAN EXPOSITION, 1901.

Mr. PAYNE. Mr. Speaker, I move a suspension of the rules to pass the bill (H. R. 12064) to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901.

The bill was read, as follows:

Whereas it is desirable to encourage the holding of a pan-American exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901, to fittingly illustrate the marvelous development of the Western Hemisphere during the nineteenth century, by a display of the arts, industries, manufactures, and products of the soil, mines, and sea; and

Whereas the proposed pan-American exposition, being confined to the Western Hemisphere, and being held in the near vicinity of the great Niagara cataract, within a day's journey of which reside 40,000,000 people, would unquestionably be of vast benefit to the commercial interests not only of this country but of the entire hemisphere, and should therefore have the sanction of the Congress of the United States; and

Whereas satisfactory assurances have already been given by the diplomatic representatives of Canada, Mexico, the Central and South American republics, and most of the States of the United States that these countries and States will make unique, interesting, and instructive exhibits peculiarly illustrative of their material progress during the century about to close; and

Whereas no exposition of a similar character as that proposed has ever been held in the great State of New York; and

Whereas the Pan-American Exposition Company has undertaken to hold such exposition, beginning on the 1st day of May, 1901, and closing on the 1st day of November, 1901: Therefore

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all articles that shall be imported from foreign countries for the sole purpose of exhibition at said exposition upon which there shall be a tariff or customs duty shall be admitted free of payment of duty, customs fees, or charges, under such regulation as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell for delivery at the close thereof any goods or property imported for or actually on exhibition in the exposition buildings, or on the grounds, subject to such regulation for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided,* That all such articles when sold or withdrawn for consumption in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against the persons who may be guilty of any illegal sale or withdrawal: *And provided further,* That all necessary expenses incurred in carrying out the provisions of this section, including salaries of customs officials in charge of imported articles, shall be paid to the Treasury of the United States by the Pan-American Exposition Company, under regulations to be prescribed by the Secretary of the Treasury.

SEC. 2. That there shall be exhibited at said exposition by the Government of the United States, from its Executive Departments, the Smithsonian Institution and National Museum, the United States Commission of Fish and Fisheries, the Department of Labor, and the Bureau of the American Republics, such articles and material as illustrate the function and administrative faculty of the Government in time of peace, and its resources as a war power, and its relations to other American Republics, tending to demonstrate the nature of our institutions and their adaption to the wants of the people. And to secure a complete and harmonious arrangement of such Government exhibit, a board of management shall be created, to be charged with the selection, purchase, preparation, transportation, arrangement, safe-keeping, exhibition, and return of such articles and materials as the heads of the several Departments and the secretary of the Smithsonian Institution, the Commissioner of Fish and Fisheries, the Commissioner of Labor, and the Director of the Bureau of the American Republics may respectively decide shall be embraced in said Government exhibit.

The President may also designate additional articles for exhibition. Such board shall be composed of one person to be named by the head of each Executive Department, one by the head of the Smithsonian Institution and National Museum, one by the head of the United States Commission of Fish and Fisheries, one by the Commissioner of Labor, and one by the Director of the Bureau of the American Republics. The President shall name one of said persons so detailed as chairman, and the board itself shall appoint its secretary, disbursing officer, and such other officers as it may deem necessary. The members of said board of management, with other officers and employees of the Government who may be detailed to assist them, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence, to be fixed by the Secretary of the Treasury, while necessarily absent from their homes engaged upon the business of the board.

Officers of the Army and Navy shall receive this allowance in lieu of the transportation and mileage now allowed by law. Any provision of law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with the Pan-American Exposition. Employees of the board not otherwise employed by the Government shall be entitled to such compensation as the board may determine. The disbursing officer shall give bond in the sum of \$20,000 for the faithful performance of his duties, said bond to be approved by the Secretary of the Treasury. The Secretary of the Treasury shall advance to said officer from time to time, under such regulations as the Secretary of the Treasury may prescribe, a sum of money from the appropriation for the Government exhibit, not exceeding at any one time three-fourths of the penalty of his bond, to enable him to pay the expenses of said exhibit as authorized by the board of management herein created.

SEC. 3. That the Secretary of the Treasury shall cause a suitable building or buildings to be erected on the site selected for the Pan-American Exposition for the Government exhibits, from plans to be approved by the board, and he is hereby authorized and directed to contract therefor in the same manner and under the same regulations as for other public buildings of the United States; but the contract for said building or buildings shall not exceed the sum of \$200,000, said sum being hereby appropriated for said purpose, out of any money in the Treasury not otherwise appropriated. The Secretary of the Treasury is authorized and required to dispose of such building or buildings, or the material composing the same, at the close of the exposition, giving preference to the city of Buffalo or to the said Pan-American Exposition Company to purchase the same at an appraised value, to be ascertained in such manner as may be determined by the Secretary of the Treasury.

SEC. 4. That the United States shall not be liable on account of said exposition for any expense incident to or growing out of same, except for the construction of the building or buildings hereinbefore provided for, and for the purpose of paying the expense of selection, preparation, purchase, installation, transportation, care, custody, and safe return of exhibits by the Gov-

ernment, for the employment of proper persons as officers and assistants by the board of management created by this act and for their expenses, and for the maintenance of the said building or buildings and other contingent expenses, to be approved by the chairman of the board of management, or in the event of his absence or disability, by such other officer as the board may designate and the Secretary of the Treasury upon itemized accounts and vouchers; and the total cost of said building or buildings shall not exceed the sum of \$200,000; nor shall the expenses of said Government exhibit for each and every purpose connected therewith, including transportation, exceed the sum of \$300,000, amounting in all to not exceeding the sum of \$500,000, which sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000, or so much thereof as may be necessary, to be disbursed by the board of management hereinbefore created, of which not exceeding the sum of \$10,000 shall be expended for clerical services: *Provided,* That no liability against the Government shall be incurred, and no expenditure of money under this act shall be made, until the officers of said exposition shall have furnished the Secretary of the Treasury proofs to his satisfaction that there has been obtained by said exposition corporation subscriptions of stock in good faith, contributions, donations, or appropriations from all sources for the purposes of said exposition a sum aggregating not less than \$500,000.

SEC. 5. That medals, with appropriate devices, emblems, and inscriptions commemorative of said pan-American exposition, and of the awards to be made to the exhibitors thereat, shall be prepared at some mint of the United States for the board of directors thereof, subject to the provisions of the fifty-second section of the coinage act of 1893, upon the payment of a sum not less than the cost thereof; and all the provisions, whether penal or otherwise, of said coinage act against the counterfeiting or imitation of coins of the United States shall apply to the medals struck and issued under this act.

SEC. 6. That the United States shall not in any manner nor under any circumstances be liable for any of the acts, doings, proceedings, or representations of said Pan-American Exposition Association, its officers, agents, servants, or employees, or any of them, or for service, salaries, labor, or wages of said officers, agents, servants, or employees, or any of them, or for any subscriptions to the capital stock, or for any certificates of stock, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses of any kind whatever attending such corporation, or accruing by reason of the same.

SEC. 7. That nothing in this act shall be so construed as to create any liability of the United States, direct or indirect, for any debt or obligation incurred, nor for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support or liquidation of any debts or obligations created by said commission in excess of appropriations made by Congress therefor.

SEC. 8. That the appropriation herein made of \$500,000 in all shall take effect and become available immediately upon the passage of this act.

The SPEAKER. Is a second demanded?

Mr. COX. I demand a second.

Mr. PAYNE. I ask unanimous consent that a second may be considered as ordered.

Mr. COX. I object.

The SPEAKER. Objection is made. The gentleman from New York, Mr. PAYNE, and the gentleman from Tennessee, Mr. COX, will take their places as tellers.

The question was taken; and Mr. PAYNE reported 97 in the affirmative.

Mr. COX. Mr. Speaker, I withdraw my objection.

The SPEAKER. Objection is withdrawn; 97 votes in the affirmative and none in the negative. A second is ordered, and twenty minutes will be controlled by the gentleman from New York [Mr. PAYNE] and twenty minutes by the gentleman from Tennessee [Mr. COX].

Mr. PAYNE. Mr. Speaker, with the remark that this bill has in its favor the unanimous report of the Committee on Ways and Means, I yield to my colleague [Mr. ALEXANDER], who introduced the bill, such time as he may desire.

Mr. ALEXANDER. Mr. Speaker, it is proposed by the people of Buffalo and western New York to hold a pan-American exposition in 1901. It is to be international in its character, but confined to the countries of North, South, and Central America. At the last session of Congress Senate concurrent resolution No. 141, approved by the President on July 8, 1898, gave encouragement to this enterprise; and based upon that encouragement and recognition by Congress the people of Buffalo and of western New York took up the matter with great energy.

They have practically secured recognition from at least three countries of Central and South America; they have received assurances from a large number of exhibitors from Central and South America that their exhibits will be transferred after the close of the Paris exposition to the pan-American exposition at Buffalo; they have received substantial assurances that State exhibits of a most generous character will be made by Mexico and Brazil; they have received satisfactory assurances that Canada will come in force, making an exhibit representative of the wonderful resources of the large domain which lies upon the north. Upon these assurances our people have taken up the matter with so much energy that within thirty days the sum of a million and a half of dollars was raised to carry it on, a sum to be supplemented by one million more. The general assembly of the State of New York, with the approval of Governor Roosevelt, has added three hundred thousand more, so that there is to-day the equivalent of \$1,800,000 ready to be devoted to the purposes of this exposition.

And now, Mr. Speaker, we come here not asking Congress for one dollar for an appropriation to carry on or to pay the expenses of this exposition. We propose to pay for that ourselves. We simply want Congress to make it possible for the United States to

put up an exhibit of its own, as Brazil and Mexico have practically promised to do. We ask only that Congress shall treat us as she treated Chicago, Atlanta, New Orleans, Nashville, Omaha, and other cities in which expositions have been held; that the Government may send us a splendid exhibit, showing the magnificent growth and progress of the world's great Republic during the nineteenth century.

Mr. Speaker, the idea of this exposition had its inception when the great cataract of Niagara was successfully harnessed so that its tremendous water power could be converted into electric power. Our purpose is to demonstrate to the world, and especially to the Western Hemisphere, that Niagara Falls is not only capable of, but now is developing, a power greater than is known elsewhere in the whole world, and we desire to make this exposition a celebration of that event, surely one of the greatest that has happened in the history of world. In such an endeavor Congress ought cheerfully and gladly to have this country participate, and by a generous appropriation to aid us in fittingly illustrating the marvelous development of the Western Hemisphere during the present century by a complete and satisfactory display of the arts, industries, and manufactures and the products of the soil, of the mines, and of the sea. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. COX. I yield five minutes of my time to the gentleman from Alabama [Mr. SIMS]. [A pause.] As I do not see the gentleman in his seat, I will yield twelve minutes to the gentleman from Kansas [Mr. SIMPSON].

Mr. SIMPSON. Mr. Speaker, I do not know that I am opposed to this measure; indeed, from what I know of it, I think I am in favor of it. But for a few minutes I want to speak upon another question; and with the indulgence of the House I will take this opportunity to submit a few facts given me by Mr. Thomas G. Shearman, of Brooklyn, N. Y.

On last Saturday the gentleman from Ohio [Mr. GROSVENOR] in a speech on this floor quoted from the celebrated speech of Hon. Thomas Corwin, of the State of Ohio, in which that gentleman said:

Were I a Mexican, as I am an American, I would welcome your soldiers with bloody hands to hospitable graves.

The gentleman from Ohio followed that quotation by saying:

For that utterance he (Mr. Corwin) died a broken-hearted man—absolutely repudiated by the men of his own party—and went down to his grave with regret upon his lips that he had ever made that utterance.

Mr. Speaker, the quotation made by the gentleman from Ohio from Mr. Corwin's speech is absolutely correct; but his statement which follows it is absolutely false, and I propose to give the country the facts. I know the gentleman from Ohio is looked upon as the historian and statistician of the present Administration. We here in the House know how he is in the habit of picking up blank pieces of paper and reading therefrom history! [Laughter.] To us his statements would make very little difference; but the country at large has a great deal of confidence in his statements, and therefore the incorrect statement which I have just read ought to be corrected.

I do not want it to go to the country that the statement was correct. For I believe it was made in the House and before the country to influence men in their support of the Administration with reference to its policy in the far-off Philippine Islands. In fact, Mr. Speaker, some statesmen on this side of the House did "wabble" a little, and evinced something of a desire to commend that policy, showing that the statement of the gentleman at least had some effect even in this body.

Now, as to the facts in the matter. Of course Senator Corwin was violently abused by the Democrats of that day, who were then the war party; but that speech made him popular all over the North, and not unpopular even in the South. He made that speech in the summer of 1846. Horace Greeley republished it in full in the Tribune Almanac for 1848, which was issued in December, 1847; thus showing that the leaders of the Whig party were proud of the speech even after the lapse of eighteen months.

In the autumn of 1846 the Whigs at the then pending election swept the country on the platform of their opposition to the Mexican war; and Corwin's own State of Ohio doubled the Whig majority of 1844, and his own county gave a larger Whig majority in this year on a smaller popular vote than it had theretofore given.

Corwin's term as Senator did not expire until March, 1851, so that he could not be a candidate for anything. Long before his term expired President Fillmore appointed Corwin Secretary of the Treasury, which was then, as now, really the most honorable post in the Government. This office he held until March, 1853, when Fillmore's term came to an end, and of course a new Cabinet was appointed. Meanwhile, Benjamin F. Wade had been elected to succeed Corwin in the Senate, and Wade was an even more bitter opponent of the Mexican war than Corwin, while he was also an Abolitionist, which Corwin was not.

Corwin did not return to public life until 1858, for the simple

reason that he was too conservative to join the Republican party until then. His Mexican war speech had given him a reputation at home, which he seriously damaged by advising Fillmore to sign the fugitive-slave law in 1850. When, however, he made up his mind to join the Republican party, he was elected to Congress in 1858 and reelected in 1860. He resigned early in his second term, simply because he was appointed by President Lincoln minister to Mexico. The very fact of his appointment to Mexico was a most significant mark of approval of his famous Mexican war speech. He might have held this office indefinitely, but resigned in 1864, on account of his health, and, I believe, died in 1865, when he was over seventy years old.

Now, you see that instead of Mr. Corwin dying broken hearted, as stated by the gentleman from Ohio, after the Mexican war speech, he lived many years afterwards; lived to an old age and was the idol of his party, and was more popular than ever on account of that speech, as is evidenced by the marks of approval of his party on many occasions.

I only took this occasion, therefore, Mr. Speaker, to set right a misstatement of history made by the gentleman from Ohio [Mr. GROSVENOR].

[Here the hammer fell.]

Mr. COX. Mr. Speaker, I am a little solicitous now about the time of this debate, and would like gentlemen on the other side to consume a portion of their time.

Mr. PAYNE. If the gentleman does not desire to speak, I will ask a vote upon the question.

Mr. COX. I will yield a part of my time to the gentleman from Michigan [Mr. BRUCKER].

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the following titles:

S. 5260. An act to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes; and

H. R. 10403. An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States. The message also announced that the Senate had agreed to the amendments of the House to bills of the following titles:

S. 164. An act to provide for the construction of a public building at Butte City, Mont.;

S. 346. An act providing for the erection of a public building at the city of Seattle in the State of Washington;

S. 706. An act to provide for the purchase of a site for the erection of a public building at Oakland in the State of California;

S. 926. An act to provide for the erection of a public building at Beaumont, Tex.;

S. 1896. An act to provide for the purchase of a site and for the erection of a public building thereon at Salt Lake City, capital of Utah;

S. 1271. An act for a public building at the city of Wilkesbarre, Pa., and appropriating money therefor;

S. 98. An act to provide for the purchase of sites for public buildings in the cities of Hastings and Norfolk, in the State of Nebraska;

S. 2048. An act for the erection of a public building at Fergus Falls, Minn.;

S. 244. An act to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri;

S. 109. An act for the erection of a public building at Aberdeen, S. Dak.; and

S. 927. An act to provide for the erection of a public building at Abilene, Tex.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11916. An act to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations in the Indian Territory, and for other purposes; and

H. R. 11879. An act to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes."

The message also announced that the Senate had passed without amendment the following resolution:

*Resolved by the House of Representatives (the Senate concurring).* That there be printed of the Report of the Board of Managers of the National Home for Disabled Volunteer Soldiers, in addition to the usual number, 500 copies for the use of the Home.

The message also announced that the Senate had passed with amendments the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes; in which the concurrence of the House was requested.

## PAN-AMERICAN EXPOSITION, 1901.

The House resumed consideration of the bill (H. R. 12064) to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901.

Mr. BRUCKER. Mr. Speaker, when an attempt was made recently to pass this bill under a motion to suspend the rules I objected to its passage and raised the point of no quorum. I did so for these reasons: When the bill was originally introduced, something like a year ago, I received the impression that this exposition was to be purely local, purely in the interest of the city of Buffalo alone, and that it was not to be an exposition of national importance.

I also received the impression at that time that no appropriations from the National Treasury to assist this exposition would be asked for in the future, and without making any further inquiry, and without receiving any further or additional light upon the subject, I interposed my objection when the bill came up the other day. But I have investigated the matter, and I find that this exposition at Buffalo is not to be local to that city or to that region, but is to be what the name implies, a pan-American "national" exposition.

Now, the city of Atlanta, the city of New Orleans, and the city of Omaha, having received this national recognition and assistance, I certainly would be the last man in the world to draw the line as against the city of Buffalo, this exposition being, in my judgment and according to my information, along the lines of national importance. For that reason I shall give it my support.

## NAVAL APPROPRIATION BILL.

Mr. SOUTHARD. Mr. Speaker, I ask unanimous consent to nonconcur in the Senate amendments to the naval appropriation bill, and that the amendments be consecutively numbered and the bill printed, and that the House agree to a conference with the Senate.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take up the naval appropriation bill, nonconcur in the Senate amendments, have the amendments printed and numbered in proper order, and agree to the conference asked for.

Mr. UNDERWOOD. Pending the question of unanimous consent, I should like to ask the gentleman from Ohio [Mr. SOUTHARD]—I understand that the Senate has amended that portion of the bill in reference to armor plate.

Mr. SOUTHARD. So I understand.

Mr. UNDERWOOD. I should like to ask him if his committee are willing to allow the House to have a separate vote on that proposition?

Mr. SOUTHARD. I do not know that I have anything to say about that, Mr. Speaker.

Mr. UNDERWOOD. I understand, Mr. Speaker, that if the bill goes to the committee and is reported back to the House, then, as a matter of right, it can be called up for a vote on that question.

The SPEAKER. If the conference committee should agree, the conference report would have to be accepted as a whole or rejected as a whole.

Mr. UNDERWOOD. As I understand it, then, there will be no opportunity to demand a separate vote on that question?

Mr. RICHARDSON. Not unless the conference report is voted down.

The SPEAKER. There would be no opportunity as of right. Does the gentleman object?

Mr. UNDERWOOD. No; I would have objected if I could have forced a separate vote on that proposition.

The SPEAKER. The Chair hears no objection.

Mr. UNDERWOOD. Am I entitled to a separate vote on that proposition now, if I demand it?

The SPEAKER. Not now, because if objection is made the bill will go to the committee, and when it comes out of the committee will go to the Committee of the Whole, on the new Senate proposition. Then, when it is in Committee of the Whole, there will be a vote on that, if the amendment is what the gentleman states. That would be the practical disposition of the case. Perhaps the matter had better be laid aside until the chairman of the Committee on Naval Affairs comes in, and he may be able to arrange with the gentleman from Alabama satisfactorily. Without objection, the bill will be printed and the amendments numbered, and the bill will remain on the Speaker's table.

There was no objection.

## PAN-AMERICAN EXPOSITION, 1901.

The House resumed the consideration of the bill (H. R. 12064) to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901.

Mr. PAYNE. Unless gentlemen on the other side desire to occupy time, I ask for a vote.

Mr. COX. How much time have I remaining?

The SPEAKER. The gentleman has fifteen minutes.

Mr. COX. I yield five minutes to my colleague, the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, I am not up here to make a political speech, but I expect to vote on this bill, and perhaps many others like it if I am here long. I have no criticism to make of the gentlemen, members of the House from New York, who favor this bill, and I know that Atlanta, Ga.; Nashville, Tenn.; Omaha, Nebr., and perhaps other places have received similar help, and I know others are coming to ask in the future for the same kind of help in almost arithmetical progression ratio. Now, we believe, or at least I do, and I hope we all do, in taxation for Government and for public purposes only. We believe in a tariff for revenue only, for taxation for revenue only, and we believe, at least I do, that the revenue when collected should be expended for Government purposes only.

Now, I want to know what Government purpose there is in any of these expositions? Does it materially help those exhibits in the Smithsonian Institution and the National Museum to be junketed around over the country at public expense when they have expensive buildings in the city of Washington in which to keep them, with employees paid out of the Government Treasury to take care of them? Does it do them any good to send them to Nashville, Buffalo, or anywhere else to be exhibited?

Now, Mr. Speaker, this is a precedent. Others have been set, and it is time we had a stop put to it. We have got to draw the line somewhere, and I think this is as good a time to make it as anywhere else.

Mr. TAWNEY. Will the gentleman allow me to ask him a question?

Mr. SIMS. As a citizen of the State of Tennessee, when the distinguished gentleman from Texas [Mr. BAILEY] voted against that appropriation for an exhibition there, I think that he did right. I would not lay down principle for locality and local convenience. Now, my friends, so long as Government bonds are in existence, and the interest to be paid, and that interest to be collected by taxation, I am going to vote against all such schemes as this, and I know I am conscientious in doing so and think I am right. Now, I yield to the gentleman from Minnesota for a question.

Mr. TAWNEY. I was just about to ask the gentleman if he would have objected if the line had been drawn on Tennessee?

Mr. SIMS. I said the gentleman from Texas [Mr. BAILEY] did right, and I was then a citizen of Tennessee. I think this answers your question. Now I yield to the gentleman from New York for a question.

Mr. SULZER. I want to ask the gentleman if an exhibit of the Government of the United States and the whole people was a benefit?

Mr. SIMS. Yes; but would it be right, and what good would it do to the people of Oregon, who have paid part of that appropriation? It is said that these things are necessary that the Government may exhibit. Is the Government in the exhibiting business? Does the Government want to make a show, when it has the National Museum, the Smithsonian Institution, and other places where such things are kept? Are all people interested in junketing them all over the country in order that they may make a show instructive?

Mr. SULZER. Do you know that this pan-American exposition will benefit the people of the whole country?

Mr. SIMS. Why, Mr. Speaker, every little show that is got up has some sort of a "pan" name to it or some string, in order to get a vote.

Mr. SHERMAN. The Tennessee show had.

Mr. SIMS. It had something to popularize it, and I do not criticize gentlemen who voted for the Tennessee appropriation; but I am not estopped by it; and this thing is going on and increasing each year. Let me say, Mr. Speaker, that whenever the surplus of the Treasury is reduced below \$100,000,000 you will see a bond issue to supply the gold reserve. We are simply aiding in that very thing in voting for any such measure as this.

Mr. COX. Mr. Speaker, I think I have three minutes remaining.

The SPEAKER. The gentleman has ten minutes remaining.

Mr. COX. I am glad to hear it. I yield five minutes to the gentleman from Georgia [Mr. MADDOX] and reserve the other five for myself.

Mr. MADDOX. Mr. Speaker, I want to take advantage of this opportunity to warn my friend from Tennessee.

Mr. Speaker, I would like to have order.

The SPEAKER. The gentleman from Georgia desires that the House should be in order, and the gentleman from Georgia has the right to have the House be in order. The Chair will be obliged to mention members by name if they do not take their seats and cease conversation.

Mr. MADDOX. Mr. Speaker, I think I ought to have order, and gentlemen ought to listen to me, especially while I warn my friend from Tennessee to get off the track. I supposed he was here on yesterday and saw me get onto it. If he was, he found

what they did for me. [Laughter.] Now, I want to inform him. This business is one I know is progressive. My experience here is this, and this is the idea I want to suggest. I have heard men in Congress, about the Fifty-third Congress—a number of you over there—and in the Fifty-fourth Congress, and now comes my friend in the Fifty-fifth Congress, making speeches against these exhibits; that is, the Government aiding in these expositions.

I have observed these same men in the Fifty-third Congress who made constitutional speeches against them and said they were not authorized by the Constitution came back in the Fifty-fourth Congress and asked for an appropriation themselves. Now, be careful. [Laughter.] I might go farther back than the Fifty-third Congress. Some of you remember that our distinguished friends in the Fifty-second Congress made some very strong constitutional arguments against appropriations for Chicago and in the Fifty-third Congress came back here and asked for a similar appropriation. Somehow or other they had been enlightened on this subject. It seems that we are progressing all the time in these methods of making appropriations.

Now, Mr. Speaker, I might say something about the Treasury, but my friend from Missouri [Mr. DOCKERY] has exhausted that question. I suppose he has, for I have not heard from him on this bill. [Laughter.] I might say that it was inopportune now to make this appropriation, that the Treasury was loaded down far beyond its capacity, but what good does that do? No man dare stand here and oppose these appropriations. I know he dare not do it, for I have received the effects of trying to stop a thing of that sort. [Laughter.] Now, I want to call the attention of my friend from New York [Mr. PAYNE] to this fact: Has he not any sympathy for that old Smithsonian exhibit? Are you never going to let up on it? Do have it varnished up a little and repaired before you carry it to Buffalo. [Laughter.] Give us a creditable show.

Mr. MAHANY. We will "put it off at Buffalo." [Laughter.]

Mr. MADDOX. Well, put it off at Buffalo; but I hope you will first put it in better condition than when I last saw it. Go down and look at it and have it fixed up a little before you take it to New York. Do not let them destroy it, but put it in a good condition, preserve it, because we are going to need it at St. Louis. [Laughter.]

Mr. SULZER. We will all be with you.

Mr. MADDOX. And probably we shall need it somewhere else.

Mr. CLARK of Missouri. Will the gentleman allow me a question?

Mr. MADDOX. Certainly.

Mr. CLARK of Missouri. Was not the last time that the gentleman saw the exhibit at Atlanta, Ga.? [Laughter.]

Mr. MADDOX. No; it has been at several places since then; at Nashville and at Omaha. I told you that the thing was progressing, and it is going so fast that the gentleman from Missouri can not keep up with it. Of course this exhibit was at Atlanta, and if we have had one in Georgia, of course we must vote for every one that is to be had for all time. That is the method of legislation that I was talking about the other day. There is no end to this sort of business.

Mr. MAHANY. I would like to ask the gentleman if he can imagine anything much more conducive to the industrial progress and commercial prosperity of the United States than these expositions carried on in different States of the Union?

Mr. MADDOX. Yes.

Mr. MAHANY. What?

Mr. MADDOX. Reduce the tariff. [Laughter.] Restore silver to its proper place, and your expositions would not be a mite as compared to a mountain. Anything else? [Laughter.]

Mr. MAHANY. Oh, I regard the tariff as a settled question.

Mr. MADDOX. I believe myself it is a settled question so far as your side is concerned. We will have to direct our attention to a direct tax to aid the Dingley tariff bill. That is what we will have to do. I do not care to say anything more.

The SPEAKER. The gentleman's time has expired. [Laughter.]

Mr. COX. Mr. Speaker, I yield to my friend from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, just a few words in favor of this bill. In my judgment it ought to pass without a dissenting vote. It is a good bill in every respect—in every sense of the word. There should be no opposition to it from any fair-minded man.

We have been talking and legislating for years and years about pan-American unity, fraternity, and closer commercial relations and intercourse. If this bill becomes a law and the Pan-American Exposition is held at Buffalo in 1901, it will do more, in my judgment, to bring those desirable objects about than everything else that has ever been done.

I am in sympathy with the objects of this exposition, and I believe it will do more for American trade, business, and commerce than we can possibly conceive of at the present time. It is sure to aid and help every portion of the Union. If this bill passes, it will

be one of the best, one of the most unique, and one of the grandest expositions ever held on this continent. It is sure to be a great success in every way. It will be a grand object lesson to every citizen of the Republic and to the people of the South and Central American States. It will be a liberal education to many. It will bring us in closer contact with our neighbors in South and Central America.

It will give us a clearer and a better knowledge of the products of the field, the farm, the forests, the mines, and the seas from Baffin Bay to Cape Horn, and it will all be done by ocular demonstration. I am in favor of these expositions, and I believe the Government should lend its aid by being represented as an exhibitor. Money spent in this way is well spent.

All honor and all success, I say, to the farsighted and enterprising citizens of Buffalo who have undertaken this magnificent and commendable project. May prosperity attend their worthy efforts. [Applause.]

[Here the hammer fell.]

Mr. ALEXANDER. I yield two minutes to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I have the honor to be a member of the committee which reported this bill favorably to the House. Of course I can not in two minutes undertake to present fully the considerations which induced me to agree to a favorable report and which will lead me to support the measure in the House.

Mr. Speaker, we are singular human beings anyhow. A few years ago Illinois wanted an exposition at Chicago, and every Illinois member voted for it, while some members from Georgia and Tennessee voted against it. A few years later Georgia wanted an exposition at Atlanta, and every member from Georgia voted for that exposition, while a few members from Tennessee and Illinois voted against it.

A few years later Tennessee wanted an exposition, and every member of the House from Tennessee earnestly supported that measure, while a few from Illinois and Georgia voted against it. A few years later Nebraska wanted an exposition, and a similar division of sentiment on this floor was developed. Now New York wants an exposition, and all of the New York members are in favor of it, while some of us from Tennessee and some from Nebraska and some from Illinois, who favored expositions in their own States, are opposed to this.

For myself, having voted for the exposition at Atlanta and for the exposition at Nashville, I can not, consistently with my own feelings, vote against this proposition, which I think is highly meritorious. I shall therefore vote for this exposition at Buffalo.

Mr. COX. Will my colleague allow me a single suggestion?

Mr. RICHARDSON. Certainly.

Mr. COX. The gentleman, as I understand, is casting his vote against his own judgment for the sake of maintaining his character for consistency.

Mr. RICHARDSON. No, I am not; because if another exposition were proposed next year at Nashville and there were sufficient reasons for it, I should again vote in favor of the proposition. I am unlike my colleague [Mr. Cox], who says that he would not do so. After the lapse of another hundred years—and I hope my colleague will live until that time—we may have another centennial celebration in Tennessee. I hope my colleague will be in Congress at that time and will vote for that celebration. [Laughter.]

Mr. COX. Oh, I shall be here as long as you are. [Laughter.] The gentleman need not trouble himself about that.

Mr. GREENE of Nebraska. The gentleman from Tennessee will allow me to say that I do not think any member of the Nebraska delegation is opposed to this proposition.

Mr. ALEXANDER. I yield four minutes to the gentleman from Texas [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I have witnessed and I have regretted the very state of affairs which has been recited, first by the gentleman from Georgia, and later by the gentleman from Tennessee who has immediately preceded me. For eight years, as a member of this House, I have steadfastly resisted every appropriation of this kind, but I have never succeeded in defeating a single one. In the progress of events gentlemen have reached a point where they are not content to take a mere appropriation; they have now gone much further than ever before, and when this bill was presented to the Committee on Ways and Means it was entitled "A bill to authorize and encourage" the holding of this exposition.

The first section of the bill provided that there should be held at or near the city of Buffalo, etc., an exposition, thus asserting the power of Congress to go into the several States of this Union and authorize the holding of expositions. To me this was a grave objection, because it asserted a power in the General Government which I know does not exist, and this phase of the question seemed to me vastly more important than the mere expenditure of the money. I therefore said to gentlemen in charge of that bill that

if they would cut that section out altogether, and amend the title so as to remove that objectionable feature, which asserted the power of the Federal Government to authorize the holding of an exposition in any State of the Union, and leave it a mere naked proposition to appropriate money for the Government's own exhibit, I would agree that they might have the appropriation. In other words, Mr. Speaker, I promised them if they would refrain from asserting what I considered a dangerous principle I should not object to the appropriation of the amount proposed.

They have kept their part of that compromise, and I intend to keep mine. [Applause.] I intend to vote for this bill, not because I believe that this or any similar bill should pass the House, but simply because I know it will be impossible to defeat it and I want this provision out of it. This kind of favor has been extended to so many other communities, and I am sure no discrimination will be made against the people of Buffalo.

This proposition does not commit the Government to anything except to pay its own expenses for its own exhibit there, and it is as unobjectionable as such a bill can possibly be made. No such bill can be satisfactory to me, and this one would not command my vote if it were a naked question of the appropriation of this amount of money for the purpose contemplated; but under the circumstance I think I am doing the best that can be done; but I desire now to emphasize my protest against all such legislation in the future.

Mr. SIMS. Will the gentleman allow an interruption just there?

Mr. BAILEY. Yes.

Mr. SIMS. I would like to ask the gentleman if any Government purpose in which the people of this country are interested is to be subverted by this appropriation?

Mr. BAILEY. I will say to the gentleman frankly, in my judgment, no. I think it is the function of the Government to govern and not to hold expositions for the benefit of any State or of any city or of the people in any part of the country. But, on the other hand, it may be said that the expenditure of money to make a Government exhibit involves no such objection as would necessarily be involved in the provision authorizing the holding of an exposition of any kind in a sovereign State of the Union.

Mr. SIMS. But making a Government exhibit at all places the Government in a false position in connection with these matters, and is it not merely a subterfuge to get Government aid?

Mr. BAILEY. I quite agree with the gentleman from Tennessee. But if the Government has objects of curiosity and objects of interest to the people of the country at large, it is the right of the Government to carry them where it pleases and allow the people the opportunity to examine them. That is the only question here, and this bill in its present shape involves only an appropriation for that purpose, while the proposition as it came before the committee involved the exercise of what I conceive to be a dangerous and a doubtful power. I made the compromise on this bill believing that it was better than to establish a precedent which I regarded not only as dangerous but as unconstitutional.

The SPEAKER. The question is on the motion of the gentleman from New York to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. Sims) there were—ayes 141, noes 16.

Mr. SIMS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were not ordered.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

#### OHIO CENTENNIAL AND NORTHWEST TERRITORY EXPOSITION AT TOLEDO, OHIO.

Mr. SOUTHARD. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12103) to encourage the holding of the Ohio Centennial and Northwest Territory Exposition at the city of Toledo, Ohio.

The SPEAKER. The bill will be read.

The bill was read, as follows:

Whereas it is desirable to encourage the holding of the Ohio Centennial and Northwest Territory Exposition at the city of Toledo, in the State of Ohio, in the year 1902 or 1903, as the Ohio general assembly may hereafter determine, for the exhibition of the resources of the United States of America, Hawaii, Cuba, Porto Rico, and the Philippines, and the progress and civilization of the American countries, and for a display of the arts, industries, manufactures, and products of the soil, mine, and sea; and

Whereas it is desirable to commemorate by an appropriate naval display the important victory of Commodore Perry in the western waters of Lake Erie, beside which waters said exposition is located; and

Whereas it is desirable for its historical and educational effect that there be given an exhibition of the Indians of North America, and especially the tribes of the old Northwest Territory; and

Whereas it is desirable that an exhibition shall be made of the great staples of the original Northwest Territory and Ohio Valley region, which contribute so largely to domestic and international commerce; and

Whereas encouragement should be given to an exhibit of the arts, industries, manufactures, and products illustrative of the progress and development of that and other sections of the country; and

Whereas such exhibition should be international as well as national in its character, in which the people of this country, of Mexico, the Central and South American governments, and other states of the world should participate, and should, therefore, have the sanction of the Congress of the United States; and

Whereas it is desirable and will be highly beneficial to bring together at

such an exposition the people of the United States and other states of this continent; and

Whereas the Ohio Centennial Company, a corporation, has undertaken to hold such exposition, beginning on the 1st day of May, 1902 or 1903, and closing on the 1st day of November, 1902 or 1903: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be exhibited by the Government of the United States at said Ohio Centennial and Northwest Territory Exposition from the Executive Departments, the Smithsonian Institution and National Museum, the Commission of Fish and Fisheries, the Department of Labor, and the Bureau of American Republics such articles and materials as illustrate the function and administrative faculty of the Government, its resources as a war power, and its relations to other American republics, and to secure a complete and harmonious arrangement of said Government exhibit a board of management shall be created, to be charged with the selection, purchase, preparation, transportation, arrangement, safe-keeping, exhibition, and return of such articles and materials as the heads of said Departments and institutions of the Government may respectively decide shall be embraced in said Government exhibit.

The President may also designate additional articles for exhibition. Such board shall be composed of one member to be detailed by the head of each Executive Department, one by the head of the Smithsonian Institution and National Museum, one by the head of the United States Fish Commission, one by the Commissioner of Labor, and one by the Director of the Bureau of American Republics. The President shall name one of said persons so detailed as chairman, and the board itself shall appoint its secretary, disbursing officer, and such other officers as it may deem necessary. The members of said board of management, with other officers and employees of the Government who may be detailed to assist them, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence, to be fixed by the Secretary of the Treasury, while necessarily absent from their homes engaged upon the business of the board.

Officers of the Army and Navy shall receive this allowance in lieu of the transportation and mileage now allowed by law. Any provision of law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with the Ohio centennial and Northwest Territory exposition. Employees of the board not otherwise employed by the Government shall be entitled to such compensation as the board may determine. The disbursing officer shall give bond in the sum of \$20,000 for the faithful performance of his duties, said bond to be approved by the Secretary of the Treasury. The Secretary of the Treasury shall advance to said officer from time to time, under such regulations as the Secretary of the Treasury may prescribe, a sum of money from the appropriation for the Government exhibit, not exceeding at any one time three-fourths of the penalty of his bond, to enable him to pay the expenses of said exhibit as authorized by the board of management herein created.

SEC. 2. That the Secretary of the Treasury shall cause a suitable building or buildings, from plans to be approved by the board of management, to be erected on the site selected at the Ohio centennial and Northwest Territory exposition for the Government exhibit; and he is hereby authorized and directed to contract therefor in the same manner and under the same regulations as for other public buildings of the United States; but the contract for said building or buildings shall not exceed the sum of \$200,000, said sum being hereby appropriated for said purpose out of any money in the Treasury not otherwise appropriated. The Secretary of the Treasury shall dispose of such building or buildings or the material composing the same after the close of the exposition, giving preference to the city of Toledo or the Ohio Centennial Company to purchase the same at an appraised value, to be ascertained in such manner as the President and Secretary of the Treasury may determine; and whatever sum may be so realized shall be covered into the Treasury of the United States.

SEC. 3. That for the purpose of paying the expenses of the selection, purchase, preparation, transportation, installation, care, and return of said Government exhibit, and for the employment of proper persons as officers and assistants by the board of management created by this act and for their expenses, and for the maintenance of the building hereinbefore provided for, and for other contingent expenses incidental to the Government exhibit, to be approved by the chairman of the board of management, or in the event of his absence or disability by such other officer as the board may designate, upon itemized accounts and vouchers, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000, or so much thereof as may be necessary, to be disbursed by the board of management hereinbefore created, of which not exceeding the sum of \$10,000 shall be expended for clerical service: *Provided*, That no liability against the Government shall be incurred and no expenditure of money under this act shall be made until the officers of said exposition shall have furnished the Secretary of the Treasury proofs to his satisfaction that there has been obtained by said exposition corporation subscriptions of stock in good faith, contributions, donations, or appropriations from all sources for the purpose of said exposition, a sum aggregating not less than \$500,000, nor until the State of Ohio shall by legislative enactment have appropriated a sum of money equal to that herein appropriated.

SEC. 4. That all articles which shall be imported from foreign countries for the sole purpose of exhibition at said exposition upon which there shall be a tariff or customs duty shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exhibition to sell, for delivery at the close of the exposition, any goods or property imported for and actually on exhibition in the exposition buildings or on its grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against such articles and against the persons who may be guilty of any illegal sale or withdrawal: *And provided further*, That all necessary expenses incurred in carrying out the provisions of this section, including salaries of customs officials in charge of imported articles, shall be paid to the Treasury of the United States by the Ohio Centennial Company, under regulations to be prescribed by the Secretary of the Treasury.

SEC. 5. That medals, with appropriate devices, emblems, and inscriptions commemorative of said Ohio centennial and Northwest Territory exposition and of the awards to be made to exhibitors thereat, be prepared at some mint in the United States for the board of directors thereof, subject to the provisions of the fifty-second section of the coinage act of 1893, upon the payment by the Ohio Centennial Company of a sum not less than the cost thereof; and all the provisions, whether penal or otherwise, of said coinage act against the counterfeiting or imitating of coins of the United States shall apply to the medals struck and issued under this act.

SEC. 6. That the United States shall in no manner and under no circumstances be liable for any bond, debt, contract, expenditure, expense, or liability of any kind whatever of the said Ohio Centennial Company, its officers,

agents, servants, or employees, or incident to or growing out of said exposition, nor for any amount whatever in excess of the \$500,000 herein authorized; and the heads of the Executive Departments, the Smithsonian Institution and National Museum, the Commission of Fish and Fisheries, the Department of Labor, and the Bureau of American Republics, and the board of management herein authorized, their officers, agents, servants, or employees, shall in no manner and under no circumstances expend or create any liability of any kind for any sum in excess of the appropriations herein made or create any deficiency.

SEC. 7. That at the close of the Ohio centennial and Northwest Territory exposition the exhibits of the United States Government shall be returned to the several departments or bureaus from which they were received; and such collections as may be acquired by the board by purchase, preparation, gift, or otherwise, illustrating the natural resources, industries, customs, and commerce of the other American republics, shall be placed for permanent preservation in the United States National Museum.

SEC. 8. That the appropriation herein made, of \$500,000 in all, shall take effect and become available immediately upon the proof being made to the satisfaction of the Secretary of the Treasury that the conditions prescribed in section 3 of this act have been complied with.

Mr. SOUTHARD. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Ohio asks unanimous consent that a second may be considered as ordered.

Mr. LACEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. LACEY. How many more of these bills are there?

The SPEAKER. That is not a parliamentary inquiry, but a mathematical one. [Laughter.]

Mr. SIMS. I demand a second, Mr. Speaker.

Mr. MADDOX. Mr. Speaker—

The SPEAKER. A second is demanded, and the gentleman from Ohio [Mr. SOUTHARD] asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. MADDOX. I want to ask the gentleman a question.

The SPEAKER. The gentleman from Ohio and the gentleman from Tennessee are recognized to control the time. The gentleman from Ohio.

Mr. MADDOX. I want to ask the gentleman one question.

Mr. SOUTHARD. Certainly.

Mr. MADDOX. I just want to know how much you are going to take?

Mr. SOUTHARD. We ask for the same as that asked for in the Buffalo bill.

Mr. SIMS. Five hundred thousand dollars?

Mr. SOUTHARD. Yes. This bill is similar in its wording to the Buffalo bill, and asks for the same appropriation for a similar purpose.

Mr. COX. Will the gentleman yield for one question?

Mr. SOUTHARD. Certainly.

Mr. COX. Do you know how many other bills there are here to put up public shows at the expense of the Government?

Mr. SOUTHARD. I think there are none. I do not know of any.

Mr. COX. This is the last, then?

Mr. SOUTHARD. I think I have answered the gentleman's question.

Mr. COX. One more word and I am done.

Mr. SOUTHARD. Yes.

Mr. COX. When is this show business to stop?

Mr. LOUD. Never!

Mr. SOUTHARD. It ought not to stop until after this exposition has been held. [Laughter.]

Mr. COX. That is a right good reply; but I wondered how many more men would have similar bills here.

Mr. SOUTHARD. Mr. Speaker, the idea of holding an Ohio centennial and Northwest exposition did not originate in the city of Toledo, and I do not know that it originated in the State of Ohio. For a good many years the people of the State of Ohio have been talking about some appropriate celebration of the one hundredth anniversary of its admission into the Union as a State.

In 1803 Ohio was admitted as a State. It was the first State to be carved out of what was known as the old Northwest, or the Northwest Territory, which was, in a sense, the first public domain of the United States. When Ohio was admitted into the Union as a State she had 48,000 inhabitants. One hundred years later she will have a population one hundred times as great.

That which may be said of the growth and development of Ohio as a State—and we all agree that a good deal may be said—can be said of each one of the other States carved out of this Northwest Territory. There are five of them, Ohio, Michigan, Indiana, Illinois, and Wisconsin, and a part of the State of Minnesota was originally included in this Northwest Territory.

As I say, the people of Ohio have been talking about this for a good many years, and last winter the project took shape in an act of the legislature providing for the holding of an Ohio centennial and Northwest Territory exposition in the year 1902. The legislature determined the place at which it should be held. They selected Toledo for a number of good reasons. One is that

it is located most conveniently for the people of the old Northwest. Another is that it is located upon the lakes, and has the best possible site for the holding of a great national exposition.

The city of Toledo has already appropriated \$150,000 for the preparation of the grounds, and will be obliged to appropriate \$150,000 more, making \$300,000 for the fitting up of the grounds on which to hold this centennial exposition.

Some of the other States, following the initiative taken by Ohio, have appointed commissions similar to that which was appointed in the State of Ohio. Indiana and, I understand, Michigan have appointed commissions similar to that appointed in Ohio, who are charged with the duty of promoting the Northwest Territory exposition on the part of those States.

A company known as the Ohio Centennial Company has been organized, with a capital of \$500,000, for the purpose of promoting this project. Within a very few days after this company was organized, a few persons desired and offered to take all the stock. I am informed a large part of this stock has already been subscribed in small amounts, for it was thought desirable to have this stock subscribed for in small amounts rather than in large amounts, because of the greater interest which would thereby be created in the centennial. This is the course which will be pursued with reference to the stock which remains unsubscribed, as well as to any increase of the capital stock which may be made hereafter. Invitations already have been extended to all States of the Union to take part in this exposition, and many of them have responded in such a way as to lead to the belief that there is not a State in the Union that will not give some active support to this project.

It is proposed to make this exposition international in its character and not confine it to the United States. It will be international as well as national. It is one of the most meritorious projects which have ever been started. It will be one of the greatest expositions ever given in this country, not excepting that at Chicago, as I verily believe. The amount asked for is a very modest one, the same as that asked for in the Buffalo bill. The Committee on Ways and Means have favorably reported this bill. A report has been prepared which sets forth in detail all that has been done in the way of preparation of this exhibition. Doubtless many of you have read it; if so, you have undoubtedly become prepared to vote for it at this time.

I reserve the balance of my time.

Mr. SIMS. Mr. Speaker, of course it is evident to everyone who witnessed the performance a few minutes ago that it is futile to say anything against this bill. But some gentleman said a while ago something about being consistent, and I was lectured that I ought to be consistent, and in order to show that I am consistent I should oppose this. But I do not put my opposition on that ground. I am no more in favor of a show in Ohio than in New York. I have no objection to a show in Ohio or any other State of the Union, provided that they do not call upon the national taxpayer for the money with which to run those shows. Now, it does seem to me, waiving the question of principle and looking at the expediency, that there is some difference in the time and the condition of the Treasury when Nashville and Atlanta were provided for and now.

Mr. Speaker, I do not see how any gentleman who voted for the other bill can vote against this; but I see that a great many have gone out of the Chamber. I suppose they are paired. I said that this thing was on the increase. I did not know then that there was another bill right on hand.

Now, what national purpose is to be served by holding a show in the Northwest Territory? No more than in one of the New England States, or one of the Southern States, Texas, or anywhere else. There is absolutely no Government purpose, no national purpose; but there is a community of interests to support these measures, right or wrong, it seems.

Now, as I said, waiving any objection to these expositions, I think they do good. But are we going to bleed the National Treasury for everything that may aid something somewhere and do some good to somebody or some locality? Is that an object of national taxation? Is that an object of your revenue laws, under which you are forcing by the power of the Government revenues from the people, whether they are able to pay them or not, and expend them to promote a locality? Whatever the Government may have done at the time the appropriations were made for Atlanta, Nashville, Omaha, or New Orleans, the conditions are different.

Mr. CLARK of Missouri. Will the gentleman yield to me for a question?

Mr. SIMS. Certainly.

Mr. CLARK of Missouri. Do you not think that when old Virginia granted the Northwestern Territory to the Government it was the most generous act performed by any State in the history of mankind, and is it not worthy of celebration?

Mr. SIMS. It was certainly a generous act; but I am willing to let it rest at that and not tax the people at this time.

Now, I can see, waiving the question of principle, the different

conditions that existed when the appropriations were made for Atlanta, Nashville, and Omaha, which are urged as precedents for this bill. We did not have a war on our hands at that time and the burdens of expense which have come on us since we were forced to war in the cause of humanity. We have had a bond issue made since that time. Then the burdens of an increased Army and Navy and war necessities have come upon us; and now you come and want us to make an appropriation for these shows. Do you ask for \$200,000?—I believe that was what Atlanta got—or \$130,000?—I believe that is what Nashville got. No! Five hundred thousand dollars in each case! Now, you gentlemen who voted for these other expositions, you see how you are doing. Instead of \$330,000 for Nashville and Atlanta combined, you are here called upon for \$1,000,000 for two shows. Now, what kind of justice is that? Are we estopped—

Mr. LENTZ. Did not the gentleman vote for the appropriation for the Nashville exposition?

Mr. SIMS. I was not here.

Mr. LENTZ. I am glad to hear your excuse for not voting.

Mr. SIMS. Oh, I do not know what influence was brought to bear on gentlemen. I do not know what I would have done, but I do know that the gentleman from Texas [Mr. BAILEY], who voted against that proposition, was severely criticised in Tennessee for doing so, and I know that as a citizen I defended him.

But I can not go back and do so much of it just now since his vote this morning for the Buffalo bill; but he is a man of great ability and great patriotism, and I do not question his motives. But then when the gentleman voted against the Nashville exposition I was a citizen of Tennessee. But then we had no war on hand, we had plenty of money, and we had been paying bonds out of the surplus at a premium. Now you are issuing bonds. Every dollar that goes out of the Treasury leaves that much less with which to pay Government obligations. Bond issues must follow; and I want to ask my friends on both sides of the House, when these bond issues follow, how are you going to answer your constituents when they say that you voted \$1,000,000 for two shows? How are you going to answer them? Is it a national necessity? Is this a war emergency? Why, it is just that community of self-interest, I call it—I was going to use the word "plunder," but I would not say that.

How are the gentlemen who voted for these two shows going to vote against the St. Louis, or, to give it the national name, the Louisiana Purchase exhibition? This is called the Northwest Territory, but my friend from Ohio says it is the purpose to make it national. They all have the same purpose. National? How far? To the extent of an appropriation out of the National Treasury and no further. Of course, they are all national when they are a burden on the National Treasury, and that is all there is national about any of them; and I never intend to vote for a single one of them, for Tennessee or anywhere else. At a time when we are passing deficiency bills and everything of that sort, here you are voting \$1,000,000 for two shows in eighty minutes, for it will take about that time when we get through with this.

I say they are going to be passed, because some gentlemen who helped you get a penny, so to speak, are going to help other gentlemen to get a dollar. Here it comes; and I want the people of the country to know where I stand on this matter, although it does not amount to much. Why, you can not get the yeas and nays. I asked for the yeas and nays, and two gentlemen got up with me. On this I do not suppose I will get a single one. If gentlemen have other things of this sort ready, why not bring them on now when we are in the temper to spend everything and issue bonds to increase the taxes? Some of the gentlemen yesterday railed against the French spoliation claims, perhaps justly, but they had a court's finding behind them. What has this got behind it? A purpose to make it national, and that is all there is to give it a national support. The only thing national about these shows is the national burden that they inflict upon the Treasury. Now I wish to yield to the gentleman from Texas [Mr. BURKE].

Mr. BURKE. Mr. Speaker, my experience and observation on the floor of this House have demonstrated to my mind one fact, that whenever these appropriation bills come up, when the members from a certain locality want money from the Government to defray the expenses of these exhibitions, they are going to get it, and no amount of opposition on the part of the minority or anyone else is going to defeat these measures. But I want again to call the attention of the House to the unjust and unfair discrimination that has been made on the floor of this House during the present Congress, and at the hands of the present House, toward bills where the localities sought to be benefited are in one direction and others sought to be benefited are in another direction.

The gentleman from Ohio speaks of the people of his town having raised \$500,000 to carry on this exhibition. The people of my town had raised \$1,000,000 to carry on an exhibition, and I came before this House last spring and asked for the poor privilege of having goods carried across the Rio Grande border free of duty for the purpose of exhibiting at that fair, and it met with the most

violent and strenuous opposition by the membership from a good many States on the floor of this House and of many members from the State of Ohio. I think, Mr. Speaker, such unfair treatment is wrong.

Now, Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. PAYNE). The gentleman will state it.

Mr. BURKE. Is it proper to offer an amendment to this bill at this stage of the proceedings?

The SPEAKER pro tempore. No amendment will be in order.

Mr. BURKE. If it was, I would offer an amendment appropriating the sum of \$100,000 to aid the great Texas State fair and exhibition, and I venture the assertion that if it were offered it would not get five votes on that side of the House.

A MEMBER. Why not offer it?

Mr. BURKE. No, I have no desire to offer an amendment; even if it was competent and proper to do so, I would not do it. I am constitutionally opposed to appropriations of this character. I have never voted for a bill of this character since I have been a member of this House, nor shall I ever vote for one. I have never asked for the appropriation of a single dollar or a single cent for an exhibition in my own State or city, nor do I ever expect to do so.

Mr. Speaker, there might be a bill providing for an international exposition that I would vote for, but so far as my opinion extends and my views go, I believe that it is an improper policy. I believe it is wrong for the Government of the United States to appropriate these vast sums to carry on exhibitions that are purely local in their character. Why, sir, it is only a short time ago when the city of Philadelphia procured from this Congress \$350,000 to carry on an exposition purely local in its character. To-day the city of Buffalo has secured half a million dollars to carry on an exposition purely local in its character.

And now the city of Toledo comes forward and asks that a similar favor be extended to her; that an appropriation be made of half a million dollars to carry on an exhibition in that city which is purely local in its character. I do not believe it is in accordance with the best interests of the people of this country that this should be adopted as the policy of the Government, for, Mr. Speaker, just as surely as I stand here, these things will come back to us in the future, and come back to worry, vex, and annoy the membership of this House.

I have nothing more to say; for nothing that I might say could change the predetermined purpose of this House to give this exposition the money it demands.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 1859. An act to provide for a public building at Winston, N. C.; and

H. R. 11803. An act directing the issue of a check in lieu of a lost check drawn by H. C. Newcomer, captain of engineers, in favor of Stone & Stansell.

The message also announced that the Senate had further insisted upon its amendment to the bill (H. R. 1055) to amend section 4760 of the Revised Statutes of the United States, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. HANSBROUGH, and Mr. KENNEY as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution (the House of Representatives concurring): That the President be requested to return to the Senate the bill (S. 3466) entitled "An act granting a pension to Sarah Hamilton."

The message also announced that the Senate had passed with amendments the bill H. R. 6359, an act to quiet land titles in the District of Columbia, asked a conference with the House of Representatives on the bill and amendments, and had appointed Mr. FAULKNER, Mr. McMILLAN, and Mr. MARTIN as the conferees on the part of the Senate.

#### OHIO CENTENNIAL AND NORTHWEST TERRITORY EXPOSITION AT TOLEDO, OHIO.

Mr. SOUTHARD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, in these five minutes I want to combat the suggestion of the gentleman from Texas [Mr. BURKE] that this is purely a local celebration. Great events in the history of nations are always worthy of celebration. The Declaration of Independence has perpetuated in the United States the Fourth of July as a national holiday. Sir, there has been no event in our national history of more significant importance than the adoption of the Ordinance of 1787—the drawing of the line at the Ohio River by the cession of the mother State of Virginia and the ultimate triumph of the grandeur of free States by the creation of Ohio, Indiana, Illinois, Michigan, and Wisconsin.

The fact that this exposition is designed to commemorate the

one hundredth anniversary of that event lifts this celebration out of the category of purely local celebrations. This is to celebrate an event which marked an epoch in the history of a mighty nation—a gigantic stride over the mountains and outward and westward, whither the Star of Empire has ever since been taking its way.

The very fact that this celebration is to be located at Toledo, upon the border of the State of Ohio, hard upon the line of Michigan—right upon the Great Lakes—demonstrates that the purpose of its originators was to make it something greater and more comprehensive than a mere local celebration. Toledo, with 26 railroads centering there, with her magnificent facilities of water transportation, is one of the most eligible places for a celebration of this character.

We have gone steadily forward in this work. We have made appropriations of this character over and over again. We have appropriated for four celebrations of the same identical character. I can not conceive that any man who voted for or ever approved of the appropriation for the exposition in Tennessee, as I did, or for the exposition at Atlanta, as I did, or for the exposition at Philadelphia, as I did, or for that at New Orleans, as I did, or for those at Chicago and Omaha, as all of us did, can make any point which will depreciate this celebration as inferior in merit to either of those. I take it, Mr. Speaker, the House of Representatives will not draw a discrimination simply upon a statement of the character of that which has been made here. I have entire confidence in the justice and fairness of the House; and I submit to the vote of the House the claims not of Ohio, not of Toledo, but of the mighty Northwest.

Mr. SOUTHARD. I yield three minutes to the gentleman from Ohio [Mr. LENTZ].

Mr. LENTZ. Mr. Speaker, when I saw that an appropriation had been made by Congress for the World's Fair at Chicago I thought it was extravagant, but when I saw the fair itself I felt that the money had been well expended. I look upon these expositions as educational institutions not inferior to any other. Every dollar that was spent for the Trans-Mississippi Fair was well expended. I had the privilege and the pleasure of witnessing that exposition, and I saw there that the exhibit at the World's Fair was repeated, but on a smaller scale. Each of those expositions will remain with me as part of my education—as contributing to my knowledge of the resources of this country and the world.

But, Mr. Speaker, this exposition which is proposed for the Northwest Territory will begin with one important and world-known fact. It will illustrate Perry's great victory on Lake Erie, and will couple with it a memorial of our naval victories of recent date, portraying and comparing the history of the past with the history of the last few months, and will commend itself to the educational needs and patriotism of every man, woman, and child in the whole country.

As a proposition standing alone, I am now in favor of bills of this character. And from the experience of the past few years which we have derived from these great expositions, dignified as they have been by the participation on the part of the Government of the United States, I believe that they are great educators of the people—not unlike our common-school systems and universities—and unless there be some special reason for opposition I shall expect to vote for every one of them in future that stands upon a reasonable basis.

Now, so far as the city of Toledo is concerned, it was selected by the legislature of the State of Ohio as the most accessible place for the fourteen or fifteen millions of population which center around that region—one-fifth of the population of the United States—and the city itself being accessible by no less than twenty-six different lines of railroads.

But, Mr. Speaker, in addition to the commemoration of Perry's victory, let me tell the gentleman from Tennessee, as a further reason in support of this bill, that in 1902—and this, I think, will suggest why he should support the bill—there will be on exhibition in that city a spectacle never before witnessed in the United States—three ex-Presidents enjoying the hospitality of the city of the Maumee, men who have dedicated their official career to the gold standard and have been retired to private life, ex-President Harrison, ex-President Cleveland, and ex-President McKinley [laughter on the Democratic side]; and this as a monument to the failure of a single gold standard ought to bring the whole Tennessee delegation to Toledo in 1902! This is a consideration which should appeal, I take it, not only to my friend from Tennessee [Mr. SIMS], but to the people from all parts of the country.

[Here the hammer fell.]

Mr. SOUTHARD. Mr. Speaker, I yield three minutes to my colleague from Ohio [Mr. NORTON].

Mr. NORTON of Ohio. Mr. Speaker, one of the first men I met when I came into the House of Representatives upon entering Congress was the genial, sunny-dispositioned gentleman from Tennessee, Mr. SIMS—nay, there were two, and I see the other on my right here, the honorable and altogether lovely Mr. COX. One of the

first propositions presented to me for my consideration was a kind and urgent invitation from these gentlemen to visit the Nashville Exposition.

I was bidden by the genial Mr. SIMS to come to the hearthstone of hospitable Tennessee, as it would broaden my ideas and expand my notions of the greatness of his glorious State. He spoke with pride of the resources of his beloved Tennessee, and with glowing words delineated the grandeur and greatness of his Commonwealth. He said they had the longest rivers, the biggest mountains, the fastest and finest horses, and the prettiest women in all the world. [Laughter.] My good and eloquent friend Mr. COX joined in the chorus, and said, "Yes, yes, come; and when you do come I will show you something that will open your eyes, an 'eye opener' worthy of the world's admiration. I will show you a 'cascade' in Nashville that is something extraordinary, nay, simply marvelous." [Laughter and applause.] "Why, what I speak of is alone worth more than all the appropriation Congress made for us." [Continued laughter.]

Mr. Speaker, I visited the Nashville Exposition, I looked upon those mountains and rivers, I admired their horses, I paid involuntary homage to the radiant and surpassing beauty of their women, and last, but not least, I drank deeply from the fountain from whence came the "Cascade." [Renewed laughter.]

Mr. COX. Of course you did.

Mr. NORTON of Ohio. Certainly. And I now affirm that for truth and veracity there are no greater statesmen than Messrs. COX and SIMS, of Tennessee. [Laughter.]

Now, Mr. Speaker, I desire to ask the gentlemen to cease their opposition to this bill. In the name of the State of Ohio and the great Northwest Territory, I invite you to support this bill and then come to Toledo.

We can show you the finest body of water—

A MEMBER. They do not want any water. [Laughter.]

Mr. NORTON of Ohio (continuing). Pardon me. I know the gentleman is not partial to water [laughter], but leave that out. Come to Ohio, the finest and best State in the Union.

Come to the very gateway of the business of the country. Come where we can give back to you the warm and generous hospitality extended to us by your grand and good people.

Come to the great Northwest, to a country and among a people worthy the consideration of a nation like ours—

[Here the hammer fell.]

Mr. COX. I want to yield to my friend from Nebraska [Mr. MAXWELL].

Mr. MAXWELL. Mr. Speaker, in his message to Congress on March 15, 1897, President McKinley suggested the propriety, if not necessity, of changing the time of meeting of Congress to an earlier date. I then thought the suggestion was wise and should be acted upon by Congress, and, therefore, after waiting for some time for some partisan friend of the Administration to introduce such a bill, and no one responded, I introduced a bill changing the time of meeting of each new Congress to the 4th of March next following the election of its members.

This bill was referred to one of the leading committees of the House, but I have been unable to get the committee to report either for or against it. It seems to me there is merit in the bill, and I will briefly state some of the reasons for that belief. The first Monday in December was designated in the Constitution as the time for the meeting of Congress only until changed by statute. There were then but little more than 3,000,000 people in the United States, with but little commerce either inland or foreign; hence but little legislation was necessary in regard to such subjects.

The means of communication from one part of the country to another were exceedingly crude and primitive, and therefore speed in reaching the capital was almost impossible. A journey by land from Georgia, the Carolinas, or Virginia would occupy nearly a month, and upon the admission of Tennessee, Kentucky, and Ohio about the same time would be required. And the prospective removal of the capital to a point on the Potomac River, while it equalized the distance between the Northern and Southern States, did not shorten the average length of the journeys of all the members. Hence it was necessary that a business man, whether a lawyer, merchant, farmer, or other occupation, if elected to Congress, must have sufficient time to arrange his business before leaving home, so that it would not suffer during his absence. Therefore he was given at least thirteen months after the election at which he was elected before he was required to enter upon his duties. All this is changed; almost every member can reach his home in twenty-four hours at the furthest, and in no case need it occupy more than four days.

We have grown from a nation of 3,000,000 to nearly 80,000,000, not counting the Filipinos, and are increasing in numbers rapidly. The next fifteen years will see our nation with more than 100,000,000 population, and wealth will keep pace with our increase in population. It is desirable that a legislative body elected upon a distinct issue should have an opportunity to respond to the

issue upon which a majority at least were elected. Otherwise the occasion for the proposed legislation may have passed before any action by the legislative body can be had. Besides, if each new Congress should meet on March 4 after the election of its members, there would be sufficient time to discuss every feature of proposed legislation, which there is not under our present system.

It is a fact well known to every member of this House that when the Dingley tariff bill was reported to this House a time was fixed in advance when a vote would be taken upon it; that we met early each day and held night sessions, and still but little more than half of the bill had been gone over when the time fixed for the vote on the adoption or rejection of the bill was reached. That the Dingley bill, while it possesses many good features, is imperfect I believe its friends will not deny. There is no doubt that a full debate, and desire to make a perfect bill would have resulted in a more acceptable bill as every fair-minded person will, I think, admit. So, with many of the war measures more time in debate would have produced more acceptable measures.

I believe this House might adopt the Senate rules as to debate with profit, and benefit to the whole country. Why not permit debate to go on until all members have expressed their views? This practice of doling out five minutes, or one, two, or three minutes, as the case may be, for a member to express his views and reasons for or against a bill involving the appropriation of millions of dollars it may be, shows on its face the necessity for sufficient time for a careful consideration of the matter. Let us take time enough to do our work well if it takes the whole two years of the term. It seems to me the time has come for a change of the time when Congress assembles.

This House may be, and it should be the ambition of every member to make it, the model legislative body of the world; but in order to be so there must be free debate and each member be able to discuss in his own right all matters before the House for a reasonable time. I am informed there are more than 3,000 pension cases pending in this end of the Capitol, and probably about the same number in the other end. These, so far as my information extends, are largely those of men who fought in the ranks, who marched through sunshine and storm, and slept in the rain or on the wet or frozen ground often without adequate shelter. Yet they faltered not, but cheerfully obeyed all commands and bravely faced death to preserve the nation. Their comrades fell around them; they themselves were often severely wounded; they are now old and infirm and poor and need help. They have but few influential friends to press their claims. Even now, when cases have been considered and a pension agreed upon, the announcement is frequently made that the petitioner is dead, and the bill for his relief laid on the table. Hope deferred is doubly disappointing when there is a just claim for the performance of the duty. There are thousands of cases of destitution among the rank and file of the volunteer soldiers, and relief should be granted them as rapidly as possible by a steady and continuous examination of their claims until all are considered. This is a great, rich nation, and the American people are not only just, but generous, and desire that Congress shall grant relief now, and I earnestly hope that Congress will respond.

I desire to say, in conclusion, that the business of this House is conducted smoothly, in a friendly spirit, and with celerity and dispatch, and if Congress will meet at the time indicated it can dispose of all its business each year without undue haste. I have been treated with the utmost respect and courtesy by every member. The rulings of the Speaker have been fair and courteous, and each and all have my best wishes.

Mr. SIMS. Mr. Speaker, the inducement given by the gentleman from Ohio [Mr. LENTZ] to vote public money in order that we may see three gold-standard ex-Presidents assembled together all at once might be a good attraction for that show, but I am not willing to tax our 4-cent cotton raisers in the South in order to get them together. Of course, we have in Tennessee the prettiest women, the finest horses, and the finest country in the world.

A MEMBER. And the homeliest men. [Laughter.]

Mr. SIMS. As to the "Cascade" business, I leave that to the gentleman from Ohio [Mr. NORTON.] I do not take "Cascade" there or anywhere else. [Laughter.]

Mr. COX. He is better acquainted with that "Cascade" than I am. [Laughter.]

The SPEAKER pro tempore. The time for debate has expired. The question is on the motion of the gentleman from Ohio [Mr. SOUTHWARD] to suspend the rules and pass the bill.

The question being taken, on a division (demanded by Mr. SIMS) there were—ayes 120, noes 19.

Mr. SIMS demanded the yeas and nays.

The yeas and nays were refused, 11 members rising in support of the demand therefor.

Accordingly (two-thirds having voted in the affirmative) the rules were suspended and the bill passed.

#### EXTENSION OF CERTAIN STREETS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I present a conference report on the bill (H. R. 11629) for the extension of Pennsylvania avenue SE. to the District line.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 11629, "An act for the extension of Pennsylvania avenue SE. to the District line," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same amended as follows: On page 1 of the bill, line 14, strike out the words "in rem;" and on page 2 of the bill, in line 7, strike out from the words "And said proceedings" to and including the word "highways" in line 13; and in line 7 of the amendment, after the word "which," insert the words "in the judgment of the jury;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, and 7, and agree to the same amended as follows: In each of sections 3, 4, 5, 6, 7, and 8 of the amendments strike out the words "begin suit for the condemnation of the land required" and insert in each instance the words "institute by a petition in the supreme court of the District of Columbia, sitting as a district court, a proceeding to condemn the land necessary;" and at the end of section 8 of the amendment insert a new section to stand as section 9, as follows:

"Sec. 9. That the proceedings for the condemnation of the lands as provided for in this act shall be under and according to the provisions of chapter 11 of the Revised Statutes of the United States relating to the District of Columbia, which provide for the condemnation of lands in said District for public highways; and to provide the necessary funds for the cost of such condemnation proceedings the sum of \$3,500 is hereby appropriated out of the funds of the District of Columbia: *Provided*, That each juror shall receive a compensation of \$5 per day for his services during the time he shall be actually engaged in such services under the provisions of this act: *Provided*, That no appeal by any interested party from any decision of the supreme court of the District of Columbia confirming said assessment or assessments shall delay or prevent the payment of said awards in respect to the property condemned."

Also, in amendment numbered 4, in line 9, after the words "for the extension," insert "and widening."

Also, in amendment numbered 7 strike out, in line 7, after the word "act," down to and including "highways," in line 12.

And the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 12, 13, 15, and 17, and agree to the same with an amendment as follows: Number the sections consecutively, and also amend the title to read: "An act for the extension of Pennsylvania avenue SE., and for other purposes;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 10, 11, 14, 16, and 18, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same amended as follows: In line 5 of said amendment, after the word "said," strike out "avenue" and insert in lieu thereof "streets or highways;" and the Senate agree to the same.

J. W. BABCOCK,  
G. M. CURTIS,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*  
JAMES McMILLAN,  
H. C. HANSBROUGH,  
A. P. GORMAN,  
*Managers on the part of the Senate.*

Mr. BABCOCK. I ask for the reading of the statement of the House conferees.

The Clerk read as follows:

The Senate amended the House bill by adding to the streets to be opened Staughton street, for one block; Eckington place, for one block; Sherman avenue, from Florida avenue to Whitney avenue; Twentieth street, for a fraction of a block, and Howard avenue, for one block. Of all these extensions the only one of financial importance is Sherman avenue. The other openings are merely through the lands of individuals, all, or nearly all, of whose lands are taken and who receive no benefits.

The damages for the lands taken are to be paid by assessment on the property benefited and from the District revenues.

Mr. MIERS of Indiana. I should like to ask the gentleman a question. I understood in the reading of the report that in case of appeal from the decision of the court the right of collection should not be stayed, but that they could go on and collect, notwithstanding the appeal.

Mr. BABCOCK. After the approval of the action of the jury by the court no appeal will stay the proceedings for the opening of the streets, but the rights of all parties will be preserved.

Mr. MIERS of Indiana. Does it stay the collection?

Mr. BABCOCK. Oh, no.

Mr. MIERS of Indiana. Then the party appealing from the assessment gets no benefit by the appeal, but they can go on and collect the damages against him. It seems to me that is not right.

Mr. BABCOCK. The object of the provision is to prevent a stay of the proceedings in the opening of a street. Under past experience street openings have been delayed in this way.

Mr. MIERS of Indiana. I can readily see that the project ought not to be stopped, but it does seem to me that if a man appeals from the assessment of benefits against him or in his favor the right to collect ought to be stayed while the appeal is pending. How do you save his rights, unless you do it in that way?

Mr. BABCOCK. The parties likely to appeal would be those who were dissatisfied with the amount of damages awarded to them. It does not affect their rights at all, but simply prevents a stay of proceedings in opening the streets.

Mr. MIERS of Indiana. If the benefits assessed are unjust or

the damages not adequate, how can the rights of the person against whom they are assessed be preserved under this provision?

Mr. BABCOCK. They go right on with the appeal. If the gentleman will read the provision he will see.

Mr. MIERS of Indiana. Gentlemen on the committee may have it in better shape than I understand. As I understand it, I do not think it right, but the committee ought to know whether the rights are properly saved.

The question was taken; and the report of the committee of conference was agreed to.

On motion of Mr. BABCOCK, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

#### EXTENSION OF 8 STREET, IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I submit another conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11597) to extend 8 street, in the District of Columbia, and for other purposes having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 6, 7, 8, 10, 11, and 14, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same amended as follows: In lieu of the matter proposed to be inserted insert "institute by a petition in the supreme court of the District of Columbia, sitting as a district court, a proceeding to condemn the land necessary;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same amended as follows: In section 2 of the matter proposed to be inserted strike out the words "commence suit for the condemnation of the remainder of the land required;" in each section 3 and section 4 strike out "begin suit for the condemnation of the land required" and insert in each instance the words "institute by a petition in the supreme court of the District of Columbia, sitting as a district court, a proceeding to condemn the land necessary;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same amended as follows: In lieu of the words "two hundred and fifty" insert "two thousand;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same amended as follows: In line 11 strike out "avenue" and insert in lieu thereof "streets or highways;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same amended as follows: In section 8 of the matter proposed to be inserted strike out the words "the Commissioners of the District of Columbia" and insert "said court;" and at the end of said section 8 add the following proviso: "Provided, That each juror shall receive a compensation of \$5 per day for his services during the time he shall be actually engaged in such services under the provisions of this act: And provided further, That no appeal by any interested party from any decision of the supreme court of the District of Columbia confirming said assessment or assessments shall delay or prevent the payment of said awards in respect to the property condemned;" and the Senate agree to the same.

J. W. BABCOCK,  
G. M. CURTIS,  
JAMES D. RICHARDSON,  
Managers on the part of the House.

JAMES McMILLAN,  
H. C. HANSBROUGH,  
A. F. GORMAN,  
Managers on the part of the Senate.

Mr. BABCOCK (during the reading of the report). Mr. Speaker, I ask unanimous consent that the reading of the report of the committee of conference be suspended and that the statement of the House conferees be read.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the statement only be read. Is there objection?

Mr. DOCKERY. And the report be printed in the RECORD.

The SPEAKER. The Chair hears none.

The statement of the House conferees was read, as follows:

The Senate amended the House bill by providing for the extension also of Sixteenth street, Eleventh street, and New Hampshire avenue. Bills for the extension of both Eleventh street and New Hampshire avenue had passed the House. The Senate urged that the opening of Sixteenth street, which outlines Rock Creek Park on the east, is of first importance in the extension of the streets and avenues of the District of Columbia; that it is the only extension of importance provided for west of Fourteenth street, and that for a considerable portion of the distance the land will be given.

The Senate amendment also provides for the assessment of damages, one-half on the lands benefited, and one-half to the revenues of the District of Columbia.

The question was taken; and the report of the committee of conference was agreed to.

On motion of Mr. BABCOCK, a motion to reconsider the vote by which the report of the committee of conference was adopted was laid on the table.

Mr. DOCKERY. You can call up the bill to which I objected temporarily yesterday. I have examined the bill; and if you desire to call it up, I think it is a very proper one.

Mr. BABCOCK. Mr. Speaker, if it is in order, I will call up the bill the gentleman refers to.

The SPEAKER. Is it a conference report?

Mr. BABCOCK. No, sir; it is not.

The SPEAKER. The Chair will recognize the gentleman from Iowa.

#### RIGHT OF OFFICERS OF THE VOLUNTEER ARMY TO SEATS IN THE HOUSE.

Mr. HENDERSON. Mr. Speaker, I rise to a matter of privilege, if I can have the attention of the House. I call up the resolutions that passed the House and were sent to the Committee on the Judiciary, to report upon the appointment of members of Congress to military and other offices. I would like to reach an understanding as to the length of debate in this matter.

Mr. LACEY. I raise the question of consideration.

The SPEAKER. The gentleman from Iowa raises the question of consideration. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That JOSEPH WHEELER, a Representative in the Fifty-fifth Congress of the United States from the Eighth district of the State of Alabama; EDWARD E. ROBBINS, a Representative in the Fifty-fifth Congress of the United States from the Twenty-first district of the State of Pennsylvania; DAVID G. COLSON, a Representative in the Fifty-fifth Congress of the United States from the Eleventh district of Kentucky, and JAMES R. CAMPBELL, a Representative in the Fifty-fifth Congress of the United States from the Twentieth district of the State of Illinois, by accepting commissions in the Army of the United States and being mustered into such service after being sworn in as such Representatives thereby vacated their seats as such Representatives and ceased to be members of this House as of the dates they accepted such military offices, respectively, and are not now members of the Fifty-fifth Congress of the United States.

The SPEAKER. The question is, Will the House now consider the resolution just reported by the Clerk?

The question was taken.

The SPEAKER. The Chair is in doubt.

The House divided; and there were—ayes 47, noes 83.

Mr. BAILEY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 77, nays 164, answered "present" 7, not voting 102; as follows:

#### YEAS—77.

Adamson,	Clark, Mo.	Jett,	Robertson, La.
Alexander,	Clayton,	Johnson, Ind.	Robinson, Ind.
Bailey,	Connolly,	Jones, Wash.	Shafroth,
Baker, Ill.	Cooper, Tex.	Kelley,	Shuford,
Ball,	Crumpacker,	Kitchin,	Simpson,
Barlow,	Davis,	Kleberg,	Slayden,
Barrett,	Dinsmore,	Knowles,	Smith, Ky.
Bartlett,	Elliott,	Lanham,	Sperry,
Belden,	Fitzpatrick,	Linney,	Stark,
Bell,	Footo,	Little,	Strait,
Benton,	Greene, Nebr.	Lloyd,	Strowd, N. C.
Bland,	Grosvonor,	Loud,	Sutherland,
Bodine,	Handy,	McCormick,	Taylor, Ohio
Branley,	Hawley,	McCulloch,	Underwood,
Brower,	Hay,	McLain,	Updegraff,
Broderick,	Henderson,	Ogden,	Wheeler, Ky.
Broussard,	Henry, Tex.	Overstreet,	Williams, Miss.
Brucker,	Hinrichsen,	Pierce, Tenn.	
Brundage,	Howard, Ga.	Rhea,	
Clardy,	Hunter,	Ridgely,	

#### NAYS—164.

Acheson,	Dovenor,	Landis,	Richardson,
Aldrich,	Driggs,	Latimer,	Rixey,
Arnold,	Eddy,	Lawrence,	Royce,
Babcock,	Ellis,	Lents,	Russell,
Baker, Md.	Evans,	Lester,	Sauerhering,
Bankhead,	Faris,	Lewis, Ga.	Settle,
Barber,	Fenton,	Lewis, Wash.	Sherman,
Barham,	Fischer,	Loving,	Showalter,
Barney,	Fitzgerald,	Low,	Skinner,
Bartholdt,	Fletcher,	Lybrand,	Smith, Ill.
Belknap,	Foss,	McAlear,	Smith, Wm. Alden
Berry,	Fowler, N. J.	McClary,	Southard,
Bingham,	Gaines,	McClellan,	Spalding,
Bishop,	Gibson,	McDonald,	Spight,
Booze,	Gillet, N. Y.	McDowell,	Sprague,
Bradley,	Graham,	Graft,	Stallings,
Brenner, Ohio	Greene, Mass.	McIntire,	Steele,
Bromwell,	Griffin,	Mahany,	Stevens, Minn.
Brosius,	Griffith,	Mahon,	Stewart, N. J.
Brown,	Grow,	Mann,	Stewart, Wis.
Brownlow,	Harmer,	Marshall,	Stone,
Brumm,	Heatwole,	Maxwell,	Strode, Nebr.
Bull,	Hemenway,	Meekison,	Sturtevant,
Burke,	Henry, Conn.	Mesick,	Sulloway,
Burleigh,	Henry, Ind.	Meyer, La.	Sulzer,
Butler,	Hepburn,	Miers, Ind.	Tate,
Capron,	Hicks,	Minor,	Tawney,
Carmack,	Hilborn,	Mitchell,	Taylor, Ala.
Clark, Iowa	Hitt,	Moon,	Thorp,
Cooper, Wis.	Hopkins,	Morris,	Todd,
Cowherd,	Howell,	Mudd,	Van Voorhis,
Cummings,	Jenkins,	Norton, Ohio	Wadsworth,
Curtis, Iowa	Johnson, N. Dak.	Olmsted,	Walker, Va.
Curtis, Kans.	Jones, Va.	Osborne,	Ward,
Dalzell,	Joy,	Otjen,	Warner,
Davenport,	Kerr,	Packer, Pa.	Weymouth,
Dayton,	Kirkpatrick,	Parker, N. J.	White, Ill.
De Armond,	Knock,	Pearce, Mo.	White, N. C.
De Vries,	Lacey,	Pearson,	Williams, Pa.
Dolliver,	Lamb,	Perkins,	Wilson,
		Pugh,	Young,

#### ANSWERED "PRESENT"—7.

Belford,	De Graffenreid,	Norton, S. C.	Talbert,
Clarke, N. H.	Henry, Miss.	Payne,	

## NOT VOTING—102.

Adams,	Cranford,	Kulp,	Shannon,
Allen,	Crump,	Littauer,	Shattuc,
Baird,	Danford,	Livingston,	Shelden,
Barrows,	Davidson, Wla.	Lorimer,	Sims,
Beach,	Davidson, Ky.	Loudenslager,	Smith, S. W.
Benner, Pa.	Dick,	McCall,	Snover,
Bennett,	Dockery,	McHae,	Southwick,
Botkin,	Dorr,	Maddox,	Sparkman,
Boutell, Ill.	Ermentrout,	Maguire,	Stephens, Tex.
Boutelle, Mo.	Fleming,	Marsh,	Stokes,
Brewster,	Fowler, N. C.	Martin,	Swanson,
Burton,	Fox,	Mercer,	Terry,
Campbell,	Gardner,	Miller,	Tongue,
Cannon,	Gillett, Mass.	Mills,	Vandiver,
Castle,	Griggs,	Moody,	Vehslage,
Catchings,	Grout,	Newlands,	Vincent,
Chickering,	Gunn,	Odell,	Walker, Mass.
Cochran, Mo.	Hager,	Otey,	Wanger,
Cochrane, N. Y.	Hamilton,	Peters,	Weaver,
Codding,	Hartman,	Powers,	Wheeler, Ala.
Colson,	Hill,	Prince,	Wilber,
Connell,	Howard, Ala.	Quigg,	Wise,
Cooney,	Howe,	Ray,	Yost,
Corliss,	Hull,	Reeves,	Zenor.
Cousins,	Ketcham,	Robb,	
Cox,	King,	Robbins,	

The following pairs were announced:  
Until further notice:

Mr. COCHRANE of New York with Mr. BALL.  
Mr. SNOVER with Mr. HENRY of Mississippi.  
Mr. BOUTELL of Illinois with Mr. GRIGGS.  
Mr. BENNETT with Mr. GAINES.  
Mr. WISE with Mr. NORTON of South Carolina.  
Mr. SAMUEL W. SMITH with Mr. FOX.  
Mr. CLARKE of New Hampshire with Mr. KING.  
Mr. LORIMER with Mr. SWANSON.

For this day:

Mr. KETCHAM with Mr. MAGUIRE.  
Mr. BELFORD with Mr. DE GRAFFENREID.  
Mr. LIVINGSTON with Mr. MADDOX.  
Mr. GROUT with Mr. DOCKERY.  
Mr. MERCER with Mr. BAIRD.  
Mr. WILBER with Mr. CRANFORD.  
Mr. COUSINS with Mr. TERRY.  
Mr. MCCALL with Mr. BREWER.  
Mr. ADAMS with Mr. ZENOR.  
Mr. BEACH with Mr. ERMENTROUT.  
Mr. CODDING with Mr. COCHRAN of Missouri.

On this vote:

Mr. YOST with Mr. SIMS.  
Mr. BELFORD. Mr. Speaker, I find I am paired with the gentleman from Texas, Mr. DE GRAFFENREID, and I desire to withdraw my vote and be recorded as present.

Mr. CLARKE of New Hampshire. Mr. Speaker, I am paired with the gentleman from Utah, Mr. KING, and I wish to withdraw my vote.

Mr. VANDIVER. Mr. Speaker, I desire to be recorded in the affirmative.

The SPEAKER. Was the gentleman present when his name was called, and listening, and failed to hear it?

Mr. VANDIVER. I came in, Mr. Speaker, just after my name was called.

The SPEAKER. The Chair has no authority to entertain the request.

The result of the vote was then announced as above recorded.  
Mr. BAILEY. Mr. Speaker, I demand the regular order.

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent that the distinguished gentleman from Massachusetts, Mr. JOSEPH H. WALKER, who has made a life study of the banking and currency question, be permitted to address the House for one hour.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. LENTZ. Mr. Speaker, I shall consent if the gentleman from Kansas [Mr. SIMPSON] can have thirty minutes.

Mr. SIMPSON. Oh, no; I do not want the time.

Mr. BARRETT. I object, Mr. Speaker.

Mr. LENTZ. I withdraw my objection.

## NAVAL APPROPRIATION BILL.

Mr. HILBORN. Mr. Speaker, I desire to call up the naval appropriation bill from the Speaker's table.

Mr. BAILEY. For what purpose has the gentleman risen?

The SPEAKER. The gentleman will state his purpose.

Mr. HILBORN. I desire to call up the naval appropriation bill and have it sent to conference.

Mr. UNDERWOOD. I would like to see if we can not have some arrangement with the gentleman in charge of the bill before the announcement is made. I would like to have it as a part of the unanimous-consent agreement that when the bill comes back from the conferees, if they do not agree on the question of armor or armor-plate factory, that we should be allowed a sepa-

rate vote in the House on that proposition. I will ask the gentleman from California if he will not agree to that?

Mr. HILBORN. So far as I am personally concerned, Mr. Speaker, I am perfectly willing that the House should vote upon that separate proposition. Of course I can make no pledge as to what the committee will do, but so far as I can I will use my influence to bring that about.

Mr. DALZELL. What is the parliamentary situation?

Mr. HILBORN. The House bill has come from the Senate with amendments.

Mr. Speaker, I move to suspend the rules and nonconcur in the amendments of the Senate to this bill and ask for a conference.

Mr. UNDERWOOD. On that motion I demand a second.

Mr. HILBORN. I ask that a second may be considered as ordered.

There was no objection.

The SPEAKER. The motion to suspend the rules is seconded. The gentleman from California [Mr. HILBORN] and the gentleman from Alabama [Mr. UNDERWOOD] will each control twenty minutes of debate.

Mr. HILBORN. I yield five minutes to the gentleman from West Virginia [Mr. DAYTON].

Mr. DAYTON. Mr. Speaker, I do not know that it will be necessary for me, as a member of the Naval Committee, to occupy even the five minutes yielded to me. It seems to me, sir, that every member of this House can readily understand the importance of getting this bill, which carries \$44,000,000 and involves the maintenance of the Naval Department of this Government, into conference as speedily as possible, especially when I make the statement that a number of important amendments have been added to the bill by the Senate, many of which I think I can say are contrary to the views entertained by the House as manifested by it during the consideration of this measure.

By one amendment the number of ships has been cut down; by another, that in reference to dry docks, the action of the House and the Senate, which is law to-day, has been changed. More than that, the proposition comes at this late hour to virtually stop the armament of our naval vessels by an amendment which cuts down the cost of armor plate to \$300 per ton. Mr. Speaker, it is not necessary for me to recall to the House the discussions on this subject which occupied us here for so long. It is not necessary for me to call the attention of the House to the fact that it was then stated that \$445 per ton for armor plate was less than could secure the best armor plate.

But it is necessary for me to call the attention of the House to the fact that heretofore—I think three years ago—we undertook to place the price of armor at \$300 per ton, and it was then ascertained that no one would furnish armor plate at such a price; and then this House, including the gentleman who had made the fight for \$300 per ton, yielded almost without a dissenting voice, and the price was fixed at \$400 per ton. And the Senate, which now sends us this amendment, agreed to that proposition almost without a dissenting voice.

The whole difficulty about this matter is that the Senate has put upon the armor-plate provision of this bill an additional clause requiring substantially but indirectly that the Government, without any proper consideration of the matter, shall involve itself in the project of building an armor-plate plant. Everybody knows that we can not secure this armor at \$300 per ton, and therefore the additional proviso that the Senate has put upon the amendment, that we shall build an armor-plate plant, will have to be carried out by the Secretary of the Navy. The Senate has limited the cost of this plant to \$1,500,000, in spite of the fact that all of the estimates show that we can not build it, we can not put the machinery in it, we can not put it in operation, for less than three million seven hundred and odd thousand dollars. This is the report of the very board which considered the question of the erection of an armor-plate plant by the Government.

Now, I have not time nor would it in any event be possible for me to discuss this question, which is sprung upon us here indirectly, in regard to the advisability of the Government building an armor-plate plant. But I want to say to gentlemen here, if you propose to do such a thing—to involve this Government in this expenditure against the recommendation of the experts who have reported upon the subject and from whose report I shall in a moment ask the Clerk to read an extract, showing that the project is utterly impracticable—I shall solemnly insist it is the duty of this House to go down to my State and buy several hundred thousand acres of coal lands, employ miners to mine the coal and then ship it to all these navy-yards. I shall insist that it is the duty of the Government to go out West, buy land and raise corn that will be necessary to furnish the food for the sailors who are to serve on our ships.

The SPEAKER pro tempore. The time of the gentleman from West Virginia has expired.

Mr. DAYTON. I ask the gentleman from California to give me a minute or two more in order that I may have read at the

desk an extract from a report of the board appointed by the Government upon the practicability of this proposition.

Mr. HILBORN. I yield the gentleman five minutes more.

Mr. DAYTON. One word before that extract is read.

Right here, in the midst of the closing hours of the session, with debate limited to twenty minutes, we are asked to embark upon this project. I urge gentlemen as earnestly as is in my power to do to abide by the unanimous decision of the Committee on Naval Affairs and let this matter at least go to conference, there to be settled and determined. Do not attempt to defeat the action of the Naval Committee and to overturn the former action of the House in this matter.

I ask the Clerk now to read the extract which I have marked. I hope every member will listen, for this is the report of the armor-plate board itself, and it disposes of this question of the Government building an armor-plate plant.

Mr. HOPKINS. Mr. Speaker, I would like to ascertain exactly the parliamentary situation of this question. We have a number of amendments from the Senate—

Mr. DAYTON. If the gentleman will permit me, my motion is to nonconcur in all of the amendments of the Senate.

Mr. UNDERWOOD. And I will state, if I may be permitted, Mr. Speaker, that my objection was only to the extent of asking a separate vote on one of the amendments.

Mr. DAYTON. I hope, Mr. Speaker, that this colloquy will not come out of my time. I ask that the paper to which I have already referred shall be read from the desk.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

In accordance with your views that the Congress would wish from the board a statement in the rough of the practicability of putting up an armor plant, we respectfully submit the following considerations:

1. An armor factory comprises essentially a collection of special furnaces, heavy machine tools and appliances that are not needed in any other class of work, and a class of labor specially skilled in the business.

2. A Government armor factory not connected with an establishment engaged in other branches of the steel industry would depend for its success and economic administration upon a constant demand for an output nearly approaching its full capacity.

3. If the Government should establish an armor factory, the efficient and economic maintenance or working of that factory would necessarily depend upon a constant yearly appropriation for ships to be provided with armor, because the armor produced at any time must be specially designed for and fitted to those ships. Any failure to appropriate for ships in any one year would require the cessation of work and the laying off, indefinitely, of the skilled experts and laborers that had been trained to this industry. A resumption of work at a later period would require the training, at a considerable expense, of a new set of men. In the meantime the progress of the art would perhaps have been such that difficult and radical changes would be required, which, under continuous working, might have been gradually and easily made.

Mr. DAYTON. Now, Mr. Speaker, the members present who have listened to the reading of this report will see that to embark on this work would be impracticable and useless. We would have to equip a factory. We would have to keep a set of men under pay who would not necessarily be constantly employed, but who would remain idle for a large part of the time; men who are competent, and who understand and have been educated in this business, and who will be compelled to embark in the general steel industry in competition with the steel manufacturing establishments of other countries.

In addition to that the \$1,500,000 necessary to build such an establishment would have to be appropriated. The only purpose of the proposition is that we may be able to send abroad to some foreign country and purchase some plants now in existence, and use that for the establishment of an American armor-plate factory.

Now, we do not want the Government to be driven to that position, which will effectually punish our steel workers, involve the expenditure of an enormous sum of money, and be of no special advantage when it is accomplished.

Mr. LOW. In other words, we do not want the Government to become a competitor in our business industries.

Mr. DAYTON. No, sir; no more than in the coal business, to furnish naval vessels with coal, or in any other business which properly belongs to private enterprises; and for Congress to undertake to do that now on this bill is, in my judgment, a great mistake.

Mr. HOPKINS. Mr. Speaker, I should be very glad, before the vote is taken on this proposition, to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOPKINS. I would like to know exactly the status of the proposition now pending.

The SPEAKER. The gentleman from California [Mr. HILBORN] moves to suspend the rules and nonconcur in the amendments of the Senate to the naval appropriation bill, and ask a conference on the disagreeing votes of the two Houses.

Mr. HOPKINS. I desire to be heard on that proposition.

I think, Mr. Speaker, that it is very unwise on the part of the House to suspend the rules so as to deprive the House of an opportunity to express itself on amendments to which reference has been made. We considered this matter very fully in the House when

the question was before us. We fixed the price at \$445 a ton, after mature deliberation. Now, I am willing to stand by the action of the House in that regard, and if the motion of the gentleman from California is voted down and we are permitted to vote on this separate amendment, I think the action of the House will be ratified, since it expresses more nearly the views of the House rather than the views which have been expressed in the amendment submitted by the Senate.

Mr. DAYTON. But this proposition is only to let the matter go into conference.

Mr. HOPKINS. Of course, I understand that. But there are other matters to which I would like to call attention and have the expression of the House upon.

There is an amendment incorporated by the Senate, involving an expenditure of \$250,000 for the use of the Gathmann torpedo guns, built in Chicago, and which it is proposed shall be placed on some of the monitors. I am in favor of that amendment and hope it will be adopted by the House. I do not know whether it has been called to the attention of the House or not, but this gun has been subjected to the most severe tests—

Mr. CANNON. Will my colleague allow me a moment?

Mr. HOPKINS. I have but two or three minutes.

Mr. CANNON. I only want to make a single suggestion.

Mr. HOPKINS. Very well.

Mr. CANNON. It seems to me that if there is an assurance on the part of the Naval Committee that they will not agree in conference to strike out the provision until the House has had an opportunity to express its views upon it, perhaps we might proceed more rapidly with the business here and avoid what seems to be an inevitable delay.

Mr. UNDERWOOD. If the Naval Committee will state that, I will withdraw my opposition.

Mr. HILBORN. We are in this unfortunate position. I, for instance, can only speak for myself. Some members of the committee are not present, but so far as I am concerned I have no objection.

Mr. DAYTON. I want to say to the gentleman, as a member of the committee, that I think every one of us here present will agree to that. We can not speak for those members of the committee who are absent.

Mr. CANNON. That is the usual course in these matters. At this stage of the session you can not go into the Committee of the Whole to consider these matters. It is fair to the House and fair to the committee. I do not believe there will be any trouble about it.

Mr. HOPKINS. Mr. Speaker, as I said, this is a matter of vast importance to the members of this House and to the country too, and, with the understanding that we can have a separate vote on that before this bill finally passes the House, I have no objection to suspending the rules and putting the bill into conference at once.

Mr. RICHARDSON. Why not ask for a separate vote on that proposition? The House can make that order by unanimous consent.

Mr. HILBORN. Will the gentleman from Alabama yield the same consent as to the other amendment, if it is desired?

Mr. UNDERWOOD. I have stated to the gentleman from California that if the House agrees that we shall have a separate vote on the question of an armor-plate factory, then I shall be willing to let the bill go to conference.

Mr. RICHARDSON. Let us have that unanimous consent.

Mr. HILBORN. I think there will be no objection to that.

Mr. HOPKINS. Mr. Speaker, I ask unanimous consent that, before the bill finally passes the House, the House may have a separate vote upon the amendment that I have mentioned and also upon the armor-plate-factory amendment.

Mr. HILBORN. In case the Senate does not recede.

The SPEAKER. The Chair understands that the gentleman from California, in charge of the bill, assents—

Mr. CANNON. If I may be allowed, there is no trouble about this matter. The gentleman from Alabama wants an armor-plate factory. The gentleman from Wisconsin wants a certain gun. Now, if the House conferees agree with the Senate upon these matters, they both get what they want. If the House conferees do not agree, a disagreement in whole or in part is to be reported back to the House, and on that report it is in order as to any one of those amendments to move that the House recede from its disagreement with the Senate, so that there is no trouble at all, and you can not manage it in any other way.

Mr. UNDERWOOD. Will we have to vote down the conference report first? I should like the attention of the gentleman from Illinois. I ask him if it is not a fact that if they bring in a conference report here and we want a separate vote on these propositions, we would first have to vote down the conference report?

Mr. HOPKINS. We should, unless unanimous consent is now given.

Mr. UNDERWOOD. That is the ground of my objection.  
Mr. CANNON. Oh, well, it would be a bold conference committee that under these conditions would close up a report without letting the House have a chance to vote upon amendments of that kind.

Mr. UNDERWOOD. Then let the House consent to it now.

The SPEAKER. The Chair understands that the gentleman from California announces that he will bring the matter before the House and have a vote upon those two points?

Mr. HILBORN. Yes.

The SPEAKER. If the gentleman makes that assurance, that leaves the committee technically free for a free conference.

Mr. HOPKINS. I am content with that, then, Mr. Speaker.

Mr. UNDERWOOD. Do I understand that the gentleman from California agrees that when the matter comes back from conference we shall have a separate vote on this armor-plate proposition, this armor-plate proposition?

Mr. HILBORN. That was my proposition, I believe.

Mr. UNDERWOOD. You agree to that?

Mr. HILBORN. I agree to that.

Mr. STEELE. I want to state to the gentleman from Alabama that if the armor-plate factory is to be established, it will not be established in Alabama, but at Marion, Ind. [Laughter.]

Mr. UNDERWOOD. We will consider that question later.

Mr. CUMMINGS. I should like about three minutes.

Mr. HILBORN. I yield to the gentleman from New York.

Mr. CUMMINGS. Mr. Speaker, this House passed a bill making an appropriation of \$445 a ton for armor plate, hoping thereby to secure the Krupp armor for the new vessels. The bill as it stands to-day has that appropriation reduced from \$445 per ton to \$300 per ton. It carries a provision that if the armor is not obtained for \$300 a ton the Government shall appropriate \$1,500,000 to build an armor-plate factory. This reduction to \$300 per ton in the face of the action of both Houses of Congress in the last session making the limit \$400 per ton has the apparent object of forcing the establishment of a Government armor-plate factory.

It is apparently made with this object alone. The men who placed the amendment there knew that even the harveyized plate can not be secured at \$300 per ton. They made that limit in the Fifty-fourth Congress, and the Navy Department was unable to secure any armor whatever. The ships remained upon the stocks two years without armor, and were unavailable in the war with Spain. I have no desire to further trespass on the time of the House. [Cries of "Vote!"]

Mr. UNDERWOOD. Mr. Speaker, I want to say this, so that the House may understand our position on this question. It has only been discussed on the other side of the House. The Senate has amended the bill so as to reduce the price of armor plate, to be paid to these two factories that are now making armor, to \$300 per ton; and it is provided that if they do not consent to make armor at this price, that the Government shall itself build its armor-plate factory, and carries an appropriation for the building of that factory. Now, the question that comes to the House is as to whether it is better for the Government to undertake this proposition itself or to continue the appropriation in the hands of some private contractors?

I do not intend to go into a full discussion of this question. It has been fully discussed, and shown that these factories are taking from the Government to-day—and I used the word "taking" advisedly, because they have absolutely held us up in the middle of the road and demanded their price. Mr. Speaker, reverting to the question as to whether the Government had better take charge of this matter itself. Now the arguments that are being made here in opposition to a Government armor-plate factory have been made by the contractors whenever the Government undertook to take into its own hands the building of any machinery for the Government. The same arguments were made here when we established the present Government gun factory here in the city of Washington.

There is not a man who sits on the floor of this House that can contend for one moment that it was not the best day's work the Government ever did, so far as furnishing itself with its supplies, when it established this gun factory. We are making to-day the best and cheapest guns in the world. A mortar that used to cost the Government \$17,000 to make when it was made by private contractors is made now, as the Government reports show, for \$4,500. The same thing will be the case if you establish a Government armor-plate factory. It is not to be used for any others. The gentleman from West Virginia [Mr. DAYTON] says that if we adopt this proposition we had better go to mining coal for the Government and raising wheat for the Government. Not at all so. The questions are not at all similar. The Government of the United States is the only person in the United States that uses these guns—great guns—and uses armor.

There is nobody else desiring armor for vessels except the Government of the United States. It comes in competition with no individual citizen; and as we have demonstrated in the past, in

the manufacture of these large guns and gun carriages, that we can make a better gun and better carriage, so we will demonstrate in the manufacture of armor plate that we can make our own armor plate and still make the best and the cheapest armor that any government in the world has.

Now, if the gentlemen in charge of this bill are willing to give us an opportunity to express our position on this matter—an opportunity for a separate vote on this proposition—when it comes before the House I am willing to agree to it; but if they insist that they will not agree to that, then I ask the House to vote down the proposition to suspend the rules, so that we can force them to give us what is only our rights here, and that is a right to vote on this proposition.

I reserve the balance of my time. [Loud applause on the Democratic side.]

Mr. HILBORN. Mr. Speaker, since the House prepared the last naval appropriation bill a great advance has been made in armor-plate making. The armor-plate makers are now manufacturing a product which is pronounced by the experts of the world to be 25 per cent better than the best harveyized armor. Now, the advantage of saving 25 per cent in weight is very great. We can only appropriate 23 per cent of the displacement of the vessel for armor plate. The weight of the harveyized armor was so great that when we had protected the machinery and the guns and the water line of the ship the 23 per cent allowed for armor was exhausted. A 12-inch plate of Krupp armor is equivalent to a 15-inch harveyized plate.

Now, with the Krupp armor, after having protected the machinery, the guns, and the water line, we will have 25 per cent to spare, and with that 25 per cent we can protect the men, we can protect the unprotected parts of the ship. All foreign nations that are building ships have adopted this improved armor; and can the United States afford to go on using armor plate that is not as good as that used by foreign nations?

Now, I have no objection to the establishment of an armor-plate factory; all I want is that we shall have the best armor plate. Of course we want to get it as cheap as possible. The objection that I have to the Senate amendment, and I assume that they are in earnest in trying to get an armor-plate establishment, is that they have only provided for the expenditure of one million and a half dollars.

Now, the very best information we have from our own officers who have investigated this question is that an armor-plate establishment sufficient for turning out 6,000 tons a year will cost us \$3,747,912. Now, then, it seems to me idle, it seems to me to be trifling to appropriate only \$1,500,000, less than one-half the amount that is absolutely necessary. And in this estimate fixing the cost of the armor-plate establishment at \$3,747,912 our naval officers have included nothing for the land, nothing for the preparation of the site for the establishment.

Mr. UNDERWOOD. I yield five minutes to the gentleman from Michigan [Mr. BRUCKER].

Mr. BRUCKER. As I understand the proposition, Mr. Speaker, now before the House, the question is whether or not the House shall have the opportunity to vote upon the independent proposition as to whether or not the Government shall build an armor-plate factory of its own. This bill comes back from the Senate with this proposition tacked on by the way of an amendment. A motion is now made to suspend the rules and throw this bill into conference. As I understand, there are one hundred and odd Senate amendments attached to the bill. If this bill goes into conference now, it will come back here with a conference report, and the members of this House will either have to adopt or reject the conference report as a whole, and there will be no opportunity to vote upon this independent proposition.

Mr. DOCKERY. Why, Mr. Speaker, I thought an agreement had been made twenty minutes ago that there should be a separate vote upon these propositions.

Mr. DAYTON. There will be an agreement made as soon as the gentleman has finished.

Mr. BRUCKER. If there is an agreement to allow the House to vote on this independent proposition, I have no further criticisms to make along this line. I simply want to throw out this suggestion: It does strike me that, while the Government has already embarked in the business of manufacturing its guns, including small arms, manufacturing its powder, we ought, as a matter of national importance and national defense, to embark in the business of manufacturing our armor plate. I think it would be a paying investment for this Government to invest at least \$1,500,000 for the erection of an armor-plate factory and allow the plant to remain idle, not turning a wheel, if you please, but to hold it there as a menace against this octopus that now has the Government by the throat and is holding us up here year after year, siphoning from the National Treasury extortionate prices, amounting to millions of dollars annually. [Applause.] I want to see the Government build an armor-plate factory and own it.

Mr. UNDERWOOD. I am now ready to make an agreement.

Mr. DAYTON. The agreement, as I understand, is that if the Senate insists upon these amendments to which there is a disagreement the committee shall report it, and the House shall have an opportunity to vote upon concurring in the Senate amendments.

Mr. UNDERWOOD. Yes; a direct vote on the Senate amendments.

The question was then taken; and in the opinion of the Chair two-thirds having voted in the affirmative, the rules were suspended and the motion to nonconcur in the Senate amendments and ask for a conference was agreed to.

The Chair appointed as conferees on the part of the House Mr. BOUTELLE of Maine, Mr. HILBORN, and Mr. CUMMINGS.

#### A QUESTION OF PRIVILEGE.

Mr. WALKER of Massachusetts. Mr. Speaker, I rise to a question of personal privilege. I see by a statement in the Post this morning that—

Representative JOSEPH H. WALKER, of Massachusetts, had a tussle all of yesterday trying to get time to deliver a speech. He stated on the floor that he wanted an hour to discuss the subject of banking and currency.

The rumor had gone the rounds that Mr. WALKER had some very tart things to say about certain of his colleagues on the Banking and Currency Committee and about two or three other gentlemen not members of the House, but who have figured considerably in the efforts to secure legislation. Accordingly there was no small interest in the galleries to hear the Bay State financier.

Now, as a part of my explanation, I want to read a word or two from another paper. The New York Sun, in an article on Lord Herschell, says:

His first judgment was rendered as a member of the judicial committee of the privy council, reviewing a decision of the supreme court of the colony of Natal in a newspaper libel suit; and this passage from his opinion has been much commended:

"There is no doubt that the public acts of a public man may lawfully be made the subject of fair comment or criticism, not only by the press but by all members of the public. But the distinction can not be too clearly borne in mind between comment or criticism and allegations of fact, such as that disgraceful acts have been committed or disgraceful language has been used. It is one thing to comment upon or criticize, even with severity, the acknowledged or proved acts of a public man, and quite another to assert that he has been guilty of particular acts of misconduct."

Let me say, Mr. Speaker, that my offense is that I did propose to allude pleasantly to several gentlemen on the floor of this House, and then only as to matters of public record. I said to every one of those gentlemen that I proposed to do so, in order that they might be here to reply if they chose. This I did in my sensitiveness lest I should do any man injustice; and that caution is my offense. I did not propose to comment upon those gentlemen in any way out of their record. I will add that unless I can have the same privilege accorded to me in my speaking that is accorded to other men, I do not care to speak at all. And furthermore, I shall not obstruct the public business even to do myself justice. [Applause.]

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT presented the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11083) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 7, 10, 16, 17, 18, 24, 25, 26, 30, 31, 42, 46, 55, 59, 63, 65, 69, 70, 71, 72, 73, 77, 78, 79, 82, 83, 84, 85, 87, 90, 99, 101, 112, 115, 116, 120, 124, 127, 129, 138, and 172.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 12, 13, 20, 21, 29, 32, 34, 37, 38, 39, 41, 43, 44, 47, 48, 49, 50, 51, 54, 60, 61, 62, 64, 66, 67, 68, 74, 75, 76, 80, 81, 113, 114, 117, 118, 119, 123, 126, 128, 130, 132, 135, 137, 139, 141, 142, 145, 146, 147, 171, 173, 174, 175, 176, and 177, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,900;" and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$19,400;" and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,000;" and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,500;" and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,300;" and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$67,732;" and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "one assistant librarian, \$900;" and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an

amendment as follows: In lieu of the sum proposed insert "\$7,330;" and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,250;" and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$130,000;" and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$160,000;" and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$38,000;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$44,000;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In line 3 of said amendment strike out "twenty-five" and insert "twenty;" and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$15,000;" and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$60,000;" and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$5,000;" and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$5,000;" and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$130,000;" and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$145,000;" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$172,000;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For one four-room building and site, Takoma Park, \$18,000;" and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: Add at the end of said amendment the following: "as much thereof as may be necessary;" and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: On page 26 of the bill, before the word "manual-training," in lines 24 and 25, insert the word "fireproof;" and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "That the Commissioners of the District of Columbia, on application of any corporation or individual, or in their own discretion, may appoint special policemen for duty in connection with the property of, or under the charge of, such corporation or individual: said special policemen to be paid wholly by the corporation or person on whose account their appointments are made, and to be subject to such general regulations as the said Commissioners may prescribe;" and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$22,000;" and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$39,185;" and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "machinist, \$1,000;" and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$33,620;" and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,500;" and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,500;" and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$9,000;" and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,000;" and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,500;" and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$11,000;" and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$49,500;" and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: Strike out the matter proposed to be inserted by said amendment; and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$70,200;" and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$5,000;" and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$37,900;" and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$13,250;" and the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "\$2,000;" and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$2,000;" and the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with amendments as follows: In lieu of the sum proposed insert "\$500;" and on page 37 of the bill, in lines 6 and 7, strike out "four hundred and fifty" and insert "five hundred;" and the Senate agree to the same.

Amendment numbered 140: That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,198;" and the Senate agree to the same.

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$3,250;" and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000;" and the Senate agree to the same.

Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000;" and the Senate agree to the same.

Amendment numbered 170: That the House recede from its disagreement to the amendment of the Senate numbered 170, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,000;" and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 67, 68, 91, 92, 93, 94, 95, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, and 168.

WILLIAM W. GROUT,  
HENRY H. BINGHAM,  
ALEX. M. DOCKERY,  
*Managers on the part of the House.*  
W. B. ALLISON,  
B. M. CULLOM,  
F. M. COCKRELL,  
*Managers on the part of the Senate.*

Mr. GROUT. I ask that the reading of the report be omitted, as most of the matters involved are fully detailed in the statement of the House conferees, which I ask that the Clerk may read.

The SPEAKER. The gentleman from Vermont asks that the statement of the House conferees be read instead of the conference report.

There was no objection.

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11083) making appropriations for the support of the government of the District of Columbia for the fiscal year 1900 submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

On Nos. 1, 2, and 3: Appropriates \$1,200, as proposed by the House, instead of \$1,400, as proposed by the Senate, for a deputy property clerk.

On Nos. 4 and 5: Appropriates \$1,000, instead of \$1,800, as proposed by the House, and \$2,000, as proposed by the Senate, for the chief clerk in the auditor's office.

On Nos. 6, 7, and 8: Appropriates \$1,600, instead of \$1,500 as proposed by the House and \$1,800 as proposed by the Senate, for a clerk in the sinking fund office, and strikes out increase of \$100 proposed by the Senate for a clerk in said office.

On Nos. 9, 10, and 11: Appropriates \$1,300, instead of \$1,200 as proposed by the House and \$1,400 as proposed by the Senate, for the superintendent of parking, and strikes out proposed increase by the Senate from \$300 to \$1,000 for the assistant superintendent of parking.

On Nos. 12 and 13: Appropriates \$2,000, as proposed by the Senate, instead of \$1,800, as proposed by the House, for the superintendent of street sweeping.

On Nos. 14 and 15: Appropriates for one additional assistant librarian at \$800, instead of for two at \$600 each, and \$2,000 for purchase of books and magazines for the public library, as proposed by the Senate.

On Nos. 16 and 17: Strikes out increase of \$1,500 proposed by the Senate for contingent expenses, including horse and wagon for the collector's office.

On No. 18: Strikes out appropriation of \$1,000 proposed by the Senate for furniture for municipal building.

On No. 19: Appropriates \$2,200, instead of \$1,800 as proposed by the House and \$2,500 as proposed by the Senate, for special repairs to market houses.

On No. 20: Makes appropriation immediately available for general assessment books.

On No. 21: Appropriates \$3,000, as proposed by the Senate, for fireproof facilities for the surveyor's office.

On No. 22: Appropriates \$120,000, instead of \$125,000 as proposed by the House and \$150,000 as proposed by the Senate, for assessment and permit work.

On Nos. 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32: Appropriates \$160,000, instead of \$150,000 as proposed by the House and \$200,500 as proposed by the Senate, for work on streets and avenues, and \$950, as proposed by the Senate, for removing cobblestones and repairing D street between Sixth and Seventh streets SE; and strikes out the appropriations proposed by the Senate of \$11,500 for paving P street and of \$24,000 for paving Seventh street NW, from Pennsylvania avenue to K street.

On No. 33: Appropriates \$20,000 and authorizes a contract for not exceeding \$152,000 for constructing in part East Side intercepting sewer between Twenty-second and A streets NE and Twelfth street SE.

On No. 34: Appropriates \$20,000 and authorizes a contract for not exceeding \$86,000 for constructing in part East Side intercepting sewer from Twelfth street SE to the pumping station at the foot of New Jersey avenue.

On No. 35: Appropriates \$15,000, instead of \$5,000 as proposed by the House and \$30,000 as proposed by the Senate, for replacing and repairing sidewalks and curbs around public reservations.

On No. 36: Appropriates \$20,000, instead of \$50,000 as proposed by the House and \$75,000 as proposed by the Senate, for repairing county roads.

On Nos. 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52, relating to the construction of county roads: Appropriates, as proposed by the Senate, \$5,000 for University place, between Welling and Huntington places; \$5,000 for Wilson street, Howard University; \$5,000 for Harrison street, Anacostia; \$15,000 for Kenosaw avenue and Harvard street; \$3,000 for Pennsylvania avenue extended SE; \$10,000 for Michigan avenue; \$5,000 for Albemarle street; \$2,500 for Thirty-seventh street; and \$2,000, instead of \$1,000 as proposed by the House, for Kansas avenue; strikes out the appropriations proposed by the Senate of \$4,000 for Flint street, Brightwood Park, and of \$5,000 for North Capitol street from V street to the Soldiers' Home; and makes immediately available the appropriations for Kenyon street and Belmont street.

On Nos. 53 and 54: Appropriates \$145,000, instead of \$130,500, as proposed by the House, and \$150,000, as proposed by the Senate, for sprinkling, sweeping, and cleaning streets; and inserts the provision proposed by the Senate regulating the price for and manner of doing said work.

On No. 55: Appropriates \$1,000, as proposed by the House, instead of \$5,000, as proposed by the Senate, for cleaning snow and ice from cross walks and gutters.

On No. 56: Appropriates \$172,900, instead of \$161,300, as proposed by the House, and \$177,000, as proposed by the Senate, for street lighting with gas.

On No. 59: Strikes out the appropriation of \$7,000 proposed by the Senate for machinery for harbor boat.

On No. 60: Appropriates \$5,000, as proposed by the Senate, instead of \$7,500, as proposed by the House, for public pumps.

On No. 61: Appropriates \$25,000, as proposed by the Senate, instead of \$15,000, as proposed by the House, for construction and repair of bridges.

On No. 62: Provides for a bridge across Rock Creek on the line of Massachusetts avenue, as proposed by the Senate.

On Nos. 63, 64, 65, and 66, relating to the Washington Aqueduct: Appropriates, as proposed by the Senate, \$3,000 for repairing the north connection of the by-conduit, and \$5,000 for investigation of the feasibility and propriety of filtering the water supply; appropriates \$1,000, as proposed by the House, instead of \$2,500, as proposed by the Senate, for repairing the conduit road, and strikes out the appropriation of \$5,000 proposed by the Senate for protection of the inlet to the conduit at Great Falls.

On Nos. 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, and 90, relating to the public schools: Appropriates \$2,500, as proposed by the Senate, instead of \$2,250, as proposed by the House, for superintendent of the Ninth, Tenth, and Eleventh divisions; strikes out all of the increases proposed by the Senate in the salaries of teachers; appropriates \$8,800, as proposed by the Senate, instead of \$7,000, as proposed by the House, for teachers of night schools; appropriates \$10,000, as proposed by the Senate, instead of \$9,000, as proposed by the House, for material for instruction in manual training; appropriates \$37,000, as proposed by the Senate, instead of \$35,000, as proposed by the House, for fuel; appropriates \$2,800, as proposed by the House, instead of \$3,000, as proposed by the Senate, for furniture for new buildings; appropriates \$42,500, as proposed by the Senate, instead of \$40,000, as proposed by the House, for school books and supplies; increases the limit of cost for the two manual training school buildings, as proposed by the Senate, to \$150,000; appropriates \$18,000 for a four-room school building at Tacoma Park, and \$4,200 for purchase of a lot adjoining the Peabody Annex building; strikes out the appropriations of \$47,500 for a new building in the Eleventh division and \$13,000 for a new building at Twining City; appropriates \$30,000, as proposed by the House, instead of \$34,000, as proposed by the Senate, for a new building at Hillsdale; and restores to the bill the provision proposed by the House concerning the admittance to the District public schools of children residing outside of the District.

On No. 96: Inserts a provision relating to the appointment of special policemen in the District of Columbia, on the application of corporations or individuals, or in the discretion of the Commissioners.

On Nos. 97, 98, 99, and 100, relating to the police department: Appropriates \$3,000, instead of \$2,500 as proposed by the House and \$3,500 as proposed by the Senate, for repairs to stations; appropriates \$22,000, instead of \$20,000 as proposed by the House and \$24,000 as proposed by the Senate, for miscellaneous and contingent expenses; and strikes out the appropriation of \$2,700 proposed by the Senate for improving the stable and grounds of the Third precinct.

On Nos. 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, and 121, relating to the fire department: Strikes out the increase proposed by the Senate of \$300 in the salary of the chief engineer; appropriates for a machinist at \$1,000; strikes out the appropriation of \$480 for a laborer; appropriates \$49,500, instead of \$45,750 as proposed by the House and \$53,500 as proposed by the Senate, for miscellaneous expenses; appropriates, as proposed by the Senate, \$2,200 for a chemical engine, and \$15,000 for a house, lot, and furniture for a chemical-engine company in Tenallytown, and \$20,500 for a truck, and a house, lot, and furniture for a truck company in West Washington; and strikes out the appropriations proposed by the Senate for new engines, houses, lots, and furniture for a new engine company in South Washington, and in the northern part of West Washington, and \$5,000 for an additional stable on North Carolina avenue.

On No. 122: Appropriates \$5,000, instead of \$10,000, as proposed by the Senate, for extension of the fire-alarm telegraph.

On Nos. 123, 124, 125, 126, and 127, relating to the Health Department: Appropriates \$1,000, as proposed by the Senate, for an additional clerk, and \$3,000 for maintaining the disinfecting service; and strikes out the appropriations

proposed by the Senate, of \$730 for an engineer at the smallpox hospital, and of \$2,000 for gratuitous vaccination of indigent persons.

On Nos. 128, 129, 130, and 131: Appropriates, as proposed by the Senate, for an additional deputy clerk of the police court at \$1,000 in lieu of a messenger at \$900, and strikes out the proposed increase of \$300 each in the salaries of the deputy clerks of said court.

On No. 132: Reappropriates, as proposed by the Senate, \$23,603.45 for the Rock Creek Park.

On Nos. 133 and 134: Appropriates \$2,000 for transportation of paupers and \$2,000 for conveying prisoners to the workhouse, instead of \$3,300, as proposed by the House, for transportation of paupers and conveying prisoners to the workhouse.

On Nos. 135, 136, 137, 138, 139, 140, 141, 142, 143, and 144, relating to the Washington Asylum: Increases the compensation of the property clerk \$80, the blacksmith and wood worker \$50, the carpenter \$50, and a trained nurse \$50; and appropriates, for a driver for the dead wagon, \$365; \$50,000 for the erection of a workhouse for males; \$3,250, instead of \$4,000, as proposed by the Senate, for hospital furnishings and surgical instruments and appliances, and \$2,000, instead of \$2,500, as proposed by the Senate, for repairs to buildings, etc.

On Nos. 145 and 146: Appropriates \$1,620, as proposed by the Senate, instead of \$1,410, as proposed by the House, for watchmen for the Reform School for Boys.

On Nos. 147, 169, and 170: Makes a verbal correction in the text of the bill, and appropriates \$3,000, instead of \$2,000, as proposed by the House, and \$4,000, as provided by the Senate, for maintenance of the isolation wards of the Garfield and Providence hospitals.

On Nos. 171 and 172: Appropriates \$12,000, as proposed by the Senate, instead of \$11,000, as proposed by the House, for maintenance of the Industrial Home School, and \$1,000, as proposed by the House, instead of \$2,000, as proposed by the Senate, for repairs and improvements.

On Nos. 173 and 174: Appropriates \$31,000, as proposed by the Senate, instead of \$28,000, as proposed by the House, for the Board of Children's Guardians.

On Nos. 175, 176, and 177: Makes a verbal correction in the text of the bill, and inserts the provision proposed by the Senate, prohibiting the issue of drawback certificates after June 30, 1899.

The committee of conference have been unable to agree on the following amendments, namely:

On Nos. 57 and 58: Increasing the appropriation for electric lighting from \$50,000 to \$63,000, and inserting the provision proposed by the Senate authorizing the Commissioners to grant permits for the repair and enlargement of existing electric-lighting conduits;

On Nos. 91, 92, 93, 94, and 95: Increasing the police force, as proposed by the Senate; and

On Nos. 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, and 168, relating to the charities of the District of Columbia.

The Senate, by its amendments, added \$896,955 to the bill. Of this sum, it is agreed by the conferees that the Senate recede from \$333,050 and that the House agree to amendments involving \$446,945, leaving involved in the amendments upon which an agreement has not been reached the sum of \$116,960.

WILLIAM W. GROUT,  
HENRY H. BINGHAM,  
A. M. DOCKERY,

Managers on the part of the House.

Mr. GROUT. Mr. Speaker, there are three subjects concerning which the conference committee have not yet agreed. One is the subject of electric lights, involving two amendments; another relates to the increase of the police force of the District; and the third to charities.

As showing the general outcome of the conference, I will state that the Senate amendments added to the amount of the bill as passed by the House \$896,955, in all of which we nonconcur.

In this report the Senate has receded to the amount of \$333,050, and the House has agreed to amendments involving \$446,945, leaving in amendments upon which an agreement has not been reached the sum of \$116,960 still in dispute. The principal part—indeed, almost the whole—of the amount of money involved in the disagreement relates to the increase of the police force, there being only \$12,000 involved in the charity schedule and some \$3,000 in the amendment relating to electric lights.

Mr. HENDERSON. What increase did the Senate amendment make in the police force?

Mr. GROUT. They ask for 100 privates—50 of the first class, 50 of the second class—1 lieutenant, and 1 sergeant.

Mr. HENDERSON. Under our rules, we can not increase the police force in the House on an appropriation bill, can we? We have never been able, I believe, under our rules, to increase the police force.

Mr. GROUT. I suppose it would violate the rules to bring in a proposition for the increase of the police force on an appropriation bill. But it was the opinion of the committee that the District did not require this increase.

Mr. HENDERSON. Heretofore I know it was held that there was a statute fixing the number of the police; so that we had to depend altogether upon the Senate for any increase.

Mr. GROUT. The gentleman is right about there being an old statute fixing the number of police; but the House has frequently heretofore increased the number. In fact, we have from year to year added a little to it constantly until last year, when we came to the conclusion that the police force was large enough.

Mr. HENDERSON. During the last four years—I do not know how it was before—we had to rely for increases on the Senate, because we had not the right, under the rules, to provide for such an increase on the appropriation bill.

Mr. GROUT. We have brought in provisions for increase before, I think, in the House.

Mr. HENDERSON. I think not. It has always been done in the Senate.

Does not my friend think the police force is at present inadequate to the necessities of the city?

Mr. GROUT. We have not so thought; and we have been governed somewhat in our views by comparison of the number of policemen in this city, in proportion to the population, as with the number in other cities. We find that the proportion here is already larger than in most other large cities.

But not only that, Mr. Speaker, we have several independent police forces in the District, as gentlemen are of course aware. There is the police force about the Capitol, the exact number of which I do not now remember; there is also a police force about each of the Departments—the Treasury and the other Departments—independent of the Metropolitan police.

And they all have the power of arresting, and are all subject to the call of the superintendent of police in case of riots or disorder in the city. We have also a military force within reach, which can be utilized in case of emergency. So the House committee thought that the police force of the District was large enough under these conditions.

Mr. HENDERSON. It is true, as the gentleman says, that we have this extra police force, and we have a number of men in these various Departments, in the White House, and in the various public buildings; but is it not a fact that for the White House and the foreign legations the force of twenty-two men, which I am informed is the force, is taken practically away from other places and is a reduction of the number of men to that extent? I understand that the average beat of a policeman is from 1 to 13 miles, while outside of the city it is from 2½ to 7 square miles covered by each one.

Mr. GROUT. Well, Mr. Speaker, I had not before heard of these magnificent distances to which the gentleman refers, and I can not help thinking that he is mistaken.

Mr. HENDERSON. That is a fact, as I think the gentleman will find on investigation.

I have called attention to this matter before, and we ought to have certainly at least a moderate increase in the size of the police force. I simply call the gentleman's attention to it, and hope that in the deliberation in the committee they will take it into consideration.

Mr. GROUT. Of course we will carefully consider it; but does the gentleman mean that the beat of any policeman covers 13 miles?

Mr. HENDERSON. That is my information, that some of them have beats which involve practically that length within the city.

Mr. GROUT. I can scarcely believe, Mr. Speaker, that this is possible. I have no doubt, of course, that the mounted police may patrol as great a distance as that.

Mr. HENDERSON. I am quite sure, from my information, that the gentleman will find the statement to be entirely correct.

But, leaving that matter for the present, there is another question to which I desire to ask attention. I would like to ask an explanation of the Senate amendment as to the provisions for electric lighting in the city.

Mr. GROUT. The Senate amendment is in the following words:

*Provided further, That the Commissioners of the District of Columbia are hereby authorized to grant permits for the repair and enlargement, under proper regulations, of the existing electric conduits.*

Now, the reason that we object to that provision is because it applies to one only of the two companies operating in this city. Gentlemen will probably recall the fact that there are in Washington two electric-lighting companies, one known as the United States Company and the other the Potomac Electric Light Company.

The United States Company was first organized, and put down conduits for electric lighting at an early date in the history of electric lighting. Many of them, owing to the increase in the business, were found to be too small, and in order properly to conduct their business they need to be enlarged. But the Potomac Company came in subsequently and entered into business here. They had had the benefit of the previous experience of other companies engaged in the business, and put down larger conduits.

This amendment provides for allowing an increase in the size of some of these conduits, but does not authorize the laying of new conduits. I might take for an illustration the hotel where I live—the Arlington. That hotel is lighted by electricity furnished by one of these companies. But the capacity of the conduit is not sufficient to supply all that is needed; and so it happens that only the dining room and the office and parlors are lighted with electricity. This amendment, therefore, is to enable the United States Company to enlarge its conduits.

But on the other side of H street, opposite to the Arlington Hotel, the Potomac Company has a line of conduits passing the hotel. They would like, of course, to have the privilege of crossing the street and entering into competition for this lighting with the rival company. Their conduits having been put in at a later date, are on a larger plan and would be sufficient for the work which is required from the company.

This amendment has reference, therefore, to that condition of

things. The committee thought if we allowed the enlargements of the existing conduits—that is, the conduits of the United States Electric Lighting Company—in cases like that referred to, that we should also allow the other company to extend their conduit and thus have an opportunity of entering into competition for the lighting of the city.

The committee also thought if we grant to the two companies the privilege of enlarging and extending their conduits we should at the same time fix the price at which they should furnish light both to the city and private individuals. We have not, however, been able yet to settle this satisfactorily to ourselves even, but hope to be able to do so when we bring the bill back into the House again, but of course we are glad to know what gentlemen think of the matter.

Mr. HENDERSON. I have no doubt at all that that is the better plan. I am entirely content that the committee shall consider the matter. I believe they will deal properly and efficiently with it. But I hope my friend, in the consideration of these matters, will accept the proposition for an addition to the police force. That is needed, and is a matter that will meet the approval of everybody who understands the condition of things here.

Mr. GROUT. Very well; we will consider the matter carefully. Mr. RIDGELY. I would like to ask the gentleman a question as to the payment of the police. Are they paid by the month or the week; and how many hours constitute a day's work?

Mr. GROUT. They actually receive their money every month; but it is a fixed compensation for the entire year. It is subdivided and paid to them monthly.

Mr. RIDGELY. How many days are counted a month, and how many hours a day?

Mr. GROUT. Well, it would be according to the length of the month, the same as our salary.

Mr. RIDGELY. And how many hours to the day?

Mr. GROUT. I can not tell you that.

Mr. DALZELL. Eight hours constitute a Federal day.

Mr. GROUT. I do not understand that that applies to the police.

Mr. DALZELL. Yes, it does; to all Government employees.

Mr. GROUT. I had supposed that the eight-hour law did not apply to these policemen, but some gentlemen about me say that it does, and I am not prepared from absolute knowledge to contradict them.

Mr. RIDGELY. That was the purpose of my question, to find out that.

Mr. GAINES. I know that some of the policemen stay on duty all night long. I have seen this when I was up all night with a sick child.

Mr. GROUT. Probably in exceptional cases.

Mr. RIDGELY. Do I understand the gentleman to say that eight hours constitute a day?

Mr. GROUT. I did not so understand, but gentlemen around me say that is a fact. The gentleman from Tennessee [Mr. GAINES] does not intend to be understood that one man is on duty all night long—the same man.

Mr. GAINES. I intend to say that I have seen one policeman stand at the corner of Fourteenth and H streets all night long, and I have seen him all day long.

Mr. CANNON. For how many days and nights in succession?

Mr. GAINES. For at least four weeks.

Mr. DALZELL. Where was this locality?

Mr. GAINES. At the corner of Fourteenth street and H.

Mr. CANNON. I always believed the gentleman from Tennessee could go without sleep for three weeks, but I did not know that he could go four. [Laughter.]

Mr. GAINES. If I was as wide-awake as the gentleman from Illinois, I would go without sleep entirely. [Laughter.]

Mr. BABCOCK. Will the gentleman from Vermont permit a question?

Mr. GROUT. Certainly.

Mr. BABCOCK. I understand the committee have now under consideration an amendment to this Senate amendment permitting a general extension of conduits?

Mr. GROUT. No; there is no amendment proposed. The committee are wrestling with the subject; but this may certainly be stated to the House, I think, that we shall not agree to any extension of privileges here, unless some system of rates is established.

Mr. BABCOCK. The gentleman stated a few moments ago that they should do certain things in reference to rates, "unless instructed by the House."

Mr. GROUT. I said if gentlemen had any suggestions to give us upon the subject we should be glad to receive them.

Mr. BABCOCK. Mr. Speaker, I desire at this point to offer an amendment to the Senate amendment, in the way of instructions as to rates.

Mr. DOCKERY. Let the conference report be adopted.

Mr. GROUT. I do not understand an amendment to be in order now.

The SPEAKER. The conference report is before the House, and it would not be in order to amend that.

Mr. BABCOCK. I offer this by way of instructions to the committee, at the suggestion of the chairman.

The SPEAKER. This is a partial agreement, as the Chair understands, and after this conference report is adopted, then the points on which an agreement has not been reached will come up on a motion to insist, or some other suitable motion.

Mr. BABCOCK. Then, Mr. Speaker, I ask that it may be read for the information of the House.

The SPEAKER. The Clerk will read it for the information of the House.

Mr. BABCOCK. And I will offer the amendment when it is in order.

The Clerk read as follows:

*Provided, That any company availing itself of such privilege of extension of conduits as heretofore provided shall not charge or collect more than \$6 per month for each arc light of 2,000 candlepower, or more than 8 cents for each 1,000 watts for incandescent current, and any company charging or collecting an amount in excess of such rates shall be deemed guilty of a misdemeanor, and shall pay to the District of Columbia the sum of \$50 for each and every offense, to be collected as other fines are now collected in the District of Columbia; and shall pay to the District of Columbia, in lieu of personal taxes upon personal property, each year 4 per cent of its gross receipts from whatever source, and its real estate shall be taxed as other real estate in the District of Columbia.*

Mr. GROUT. That is not in order at the present.

Mr. BABCOCK. It is just read for information.

Mr. GROUT. Now, then, the other point on which the conferees disagree relates to the sectarian charities. Gentlemen will remember when the matter was up—

Mr. DOCKERY. Suppose we agree to the conference report and take these things up *seriatim* afterwards.

Mr. GROUT. Then I will ask that the sense of the House be taken on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

On motion of Mr. GROUT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

The SPEAKER. What further action does the gentleman desire to take?

Mr. GROUT. I now move that the House further insist on its disagreement to the Senate amendments and ask for a further conference.

The SPEAKER. The gentleman from Vermont moves that the House further insist upon its disagreement to the amendments of the Senate and agree to a further conference.

Mr. BABCOCK. Now, Mr. Speaker, I ask a separate vote on the amendment relative to conduits and electric lights; and I desire to offer the instruction which has been read at the Clerk's desk.

The SPEAKER. The gentleman from Wisconsin asks to have a separate vote in relation to the conduits and electric lights. Does any gentleman desire to have a separate vote on any other amendment? If not, the Chair will put the question in regard to all the amendments except the one referred to by the gentleman from Wisconsin.

The question was taken; and the motion to further insist on the disagreement to the other Senate amendments was agreed to.

Mr. BABCOCK. Now, Mr. Speaker, I move my amendment by way of an instruction to the House conferees.

The SPEAKER. Will the gentleman be kind enough to indicate the amendment on which he desires to give the instruction?

Mr. BABCOCK. It is for the electric lighting and conduits.

The SPEAKER. Can the gentleman give the number of it?

Mr. GROUT. It is No. 58.

The SPEAKER. The Chair suggests to the gentleman from Wisconsin that after the House has insisted on its disagreement and the conferees are appointed a motion to instruct will be in order. So the Chair will take the sense of the House upon insisting upon the disagreement to the Senate amendment.

The question was taken; and the House insisted on its disagreement to the amendment of the Senate.

Mr. BABCOCK. Now, Mr. Speaker, is it in order to offer the instruction at this time?

The SPEAKER. It is in order.

Mr. BABCOCK. Then I move the instructions to the House committee.

The SPEAKER. The gentleman from Wisconsin moves that the House conferees have the following instructions. The Clerk will report the proposed instructions.

The Clerk read as follows:

*Instruct conferees to agree to amendment numbered 58, with the following amendment:*

*Provided, That any company availing itself of such privilege of extension of conduits as heretofore provided shall not charge or collect more than \$6 per month for each arc light of 2,000 candlepower, or more than 8 cents for each 1,000 watts for incandescent current, and any company charging or collecting an amount in excess of such rates shall be deemed guilty of a misdemeanor and shall pay to the District of Columbia the sum of \$50 for each and every offense, to be collected as other fines are now collected in the District*

of Columbia; and shall pay to the District of Columbia, in lieu of personal taxes upon personal property, each year 4 per cent of its gross receipts from whatever source, and its real estate shall be taxed as other real estate in the District of Columbia."

Mr. RICHARDSON. I desire to ask the gentleman from Vermont if he will tell us what we are now paying per month for arc lamps?

Mr. GROUT. Fifteen cents per watt hour to the United States Company, and the Potomac Company are furnishing it in some instances for less.

Mr. BABCOCK. At 5 cents, in some few cases, per watt hour.

Mr. GROUT. Not to single individuals, but to Departments, like the Treasury Department or the Interior Department, where a large quantity is taken.

Mr. BABCOCK. I am advised, Mr. Speaker, that where the two companies come in competition the rates are 5 cents per watt hour, and where they do not 15 cents per hour.

Mr. GROUT. Very likely that may be true; but I did not suppose there was any individual furnished at a rate as low as 5 cents.

Mr. RICHARDSON. Now, what do we pay per month for arc lights? I see by this amendment it is \$6. What is the amount now charged for each arc light?

Mr. GROUT. The amount is \$95 a year—about \$7—and \$72 under this amendment.

Mr. BABCOCK. Ninety-one dollars and twenty-five cents per year at present, and this would be \$72 per year. Now, Mr. Speaker, I want to say just a word. The two electric-light companies doing business in the District of Columbia are both of them foreign corporations, paying no taxes upon gross receipts or income, as other District of Columbia corporations are. The charters that have been issued since I have been a member of this House require corporations in the District of Columbia to pay an annual tax of 4 per cent on their gross receipts.

It is no more than just, no more than right, when you are granting concessions, to fix the rates of service. The Senate has insisted upon this amendment, and you are giving away all that Congress has; you are giving away all the rights you have in the streets that Congress owns, and now is the time to fix the rates. I desire to say further that I have been informed by a gentleman formerly an officer in one of the principal companies here that they are manufacturing under their improved processes, and can manufacture to-day, and furnish a 2,000-candlepower arc light for \$37 a year, and that the cost of incandescent lighting is 4 cents per thousand watts, of which the maximum price now is 15 cents.

When we reduced the price of gas in this House it was shown on the floor that gas cost 68 cents per thousand feet to deliver, and we reduced the price to \$1.10 and then further on to \$1 the latter basis of which will soon be reached. Another thing known to most of the members of the House is, that the control recently of one of the electric-light companies has passed into the hands of a syndicate, and the prospect is that nearly all the corporations will go into the hands of one syndicate. Now, I insist that before we grant the rights that we have in the streets we shall regulate the rates for lighting. That is all this amendment means.

Mr. GROUT. Mr. Speaker, I believe with the gentleman from Wisconsin that while we grant this privilege of extending conduits and enlarging those in existence, we ought to deal with this question of rates. But I am not prepared to go to the extent of the proposition submitted by him. Indeed, I think it is too drastic. I may become satisfied that it is not. I will state for the information of the House that these companies have agreed upon a provision which they have submitted to us, but which was not satisfactory, or else there would have been an agreement upon this amendment in this report of the committee.

Now, Mr. Speaker, this proposition was not satisfactory to the committee. The rate in this city now is 15 cents for a kilowatt hour. I am informed that in other cities, like Chicago, New York, Boston, and Philadelphia, the price charged per kilowatt hour for individual service is 20 cents. The two companies propose to reduce the service from 15 cents per kilowatt hour to 12 cents, and after three years to reduce it to 11 cents, and three years after that to 10 cents. I believe there is a large profit on 15 cents, but to cut it down at once from 15 to 8 cents might do, and I am afraid would do, injustice to the companies.

Mr. GAINES. Where are the facts upon which the gentleman bases his opinion?

Mr. GROUT. I will ask the gentleman from Tennessee where are the facts upon which to base the opinion that it should be 8 cents; that 8 cents will pay the company for laying the conduits and carrying the electric currents into dwellings?

Mr. GAINES. I am not informed about it. I am trying to get evidence.

Mr. GROUT. I am giving you the prices that are charged elsewhere. We do not want to deal unfairly by these companies; we want to deal fairly by them. I am in favor of making a reduction, and I think if the House will leave our hands untied, we will make an agreement that will be acceptable to the House.

Mr. GAINES. Do not we tie our hands unless we tie their hands?

Mr. GROUT. I am talking about the hands of the conferees. If we go out under these proposed instructions, we can do nothing else but to submit them as an ultimatum to the Senate conferees, and it may result in nothing; in fact, is likely to. I think the public interest demands that we should allow the enlargement and extension of these conduits to carry this service out at reasonable rates to the public.

Mr. GAINES. What are reasonable rates?

Mr. GROUT. I am compelled to say now that I do not know. The gentleman from Tennessee wants to know why I do not take the plunge in the dark to the depth proposed by the gentleman from Wisconsin. I may be persuaded to accept his rate when I learn more about it, but I do not want now, speaking for myself, to have my hands tied in the conference unless the House is prepared to say that they want just that rate or nothing done.

Mr. WM. ALDEN SMITH. The gentleman is in favor of fixing the maximum?

Mr. GROUT. I am; and I am in favor of reducing the rate submitted by the two companies. I believe I am in favor of getting it somewhere near what they can afford, without too large profits to the companies.

Mr. GAINES. Did not the gentleman's committee have before it the testimony when it acted that the gentleman from Wisconsin has before him now?

Mr. GROUT. No; this matter has come up for the first time in conference. It was not submitted to the District Committee in the investigation of this bill. We put nothing whatever into the bill, but the Senate have put in this little amendment to allow conduits to be taken up and laid longer, which, as I have told you, will accrue only to the benefit of one company.

Now, that opens the subject. We say that that can not be done unless the other company has a right to extend its conduits also, thus furnishing competitive service. We say further—and this is the declaration of the House conferees, not those of the Senate—that we must have rates fixed, and they must be brought down to a reasonable limit; and we are going to try to bring them down. At present we hardly know ourselves what the limit should be. But we have the information that in other cities the rate is 20 cents; here it is 15.

I think this company can afford to do the business for less—less even than 12 cents. They have put in a proposition that they shall receive for the first three years 12 cents. I do not think we ought to insert a three years' provision like that.

Mr. BABCOCK. The maximum rate is only 12 cents now.

Mr. GROUT. A provision extending over one year will be enough; at the end of that time we may find it proper to make another reduction. There must, of course, be a large expenditure at first in laying conduits and extending the service, so that the company could hardly be prepared to furnish the light at as low a rate for the first year as they might do afterwards.

Now, I think that instead of a term of three years on a sliding scale a term of one year will be sufficient. I will say for the information of the House, as far as I am concerned—and I believe the other gentlemen on the conference agree with me—we shall not agree to these rates. We will have better rates or we will not agree to anything.

Mr. BABCOCK. Does not the gentleman understand that when these rates are submitted, according to this instruction, the company is not obliged to accept them?

Mr. GROUT. That is all plain enough.

Mr. BABCOCK. And does not the gentleman think that the statement made by a former officer of the company that they are manufacturing electric current for 4 cents per thousand watts is a correct statement?

Mr. GROUT. Undoubtedly, speaking of the current only. But that does not cover conduits; that does not cover the extending of the wires into dwellings and public places.

Mr. BABCOCK. This covers everything except the interest on their plant. With all the experience I have had in these matters, I believe this is a reasonable proposition; and when Congress gives away all the streets and all its rights, we shall never have a chance to regulate prices in this House again.

Mr. GROUT. Oh, we shall always have a chance; but the House ordinarily has not courage enough to take up these questions and dispose of them as it ought to do. Now is the time to equalize these rates and make them fair.

The gentleman says that the companies are not obliged to accept these rates. Of course not; they can close business.

Mr. GAINES. And then somebody else will take their places.

Mr. GROUT. I do not say this would close their business. I do not know as to that. I simply ask the House to leave this matter with the committee. I do not know whether my colleague in the conference across the aisle [Mr. DOCKERY] is opposed to these instructions, but I rather think he is. But whether he is or not, I will say personally that I do not want them.

If we do not bring in a satisfactory proposition, you can cast us out; that is all there is about it. If the gentleman from Wisconsin furnished data from authentic sources—from scientific sources—which would support his proposition that this work can be done for 4 cents a kilowatt hour, I should look upon the matter differently.

Mr. BABCOCK. I will say that the reason the District Committee have not furnished the information is because your committee—the Committee on Appropriations—has had this subject under consideration all the time. You have included it in every District bill since I have been a member of the House.

Mr. GROUT. Well, I wish the gentleman would furnish all the data now. He makes the statement here, and no doubt he has this information. No doubt the gentleman thinks the company can furnish the cement for less than the amount they have figured; but the question is, can they afford it at the rate named in the instructions?

Mr. GAINES. Where does the gentleman from Wisconsin [Mr. BABCOCK] get his evidence or his facts?

Mr. BABCOCK. I get them officially, but I do not think I ought to state the names.

Mr. GAINES. The gentleman tells me privately that he gets his information officially.

Mr. DOCKERY. Mr. Speaker, I think it exceedingly important for the interest of the public service and the people of the District that we should reach in this bill some adjustment as to rates. The United States Electric Light Company are seeking by a proviso, which has been put on this bill by the Senate, to enlarge their conduit system, for reasons which have been fully explained by the gentleman from Vermont [Mr. GROUT].

Now, then, speaking for myself, I want to say, in view of the controversy we have had heretofore with this electric light company, that I am not willing to grant them any additional privileges unless at the same time we can secure rates which shall be fair to the Government and fair to the people of this District.

Mr. HEPBURN. May I ask the gentleman from Missouri a question?

Mr. DOCKERY. Certainly.

Mr. HEPBURN. Which of these companies is it that refuses to obey the act of Congress heretofore passed fixing rates?

Mr. DOCKERY. The very company that now seeks additional privileges by this proviso.

Mr. HEPBURN. Will the gentleman explain what the company has done or refused to do in this connection—what position they stand in?

Mr. DOCKERY. Congress passed a law fixing rates for electric-light service; and, as I understand, the company has defied that provision of law. I do not know that that is the fact, but such is my understanding. The chairman of the committee is perhaps more conversant with the facts of the matter than I am. I know that the telephone company has been violating the law.

Mr. GROUT. The gentleman is mistaken with reference to this other company—the electric-light company.

Mr. DOCKERY. That is true. I was confused for the moment in making the statement. The electric-light company has not violated the law. It was the telephone company to which I had reference—a company which has openly violated the law; and I withdraw with pleasure the reflection upon the electric-light company.

But, Mr. Speaker, we have had controversies for years with reference to the United States Electric Light Company, as to its conduits and to its prices. I do not complain of the company. It is perfectly natural that they should seek to secure the highest prices.

But they now come to Congress for additional privileges, and let us at this time fix the rates which are just and reasonable not only to the company but to the people of the District.

Mr. BABCOCK. That is the proper thing to do.

Mr. DOCKERY. Now, as to what the rates should be I confess I have no trustworthy opinion. I do not know from personal information what they should be. I will say, however, to the gentleman from Wisconsin that I have absolute confidence in the rugged integrity of the chairman of my committee, although I confess I do not agree with him that the rates fixed at this time should be on the basis of a graduated or sliding scale, such as that which has been suggested. I do not understand why, if it is possible for this company to furnish light at reduced rates three years hence, it should not be able to give that rate at the present time.

The gentleman says that an exception must be made in this case, because it will be necessary for the company to enlarge their plant, which would involve a considerable expenditure. I do not dispute that statement. But, Mr. Speaker, that is a charge against the capital stock of the company. And, besides that, we must not lose sight of the fact that as you increase the earning capacity of the company by extending its conduits and its line you increase also its income; and, therefore, I believe that the rates to be charged

by them should be fixed absolutely, and not on a sliding scale such as has been suggested.

The amendment of the gentleman from Wisconsin therefore seems to me to be entirely appropriate, and the only question is as to whether the House will instruct its conferees or not. I am satisfied, as far as I have been able to investigate the matter, that the rate fixed by the amendment is a just and a proper one.

Mr. BABCOCK. Will my friend permit an interruption?

Mr. DOCKERY. Certainly; but let me say before yielding that I believe our conferees are acting in the interest of the people of the District in this controversy as they understand it.

Mr. BABCOCK. I want to say, in the first place, that I have full and implicit confidence in the House conferees. I believe that they will be true to the questions submitted to them, and will try to do what is right and best for the benefit of the people of this District.

No one knows better than the gentleman from Missouri himself the difficulties surrounding a committee under such circumstances. This question has never been presented exactly in this shape before.

Mr. DOCKERY. The objection I make is to the sliding scale of charges.

Mr. BABCOCK. If the gentleman from Missouri will permit me, I must suggest to him that this is probably the last chance the House will have to regulate this matter.

Mr. DOCKERY. The gentleman and myself agree fully upon that point. I want to deal justly with this company, and of course I do not want in any way to oppress it.

Mr. COWHERD. I would like to ask the gentleman from Wisconsin a single question in this connection.

Mr. BABCOCK. I will be glad to yield to the gentleman.

Mr. COWHERD. I want to ask him as to the rate he proposes. I want to ask whether the question of the cost of electric lighting is not largely a question of the cost of coal? Out in Western cities, where coal is cheaper, the rates are lower than those proposed by the gentleman from Wisconsin.

Mr. GROUT. That is in case of overhead service, is it not?

Mr. COWHERD. That is in case of overhead service. In the case of a conduit service the furnishing of the service is cheaper after the conduits are built than it is with an overhead service. The difference is in the cost of construction and the interest charges on the original cost. In some cities in the West it is furnished at \$65 per light per year for an all-night service, and I have had experience in one case where a company that was furnishing it at \$120 per year practically cut its rates in half as soon as competition was offered. I think it will be found upon examination that the rates offered by the gentleman are certainly high enough.

Mr. GROUT. I will say to the gentleman from Wisconsin [Mr. BABCOCK], who complains that the Committee on Appropriations have had charge of this subject, that the District Committee could have taken charge of it at any time. It really belongs to them. They never have taken charge of it. The gentleman himself could have introduced a bill taking up this matter and presented it to the House and had it understandingly disposed of.

Mr. BABCOCK. What I stated was that your committee had had this subject before them all the time.

Mr. GROUT. Because the District Committee has neglected to deal with it. That is the reason why.

Mr. GREENE of Nebraska. May I ask the gentleman from Vermont a question?

Mr. GROUT. Certainly.

Mr. GREENE of Nebraska. As I understand, the amendment offered by the gentleman from Wisconsin [Mr. BABCOCK] will make a rate of about \$72 per year per light, will it not?

Mr. GROUT. I understand so; yes.

Mr. GREENE of Nebraska. Now, if the electric-light companies can furnish lights in smaller cities at \$65 per year per light, running all night the year round, why can they not furnish them for \$72 per light per year in the city of Washington?

Mr. GROUT. For this reason: The plant costs probably twice as much—

Mr. GREENE of Nebraska. But are there not a great many more lights?

Mr. GROUT. Wait a moment until I answer. Perhaps the plant cost three times as much. I do not know. It is the difference between overhead and underground service.

Mr. GREENE of Nebraska. In a small city, where they only have, perhaps, 40 or 50 or 75 arc lights, could they furnish the lights as cheaply as they can in the city of Washington, where they have so many lights?

Mr. GROUT. Well, I can not say how that might be. It would require a larger supply of engines to create the light. I do not think they could furnish the lights more cheaply here. They would have to increase their power to produce the electricity, and there would be no special profit in doing that unless one man could attend to two engines, and he would hardly be able to do so.

Mr. GREENE of Nebraska. Do you believe that if in a small

city they can furnish 65 lights at \$65 per year it will cost more than as much again to furnish 180 lights in a larger city?

Mr. GROUT. Oh, well, I never was quick in figures, I will say to the gentleman, and will not undertake to solve that problem on the spot.

Mr. GREENE of Nebraska. Do you not know that it will cost less?

Mr. GROUT. No; I do not know it.

The SPEAKER. The question is on agreeing to the instructions. The question being taken, the Speaker announced that the ayes seemed to have it.

Mr. GROUT. I will simply say that I do not want to quarrel with this proposition, and so I will not demand a division. I think these instructions will likely result in doing nothing.

Mr. BABCOCK. Then the situation will be just what it is now.

The SPEAKER. The instructions are agreed to.

Mr. GROUT. Before the conferees are appointed, I want to have the House understand that there is a disagreement about charities, concerning the introduction of five items in the bill by the Senate, appropriating for sectarian charities. With that distinct notice to the House, I have nothing further to say, except to state that the House conferees are standing against the proposition.

The SPEAKER appointed as conferees on the part of the House Mr. GROUT, Mr. BINGHAM, and Mr. DOCKERY.

#### RECALL OF BILL FROM PRESIDENT.

The SPEAKER laid before the House the following Senate concurrent resolution; which was considered, and agreed to.

*Resolved*, That the President be requested to return to the Senate the bill (S. 3466) entitled "An act granting a pension to Sarah Hamilton."

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the amendments of the Senate to the bill (H. R. 11083) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and had further insisted upon its amendments numbered 57, 58, 91, 92, 93, 94, 95, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, disagreed to by the House of Representatives, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. CULLOM, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title; in which the concurrence of the House was requested:

S. 5466. An act for the erection of a public building at the city of York, in the State of Nebraska.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 12123) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. PERKINS, and Mr. GORMAN as the conferees on the part of the Senate.

#### WISTAR W. MILLER.

Mr. ODELL. Mr. Speaker, I present the following resolution from the Committee on Accounts.

The Clerk read as follows:

*Resolved*, That the Clerk of the House of Representatives is hereby authorized to pay to the mother of Wistar W. Miller, late a clerk to the Committee on Pensions of the House of Representatives, a sum equal to six months' salary, and funeral expenses not exceeding \$150, the same to be immediately available.

The question was taken; and the resolution was agreed to.

#### JOHN A. STEWART.

Mr. ODELL. I also offer the following resolution.

The Clerk read as follows:

*Resolved*, That the Clerk of the House of Representatives is hereby authorized to pay the widow of John A. Stewart, late a messenger on the soldiers' roll of the House of Representatives, a sum equal to six months' salary, and funeral expenses not exceeding \$150, the same to be immediately available.

The question was taken; and the resolution was agreed to.

#### AMBROSE E. PRATT.

Mr. ODELL. I also offer the following.

The Clerk read as follows:

*Resolved*, That the Clerk of the House be, and he is hereby, directed to pay, out of the contingent fund of the House, to Ambrose E. Pratt, the sum of \$33.85, being the amount due him as the clerk of Hon. John Simpkins, late Representative from the Thirteenth Congressional district of Massachusetts, from March 1 to March 20, 1898.

The question was taken; and the resolution was agreed to.

#### THERON POTTS.

Mr. ODELL. I also offer the following resolution.

The Clerk read as follows:

*Resolved*, That the Clerk of the House of Representatives be, and is hereby,

authorized to pay, out of the contingent fund of the House, the sum of \$312.00 to Theron Potts for services rendered in the folding room from July 9, 1898, to December 5, 1898, this amount being at the rate of \$75 per month.

Mr. DOCKERY. I hope we will have the report read in that case.

Mr. ODELL. There is no report except a verbal one. Mr. Speaker, this clerk was placed in the folding room as a bookkeeper, upon the request of the Doorkeeper and under the authority of the Committee on Accounts. The amount called for is correct. The man has rendered valuable service, and it is all right.

Mr. DOCKERY. An additional employee without authority.

Mr. ODELL. Yes, sir; a necessary addition.

Mr. DOCKERY. I hope this will not be a precedent for future action. The Doorkeeper has no right to employ a man in that way.

The resolution was agreed to.

#### WILLIAM KEITH.

Mr. ODELL. I also offer the following resolution:

The Clerk read as follows:

*Resolved*, That the Clerk of the House of Representatives be, and is hereby, authorized to pay out of the contingent fund of the House the sum of \$266.19 to William Keith for services rendered in the folding room from July 9, 1898, to December 5, 1898, this amount being at the rate of \$90 per month.

Mr. DOCKERY. I would like to have the report read in that case.

Mr. ODELL. There is no report. Mr. Speaker, this is one of the employees whom it was found necessary to employ in the folding room during the recess. The necessity for his employment was due to the fact that so many political speeches and other things were to be sent out; and owing to the sickness and vacation of employees who were entitled to vacation the folding room was absolutely crippled, and it was necessary to make provision for this additional employee, and also another similar one, which I have here.

Mr. BAILEY. Is this a privileged report?

Mr. ODELL. Yes, sir.

The SPEAKER. It is a report of the Committee on Accounts to the House.

Mr. BAILEY. Directing the employment of another employee, and paying for those that have been employed without authority?

Mr. ODELL. Yes, sir; that is the idea.

Mr. BAILEY. Mr. Speaker, I have some question about that being a privileged report. If the employees had been ordered by the House, then I think any matter relating to them would be privileged; but where the employment has been without authority of the House, I question whether it is privileged.

The SPEAKER. The distinction is as to its being an expenditure out of the contingent fund of the House.

Mr. BAILEY. And that whatever directs an expenditure out of the contingent fund of the House is a privileged matter?

The SPEAKER. "The Committee on Accounts on all matters of expenditure of the contingent fund of the House" is the language. If the House does not approve of this resolution, of course it is within its power to vote it down. The Chair thinks the language seems to cover all such questions, and that the House has to dispose of them when presented.

Mr. BAILEY. I think the language does cover it, because the language assumes that nobody will be employed, to be paid out of the contingent fund, without the authority of the House.

Mr. ODELL. Neither can they unless the authority of the House is obtained.

Mr. BAILEY. They have been, I understand, and this is simply a proposition to pay them, they having served. I raise the question as to the privileged character of such a report. I believe the Chair correctly states the rule, if it were a service already authorized, an employment already provided for, but the rule must proceed upon the theory that nobody will be employed about the Capitol without the authority of the House.

Mr. DOCKERY. Let me say further, along the line of the policy of the Committee on Accounts. There is a statute of the United States which prohibits any officer or any Department accepting service not authorized by law. I do not assume that that will apply to the clerical force of the House, but the principle applies both here and to the Senate.

Mr. ODELL. In answer to the gentleman, I will call his attention to the fact that the rules of the House provide that there shall be a temporary committee on accounts, which shall have the management of the contingent fund during the recess of the Congress. I do not suppose the gentleman would assume that in case there should be a fire, which would necessitate the expenditure of a large sum of money, it would be necessary to wait until next December, until Congress convenes, before repairs could be made.

The necessity arose because the demand for documents was so great upon the folding room. We have had the matter all gone over carefully, in an investigation which has been had for the last two or three weeks, and we have probed into all these affairs,

and the committee is unanimous in recommending the passage of these resolutions.

Mr. DOCKERY. I know about the temporary committee on accounts, and I call the attention of the Speaker to the fact that this committee should be appointed before adjournment. That temporary committee on accounts was authorized by law in order that there might be an auditing committee during the nine months when Congress was not in session, to adjust the disbursements.

The SPEAKER. The Chair concurs in the proposition made in opposition, that only the House can name its employees, or the House in conjunction with the Senate, in a proper appropriation bill. But it is for the House to judge whether these expenditures are satisfactory to the House or not. Therefore, the Chair thinks it is privileged, the House having complete control over it, and if not satisfied with the action that has taken place, or does not desire, so to speak, to condone it, it can so express itself by its vote. The question is on agreeing to the resolution.

Mr. WALKER of Massachusetts. Is not the resolution debatable? I ask to be recognized for an hour.

Mr. ODELL. No, Mr. Speaker, I refuse to yield, and I move the previous question.

The SPEAKER. The gentleman asks for the previous question. Mr. WALKER of Massachusetts. He had not asked for it when I asked to debate it.

The SPEAKER. He had not, because no one seemed to interfere with the progress of the resolution. [Laughter.] If the House does not desire to order the previous question, it can refuse. The previous question was ordered.

The resolution was agreed to.

SAMUEL MARKS.

Mr. ODELL. I now offer the following resolution, No. 363. The Clerk read as follows:

*Resolved*, That the Clerk of the House of Representatives be, and is hereby, authorized to pay out of the contingent fund of the House the sum of \$366.88 to Samuel Marks for services rendered in the folding room from July 9, 1893, to December 5, 1893, this amount being at the rate of \$75 per month.

Mr. ODELL. On that, Mr. Speaker, I ask for the previous question.

The previous question was ordered.

The resolution was agreed to.

On motion of Mr. ODELL, a motion to reconsider the several votes whereby the resolutions were agreed to were laid on the table.

SEBASTIAN BECKERT.

Mr. BAKER of Illinois. I ask unanimous consent for the present consideration of the bill (H. R. 3973) to remove the charge of desertion from the military record of Sebastian Beckert.

The bill was read, as follows:

*Be it enacted*, etc., That the Secretary of War be, and he hereby is, authorized and directed to remove the charge of desertion now standing on the military record of Sebastian Beckert, late of Company I, First Louisiana Volunteer Infantry, and to issue to him an honorable discharge.

There being no objection, the House proceeded to the consideration of the bill.

Mr. HULL. I think an amendment should be added to this bill providing that no pay or allowances shall become payable to this man by virtue of the passage of this bill.

The SPEAKER. The bill is reported by the committee with such an amendment, which will be read.

The Clerk read as follows:

Add to the bill the following:

*Provided*, That no pay or emoluments be allowed or paid by reason of the passage of this act.

The amendment was agreed to.

Mr. BAKER of Illinois. There is another amendment which I desire to propose—to change the final letter in this soldier's name from "t" to "d," making the name "Beckerd," which is the German form of the name. There is no doubt of the identity of the soldier.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The SPEAKER. Without objection, the title of the bill will be amended so as to agree with the bill.

There was no objection.

On motion of Mr. BAKER of Illinois, a motion to reconsider the vote by which the bill was passed was laid on the table.

INDIANS IN SOUTH DAKOTA.

Mr. SHERMAN. I move to suspend the rules and pass the bill which I send to the desk.

The bill (S. 4853) to ratify agreements with the Indians of the Lower Brule and Rosebud reservations in South Dakota, and making an appropriation to carry the same into effect, was read, as follows:

Whereas James McLaughlin, United States Indian inspector, did, on the 1st

day of March, 1898, make and conclude an agreement with the male adult Indians of the Lower Brule band of the Sioux tribe, occupying or belonging on the Lower Brule Reservation in South Dakota, which said agreement is as follows:

#### AGREEMENT.

This agreement made and entered into on the 1st day of March, 1898, by and between James McLaughlin, United States Indian inspector, on the part of the United States, and the Lower Brule band of the Sioux tribe of Indians occupying or belonging on the Lower Brule Reservation, in South Dakota, witnesseth:

ART. 1. The said Indians belonging on the Lower Brule Reservation hereby consent and agree that those of their tribe now south of the White River on the Rosebud Indian Reservation, South Dakota, may remain thereon; that they may take with them and have converted into the permanent fund of the Indians belonging upon the Rosebud Reservation their proportional or pro rata share of the funds now in the Treasury of the United States to the credit of the Indians belonging upon the Lower Brule Reservation; and that the Lower Brule Indians who have so removed may become and are hereafter to be considered Indians of the Rosebud Reservation.

ART. 2. In consideration of the lands upon the Lower Brule Reservation abandoned by the Indians who have removed to the Rosebud Reservation, and in order that the United States may reimburse itself for the lands purchased for the Indians last mentioned upon the Rosebud Reservation, the said Indians of the Lower Brule Reservation do hereby cede and relinquish to the United States a tract of territory constituting a portion of the Lower Brule Reservation, and estimated to contain about 130,000 acres, described as follows:

Townships 107, 108, and 109 north, range 79 west of the fifth principal meridian; also sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, and west half of sections 2, 11, 14, 23, 26, and 35, in township 108 north, range 78 west of fifth principal meridian; also sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, in township 109 north, range 78 west of fifth principal meridian; also sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, in township 107 north, range 78 west of fifth principal meridian; also north one-half of sections 3, 4, 5, and 6 of township 106 north, range 78 west of fifth principal meridian; and north one-half of sections 1, 2, 3, 4, 5, and 6 of township 106 north, range 79 west of fifth principal meridian. The same being the western portion of the Lower Brule Indian Reservation from its northern boundary to its southern boundary, as herein described.

ART. 3. It is hereby further agreed that a reallocation shall be made by the United States to the Indians remaining upon the Lower Brule Reservation within the diminished portion thereof: *Provided*, That all children born prior to the time of making such reallocation shall receive allotments of land in manner and quantity as provided in section 8 of the act of Congress, approved March 2, 1889: *And provided further*, That instead of giving an allotment of 320 acres of agricultural or double that quantity of grazing land to the head of a family as provided in said section 8, one-half of that quantity shall be allotted to the husband and one-half to the wife, where both are living and otherwise entitled to the benefits accruing to Indians belonging upon said reservation.

ART. 4. The United States hereby agrees to maintain and continue the Lower Brule Agency and agency boarding school as at present for those Indians who remain upon the Lower Brule Reservation.

ART. 5. This agreement shall not take effect and be in force until ratified by act of Congress of the United States.

Dated and signed at the Lower Brule Agency, S. Dak., on the 1st day of March, 1898.

JAMES McLAUGHLIN,

United States Indian Inspector.

1. BIG MANE (his x mark).

2. BLACK ELK (his x mark).

3. CHAS DE SHEUQUETTE (his x mark).

(And two hundred and forty others).

I hereby certify that at the request of Indian Inspector McLaughlin, I read the foregoing agreement in open council to the Indians of the Lower Brule Agency, parties thereto, and that it was explained to them through the interpreters, paragraph by paragraph.

B. C. ASH,

United States Indian Agent.

LOWER BRULE AGENCY, S. DAK., March 1, 1898.

We hereby certify that the foregoing articles of agreement were fully explained in open council to the Indians of Lower Brule Agency, parties hereto, and were thoroughly understood by them before signing the same, and that the agreement was duly executed and signed by said Indians.

ALEX. RENCOUNTRE,

Official Interpreter.

GEORGE ESTES,

Special Interpreter.

LOWER BRULE AGENCY, S. DAK., March 1, 1898.

Witnesses to the foregoing agreement, signatures of inspector and the 243 Indians whose names appear as parties thereto.

B. C. ASH,

United States Indian Agent.

GEORGE S. STONE,

Agency Clerk.

J. R. COLLARD,

Agency Physician.

LOWER BRULE AGENCY, S. DAK., March 1, 1898.

I certify that the total number of male Indians over 18 years of age belonging on this reservation is 365, of whom 243 have signed the foregoing agreement.

B. C. ASH,

United States Indian Agent.

LOWER BRULE AGENCY, S. DAK., March 1, 1898.

I certify that the official records of the Lower Brule Agency show 268 male adult Indians over 18 years of age residing on or belonging to the Lower Brule Reservation, 243 of whom have duly signed the foregoing agreement.

JAMES McLAUGHLIN,

United States Indian Inspector.

LOWER BRULE AGENCY, S. DAK., March 1, 1898.

And

Whereas James McLaughlin, United States Indian inspector, did on the 10th day of March, 1898, make and conclude an agreement with the male adult Indians of the Sioux tribe on or belonging on the Rosebud Indian Reservation in the State of South Dakota, which said agreement is as follows:

#### AGREEMENT.

This agreement made and entered into on the 10th day of March, 1898, by and between James McLaughlin, United States Indian inspector, on the part

of the United States, and the Sioux tribe of Indians belonging on the Rosebud Indian Reservation, in South Dakota, witnesseth:

ART. 1. The Indians of the Rosebud Indian Reservation hereby give their permission and consent for the Indians of the Lower Brule Reservation, in South Dakota, who have left the same and settled upon the Rosebud Reservation, to remain thereon and take allotments of lands in severalty as provided in section 8 of the act of Congress approved March 2, 1889, modified as hereinafter provided.

ART. 2. In consideration for the permission and consent aforesaid it is hereby agreed that the United States shall pay the Indians of the Rosebud Reservation, as now constituted, excluding the said Indians who have removed to the Rosebud Reservation from the Lower Brule Reservation, pro rata, in cash, at the rate of \$1.25 per acre for the lands allotted to the Indians of the Lower Brule Reservation, as provided in article 1 of this agreement; and it is understood and agreed that the Indians of the Rosebud Reservation shall not be dependent upon the funds of the Lower Brule Indians for such payment, but the same shall be made to them directly by the Government of the United States.

ART. 3. It is further provided and agreed that the Lower Brule Indians who have permanently located upon the Rosebud Reservation shall have their pro rata or proportional share of the tribal funds, now in the Treasury of the United States, belonging to the Indians of the Lower Brule Reservation, transferred to and consolidated with the funds of the Indians belonging on the Rosebud Reservation, and that hereafter they shall be regarded in all essential respects as Indians of the Rosebud Reservation, and their annuities and other benefits from the Government, whether derived from treaty provisions or otherwise, shall be distributed to them at the Rosebud Agency, or a subagency connected therewith: *Provided*, That the Lower Brule Indians who have so located upon the Rosebud Reservation shall have no further interest in the Lower Brule Reservation, or the lands comprising the same, after their interest in the tribal funds has been transferred to the Rosebud funds as above stipulated.

ART. 4. It is hereby agreed on the part of the United States that allotments in severalty shall be made to all children born prior to the date of the ratification of this agreement, then living, in manner and quantity as provided in section 8 of said act of March 2, 1889: *Provided*, That in future allotments upon the Rosebud Reservation, instead of allotting 320 acres of agricultural or double that quantity of grazing land to the head of a family, as provided in said section 8, one-half of said quantity shall be allotted to the husband and one-half to the wife, where both are living and otherwise entitled to the benefits accruing to the Indians belonging upon said reservation: *Provided further*, That the allotments heretofore made on the Rosebud Reservation shall be revised in conformity with the preceding proviso: *And provided further*, That where any Indians to whom allotments in severalty have been made in the field have since died, such allotments shall be duly completed and approved, and the lands shall descend to the heirs of such decedents in accordance with the provisions of section 11 of said act last above mentioned.

ART. 5. This agreement shall not take effect and be in force until ratified by act of the Congress of the United States.

Dated and signed at the Rosebud Agency, S. Dak., on the 10th day of March, 1898.

JAMES McLAUGHLIN, [SEAL]  
United States Indian Inspector.

1. CHARLES C. TACKETT, [SEAL]
2. I. P. BETTELYOUN, [SEAL]
3. CLEMENT WHIRLWIND SOLDIER, [SEAL]  
(and one thousand and twenty others).

I hereby certify that at the request of Indian Inspector McLaughlin I read the foregoing agreement in open council to the Indians of the Rosebud Agency, S. Dak., parties thereto, and that it was explained to them through the interpreters, paragraph by paragraph.

CHAS. E. MCCHESENEY,  
United States Indian Agent.

ROSEBUD AGENCY, S. DAK., March 10, 1898.

We hereby certify that the foregoing agreement was fully explained by us in open council to the Indians of the Rosebud Agency, S. Dak.; that it was fully understood by them before signing, and that we witnessed the signatures of the Indians thereto; and we further certify that the foregoing names, though similar in some cases, represent different individuals in every instance.

LOUIS ROULIDEAU,  
Official Interpreter.  
THOMAS FLOOD,  
Special Interpreter.

ROSEBUD AGENCY, S. DAK., March 10, 1898.

We certify that we witnessed the signatures of Indian Inspector McLaughlin and Indians to the foregoing agreement, parties thereto.

FRANK MULLEN,  
Agency Clerk.  
H. B. COX, Assistant Clerk.  
J. FRANKLIN HOUSE,  
Day School Inspector.  
H. J. CATON,  
Farmer Cut Meat Creek District.  
JOHN SULLIVAN,  
Farmer Black Pipe Creek District.  
FRANK SYPAL,  
Farmer Butte Creek District.

ROSEBUD AGENCY, S. DAK., March 10, 1898.

I certify that the total number of male Indians over 18 years of age belonging on this reservation is 1,160, of whom 1,023 have signed the foregoing agreement.

CHAS. E. MCCHESENEY,  
United States Indian Agent.

ROSEBUD AGENCY, S. DAK., March 10, 1898.

I certify that the official records of Rosebud Agency, S. Dak., show 1,160 adult male Indians over 18 years of age belonging on the Rosebud Reservation, 1,023 of whom have signed the foregoing agreement, being 153 more than the three-fourths majority of the adult male Indians of Rosebud Agency.

JAMES McLAUGHLIN,  
United States Indian Inspector.

ROSEBUD AGENCY, S. DAK., March 10, 1898.

Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the agreement made and entered into on the 1st day of March, 1898, by and between James McLaughlin, United States Indian Inspector, on the part of the United States, and the Lower Brule band of the Sioux tribe of Indians in South Dakota, be, and the same hereby is, accepted, ratified, and confirmed.

SEC. 2. That the agreement made and entered into on the 10th day of March, 1898, by and between James McLaughlin, United States Indian Inspector, on the part of the United States, and the Sioux tribe of Indians belonging to the

Rosebud Indian Reservation in South Dakota, be, and the same is hereby, ratified and confirmed.

SEC. 3. That for the purpose of making the payment to the Indians of the Rosebud Reservation stipulated for in article 2 of the foregoing agreement, the sum of \$148,000 be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That the said payment is to be in full for all lands required by the said Lower Brule Indians for allotments in accordance with the provisions of article 1 of the aforesaid agreement.

Mr. SHERMAN. I ask unanimous consent that a second be considered as ordered on the motion to suspend the rules.

There being no objection, a second was ordered.

Mr. SHERMAN. Now I will yield to the gentleman from Kansas [Mr. CURTIS], that he may explain this treaty which the bill proposes to ratify.

Mr. CURTIS of Kansas. Mr. Speaker, this is a bill to ratify agreements with the Indians of the Lower Brule and the Rosebud reservations in South Dakota. Under the act of March 2, 1889, a portion of the Sioux Nation of Indians in South Dakota was divided into six separate reservations. Among the bands affected by this change were the Lower Brule Sioux, who were located near the mouth of White River. A few years ago General Crook and two other commissioners were sent out to induce the Indians to agree to the act of 1889, and they promised the Indians that if they would agree to the act they would recommend that those south of White River should retain their homes; but a few years afterwards about 500 of them were forced to leave their homes—they had houses and farms, horses and cattle. They were forcibly taken to the new reservation, which had been moved up the Missouri River. They were even thrown into prison and kept there until they agreed to remain at the upper reservation.

The Government has been having trouble with these Indians ever since. A year or two ago an inspector was sent out to enter into and make an agreement with the Lower Brule and the Rosebud Indians. An agreement was entered into whereby the Indians at the Rosebud Agency agreed that the Lower Brule Indians might return to their houses south of White River, within the Rosebud Reservation, and become a part of the Rosebud Reservation, and the Government agreed to pay the Rosebud Indians for the lands allotted to the Lower Brule. The land allotted amounts to about 120,000 acres, at \$1.25 an acre.

Mr. STEELE. Will the gentleman state where these reservations are?

Mr. CURTIS of Kansas. They are in South Dakota.

Mr. STEELE. Are they not buying some land in Wyoming?

Mr. CURTIS of Kansas. No; I am speaking of the Lower Brule and Rosebud reservations, in South Dakota.

On the 2d of March, 1889, an act was passed dividing a portion of the reservation of the Sioux Nation of Indians of South Dakota into six separate reservations, and this is one of the six reservations. In the Indian appropriation act of 1896 provision was made whereby these Indians might return to their homes south of the White River, and under this act 442 Brules removed to their former homes, and under the act land was to be ceded to them—about 120,000 acres—which the Government agreed to buy at \$1.25 an acre.

Under the agreement a certain tract of land, amounting to about that number of acres, is ceded back to the Government by the Lower Brules. The land ceded constitutes the Western portion of the reservation, and this land is to be opened to settlement, upon proclamation by the President.

This whole matter has been arranged to the satisfaction of all concerned, the Secretary recommends the ratification of this treaty, and the Indians have gone back to their old homes—

Mr. STEELE. Is it not a fact that both bands of Sioux, the Ogallalas and the Brules, who were on the Platte River, were assigned a reservation over on the Missouri River, to which they objected very much, insisting on going back to their reservation on the Platte, in Wyoming, and with great difficulty they were forced upon this new reservation?

Mr. CURTIS of Kansas. Yes; that is true, but I understand both these reservations are in South Dakota. The gentleman has made a correct statement as to the opposition of these Brule Indians to their removal. About 500 of them were forced from their homes. This agreement, however, puts them back on the lands they were forced to leave; and I may say further that this bill has the approval of the Department.

I reserve the remainder of my time.

Mr. SHERMAN. Mr. Speaker, if no other gentleman desires to ask a question in reference to this matter, I ask a vote, or move the previous question, if it be necessary.

Mr. DOCKERY. I would like to say a single word for the purpose of getting information on this point. Is this approved by the Secretary of the Interior?

Mr. SHERMAN. It has been recommended by him.

Mr. CURTIS of Kansas. The bill was drawn by the Commissioner of Indian Affairs and the Commissioner of the General Land Office. The Secretary of the Interior submitted it to Congress for its action.

Mr. DOCKERY. What is the amount involved? What does the Government agree to pay?

Mr. CURTIS of Kansas. The Government agrees to purchase the land at \$1.25 an acre.

Mr. DOCKERY. Is there an appropriation of money to meet that expenditure?

Mr. CURTIS of Kansas. Yes, to pay for about 120,000 acres.

Mr. DOCKERY. How much is the amount of the expenditure?

Mr. SHERMAN. It is provided that the expenditure shall not exceed the sum of \$128,000.

Mr. STEELE. Does the gentleman know himself that the Indians are satisfied with this new field?

Mr. CURTIS of Kansas. Unquestionably. And they have voluntarily gone back, and they ask the passage of this bill. They were not satisfied before.

Mr. STEELE. I know that; but are they satisfied with the provision made here for them?

Mr. CURTIS of Kansas. I believe there is no question about it. About 442 have already moved to the Rosebud Reservation, and I understand the land is better than that they have been occupying. They were glad to get back to their old homes.

Mr. STEELE. That is the point I wanted to get at.

The question being taken on the motion to suspend the rules and pass the bill, it was agreed to (two-thirds voting in favor thereof).

#### PUBLIC BUILDING LOT AT ST. AUGUSTINE, FLA.

Mr. DAVIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2675) authorizing the exchange of lot 6, of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot.

The SPEAKER. The bill will be read subject to the right of objection.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and empowered to convey the title of the United States to lot 6, of square 10, in the city of St. Augustine, State of Florida, known as the old custom-house lot, to Charles F. Hamblen, or his heirs or assigns, in exchange and upon a conveyance by said Charles F. Hamblen, his executors or assigns, to the United States of America of the lot of land known as the Hedrick lot, in square 44, in said city of St. Augustine, situated between the United States military reservation known as the powder-house lot and the Matanzas River or Bay, with all riparian rights and water privileges to said lot belonging. But the conveyance of the said lands belonging to the United States by the Secretary of the Treasury shall be subject to the rights of Henry M. Flagler in and to a lease of the same heretofore made to him by the Treasury Department: *Provided, however,* That the exchange of lands herein authorized shall not take effect until the governor of the State of Florida shall have ceded to the United States jurisdiction over the said lands to be conveyed by the said Charles F. Hamblen, with exemption from State, county, and municipal taxation: *And provided further,* That the title to the land authorized to be acquired by this act shall be approved by the Attorney-General.

SEC. 2. That an open thoroughfare or street 60 feet in width shall be maintained along the northern boundary of the present military reservation known as the powder-house lot, and along the northern boundary of the lands which shall have been acquired as aforesaid by the United States, this provision to be operative when the city of St. Augustine shall by ordinance abolish that part of Marine street south of the north line of said powder-house lot, or sooner, at the discretion of the Secretary of War.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered and ordered to a third reading; and being read the third time, it was passed.

On motion of Mr. DAVIS, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING FOR DEPARTMENT OF JUSTICE.

Mr. MERCER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 5130) to provide for the erection of a building for the Department of Justice.

The bill was read, as follows:

Whereas the building now occupied by the Department of Justice is too small for its purpose, is unsafe, overcrowded, and dangerously overloaded, and has been so pronounced, after examination by the proper officials of the Treasury Department: Therefore

*Be it enacted, etc.,* That a fireproof building shall be erected for the accommodation and use of the Department of Justice upon the ground belonging to the Government at the corner of Pennsylvania avenue and Madison place (Fifteen-and-a-half street N.W.), in the city of Washington, D. C., part of which is covered by the building now occupied by the Department; and the construction of said building shall be in charge of the Attorney-General, who shall be authorized and directed to select and adopt plans for the said building and to make contracts for its construction and for the removal of the old building, after proper advertisements and the reception of plans and bids, and to pay to the persons submitting the two sets of plans next in order of merit to those selected such sums as, in his judgment, shall be proper compensation for their preparation; and for the purpose of carrying out the provisions of this act and completing and furnishing the said building the sum of \$1,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated; and the money appropriated for said building shall be expended under the direction of the Attorney-General.

SEC. 2. That said building shall be constructed so as to provide a court room and necessary accommodations for the Court of Claims. In the mean-

time the Attorney-General is authorized to hire temporary quarters for the use of said court, and to remove said court and its records and archives thereto; and the sum of \$25,000 is hereby appropriated for that purpose, to remain available until expended.

SEC. 3. That the Attorney-General shall annually report to Congress at the commencement of each session a detailed statement of all the proceedings made under the provisions of this act.

Mr. DOCKERY. Mr. Speaker, I demand a second to the motion, Mr. MERCER. I ask unanimous consent that a second be considered as ordered.

There was no objection.

Mr. MERCER. Now I ask that the report of the committee be read, which is explanatory of the bill; and pending that, I ask that order be preserved on the floor of the House.

The report was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 5130 and House bill No. 11460, have considered the same and make the following report:

Your committee recommend that House bill No. 11460 lie on the table, and that Senate bill No. 5130, which is substantially the same as House bill No. 11460, do pass.

In support of this action your committee includes in its report and makes a part thereof the following letter from the Attorney-General of the United States, to wit:

OFFICE OF THE ATTORNEY-GENERAL,  
Washington, D. C., January 5, 1899.

MY DEAR SIR: I inclose you herewith a copy of a bill which I have prepared to provide for the erection of a new building for the Department of Justice.

The condition of the present building is such as to render it imprudent for any of us to remain in it a day longer than is absolutely necessary. The danger arises from the overloading of the fourth story by the immense weight of the library, which is on that floor. The walls are cracking uniformly and the partitions are separating. The employees are becoming nervous and solicitous about their personal safety. Besides, the present building is utterly inadequate, and relief ought to be afforded for that reason as well.

Immediate relief can be obtained by hiring other quarters for the Court of Claims, which occupies the first floor of the present building, and then removing the library to that floor. The building can then be occupied by the Department until one wing of the new structure is completed, when we can move into that and tear down the old building.

The bill which I inclose provides for an appropriation for temporary quarters for the Court of Claims. I urgently request that you will forward the consideration of this bill and secure its passage at the earliest possible moment.

Another matter, which I do not add as a request, but which I make as a suggestion, is this: By securing the property adjoining the present structure on the east, lying between the present building and Fifteenth street, a much more handsome and spacious building could be erected. Many persons have recommended that course, and I personally approve it. I submit it to your judgment and to the judgment of the House. If you should deem it wise to adopt the latter course, the appropriation should be one and a half million dollars, and the phraseology of the bill should be modified accordingly.

It seems to me that the precarious condition of the Department building would justify your asking the committee to report the bill very speedily and the House to pass it under a suspension of the rules. I shall be happy to furnish you or the committee with any data upon the subject which you may require.

Very sincerely, yours,

JOHN W. GRIGGS.

Hon. DAVID H. MERCER,  
House of Representatives.

Mr. COX. Mr. Speaker, I wish to submit an inquiry or two in regard to this bill. Who has it in charge, to begin with?

Mr. DOCKERY. The gentleman from Nebraska [Mr. MERCER] presents the bill.

Mr. COX. I would like to ask the gentleman a single question. It is impossible to hear on this side of the House very much of what is going on, but I would like to inquire if it is probable, in the opinion of the gentleman who presents the bill, to explain that this building is so dangerous that there is a single one of the occupants who will resign if we do not provide a new one?

I want to call attention also to another thing before I take my seat.

Mr. MERCER. If I may be permitted, Mr. Speaker, the gentleman from Tennessee is undoubtedly putting a question to me, but owing to the confusion on the floor I can not hear him.

Mr. COX. Then let us keep the House quiet for a little while, and I will make myself heard.

Mr. SIMPSON. I would like to ask a question—

Mr. COX. Pardon me a moment.

The SPEAKER. The gentleman from Tennessee has the floor to ask a question.

Mr. COX. The whole purport of this report, when you get down to the common sense of the thing, is that these employees are very much disturbed by the fear that the building will fall down on them. Now, there is not a single one of them who will resign upon that ground. More than that, if you will say they will resign to-morrow, I will vote for the bill. [Laughter.] One more word, Mr. Speaker. We will get down to a little business before long here.

Mr. MERCER. I reserve the balance of my time.

Mr. COX. Oh, reserve all the time you please. That is all right. Now, let me put another question.

The SPEAKER. The gentleman from Missouri [Mr. DOCKERY] is recognized.

Mr. DOCKERY. I will yield to the gentleman from Tennessee [Mr. Cox] for a question.

The SPEAKER. The gentleman from Tennessee is recognized to ask a question.

Mr. DOCKERY. I yield to the gentleman from Tennessee.

Mr. COX. I am very much obliged to the gentleman, for I only want to ask one more question. Where are we going to stop in the appropriation of the money out of the Treasury of the United States? Here is a proposition to appropriate a million and a half for a building, and there is not a word in the report there to show that these gentlemen can not get along as well as the ordinary people of this country do. If they are afraid that they will be killed, why, I make a plain suggestion. Let them resign and get out of the building. We are not going to kill any of them.

Mr. DOCKERY. Mr. Speaker, I desire to ask the chairman of the Committee on Public Buildings and Grounds whether it has ever occurred to the committee to remove the library from the fourth floor of that building to a lower floor, so as to obviate the danger complained of?

Mr. MERCER. I desire to say, in reply to the gentleman from Missouri, that there is no place on a lower floor in which to place the books. I will add further that the Departments in this city are to blame for a good many things that they do with reference to their books. With the exception, perhaps, of one Government building in the city of Washington, they seem to take delight in placing their heavy books upon the third and fourth floors, a wrong place to put books.

This bill has been pending for a long while. The Attorney-General has urged its adoption, day after day. Other persons have urged its adoption. I will frankly admit to the gentleman from Missouri that if I had my way, and I believe if the committee had its way, we should be in favor of erecting a temple of justice in the city of Washington which not only would take care of the Attorney-General, the Supreme Court, the Court of Claims, and the appellate court of the District of Columbia, but would afford suitable accommodations for such a congress as the International Postal Congress and for international commissions like the American and Canadian High Joint Commission.

But the Attorney-General says there is not time to do anything of that kind; that the Government owns this ground; that this is an urgent case, and I place his request before this House, for it to assume the responsibility. And if this House desires to have another Ford's Theater disaster upon its hands, that is for the House to decide. I am following the suggestions of the Attorney-General, and the bill was drawn by the Attorney-General himself.

I submit an extract from the message of the President upon the Department of Justice building:

MESSAGE OF THE PRESIDENT OF THE UNITED STATES TO CONGRESS,  
DECEMBER 5, 1898.

I deem it my duty to call to the attention of Congress the condition of the present building occupied by the Department of Justice. The business of that Department has increased very greatly since it was established in its present quarters. The building now occupied by it is neither large enough nor of suitable arrangement for the proper accommodation of the business of the Department.

The Supervising Architect has pronounced it unsafe and unsuited for the use to which it is put. The Attorney-General in his report states that the library of the Department is upon the fourth floor, and that all the space allotted to it is so crowded with books as to dangerously overload the structure. The first floor is occupied by the Court of Claims. The building is of an old and dilapidated appearance, unsuited to the dignity which should attach to this important Department.

A proper regard for the safety, comfort, and convenience of the officers and employees would justify the expenditure of a liberal sum of money in the erection of a new building of commodious proportions and handsome appearance upon the very advantageous site already secured for that purpose, including the ground occupied by the present structure and adjoining vacant lot, comprising in all a frontage of 201 feet on Pennsylvania avenue and a depth of 136 feet.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,  
Washington, D. C., December 30, 1898.

SIR: I have the honor to acknowledge the receipt of your communication of the 28th instant requesting certain information in connection with the necessity for the construction of a building for the Department of Justice on the present site and upon the ground adjacent thereto, etc., and in reply, I have to advise you that after a conference held with officials of the Department of Justice it is estimated that 50 per cent more space is needed at present properly to accommodate said Department, and that in a few years double the present space will be required. Officials of the Department of Justice do not advise the construction of an addition to the present building, which is represented as inconvenient in arrangement of rooms and stories, but prefer a new building on the adjoining lot, which could be constructed and occupied and the present building then removed.

You are further advised that no proposition has been submitted to this Department by the Department of Justice for the construction of a building for the purposes indicated, and no plans have been drawn by the Supervising Architect of this Department in connection therewith, for the reason that no authority exists for the making of such plans.

From a necessarily hasty examination of such incomplete data as this Department has been able to obtain in regard to the requirements of the service for the purpose indicated it is estimated that a building of thoroughly fireproof construction, including fireproof vaults, heating and ventilating apparatus, and elevators, of sufficient size properly to provide for the pres-

ent and future needs of the Department in question, can be erected for from \$800,000 to \$1,000,000.

Respectfully, yours,

O. L. SPAULDING,  
Acting Secretary.

The CHAIRMAN COMMITTEE ON  
PUBLIC BUILDINGS AND GROUNDS,  
House of Representatives.

Mr. DOCKERY. Did the Committee on Public Buildings and Grounds have an inspector or architect to examine the building to determine as to its safety?

Mr. MERCER. In reply to the gentleman from Missouri, I will say that the inspector of public buildings in this District has not officially condemned the building, but he did condemn it to the Attorney-General, and we have a letter from the Architect's Office saying that the building is unsafe.

Mr. DOCKERY. By your report you have condemned one of the public buildings of this District as being unsafe and propose to expend over a million of dollars for a new structure. The bill authorizes that expenditure. Now, of course, the committee has some official information upon which to rest their determination. I ask that the official report be read.

Mr. MERCER. I will say to the gentleman that the principal thing upon which we rested our action was a personal inspection of the building ourselves. The whole front of that building, running through the different partitions, shows a zig-zag break from an inch and a half to three inches wide. Paper has been pasted over that crack and the gradual breaking away of the walls has broken the paper. The crack has been enlarging for some time.

Mr. DOCKERY. How long has that crevasse been there?

Mr. MERCER. Two or three years, and it is constantly increasing. It started two years ago, I think.

Mr. DOCKERY. Is any member of the committee versed in architecture?

Mr. MERCER. I think they are now. They were not when they began the investigation.

Mr. DOCKERY. Well, Mr. Speaker, of course this million and twenty-five thousand dollars is going to follow the other millions that have preceded. This is perhaps a small matter, but I undertake to say that if the Committee on Public Buildings and Grounds were dealing with this question as with their own affairs they would not proceed along these lines.

There is not a Representative here but who is willing to say that we should construct a new building for the Department of Justice, if it is obvious that the old building is unsafe. No one desires the employees of the Government—

Mr. HOPKINS. Will the gentleman allow me to ask him a question?

Mr. DOCKERY (continuing). To remain in an unsafe building.

Mr. HOPKINS. Have you been over and examined this building?

Mr. DOCKERY. If I had made the examination, I would know just as much as the gentleman from Nebraska, and that is nothing.

Mr. HOPKINS. I do not think the gentleman would know as much; and I do not think the gentleman knows anything about that building.

Mr. DOCKERY. I suppose I am as well informed as the gentleman from Illinois.

Mr. HOPKINS. I have studied the question of architecture somewhat—

Mr. DOCKERY. The gentleman claims to be informed on a great many things—

Mr. HOPKINS. And I have looked over this building.

Mr. DOCKERY. I know the gentleman from Illinois has frequently claimed to have greater knowledge upon many matters than others.

Mr. MERCER. He occupies the same position upon this matter as the gentleman from Missouri when he is looking at Joplin, Mo. [Laughter.]

Mr. DOCKERY. What was it the gentleman from Blair, Nebr., said? [Laughter.] Pardon the reference to Blair. I know it is considered somewhat impertinent by the chairman of the committee to propound any inquiry along this line—

Mr. MERCER. I beg the gentleman's pardon.

Mr. DOCKERY. It is evidently so from the reply the gentleman made; but at the risk of offending members of the committee, until noon next Saturday I propose to exercise my rights as a member of the House to make such inquiries. I know I can not stop the avalanche of appropriations, but I do desire to say—as I was about saying when interrupted by my architectural friend from Illinois [laughter]—that no gentleman on the floor desires the Attorney-General or the clerks to remain in that building if it is unsafe.

But I think the House is entitled to know whether there is official information. If there is, then, of course, we are willing to vote whatever is necessary for the Department of Justice. If I desired information upon a question of law, I do not know of any

gentleman I would prefer to ask in preference to the present Attorney-General, an accomplished lawyer; but I imagine the Attorney-General is not competent to pass upon the questions involved in the safety of a building, so I hoped the gentleman had some official information upon which to rest this request for \$1,025,000.

Mr. MERCER. I will say, with the permission of the House, that I will print in the RECORD the letter the gentleman refers to. I have it in my committee room.

Mr. DOCKERY. The gentleman says he has official information condemning the building?

Mr. MERCER. I have a letter from the Supervising Architect of the Treasury.

Mr. DOCKERY. Does he condemn this building?

Mr. MERCER. He says the building is unsafe.

Mr. DOCKERY. Why did not the gentleman say that before?

Mr. MERCER. I tried to say that to the gentleman, but I could not get him to hear.

Mr. HENDERSON. Permit me to say a word.

Mr. DOCKERY. Certainly; I yield to the gentleman.

Mr. HENDERSON. You know I like the vigilance you exercise, and it is needed; and I have nothing unkind to say, because I appreciate what you are doing. I will say, however, that I am brought a good deal in contact with the Department of Justice, from the fact of my relation to the Department. I have been there, and have gone all over the building with the Attorney-General, who wanted me to see it and know the condition it was in.

I saw books piled up; I saw the cramped condition. I saw the Assistant Attorney-General and others sitting in little rooms where they had hardly room to turn their chairs around with a mass of papers in a space that is wholly inadequate. There is not a proper place for the library. In addition to this, at one end is an enormous crack, which extends from floor to floor, and at the other end a corresponding crack, showing that the building is working forward.

There are many places where it is cracked in addition to these two leading cracks which are working in sympathy. I am not an architect and have very little knowledge of building, although I have put up a few in my life, but I believe it to be an unsafe and dangerous place for men to be put in, and I believe it is a grave responsibility to defeat this bill. I will say further, with the exception of the Dubuque bill, this is the most meritorious bill reported from this committee. [Laughter.]

Mr. DOCKERY. The gentleman has made out a very strong case, in my opinion. Now, then, as there are official reports condemning the building, as the gentleman from Nebraska asserts, I shall not further object.

Mr. HOPKINS. I desire to say that it has been a fact well known by members of this House—

Mr. DOCKERY. I yield to the gentleman.

Mr. HOPKINS. I am occupying the floor in my own right. It is a fact well known to members of this House that the building is unsafe. I have had the same experience, as expressed by my friend from Iowa, of going over the building within the last two weeks, and I was astonished to find it in so bad a condition. It is unsafe to human life, and in justice to the people who are compelled to go there to discharge their official duties we should make haste to provide for the construction of an entirely new building; and I trust that there will not be a vote on either side of the House in opposition to the bill as proposed by the gentleman from Nebraska.

Mr. CANNON. Does the gentleman from Nebraska propose to pass the Senate bill? I have just come in.

Mr. MERCER. Yes.

Mr. CANNON. I desire to submit an amendment to the gentleman, or I will ask that the gentleman modify his motion so as to fix the limit of the cost of this building at \$1,000,000.

Mr. MERCER. I am willing to do that.

Mr. CANNON. I will ask him to add a new section, which will throw it into conference, where it can be arranged. Add a new section in the following words: "The limit of the cost of said building is \$1,000,000, and no plans therefor shall be accepted or the construction thereof entered upon that will involve an expenditure exceeding the limit of cost fixed herein."

Mr. MERCER. I am willing to do that.

Mr. CANNON. I believe with that the bill ought to pass, but without that they might enter upon the construction of a building that would cost three or five million dollars. That we need a building is right; that we have a good site is true; that a building there could be built that will properly house the Department of Justice and the Court of Claims for a million dollars, and do it in great style, I have no doubt.

The SPEAKER. If there be no objection, the proposition of the gentleman from Nebraska will be changed to a motion to suspend the rules and to pass the bill with the new section, which the Clerk will read.

The Clerk read as follows:

The limit of the cost of said building is \$1,000,000; and no plan therefor shall be accepted or construction thereof entered upon that will involve an expenditure exceeding the limit of the cost herein.

Mr. LLOYD. Mr. Speaker, I desire to ask the chairman of the committee whether there has been any plan or estimate submitted by any proper authority?

Mr. MERCER. The Secretary of the Treasury informs me that a building can be built for from \$800,000 to \$1,000,000, and the Attorney-General says that it can be erected and furnished for \$1,000,000.

Mr. LLOYD. But has any plan been submitted?

Mr. CANNON. No; there has not.

Mr. DOCKERY. I understand the bill puts the entire construction under the supervision of the Attorney-General.

Mr. CANNON. Yes; and I am inclined to think that is wise.

Mr. DOCKERY. Does that contemplate the construction of the building independent of the Supervising Architect of the Treasury?

Mr. CANNON. Yes; just as the Printing Office, which will be agreed to, subject to the ratification of the House and Senate, to construct a Government Printing Office for \$2,000,000. That is done under the Chief of Engineers without regard to the Supervising Architect's Office; and without abusing that office, I think that the best results in the erection of public buildings we get are upon plans made and construction entirely free from the Supervising Architect's Office.

Mr. DOCKERY. I shall not press the matter. Whatever doubt there may be as to the policy, the building will at least be built before the close of the twentieth century, and it may not be if it is left to the Supervising Architect of the Treasury.

Mr. MERCER. That is the very reason that the provision was inserted, so that it can be built within a reasonable time.

Mr. COX. I want to ask the gentleman from Illinois a question. Is there any necessity for this building?

Mr. CANNON. In my judgment, yes.

Mr. COX. Would the Government be hurt if we let the thing lie for another year?

Mr. CANNON. I suppose the Government could get along, although I will say to my friend that I am satisfied the library in this building should come down from the top of the building or else the employees should move out at once. I think it is really a work that ought to be commenced.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in the affirmative, the rules were suspended and the bill as amended was passed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 11815. An act to provide for taking the Twelfth and subsequent censuses;

H. R. 11629. An act for the extension of Pennsylvania Avenue SE. to the District line;

H. R. 11597. An act to extend S street, in the District of Columbia, and for other purposes.

The message also announced that the Senate had passed without amendment the following resolution:

*Resolved by the House of Representatives (the Senate concurring), That there be printed 50,000 additional copies of the Special Report on the Beet-Sugar Industry in the United States, submitted to the House of Representatives in a message of the President of the United States of date of March 1, 1899, 20,000 for the use of the House of Representatives, 10,000 for the use of the Senate, and 20,000 for the use of the Department of Agriculture.*

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 204. An act granting a pension to Ann E. Cooley;

H. R. 877. An act granting a pension to Charles F. Holmes;

H. R. 987. An act to correct the military record of Corydon Winkler, late private Eighth Company, First Battalion, First Ohio Sharpshooters;

H. R. 1388. An act to remove the charge of desertion from the record of Michael Baker;

H. R. 1677. An act granting a pension to Anna M. Wehe;

H. R. 1698. An act granting an increase of pension to Henry A. Thoburn;

H. R. 1724. An act granting an increase of pension to Sophia Gruber;

H. R. 2017. An act for the relief of Julius C. Kloenne;

H. R. 2366. An act granting an increase of pension to Lester P. Cooper;

H. R. 2412. An act to amend the military record of James Roche;

- H. R. 2625. An act granting a pension to Mary Chamberlin;  
 H. R. 2646. An act for the relief of Edward C. Parsons;  
 H. R. 2830. An act granting an increase of pension to Ira Bacon;  
 H. R. 3186. An act granting an increase of pension to William J. Holway;  
 H. R. 3476. An act granting an increase of pension to Andrew Morse, jr.;  
 H. R. 4332. An act to correct the military record of Isaac Alger;  
 H. R. 4607. An act granting an honorable discharge to Charles Miller;  
 H. R. 4651. An act for the relief of Jacob Shela, of Portsmouth, Ohio;  
 H. R. 4661. An act granting a pension to Dortha E. Kennoch;  
 H. R. 4670. An act to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle;  
 H. R. 4677. An act to increase the pension of Rebecca McMullen;  
 H. R. 4745. An act to increase the pension of George W. Detwiler;  
 H. R. 5802. An act granting an increase of pension to John W. Ohngemach;  
 H. R. 5924. An act to correct the naval record of Martin U. Singhi;  
 H. R. 6328. An act granting a pension to Mary F. Cobb;  
 H. R. 6616. An act to remove the charge of desertion against John Phelon, deceased;  
 H. R. 6649. An act to remove the charge of desertion against James J. Fluke;  
 H. R. 7092. An act for the relief of George Gregg;  
 H. R. 7093. An act granting an increase of pension to William R. Warder;  
 H. R. 7343. An act authorizing the commissioner of the Freedman's Savings and Trust Company to pay certain dividends barred by the act of February 21, 1881;  
 H. R. 7636. An act granting a pension to Martha M. De Von;  
 H. R. 7915. An act allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain land;  
 H. R. 8207. An act granting a pension to Abigail Wilson;  
 H. R. 8329. An act granting an increase of pension to John E. Gullett;  
 H. R. 8406. An act granting an increase of pension to Martha Adams;  
 H. R. 8804. An act granting an increase of pension to James S. Anderson;  
 H. R. 8895. An act granting a pension to Mary B. Wotring;  
 H. R. 8959. An act granting an increase of pension to Charles Williams;  
 H. R. 9059. An act granting a pension to Catherine Eakin;  
 H. R. 9293. An act granting a pension to Mary E. Robinson;  
 H. R. 9359. An act granting an increase of pension to Charles H. Barber;  
 H. R. 9619. An act granting a pension to Ruth Walker;  
 H. R. 9669. An act to correct the military record of Patrick Dunphy;  
 H. R. 10132. An act to remove the charge of desertion from the naval record of Charles Thompson;  
 H. R. 10241. An act granting a pension to Nancy Shaley;  
 H. R. 10328. An act granting a pension to Ann Collins;  
 H. R. 10534. An act granting a pension to Tennessee N. Buckles;  
 H. R. 10696. An act granting an increase of pension to James W. Ingram;  
 H. R. 10862. An act granting an increase of pension to Hollis O. Dudley;  
 H. R. 10892. An act granting an increase of pension to Andrew J. Taylor;  
 H. R. 11148. An act granting an increase of pension to Orin Long;  
 H. R. 11178. An act to amend section 941 of the Revised Statutes;  
 H. R. 11568. An act granting an increase of pension to William B. Paul;  
 H. R. 11673. An act to increase the pension of Patrick O'Neal;  
 H. R. 11876. An act granting an increase of pension to Clarence L. Chapman;  
 H. R. 11767. An act granting a pension to Daniel G. Emert; and  
 H. R. 12104. An act granting an increase of pension to Maria S. Urban.

The message also announced that the Senate had passed with amendments the bill (H. R. 12064) to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901; in which the concurrence of the House was requested.

PUBLIC BUILDINGS, STOCKTON AND LOS ANGELES, CAL.

Mr. MERCER. I send to the desk the report of a committee of conference.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10882) to increase the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor, having met, after full and free conference have been unable to agree.

DAVID H. MERCER,  
 J. D. HICKS,  
 J. H. BANKHEAD,  
*Managers on the part of the House.*  
 FRANCIS E. WARREN,  
 H. D. MONEY,  
*Managers on the part of the Senate.*

Mr. MERCER. I move that the House insist on its disagreement to the amendments of the Senate and ask a further conference.

Mr. BARLOW. Mr. Speaker, is it not in order to move that the House concur in the Senate amendments? May I not make that motion at this time?

Mr. MERCER. I make the point of order that the gentleman's proposition comes too late.

The SPEAKER. The Chair thinks the motion is still in order.

Mr. BARLOW. I move that the House recede from its disagreement to the amendments and concur in them.

Several MEMBERS. Let the amendments be read.

The amendments were read, as follows:

At end of bill add:

"Sec. 3. That the Secretary of the Treasury be, and he is hereby, authorized and directed to procure a site for and cause to be erected thereon a suitable addition to the public building now the property of the United States in the city of Los Angeles, Cal., with fireproof vaults therein, for the adequate accommodation of the United States district and circuit courts, internal revenue, customs offices, and other Government offices in the city of Los Angeles, Cal.

"The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and all improvements and additions, complete, the sum of \$250,000; Provided, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of California shall have ceded to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof for all purposes except the administration of the criminal laws of said State and the service of civil process therein; and there is hereby appropriated for the purchase of said site and the commencement of said additional building \$100,000."

Amend the title to read as follows:

"An act to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor, and to provide for an addition to the public building at Los Angeles, Cal., and appropriating money therefor."

Mr. MERCER. Mr. Speaker, I desire to call the attention of the House to this amendment of the Senate. It is without precedent. In this case the House passed a public-building bill and sent it to the other end of the Capitol. An amendment was adopted there adding to our bill a bill for the construction of a building in another city, although in the same State. We have been in conference and have disagreed.

Now, sir, the amendment which the Senate has attached to this bill is really, as the matter now stands, the main bill, because the bill as passed by the House provided for a public building at Stockton, Cal., and called for \$156,000 in authorization, while the Senate amendment provides for an authorization of \$250,000. I hope the House will vote down the motion of the gentleman from California [Mr. BARLOW]. I am not opposed to Los Angeles, but to the method adopted by the Senate.

Mr. Speaker, I move the previous question upon the report and the amendments.

The SPEAKER. The gentleman from Nebraska [Mr. MERCER] moves the previous question.

Mr. BARLOW. May I not have the privilege of making a statement?

Mr. DOCKERY. I trust the gentleman from Nebraska will allow the gentleman from California to state his case briefly. That is only fair.

Mr. BARLOW. I simply want to state the case to the House. Mr. MERCER. I ask unanimous consent that the gentleman from California have two minutes.

Mr. BARLOW. I want five minutes.

Mr. MERCER. Very well, five minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that the previous question be considered as ordered and that the gentleman from California have five minutes. Is there objection? The Chair hears none.

Mr. BARLOW. Mr. Speaker, the amendment which the Senate has placed on this bill is in its provisions the same as a bill which was passed by the Senate December 27, 1897, and sent to this House. It has been slumbering in the room of the Committee on Public Buildings ever since. I, being a new member and not understanding the methods by which public buildings were secured in that committee—supposing that these propositions were considered on their merits—did not see that I got in on that omnibus bill.

Now, I want simply to lay the situation before the House; and if gentlemen do not think that there is a necessity for a post-office at Los Angeles, let them vote the amendment down. On the other hand, if the House believes that there is a necessity for a post-office building at that place, then I ask it simply to let the precedent go, as we do in many other cases, indeed in most cases, and vote to meet this public necessity.

I want to give just one or two items in regard to the business at the post-office at Los Angeles. Last year the gross receipts were \$212,000; the net receipts \$111,888. The money-order division handled during the past year upward of \$4,000,000; the registered division nearly 300,000 pieces of registered mail. It is the railway center of the Southwest and distributing point for all of southern California, Arizona, and New Mexico.

The following public offices are located in that building: The United States circuit judge, the United States district judge, with one court room for both; the clerk of the United States circuit court and the district court, with one office between them; the United States district attorney; the United States marshal; the chief clerk of the Railway Mail Service, who has only one room and no private room for the examination of the postal clerks; the United States pension examiners; the United States post-office inspector, who has no office at all, and is compelled to keep his records in the jury room; the railway postal clerks' supply room in the dormitory, an unfinished room next to the roof utterly unsuited for the purpose desired.

Outside of this, and living in rented rooms, are also a number of Government officials, the United States land office, the United States internal revenue, United States assistant marshal, the post-office inspector, the railway clerk, and various other officials of the Government, who have no accommodation of any kind provided for them.

Mr. MERCER. I would like to ask the gentleman if there is not already a public building in that city?

Mr. BARLOW. There is a public building in that city; but it was erected when the city had a population of 30,000 people. We now have a population of 120,000, and the accommodations are wholly insufficient. The post-office inspector reports that while we have five windows for the delivery of the mail, yet it is not an unusual thing for men, women, and children to be strung out in a line of 150 feet into the street, waiting to be accommodated at the delivery window.

Mr. Speaker, I hope this bill will pass; and it seems scarcely reasonable to think that there can be opposition to its passage.

Mr. SIMPSON. I would like to ask the gentleman how this city compares with the city of Blair, Nebr.? [Laughter.]

Mr. BARLOW. Mr. Speaker, I am not fighting anybody else, or any other location. I am only asking what I know to be necessary in connection with this bill and this city. There is an absolute necessity for the building there, and it ought to have been provided for years ago.

Mr. BRUCKER. Let me ask the gentleman a question. Do I understand correctly that this bill passed in 1897?

Mr. BARLOW. The bill passed the Senate on the 27th of December, 1897.

Mr. BRUCKER. And it has been on the Calendar and unacted upon by the House during all of this time?

Mr. BARLOW. That is the case. The bill has never been acted upon, and is now brought up in the shape of an amendment, as has been suggested.

Mr. BRUCKER. Well, the bill ought to pass.

The SPEAKER. The question is on agreeing to the motion of the gentleman to recede and agree to the Senate amendment.

The question was taken; and on a division (demanded by Mr. BARLOW) there were—ayes 89, noes 81.

Mr. MERCER. Mr. Speaker, I demand tellers.

Tellers were ordered.

The SPEAKER appointed Mr. MERCER and Mr. BARLOW as tellers.

The House again divided; and the tellers reported—ayes 117, noes 60.

Mr. MERCER. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken on the motion to recede and concur; and there were—yeas 134, nays 64, answered "present" 10, not voting 143; as follows:

## YEAS—134.

Adamson,	Brenner, Ohio	Cooper, Tex.	Evans,
Allen,	Bromwell,	Cooper, Wis.	Fitzgerald,
Arnold,	Broussard,	Cowherd,	Fitzpatrick,
Bailey,	Brown,	Cox,	Fowler, N. C.
Baker, Ill.	Brucker,	Crumpacker,	Gaines,
Ball,	Brundage,	Cummings,	Gibson,
Barham,	Burke,	De Armond,	Graham,
Barlow,	Burleigh,	De Graffenreid,	Greene, Mass.
Bartlett,	Butler,	De Vries,	Greene, Nebr.
Beall,	Campbell,	Dick,	Griffith,
Berry,	Carmack,	Dorr,	Hager,
Botkin,	Clardy,	Driggs,	Hardy,
Bradley,	Connolly,	Ermentrout,	Hartman,

Hawley,	Latimer,	Norton, Ohio	Smith, Wm. Alden
Hay,	Lenta,	Odell,	Spight,
Henderson,	Lloyd,	Ogden,	Stallings,
Henry, Miss.	Loud,	Packer, Pa.	Stark,
Henry, Tex.	Lovering,	Pearce, Mo.	Stephens, Tex.
Hepburn,	McAleer,	Pierce, Tenn.	Stokes,
Hicks,	McClellan,	Prince,	Strowd, N. C.
Hilborn,	McClulloch,	Ray,	Sturtevant,
Hitt,	McDowell,	Rhea,	Terry,
Howard, Ga.	McLain,	Richardson,	Todd,
Hunter,	Maguire,	Ridgely,	Tongue,
Jett,	Mahon,	Rixey,	Underwood,
Johnson, Ind.	Mann,	Robb,	Vandiver,
Joy,	Marshall,	Robinson, Ind.	Vincent,
Kerr,	Maxwell,	Settle,	Walker, Mass.
Kitchin,	Meekison,	Shafroth,	Wanger,
Kleberg,	Meyer, La.	Showalter,	Weaver,
Knowles,	Miers, Ind.	Shuford,	Wheeler, Ky.
Kulp,	Mills,	Simpson,	Young,
Lamb,	Minor,	Slayden,	
Langham,	Newlands,	Smith, Ill.	

## NAYS—64.

Acheson,	Ellis,	Howell,	Payne,
Aldrich,	Faris,	Hull,	Perkins,
Bankhead,	Fischer,	Johnson, N. Dak.	Pugh,
Barber,	Fletcher,	Kirkpatrick,	Robbins,
Bartholdt,	Foss,	Lacey,	Russell,
Bishop,	Fowler, N. J.	Linney,	Sauerharing,
Brostius,	Gillet, N. Y.	Loudenslager,	Sperry,
Capron,	Gillett, Mass.	McCleary,	Steele,
Clayton,	Griffin,	Maddox,	Stevens, Minn.
Corliss,	Grosvenor,	Mercer,	Stewart, N. J.
Crump,	Grout,	Mordy,	Stone,
Curtis, Kans.	Grow,	Morris,	Tate,
Dalzell,	Hamilton,	Olmsted,	Taylor, Ohio
Davenport,	Henry, Conn.	Otjen,	Updegraff,
Dolliver,	Hill,	Overstreet,	Weymouth,
Eddy,	Hinrichsen,	Parker, N. J.	White, Ill.

## ANSWERED "PRESENT"—10.

Baker, Md.	Clark, Mo.	Norton, S. C.	Talbert.
Boutell, Ill.	Clark, N. H.	Skinner,	
Brantley,	McEwan,	Southard,	

## NOT VOTING—143.

Adams,	Cooney,	Landis,	Sherman,
Alexander,	Cousins,	Lawrence,	Sims,
Babcock,	Cranford,	Lester,	Smith, Ky.
Baird,	Curtis, Iowa	Lewis, Ga.	Smith, S. W.
Barney,	Danford,	Lewis, Wash.	Snover,
Barrett,	Davey,	Littauer,	Southwick,
Barrows,	Davidson, Wis.	Little,	Spalding,
Beach,	Davis,	Livingston,	Sparkman,
Belden,	Davidson, Ky.	Lorimer,	Sprague,
Belford,	Dayton,	Low,	Stewart, Wis.
Belknap,	Dinsmore,	Lybrand,	Strait,
Beuner, Pa.	Dockery,	McCall,	Strode, Nebr.
Bennett,	Dovener,	McCormick,	Sullivan,
Benton,	Elliott,	McDonald,	Sulzer,
Bingham,	Fenton,	McIntire,	Sutherland,
Bland,	Flaming,	McRae,	Swanson,
Bodine,	Footo,	Mahany,	Tawney,
Booze,	Fox,	Marsh,	Taylor, Ala.
Boutelle, Me.	Gardner,	Martin,	Thorp,
Brewer,	Graft,	Mesick,	Van Voorhis,
Brewster,	Griggs,	Miller,	Vehsage,
Broderick,	Gunn,	Mitchell,	Wadsworth,
Brownlow,	Harmer,	Moon,	Walker, Va.
Brumm,	Heatwole,	Mudd,	Ward,
Bull,	Hemenway,	Osborne,	Warner,
Burton,	Henry, Ind.	Otey,	Wheeler, Ala.
Cannon,	Hopkins,	Pearson,	White, N. C.
Castle,	Howard, Ala.	Peters,	Wilber,
Catchings,	Howe,	Powers,	Williams, Miss.
Chickering,	Jenkins,	Quigg,	Williams, Pa.
Clark, Iowa	Jones, Va.	Reeves,	Wilson,
Cochran, Mo.	Jones, Wash.	Robertson, La.	Yost,
Cochrane, N. Y.	Kelley,	Royce,	Zenor.
Coddling,	Ketcham,	Shannon,	
Colson,	King,	Shattuc,	
Connell,	Knox,	Shelden,	

So the motion to recede and concur was agreed to.

Mr. CLARK of Missouri (having previously voted in the affirmative). Mr. Speaker, I wish to withdraw my vote. I am paired with the gentleman from New York, Mr. MITCHELL.

The SPEAKER pro tempore (Mr. CLARKE of New Hampshire). The gentleman's vote will be withdrawn.

Mr. SOUTHARD (having previously voted in the negative). Mr. Speaker, I wish to withdraw my vote. I am paired with the gentleman from Georgia, Mr. GRIGGS.

The SPEAKER pro tempore. The gentleman's vote will be withdrawn.

The Clerk announced the following additional pairs:

Until further notice:

Mr. MITCHELL with Mr. CLARK of Missouri.

For this day:

Mr. ACHESON with Mr. ELLIOTT.

Mr. KETCHAM with Mr. TERRY.

Mr. FOOTE with Mr. DINSMORE.

Mr. YOST with Mr. SIMS.

Mr. SOUTHARD with Mr. GRIGGS.

Mr. BAKER of Maryland with Mr. STRAIT.

Mr. THORP with Mr. TALBERT.

Mr. HARMER with Mr. SULZER.

Mr. BELDEN with Mr. WILLIAMS of Mississippi.

The result of the vote was announced as above recorded.  
On motion of Mr. BARLOW, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT LOCKPORT, N. Y.

Mr. MERCER. Mr. Speaker, I have another conference report on a bill in the same condition as the one just acted upon. The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 500) for the erection of a public building at Lockport, N. Y., having met, after full and free conference have been unable to agree.

DAVID H. MERCER,  
J. D. HICKS,  
J. H. BANKHEAD,  
*Managers on the part of the House.*  
FRANCIS E. WARREN,  
H. D. MONEY,  
*Managers on the part of the Senate.*

Mr. MERCER. The House having expressed its opinion upon that, I now move that the House recede and concur in the Senate amendment in this case.

Mr. STEELE. If I understand the gentleman from Nebraska, it is proposed that the House shall recognize the right of another body to add whatever it pleases to these bills.

Mr. MERCER. I will say to the gentleman from Indiana that the House apparently has recognized it.

The SPEAKER pro tempore. The Clerk will report the bill.  
The amendments of the Senate to the bill (H. R. 500) for the erection of a public building at Lockport, N. Y., on which the committee of conference disagreed, were read, as follows:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by purchase, condemnation, or otherwise a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the borough of New Brighton and State of Pennsylvania, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$75,000; and

Amend the title so as to read: "An act for the erection of public buildings at Lockport, N. Y., and New Brighton, Pa."

Mr. BARRETT. Mr. Speaker—  
The SPEAKER pro tempore (Mr. CLARKE of New Hampshire). The question is on the motion to recede and concur.

Mr. WADSWORTH. I move the previous question upon that, Mr. Speaker.

Mr. BARRETT. I think I have just been recognized by the Chair.

The SPEAKER pro tempore. The gentleman from Nebraska has the floor. Does the gentleman from Nebraska yield?

Mr. MERCER. Mr. Speaker, I ask for the previous question.

Mr. BARRETT. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BARRETT. I was sitting trying to hear the name of the place where the proposed building is to be erected, but was unable to hear it. We ought to hear, so that we may know how to vote on these questions.

Mr. MERCER. The amendment is to insert "New Brighton, Pa." in the bill, and calls for \$75,000.

Mr. BARRETT. I suppose, Mr. Speaker, if the Chair declines to give us proper information the Chair will keep order so that it will be possible for us to hear what is going on at the desk.

The SPEAKER. The gentleman from Nebraska asks for the previous question.

Mr. HANDY. I would like to appeal to the gentleman—

Mr. HOPKINS. Let us have the regular order, Mr. Speaker.

Mr. HANDY (continuing). To give us information as to the necessity for this bill.

Mr. MERCER. The gentleman did not need any information on the other bill. [Cries of "Regular order!"]

Mr. HANDY. We had information on the other bill, but not a word on this bill.

The question was taken on ordering the previous question; and the Speaker announced that the ayes seemed to have it.

Mr. BARRETT and Mr. HANDY. Division!

The House divided; and there were—ayes 103, noes 3.

So the previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur.

The question was taken; and the motion was agreed to.

On motion of Mr. HICKS, a motion to reconsider the vote by which the House receded and concurred in the Senate amendments was agreed to, and the latter motion laid on the table.

Mr. GROSVENOR. I move that the House adjourn.

Mr. CANNON. Let us quit.

Mr. PAYNE. I move that the House adjourn.

IMPERSONATION OF WEIGHMASTERS, DISTRICT OF COLUMBIA.

Mr. CURTIS of Iowa. Mr. Speaker, I have a conference report.

The SPEAKER. The gentleman from Iowa presents a conference report, which takes precedence of a motion to adjourn.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 503) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 3.  
That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same amended as follows: In lieu of striking out section 2 add at the end of section 2 the following proviso: "Provided, That nothing in this act shall be held to prohibit the sale of corn on the cob by the barrel;" and the Senate agree to the same.

G. M. CURTIS,  
JOHN J. JENKINS,  
W. S. COWHERD,  
*Managers on the part of the House.*  
JAMES McMILLAN,  
A. P. GORMAN,  
R. R. KENNEY,  
*Managers on the part of the Senate.*

The statement of the House conferees is as follows:

The Senate recedes from its amendments, with the proviso that corn may be sold on the cob by the barrel.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.  
Mr. CURTIS of Iowa. I have another conference report, Mr. Speaker.

Mr. GROSVENOR. I renew my motion that the House adjourn, but withhold it for a moment to allow the gentleman from Massachusetts to make a personal request.

Mr. WALKER of Massachusetts. Mr. Speaker, as I find it impossible to secure unanimous consent to make a speech on the floor, I ask permission to extend remarks in the RECORD, being a speech upon the beginning and present status and the movement to secure reform in the Treasury and banking and currency laws, covering the ten years of my service in the House. I ask unanimous consent that I may be permitted to print those remarks in the RECORD.

Mr. JOHNSON of Indiana. Mr. Speaker, I understand that the remarks of the gentleman contain criticisms and reflections upon members of his committee, and I object.

Mr. WALKER of Massachusetts. No, sir.

Mr. JOHNSON of Indiana. If they do not, I have no objection. If they do, I want the gentleman to deliver his remarks in the House, and then I shall ask the House for leave to answer. If the gentleman from Massachusetts says there is nothing personal to myself in his speech, I have no objection to his printing it, but if there is I want the gentleman to have an opportunity to be heard, and I desire an opportunity to answer him.

Mr. WALKER of Massachusetts. I want an opportunity to be heard; but I find it impossible to get unanimous consent. My remarks contain nothing but what I have a right to say on the floor if I had the opportunity; and I will not be put under any restriction other than the rules of the House.

The SPEAKER. Is there objection?

Mr. JOHNSON of Indiana. I object, unless the gentleman states positively that there is nothing personal to myself in that which he desires to have published. He has advertised that he intended to assail members of his committee.

Mr. GROSVENOR. I renew my motion to adjourn, Mr. Speaker.

The SPEAKER. There is a conference report, which takes precedence.

#### CONTROL OF WHARF PROPERTY, DISTRICT OF COLUMBIA.

Mr. CURTIS of Iowa. Mr. Speaker, I present a conference report.

The Clerk read as follows:

#### CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10294) relative to the control of wharf property and certain public spaces in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 7, and 8, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same amended as follows: In lieu of the matter proposed to be stricken out of said amendment insert the following:

"That the Secretary of War is authorized to grant permission to the Department of Agriculture for the temporary occupation of such area or areas of Potomac Park, not exceeding a total of 75 acres in extent, as may not be needed in any one season for the reclamation or park improvement, the said areas to be used by the Department of Agriculture as testing grounds: *Provided*, That nothing herein contained shall be construed to change the essential character of the lands so used, which lands shall continue to be a public park, as provided in the act of Congress approved March 3, 1897: *And provided further*, That said area or areas shall be vacated by the Department of Agriculture at the close of any season upon the request of the Secretary of War: *And provided further*, That the entire park shall remain under the charge of the Secretary of War."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the

Senate numbered 6, and agree to the same amended as follows: In lieu of the matter proposed to be stricken out insert the following:

"That on or before January 1, 1903, the fence around the Botanical Garden shall be removed: *Provided*, That at the first session of the Fifty-sixth Congress the Joint Committee on Library is directed to report a bill embodying a plan for removing the Botanical Garden to another location."

And the Senate agree to the same.

That the Senate recede from its amendment numbered 9.

G. M. CURTIS,  
JAMES D. RICHARDSON,  
W. B. COWHERD,  
*Managers on the part of the House.*  
JAMES McMILLAN,  
H. C. HANSBROUGH,  
CHAS. J. FAULKNER,  
*Managers on the part of the Senate.*

The statement was read, as follows:

#### CONTROL OF WHARVES AND PUBLIC SPACES.

The bill provides for the control of the parks and wharves of the District. Certain provisions in it have already become law and are eliminated. The Secretary of War retains control of all parks, but is allowed to permit temporary privileges to the Secretary of Agriculture. The provision for the removal of the fence around the Botanical Garden is modified, so as to allow three years for the removal and to direct the Joint Committee on Library to report plans for making the garden into a park.

The conference report was agreed to.

#### ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 1959. An act for the allowance of certain claims reported by the accounting officers of the United States Treasury Department:

H. R. 4936. An act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes;

H. R. 1631. An act to provide for the purchase of a site and the erection of a public building thereon at Rome, in the State of New York;

H. R. 2879. An act providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo.;

H. R. 2056. An act for the erection of a public building at Menominee, Mich.;

H. R. 10753. An act to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate \$58,000 therefor;

H. R. 11814. An act to provide for a public building at New Iberia, La.;

H. R. 477. An act to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin;

H. R. 2598. An act for the erection of a public building at Newport, Vt.;

H. R. 1079. An act to enlarge and improve the United States public building at Columbus, Ga.

H. R. 1859. An act to provide for a public building at Winston, N. C.;

H. R. 10403. An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States;

H. R. 11799. An act to amend the act of Congress approved July 8, 1898, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia;"

H. R. 4253. An act granting an honorable discharge to Thomas West;

H. R. 10353. An act for the relief of the International Cotton Press Company, of New Orleans, La.;

H. R. 631. An act to confirm title to lots 13 and 14, in square 959, in Washington, D. C.;

H. R. 9335. An act granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama;

H. R. 3190. An act granting an honorable discharge to John H. Smith;

H. R. 8694. An act to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes;

H. R. 7632. An act to remove charge of desertion from the military record of Robert Flower;

H. R. 1213. An act granting an honorable discharge to W. G. Neeley, of Canyon City, Colo.; and

H. R. 11803. An act directing the issue of a check in lieu of a lost check drawn by H. C. Newcomer, captain of engineers, in favor of Stone & Stansell.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. 4510. An act to correct the military record of William H. Fore;

S. 2552. An act to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Mount Ranier National Park;

S. 5258. An act to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak.;

S. 5144. An act authorizing and directing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck;

S. 5352. An act creating the office of Admiral of the Navy;

S. 5578. An act for increasing the efficiency of the Army of the United States, and for other purposes;

S. 240. An act to authorize Joseph J. Kinyoun, passed assistant surgeon of the Marine-Hospital Service, to accept a medal from the President of the Republic of Venezuela; and

S. 2384. An act to authorize Admiral T. O. Selfridge, United States Navy; Capt. G. H. Wadleigh, United States Navy; Lieut. Commander Edward H. Gheen, United States Navy; Lieut. Commander Raymond P. Rogers, United States Navy; Paymaster J. B. Redfield, United States Navy; Lieut. J. J. Hunker, United States Navy; Surg. D. N. Bartollette, United States Navy, and Ensign R. L. Russell, United States Navy, to accept medals presented them by the Russian Government.

#### SENATE BILL AND HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, House bill 3589, to extend the powers and duties of the Commission of Fish and Fisheries to include game birds and other wild birds useful to man, with Senate amendments, was taken from the Speaker's table and referred to the Committee on the Merchant Marine and Fisheries.

S. 5466. An act for the erection of a public building at the city of York, in the State of Nebraska—to the Committee on Public Buildings and Grounds.

#### MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On March 1, 1899:

H. R. 11217. An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1900, and for other purposes;

H. R. 11266. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1900;

H. R. 11683. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900;

H. R. 11893. An act for the purchase of a site and the erection of a public building thereon in the city of New Brunswick, N. J.;

H. R. 4076. An act for enlarging the public building at Topeka, Kans.;

H. R. 521. An act for the erection of a public building at Fitchburg, Mass.;

H. R. 2314. An act to accept a site as a donation and erect thereon a custom-house and post-office building in the city of Bristol, State of Tennessee;

H. R. 2258. An act granting a pension to Mary E. Taylor;

H. R. 11867. An act to authorize the Georgia Pine Railway, of Georgia, to construct a bridge across the Flint River, a navigable stream in Decatur County, Ga.;

H. R. 11570. An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes;

H. R. 11023. An act to regulate the height of buildings in the District of Columbia;

H. R. 6248. An act to provide for the disposition of assessment certificates of the District of Columbia, and for other purposes.

H. R. 11024. An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes;

H. R. 11771. An act to amend section 1 of an act to provide for the entry of lands in Greer County, Okla., to give preference right to settlers, and for other purposes;

H. R. 8739. An act to authorize a resurvey of certain lands in Cheyenne County, in the State of Nebraska, and for other purposes; and

H. R. 1800. An act to reimburse George W. McKinsey, postmaster at Kokomo, Ind., for money paid out by him as said postmaster.

The following bills were approved March 2, 1899:

H. R. 10969. An act for the erection of a public building in the city of Blair, Nebr.;

H. R. 4306. An act for the erection of a public building in the city of Elgin, Ill.;

H. R. 9077. An act to supplement and amend an act entitled "An act for the erection of a new custom-house in the city of New York, and for other purposes," approved March 3, 1891;

H. R. 524. An act to erect a public building at Lawrence, Mass.;

H. R. 5536. An act providing for an annex to the Federal building at Jackson, Miss.;

H. R. 11868. An act to provide for the acquiring of rights of way by railroad companies through Indian reservations, Indian lands, and Indian allotments, and for other purposes;

H. R. 2056. An act for the erection of a public building at Menominee, Mich.;

H. R. 6. An act to increase the limit of cost for the purchase of site and the erection of a public building at Omaha, Nebr.;

H. R. 75. An act providing for the erection of an addition to the United States public building at Canton, Ohio;

H. R. 447. An act for the erection of a custom-house and post-office building at Brunswick, Ga.;

H. R. 484. An act providing for the erection of an addition to the United States custom-house and post-office building in the city of Dubuque, Iowa;

H. R. 1088. An act for the erection of a public building at Elizabeth City, N. C.;

H. R. 1138. An act to provide for a building for the use of the post-office and other civil offices in the city of Hot Springs, Ark.;

H. R. 2129. An act to provide for the erection of a public building at Kansas City, Kans.;

H. R. 4813. An act for the erection of a public building at the city of Jamestown, N. Y.;

H. R. 8587. An act for the erection of a public building at Monmouth, Ill.;

H. R. 10962. An act to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois;

H. R. 11530. An act authorizing the extension of the post-office building at Springfield, Mass.;

H. R. 11056. An act authorizing and directing the construction of an addition to the United States post-office in the city of Minneapolis, Minn.;

H. R. 11686. An act providing for the purchase of additional property for the use of the post-office and other Government offices in the city of Brooklyn, State of New York;

H. R. 11861. An act for the erection of a public building at Elmira, N. Y.;

H. R. 11965. An act for the purchase of a site and the erection of a public building thereon at Clinton, in the State of Iowa;

H. R. 2874. An act authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin H. March, executor of the last will and testament of Ruth March, deceased;

H. R. 4122. An act to correct the naval record of John Hurley;

H. R. 11495. An act to amend section 3 of an act entitled "An act to change the time and places for the district and circuit courts of the northern district of Texas," approved June 11, 1896;

H. R. 4304. An act regulating the postage on letters written by the blind;

H. R. 12125. An act making an appropriation to carry out the obligations of the treaty between the United States and Spain concluded December 10, 1898;

H. R. 5740. An act to remove the charge of desertion against William Britton;

H. R. 3297. An act to remove the charge of desertion from the military record of William Henry Woodward;

H. R. 1417. An act for the relief of Thomas Mullen;

H. R. 2868. An act for the relief of William Henry Johnson;

H. R. 6930. An act for the relief of and to correct record of Jacob Covert;

H. R. 9281. An act authorizing the construction of three bridges across the Conecuh River, a navigable stream, in Escambia County, Ala.;

H. R. 11677. An act to authorize the construction of a bridge across the Monongahela River at Morgantown, in the State of West Virginia;

H. R. 3261. An act to remove the charge of desertion from the military record of George L. Plummer;

#### WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. CRUMPACKER to withdraw from the files of the House, without leaving copies, the papers in the case of George W. Johnston, Fifty-fifth Congress, no adverse report having been made thereon.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted Mr. MILLER, for the balance of the session, on account of important business.

To Mr. GRIGGS, for the remainder of the session, on account of sickness in the family.

Mr. DOCKERY. Mr. Speaker, my colleague, Mr. LLOYD, desires permission to extend some remarks in the RECORD upon general subjects, and I ask unanimous consent that he may have the privilege.

Mr. STEELE. Not having made any remarks, I do not see how the gentleman can extend them.

Mr. WALKER of Massachusetts. I shall certainly object to anything of that kind, for anybody, unless I can have the same privilege.

#### THE LATE HON. DENIS M. HURLEY.

Mr. FISCHER. Mr. Speaker, owing to the lateness of the hour and the fact that the session has but a few hours left for legislative business, and that it is impossible to set aside a day for eulogies upon my late colleague [Mr. HURLEY], I ask unanimous consent that a proper resolution relating to such eulogies may be introduced, and that gentlemen who desire to do so may be permitted to print remarks on the life and character of my late colleague in the RECORD for fifteen days.

The SPEAKER. The gentleman from New York asks unanimous consent that leave shall be granted to print eulogies upon his late colleague for fifteen days. Is there objection? [After a pause.] The Chair hears none.

Mr. FISCHER. I move as a further mark of respect to the memory of my late colleague that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 55 minutes p. m.) the House adjourned.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 4191) to readjust the boundary of the National Zoological Park and preserve its seclusion between Park road on the east and Cincinnati street and Connecticut avenue on the west, reported the same with amendment, accompanied by a report (No. 2329); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. QUIGG, from the Committee on the Library, to which was referred the joint resolution of the Senate (S. R. 187) authorizing the Secretary of the Navy to have a monument erected in Havana, Cuba, to the memory of the sailors and marines who lost their lives by the explosion of the U. S. S. *Maine*, and are there buried, reported the same without amendment, accompanied by a report (No. 2330); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BRUMM, from the Committee on Claims, to which was referred the bill of the House (H. R. 11943) for the relief of Sadie Thomé, widow of S. W. Thomé, late United States consul at Asuncion, Paraguay, South America, reported the same without amendment, accompanied by a report (No. 2331); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Claims, to which was referred the bill of the House (H. R. 973) for the relief of the heirs at law of Edward N. Oldmixon, reported the same with amendment, accompanied by a report (No. 2332); which said bill and report were referred to the Private Calendar.

Mr. MEYER of Louisiana, from the Committee on Naval Affairs, to which was referred the joint resolution of the House (H. Res. 383) for the relief of Francis R. Wall, late ensign, United States Navy, reported the same without amendment, accompanied by a report (No. 2333); which said resolution and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GROUT: A bill (H. R. 12211) to prevent the selling of intoxicating liquors in Soldiers' Homes, immigrant stations, and other public buildings—to the Committee on Military Affairs.

By Mr. ROBBINS: A bill (H. R. 12218) for the erection of a monument to commemorate the gallant and brave services of the Tenth Pennsylvania Volunteer United States Infantry, at Mount Pleasant, Pa.—to the Committee on the Library.

By Mr. MARSHALL (by request): A joint resolution (H. Res. 381) for the improvement of the harbor of the city of Brunswick, Ga.—to the Committee on Rivers and Harbors.

By Mr. ROBERTSON of Louisiana: A joint resolution (H. Res. 382) for relief of Francis R. Wall, late ensign, United States Navy—to the Committee on Naval Affairs.

By Mr. LENTZ: A concurrent resolution (House Con. Res. No.

76) by the House of Representatives, that 12,000 additional copies of the Army Register for 1899 be printed—to the Committee on Printing.

By Mr. STEVENS of Minnesota: A memorial from the Minnesota legislature, urging the building of certain dams recommended by Government engineers to prevent overflowing of the farming lands in the Red River Valley—to the Committee on Rivers and Harbors.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GIBSON: A bill (H. R. 12212) for the relief of James A. Ogg—to the Committee on Military Affairs.

Also, a bill (H. R. 12213) to correct the military record of John Ervin—to the Committee on Military Affairs.

By Mr. KIRKPATRICK: A bill (H. R. 12214) for the relief of Elizabeth Bowman—to the Committee on Invalid Pensions.

By Mr. LENTZ: A bill (H. R. 12215) to increase pension of Edward A. Cavin—to the Committee on Invalid Pensions.

By Mr. MARSH: A bill (H. R. 12216) to grant an increase of pension to William Craig—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 12217) for the relief of W. L. Edwards, of Ringgold, Ga.—to the Committee on War Claims.

By Mr. DRIGGS: A bill (H. R. 12219) for the relief of the estate of F. Z. Tucker—to the Committee on Claims.

By Mr. PACKER of Pennsylvania: A resolution (House Res. No. 424) to pay O. A. Harvey \$300—to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Point Marion Council, No. 507, Junior Order United American Mechanics, against sectarian appropriations for schools—to the Committee on Appropriations.

Also, petitions of Woman's Christian Temperance unions of Carnegie and Verona, certain churches of Allegheny, Oakmont, Chartiers, Bellevue, and McKees Rocks, Pa., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ALEXANDER: Resolutions of the New York Produce Exchange, urging the passage of the bill providing for a pan-American exposition to be held at Buffalo, N. Y., in 1901—to the Committee on Ways and Means.

By Mr. BABCOCK: Protest of citizens of Richland Center, Wis., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. BELL: Communication and plats of surveys submitted by W. H. Leffingwell, civil engineer, of Cripple Creek, Colo., relating to patent surveys and charges of United States deputy mineral surveyors—to the Committee on Appropriations.

By Mr. BINGHAM: Petitions of citizens of Philadelphia, Pa., protesting against the appropriation of public funds for sectarian purposes—to the Committee on Appropriations.

By Mr. BOTKIN: Petition of the First Methodist Episcopal Church of Eldorado, Kans., to prohibit the sale of liquor in canteens and in immigrant stations and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BREWSTER: Petition of citizens of Churchville, N. Y., for woman's suffrage in the Hawaiian Islands—to the Committee on the Territories.

By Mr. CLARDY: Papers to accompany House bill No. 8751, for the relief of Marion Stephens—to the Committee on War Claims.

Also, papers to accompany House bill No. 3488, for the relief of A. B. Vancleve, of Dekoven, Ky.—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 9567, for the relief of the administrator of Charles C. Young—to the Committee on War Claims.

By Mr. DALZELL: Petitions of certain churches and Woman's Christian Temperance unions in Allegheny County, Pa., in favor of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. DANFORD: Protest of the Woman's Home Missionary Society of the Presbyterian Church of Martins Ferry, Ohio, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. FOWLER of New Jersey: Petitions of citizens of Plainfield and Crawford, and the Woman's Baptist Home Mission societies of the Park Avenue Baptist Church of Plainfield, First Baptist Church of Roselle, and Baptist Church of Westfield, State of New Jersey, against the admission of B. H. Roberts to the Fifty-sixth Congress—to the Committee on Elections No. 1.

By Mr. GIBSON: Petition of John Ervin, to accompany House bill for the correction of his military record—to the Committee on Military Affairs.

Also, petition of Freeman R. E. Chanabery, for relief—to the Committee on Pensions.

By Mr. GRAHAM: Petitions of Mrs. I. Newton Patterson, representing 47 Woman's Christian Temperance unions, and a membership of 8,000, in Allegheny County, Pa., asking for the passage of the Ellis bill to forbid the sale of intoxicating beverages in all Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. HENRY of Connecticut: Protest of Hartford South Association of Congregational Ministers against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, resolution of the court of common council of the city of Hartford, Conn., protesting against the proposed appropriation for widening and deepening the channel of the Connecticut River north of Hartford—to the Committee on Rivers and Harbors.

By Mr. HOWE: Resolutions of James McLeer Camp, No. 19, Sons of Veterans, of Brooklyn, N. Y., urging the passage of Senate bill No. 3256, relating to civil-service appointments—to the Committee on Reform in the Civil Service.

By Mr. HULL: Protest of William E. Sloane and other citizens of Knoxville, Iowa, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. JETT: Protest of Louis M. Waterman and 45 citizens of Upper Alton, Ill., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. KULP: Protest of sundry missionary societies against the reopening of the sectarian school question—to the Committee on Indian Affairs.

By Mr. LACEY: Protest of F. W. Hewitt and 25 other citizens of Ottumwa, Iowa, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of James W. Stark and 15 other citizens of Bloomfield, Iowa, for woman suffrage in the Hawaiian Islands—to the Committee on the Territories.

By Mr. LENTZ: Petition of John H. Kress and 190 citizens of Kessler, Ohio, in favor of the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. McALEER: Petition of the Naval Veteran Legion of Philadelphia, Pa., urging the passage of House bill No. 11556, to promote the efficiency of the clerical service in the Navy—to the Committee on Naval Affairs.

By Mr. McDOWELL: Protests of Given Post, No. 133, Grand Army of the Republic, of Wooster, Ohio, and the United Presbyterian Church of Dalton, Ohio, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. MIERS of Indiana: Protest of citizens of Knox County, Ind., against the seating of B. H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. NORTON of Ohio: Protests of E. W. Allen and 294 voters of Fostoria, Ohio; F. M. Anderson and 144 other voters of Crestline, Ohio; and officers of the following women's clubs of Fremont, Ohio, viz: The Coterie Club, Cosmopolitan Club, Mutual Improvement Club, Sorosis Club, Neighborhood Club, Birchard Chatauqua Circle, Croghan Circle, and McPherson Circle, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. RUSSELL: Resolution of the common council of Hartford, Conn., protesting against appropriation for widening and deepening the channel of the Connecticut River north of Hartford—to the Committee on Rivers and Harbors.

By Mr. STEVENS of Minnesota: Resolutions of the Woman's Council of Minneapolis, Minn., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. SULLOWAY: Protests of the Woman's Home Missionary Society of Methodist Episcopal Church of Greenland N. H., and Woman's Christian Temperance Union of Rockingham County, N. H., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, petition of the Woman's Christian Temperance Union of East Colebrook, N. H., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Hampton Falls, N. H., to maintain prohibition in Alaska, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. TAWNEY: Protest of E. E. Fairchild and 178 citizens of the First Congressional district of Minnesota against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

## SENATE.

FRIDAY, March 3, 1899.

The Senate met at 11 o'clock a. m.  
Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.  
On motion of Mr. HALE, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

## DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I ask that the deficiency appropriation bill be taken up for consideration.

Mr. ALLEN. Mr. President—

Mr. HALE. After I get the bill up I will yield to the Senator from Nebraska.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Maine?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with, and that the amendments of the committee be considered as they are reached in the reading.

The VICE-PRESIDENT. The Senator from Maine asks that the amendments of the committee be considered as they are reached. The Chair hears no objection, and that course will be pursued. The Senator from Maine yields to the Senator from Nebraska.

## NATIONAL WHITE CROSS OF AMERICA.

Mr. ALLEN. I ask unanimous consent to call up the bill (S. 5583) to incorporate the National White Cross of America, and for other purposes.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Nebraska?

Mr. HALE. There are one or two cases like this, to which I will yield. Of course, if it leads to discussion I must object.

Mr. ALLEN. It will not lead to any discussion at all. The bill has been read.

Mr. HALE. There are two large appropriation bills not through; but I have agreed to yield in one or two cases that will give rise to no debate.

Mr. ALLEN. There will be none whatever on the bill. There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 5583) to incorporate the National White Cross of America, and for other purposes.

The VICE-PRESIDENT. The bill has been read. There are amendments reported from the Committee on the District of Columbia which will be stated.

The SECRETARY. In section 1, line 21, page 2, after the word "merchandise," insert "for hospital purposes."

The amendment was agreed to.

The SECRETARY. In section 2, page 3, line 3, after the word "America," strike out the words "is also authorized to hold real estate in the United States so far only as may be necessary for its lawful purposes, and to an amount not exceeding \$1,000,000 in value, and it."

The amendment was agreed to.

The next amendment was, in section 3, page 3, after the word "Cross," to insert the words "of America."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## RECKNAGEL &amp; CO.

Mr. HALE. I agreed also that Senate bill 2409 might be taken up. It is the same bill that was up the other day.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2409) for the relief of Recknagel & Co.; which had been reported from the Committee on Claims with amendments.

The first amendment was, in line 4, page 3, section 1, after the word "sums," to strike out "with legal interest thereon;" and in line 10, page 3, after the word "argols," to strike out:

In excess of the duty of 3 cents per pound, which was exacted or which would have been exacted upon importations of the same kind of merchandise under the decision or decisions of the Secretary of the Treasury and the revenue laws of the United States in force on the 1st day of December, 1874, or immediately prior to the revision of the statutes.

## And insert:

Imported by them under the terms of, or in pursuance of, or for the purpose of fulfilling, any contracts or accepted orders entered into by the said firm for the sale of said merchandise by said firm prior to said 31 day of October, 1874, in excess of the duty of 3 cents per pound.

## So as to make the section read:

That the said Carl L. Recknagel and Rudolph Pagenstecher and Albrecht Pagenstecher, as now or formerly composing the said firm of Recknagel & Co., or their legal representatives or successors in interest, recover from the United States of America whatever sums were paid by the said firm to the collector of the port of New York between the 22d day of June, 1874, and the 1st day of July, 1883, upon all importations of argols other than crude, or argols partially refined or brown argols partially refined, or brown argols, imported by them under the terms of, or in pursuance of, or for the purpose of fulfilling, any contracts or accepted orders entered into by the said firm for the sale of said merchandise by said firm prior to said 31 day of October, 1874, in excess of the duty of 3 cents per pound.

The amendment was agreed to.

Mr. ALLISON. I trust the bill will not be further considered just at this time.

Mr. HALE. Very well. I only agreed that it should be taken up if it did not give rise to any debate.

Mr. ALLISON. I want to look at it before it passes.

The VICE-PRESIDENT. Objection is made.

Mr. HALE. The Senator from Iowa objects, and of course that is the end of it. The Senator from Connecticut [Mr. PLATT] said he would not insist upon his objection.

Mr. ALLISON. I have not had time to examine the bill. If the Senator from Connecticut has examined it, I will not interfere with its passage.

Mr. PETTIGREW. What is the bill?

The VICE-PRESIDENT. It is the bill for the relief of Recknagel & Co.

Mr. PETTIGREW. Is it a bill that interferes with the present tariff regulations or something of that sort?

The VICE-PRESIDENT. It relates to the collection of customs.

Mr. PETTIGREW. I got the impression that it was a change of the law in some particular.

Mr. HALE. I know nothing about it except that it came up the other day, and the Senator from Connecticut [Mr. PLATT] objected to it and it went over. Since then—

Mr. ALLISON. I withdraw my objection to the bill.

Mr. HALE. Is there any further objection to the bill to which the amendments have been made? If there is any objection, of course it can not be passed.

The VICE-PRESIDENT. Is there objection to the further consideration of the bill?

Mr. PETTIGREW. I object.

The VICE-PRESIDENT. Objection is made.

Mr. GALLINGER. The Senator from Maine will yield for morning business?

Mr. HALE. Yes.

Mr. GALLINGER. We ought to have a chance to transact morning business.

## HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Foreign Relations:

A bill (H. R. 4831) to authorize B. H. Buckingham, lieutenant-commander, United States Navy, to accept certain books from the Government of Mexico;

A bill (H. R. 6130) to authorize C. R. Dobbins, keeper of the Moose Peak (Maine) light station, to accept a gold watch from the government of the Dominion of Canada; and

A bill (H. R. 10881) to authorize Clifton R. Breckinridge to accept a medal presented to him by the Russian Government.

The bill (H. R. 2413) for the relief of T. R. Mason, of Adairville, Ky., was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 1056) to provide for the erection of a public building at Bradford, Pa.;

A bill (H. R. 7271) to allow the return free of duty of certain articles exported from the United States for exhibition purposes; and

A bill (H. R. 11815) to provide for the taking of the Twelfth and subsequent censuses.

The message also announced that the House had receded from its disagreement to the amendments of the Senate to the following bills:

A bill (H. R. 500) for the erection of a public building at Lockport, N. Y.; and

A bill (H. R. 11883) to increase the limit of the cost of erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor.

The message further announced that the House had passed the following bills:

A bill (S. 1340) for the relief of John Clyde Sullivan;

A bill (S. 3640) authorizing Lieut. Commander Raymond P. Rodgers, United States Navy, to accept a decoration of the Cross of the Legion of Honor from the Republic of France;

A bill (S. 3712) to authorize John R. Williams, first lieutenant, Third Artillery, United States Army, to accept the decoration of Chevalier of the Legion of Honor from the President of the French Republic;

A bill (S. 5050) to authorize A. E. Bates, brigadier-general, United States Volunteers, to accept the decoration of "The Legion of Honor" from the President of the French Republic; and

A bill (S. 5090) to authorize Victor Vifquain, colonel Third Nebraska Volunteer Infantry, to accept the decoration of the "Order of the Double Dragon" from the Emperor of China.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 2675) authorizing the exchange of lot 6, of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot;

A bill (S. 4852) to ratify agreements with the Indians of the Lower Brule and Rosebud reservations in South Dakota, and making an appropriation to carry the same into effect;

A bill (S. 5130) to provide for the erection of a building for the Department of Justice;

A bill (S. 5260) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes;

A bill (H. R. 204) granting a pension to Ann E. Cooley;

A bill (H. R. 500) for the erection of public buildings at Lockport, N. Y., and New Brighton, Pa.;

A bill (H. R. 877) granting a pension to Charles F. Holmes;

A bill (H. R. 987) to correct the military record of Corydon Winkler, late private, Eighth Company, First Battalion, First Ohio Sharpshooters;

A bill (H. R. 1388) to remove the charge of desertion from the record of Michael Baker;

A bill (H. R. 1677) granting a pension to Anna M. Wehe;

A bill (H. R. 1698) granting an increase of pension to Henry A. Thoburn;

A bill (H. R. 1724) granting an increase of pension to Sophia Gruger;

A bill (H. R. 2017) for the relief of Julius C. Kloeene;

A bill (H. R. 2366) granting an increase of pension to Lester P. Cooper;

A bill (H. R. 2625) granting a pension to Mary Chamberlin;

A bill (H. R. 2646) for the relief of Edward C. Parsons;

A bill (H. R. 2830) granting an increase of pension to Ira Bacon;

A bill (H. R. 3186) granting an increase of pension to William J. Holway;

A bill (H. R. 3476) granting an increase of pension to Andrew Morse, jr.;

A bill (H. R. 4332) to correct the military record of Isaac Alger;

A bill (H. R. 4607) granting an honorable discharge to Charles Miller;

A bill (H. R. 4651) for the relief of Jacob Shela, of Portsmouth, Ohio;

A bill (H. R. 4661) granting a pension to Dortha E. Kennoch;

A bill (H. R. 4670) to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle;

A bill (H. R. 4745) to increase the pension of George W. Detwiler;

A bill (H. R. 5802) granting an increase of pension to John W. Ohngemach;

A bill (H. R. 5024) to correct the naval record of Martin U. Singhi;

A bill (H. R. 6328) granting a pension to Mary F. Cobb;

A bill (H. R. 6616) to remove the charge of desertion against John Phelon, deceased;

A bill (H. R. 6649) to remove the charge of desertion against James J. Fluke;

A bill (H. R. 7092) for the relief of George Gregg;

A bill (H. R. 7093) granting an increase of pension to William R. Warden;

A bill (H. R. 7343) authorizing the commissioners of the Freedman's Savings and Trust Company to pay certain dividends barred by the act of February 21, 1881;

A bill (H. R. 7636) granting a pension to Martha M. De Vou;

A bill (H. R. 7915) allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain land;

A bill (H. R. 8207) granting a pension to Abigail Wilson;

A bill (H. R. 8339) granting an increase of pension to John E. Gullett;

A bill (H. R. 8406) granting an increase of pension to Martha Adams;

A bill (H. R. 8626) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes;

A bill (H. R. 8804) granting an increase of pension to James S. Anderson;

A bill (H. R. 8895) granting a pension to Mary B. Wotring;

A bill (H. R. 8959) granting an increase of pension to Charles Williams;

A bill (H. R. 9059) granting a pension to Catharine Eaken;

A bill (H. R. 9293) granting a pension to Mary E. Robinson;

A bill (H. R. 9359) granting an increase of pension to Charles H. Barber;

A bill (H. R. 9619) granting a pension to Ruth Walker;

A bill (H. R. 9669) to correct the military record of Patrick Dunphy;

A bill (H. R. 10132) to remove the charge of desertion from the naval record of Charles Thompson;

A bill (H. R. 10241) granting a pension to Nancy Shaley;

A bill (H. R. 10328) granting a pension to Ann Collins;

A bill (H. R. 10534) granting a pension to Tennessee N. Buckles;

A bill (H. R. 10696) granting an increase of pension to James W. Ingram;

A bill (H. R. 10862) granting an increase of pension to Hollis O. Dudley;

A bill (H. R. 10892) granting an increase of pension to Andrew J. Taylor;

A bill (H. R. 11148) granting an increase of pension to Orin Long;

A bill (H. R. 11178) to amend section 941 of the Revised Statutes;

A bill (H. R. 11597) to extend S street, in the District of Columbia, and for other purposes;

A bill (H. R. 11568) granting an increase of pension to William D. Paul;

A bill (H. R. 11673) to increase the pension of Patrick O'Neal;

A bill (H. R. 11767) granting a pension to Daniel G. Emer;

A bill (H. R. 11876) granting an increase of pension to Clarence L. Chapman;

A bill (H. R. 11879) to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes;"

A bill (H. R. 11815) to provide for taking the Twelfth and subsequent censuses;

A bill (H. R. 11882) to increase the limit of cost for the erection of a public building at Stockton, Cal., and making provisions for the acquisition of additional land or a new site therefor;

A bill (H. R. 11916) to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes;

A bill (H. R. 12064) to encourage the holding of a pan-American exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901;

A bill (H. R. 12104) granting an increase of pension to Maria S. Urban; and

A bill (H. R. 12198) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance, for trial and service, and for other purposes.

#### CREDENTIALS.

Mr. MALLORY presented the credentials of SAMUEL PASCO, appointed by the governor of Florida a Senator from that State to fill the vacancy happening in the Senate by the expiration of the term of Hon. SAMUEL PASCO March 3, 1899, during the recess of the legislature of that State and by the nonelection of Mr. PASCO's successor; which were read.

Mr. PLATT of Connecticut. I do not wish to make any serious objection to the reception of this certificate, for I know that the Senate has heretofore upon full discussion determined that appointments by the governor under such circumstances are legal, but I wish at this time and at all times when such appointments are made to express my dissent to that view of the law.

The VICE-PRESIDENT. There being no objection, the credentials will be filed.

#### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Northeast Washington Citizens' Association, of the District of Columbia, praying that an appropriation of \$200,000 be made for the improvement of the Anacostia Flats; which was referred to the Committee on the District of Columbia.

Mr. TURNER. I present a petition of the legislature of Washington, praying for the election of United States Senators by direct vote of the people; which I ask may be read.

Mr. HALE. Will the Senator consent that the memorial may be printed in the RECORD.

Mr. TURNER. I understand it is usual to pay deference to such memorials by having them read.

Mr. HALE. The Senator will have it read, of course, if he desires.

The petition was read, and referred to the Committee on Privileges and Elections, as follows:

Senate concurrent resolution No. 7.

Whereas the present method of electing a United States Senator is expensive, unsatisfactory, and ruinous to the best interests of the people, as also conducive to unnecessary delays in the passage of useful legislation; and

Whereas we believe the will of the people can best be ascertained by a direct vote of the people: Now, therefore, be it

Resolved, That the senate of the State of Washington (the house concurring), do by memorial respectfully and earnestly urge the Congress of the United States to make provisions for submitting a constitutional amendment providing for the election of United States Senators by the direct vote of the people: And be it further

Resolved, That the President of the United States, the President of the Senate, and the Speaker of the House of Representatives be each sent one official copy of these resolutions; and be it further

Resolved, That one copy of these resolutions be sent to each of our Senators and Representatives in Congress, and they be requested to use their influence to secure the object herein set forth.

Passed the senate February 2, 1899.

THURSTON DANIELS,  
President of the Senate.

Passed the house February 15, 1899.

E. HESTER GUIE,  
Speaker of the House.

Approved by the governor February 18, 1899.

J. R. ROGERS,  
Governor.

Mr. TURNER presented a petition of the Woman's Christian Temperance Union of Seattle, Wash., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Seattle, Wash., and a petition of members of the Sunday school of Gull Harbor, Wash., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Seattle, Wash., and a petition of the members of the Sunday school of Gull Harbor, Wash., praying for the maintenance of the prohibition law in Alaska and the Indian Territory and to extend it to our new half-civilized dependencies; which were referred to the Committee on Territories.

He also presented a petition of members of the Sunday school of Gull Harbor, Wash., praying for the enactment of legislation to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the Humane Society of Keene, N. H., praying for the passage of Senate bill No. 1552, for the prohibition of vivisection in the public schools of the District of Columbia; which was ordered to lie on the table.

He also presented a memorial of the Woman's Christian Temperance Union of Candia, N. H., and a memorial of the Woman's Christian Temperance Union of Hillsboro, N. H., remonstrating against the seating of any polygamist in the Congress of the United States; which were ordered to lie on the table.

Mr. TELLER presented a petition of sundry citizens of Denver, Colo., and the petition of M. M. Twombly and sundry other citizens of Colorado, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were ordered to lie on the table.

He also presented the petition of R. P. Rothwell, president of the Scientific Publishing Company and editor of the Engineering and Mining Journal, of New York City, and sundry other citizens of New York, praying that the appointment of employees in the Census Bureau be made through the civil service; which was ordered to lie on the table.

Mr. CULLOM presented a petition of the Humane Society of Chicago, Ill., praying for the passage of the bill (S. 1552) for the prohibition of vivisection in the public schools of the District of Columbia; which was ordered to lie on the table.

He also presented the petitions of W. G. Hale and 41 other citizens, of Rev. J. Kyle and sundry other citizens of Tamarack, and of J. T. Ladd, of Ottawa, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were ordered to lie on the table.

He also presented petitions of Local Union No. 73, Cigar Makers' International Union, of Alton, Ill., and a petition of Local Union No. 4, National Steel and Copperplate Printers' Union, of Chi-

cago, Ill., praying for the passage of the eight-hour bill; which were ordered to lie on the table.

Mr. ALLEN presented a petition of Local Lodge No. 35, Independent Order of Good Templars, of Lincoln, Nebr., and a petition of Local Lodge No. 43, Independent Order of Good Templars, of Exeter, Nebr., praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were ordered to lie on the table.

Mr. ALLISON presented a petition of the city council of Davenport, Iowa, praying for the passage of the eight-hour bill; which was ordered to lie on the table.

He also presented petitions of the congregations of the North Park Congregational Church, of Des Moines; of the Baptist Church of Riceville, the Presbyterian Church of East Des Moines, and the Pilgrim Congregational Church, of Des Moines, and of the Willard's Woman's Christian Temperance Union, of Des Moines, all in the State of Iowa, praying for the maintenance of the prohibition law in the Territory of Alaska; which were referred to the Committee on Territories.

He also presented petitions of the congregations of the Methodist Episcopal Church of Riceville, of the Presbyterian Church of East Des Moines, the North Park Congregational Church, of Des Moines, and the Pilgrim Congregational Church, of Des Moines, and of the Willard's Woman's Christian Temperance Union, of Des Moines, all in the State of Iowa, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Monroe County, Kossuth County, Cedar Rapids, Blawhawk County, Page County, Howard County, Sioux County, Montgomery County, Jasper County, Harrison County, Poweshiek County, Crawford County, Shelby County, Jefferson County, and Jones County, all in the State of Iowa, praying that women in Hawaii be granted the right of suffrage; which were ordered to lie on the table.

Mr. PASCO presented a petition of Local Union No. 696, Carpenters' Union, of Tampa, Fla., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

Mr. THURSTON presented a petition of Local Union No. 22, National Brotherhood of Electrical Workers of America, of Omaha, Nebr., praying for the passage of the eight-hour bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Nebraska, praying for the maintenance of the prohibition law in Alaska, the Indian Territory, and to extend it to our new, half-civilized dependencies; which was referred to the Committee on Territories.

He also presented a memorial of sundry citizens of Nebraska, remonstrating against the seating of polygamists in the Congress of the United States; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Grafton, Nebr., praying for the maintenance of the prohibition law in Alaska, and for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Nebraska, praying for the enactment of legislation to prohibit the sale of liquor in canteens of the Army and Navy and of Soldiers' Homes, and in immigrant stations and Government buildings; which was ordered to lie on the table.

He also presented a petition of the Humane Society of Chadron, Nebr., and a petition of the Humane Society of Osceola, Nebr., praying for the passage of the bill (S. 1552) for the prohibition of vivisection in the public schools of the District of Columbia; which were ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. DAVIS. I am directed by the Committee on Foreign Relations, to whom the subject was referred, to report a bill and to ask that it be placed on the Calendar.

The bill (S. 5594) to carry into effect the stipulations of Article VII of the treaty between the United States and Spain concluded on the 10th day of December, 1898, was read twice by its title.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. BACON, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 5576) for the erection of a public building at Atlanta, Ga., reported it without amendment.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. ALLEN submitted an amendment proposing to appropriate \$20,000 for the erection of a public building at the city of York, in the State of Nebraska, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Public Buildings and Grounds.

Mr. QUAY subsequently, from the Committee on Public Buildings and Grounds, reported favorably the foregoing amendment, and moved that it be referred to the Committee on Appropriations; which was agreed to.

Mr. WARREN submitted an amendment providing that the Adjutant-General shall have the rank, pay, and allowance of a major-general of the Army, intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs.

Mr. MITCHELL subsequently, from the Committee on Military Affairs, reported favorably the foregoing amendment.

JOHN C. EMERY.

On motion of Mr. GALLINGER, it was

*Ordered*, That the papers in the pension claim of John C. Emery (S. 2101) be withdrawn from the files of the Senate and transmitted to the claimant, no adverse report having been made in the case.

FRANCIS A. FIELD.

On motion of Mr. FORAKER, it was

*Ordered*, That the papers relating to the bill (S. 4077) to place Francis A. Field, late captain, United States Infantry, on the retired list of the United States Army, be withdrawn from the files of the Senate, there being no adverse report thereon.

#### INDEX TO REPORTS OF SECRETARIES OF SENATE.

Mr. TELLER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate cause to be prepared an index to all the reports of the Secretaries of the Senate, and that he communicate the same to the Senate when completed.

#### DEATH OF HON. DENIS M. HURLEY.

Mr. PLATT of New York submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That owing to the fact that Congress is about to adjourn by constitutional limitation, and that it is therefore impossible to set apart a day for tributes to the memory of the Hon. DENIS M. HURLEY, late a member of the House of Representatives from the State of New York, that permission be granted to Senators who desire to do so to print eulogies upon his life and character for fifteen days.

#### PUBLIC BUILDING AT CLEVELAND, OHIO.

Mr. FAIRBANKS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 1064, "An act to provide for a public building at Cleveland, Ohio," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same; and the House agree to the same.

That the House recede from its amendment numbered 2, and agree to the same; and the Senate agree to the same.

CHARLES W. FAIRBANKS,  
LEE MANTLE,  
E. MURPHY, JR.,  
*Managers on the part of the Senate.*  
DAVID H. MERCER,  
J. D. HICKS,  
J. H. BANKHEAD,  
*Managers on the part of the House.*

The report was agreed to.

#### SEBASTIAN BECKERD.

Mr. CULLOM. There is a bill upon the table that came from the House which I should like to have laid before the Senate, if agreeable. I think there will be no objection to it at all. It is a bill in which a colleague of mine in the other House from Illinois is interested. That colleague is unfortunately so nearly blind that he can hardly get about. I ask that it be laid before the Senate and be put upon its passage.

The bill (H. R. 3973) to remove the charge of desertion from the military record of Sebastian Beckerd was read the first time by its title, and the second time at length, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby is, authorized and directed to remove the charge of desertion now standing on the military record of Sebastian Beckerd, late of Company I, First Louisiana Volunteer Infantry, and to issue to him an honorable discharge: *Provided*, That no pay or emoluments be allowed or paid by reason of passage of this act.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. Has the bill been to any committee of the Senate?

Mr. CULLOM. It has not. It is a bill in which the Representative of the St. Clair district of Illinois, Mr. BAKER, is intensely interested. He says the poor man never was actually guilty of desertion, and his report will show it, and that his wife is struggling to take care of the family—doing washing and all that sort of thing. He has been appealing to me for several days to have the bill passed.

Mr. COCKRELL. It is not just or fair that we should take up these House bills and pass them without any examination by any member of the Committee on Military Affairs.

Mr. CULLOM. I will state that I consulted the chairman of

the Committee on Military Affairs about it, and I tried to find the Senator from Missouri to speak with him on the same subject, but I was unable to do so.

Mr. COCKRELL. This will be the last bill of the kind that will pass, I give notice.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES SWEET.

Mr. FAIRBANKS. I ask for the present consideration of the bill (H. R. 914) removing the charge of desertion against Charles Sweet.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 8, after the word "Infantry," to insert "and grant him an honorable discharge as of the 9th day of October, 1861;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion against Charles Sweet, he being a soldier in the Union Army in the late war, and member of Company F, Eighty-eighth Regiment Indiana Volunteers, the charge being of desertion from Company B, First Battalion, Eighteenth United States Infantry, and grant him an honorable discharge as of the 9th day of October, 1861: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### OUTAGE OF DISTILLED SPIRITS.

Mr. LINDSAY. I desire unanimous consent for the consideration of the bill (H. R. 10253) to amend the internal-revenue laws relating to distilled spirits, and for other purposes. It was partly disposed of yesterday, but objection was made under a misapprehension as to the character of the bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE-PRESIDENT. The amendments of the Committee on Finance were agreed to yesterday.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### WASHINGTON PUBLIC LIBRARY.

Mr. McMILLAN. I ask unanimous consent to call up the bill (H. R. 11712) to provide a site for a building for the Washington Public Library. I am very anxious to have the bill passed. It was read yesterday, and I desire to get it into conference.

Mr. HALE. If it gives rise to no debate, I will yield.

Mr. McMILLAN. It was debated last night, and I think there will be no further discussion upon it. I wish to get the bill through so as to put it into conference.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE-PRESIDENT. The bill has been read through. The question is on agreeing to the amendment reported as a substitute by the Committee on the District of Columbia, which has been read.

The amendment was agreed to.

Mr. BUTLER. Let the bill go over for the present.

The VICE-PRESIDENT. Objection is made.

Mr. McMILLAN subsequently said: The Senator from North Carolina [Mr. BUTLER] has withdrawn his objection to the library-building bill which was under consideration, and I ask that it be put upon its passage.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. McMILLAN. I move that the Senate request a conference with the House on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. GALLINGER, and Mr. GORMAN were appointed.

LYMAN B. PERKINS.

Mr. PLATT of Connecticut. I ask unanimous consent for the consideration of the joint resolution (S. R. 259) for the relief of

Lyman B. Perkins, ex-cadet engineer, United States Navy, expressed assistant engineer, United States Navy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Naval Affairs with amendments, in line 3, after the word "President," to strike out "of the United States be, and;" in line 5, after the word "Perkins," to strike out "as" and insert "a graduate of the Naval Academy, who served in the Navy during the war with Spain, to be a;" and in line 7, after the word "in," to strike out "the regular establishment of;" so as to make the joint resolution read:

*Resolved by the Senate, etc., That the President is hereby authorized to appoint, by and with the advice and consent of the Senate, Lyman B. Perkins, a graduate of the Naval Academy, who served in the Navy during the war with Spain, to be a passed assistant engineer in the United States Navy, to take rank at the foot of his original class, immediately following Albert Moritz.*

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution for the appointment of Lyman B. Perkins, late of the Navy, to be a passed assistant engineer."

#### ASSESSMENT AND TAXATION.

Mr. GALLINGER. I have in my hand a bill which the Commissioners of the District of Columbia are exceedingly anxious to have enacted into law. It is a House bill, to which there can be no possible objection. I ask unanimous consent for the present consideration of the bill (H. R. 12184) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, after the word "land" in line 9, page 2, to insert "and each parcel of land deeded by metes and bounds."

The amendment was agreed to.

The next amendment was to strike out section 3 in the following words:

SEC. 3. That hereafter, before any instrument of conveyance of land in said District shall be recorded in the office of the recorder of deeds, such instrument must bear conspicuously indorsed thereon a certificate from the office of the surveyor of said District, showing that the land so conveyed is named or numbered upon the surveyor's records, as provided in section 1 of this act; and such certificate shall be entered upon the records of the said recorder as a part of the record of the said instrument of conveyance.

The amendment was agreed to.

The next amendment was to add at the end of the bill as a new section:

That in the District of Columbia the annual license fee for exhibition of paintings, works of art, or works of historical interest shall be \$100.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation, and for other purposes."

#### TENNESSEE RIVER BRIDGE.

Mr. PETTUS. Mr. President—

Mr. HALE. I give notice that after the bill which the Senator from Alabama wishes to call up is disposed of I shall insist upon going on with the deficiency appropriation bill. I do not object to his bill if it gives rise to no debate.

Mr. PETTUS. I ask unanimous consent for the present consideration of the bill (H. R. 5428) to authorize the construction of a bridge over the Tennessee River at or near Sheffield.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### WASHINGTON AND GETTYSBURG RAILWAY.

Mr. GORMAN. I ask for the consideration of the bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, page 2, line 16, after the word "point," to insert the following proviso:

*Provided, That no freight cars or passenger cars shall be switched in the public streets of the District of Columbia, and that the Commissioners of the District of Columbia are hereby empowered to make and to enforce all proper regulations in regard to handling cars at terminal points.*

The amendment was agreed to.

The next amendment was, in section 14, page 6, line 5, after the word "That," to strike out:

The said Washington and Gettysburg Railway Company shall issue transfer tickets, four for 25 cents, which shall be good for one continuous passage over their lines within the District of Columbia and over the lines of the Maryland and Washington Railway Company and the Eckington and Soldiers' Home Railway Company, or the Columbia Railway Company, good in either direction, settlement for the same being made with said connecting railway companies on the basis of 3¢ cents to the Washington and Gettysburg Railway Company and 2¢ cents to the said connecting railway companies, or either of them, within the District of Columbia, for each passenger.

And insert:

The said Washington and Gettysburg Railway Company, the Maryland and Washington Railway Company, and the Eckington and Soldiers' Home Railway Company are hereby required to issue free transfers, so that for the payment of one fare a passenger on any one of the roads shall have the privilege of a continuous ride over the lines of the other two or either of them.

So as to make the section read:

SEC. 14. That the rate of fare which may be charged for the transportation of passengers over the lines of said company within the District of Columbia shall not exceed 5 cents per passenger, and six tickets shall be sold for 25 cents: *Provided, however, That the said Washington and Gettysburg Railway Company, the Maryland and Washington Railway Company, and the Eckington and Soldiers' Home Railway Company are hereby required to issue free transfers, so that for the payment of one fare a passenger on any one of the roads shall have the privilege of a continuous ride over the lines of the other two or either of them.*

The amendment was agreed to.

The next amendment was, in section 19, page 9, line 3, after the word "operate," to insert "for its own use only;" in line 4, after the word "railway," to insert "as herein provided for;" and in line 6, after the word "Columbia," to strike out:

Up to the point of its connection with any duly chartered and operated street railway of the District of Columbia with which it may connect: *Provided, however, That nothing herein shall be construed as authorizing the erection of telegraph poles or the stringing of overhead telegraph or telephone wires south of Florida avenue.*

So as to make the section read:

SEC. 19. That said company is also authorized to construct and operate, for its own use only, telegraph and telephone lines along its railway, as herein provided for, subject to the approval of the Commissioners of the District of Columbia.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. GORMAN. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. FAULKNER, and Mr. GORMAN were appointed.

#### W. H. SHERWOOD.

Mr. COCKRELL. By direction of the Committee on Military Affairs I report back without amendment the bill (H. R. 4041) removing the charge of desertion from the record of W. H. Sherwood, Company F, Thirteenth Ohio Cavalry, and I ask unanimous consent for its present consideration. It will not take half a minute.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DEFICIENCY APPROPRIATION BILL.

Mr. HALE. Now let the reading of the deficiency appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes.

The Secretary proceeded to read the bill and read to line 7, on page 2, the last paragraph read being as follows:

For care, repair, and refurnishing of Executive Mansion, \$16,128.65, to be expended by contract or otherwise, as the President may determine.

Mr. HALE. I move to strike out those four lines, as they are in the sundry civil appropriation bill.

The amendment was agreed to.

The reading of the bill was resumed. The first amendment of the Committee on Appropriations was, under the head "Department of State," on page 2, after line 20, to strike out:

Canadian Commission: That the unexpended balance of the appropriation of \$50,000 made in the deficiency appropriation act approved July 7, 1898, for

the expense on the part of the United States of a joint commission to be appointed for the adjustment of differences between the United States and Great Britain in respect to the Dominion of Canada, including the compensation of the commissioners representing the United States, the pay of expert service for preparation of papers, for the portion of joint expenses chargeable to the United States, for printing and all other incidental expenses, to be disbursed under the direction of the Secretary of State, is hereby reappropriated and made available during the fiscal year 1900.

The amendment was agreed to.

The next amendment was, on page 3, after line 9, to insert:

#### FOREIGN INTERCOURSE.

To pay Wickham Hoffman, or his personal representative, the sum of \$7,553.11, the same to be taken and receipted for in full satisfaction of his claim for services as chargé d'affaires ad interim at St. Petersburg between July 1, 1878, and June 30, 1880.

The amendment was agreed to.

The next amendment was, on page 3, line 23, to increase the total appropriation for contingent expenses, foreign missions, for the fiscal year 1898, from \$1,498.27 to \$1,794.83.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to insert:

Clerks at consulates: To enable the Secretary of State to pay Ramon O. Williams, late consul-general at Havana, the amounts necessarily expended by him for clerk hire in excess of his allowances between July 1, 1892, and June 5, 1899, \$2,222.08.

The amendment was agreed to.

The next amendment was, on page 4, after line 14, to insert:

To enable the Secretary of State to pay Joseph A. Springer, vice-consul-general at Havana, the amounts necessarily expended by him for clerk hire in excess of his allowances between October, 1892, and June 30, 1895, \$200.54.

The amendment was agreed to.

The next amendment was, on page 5, line 11, to increase the total appropriation for contingent expenses, United States consulates, for the fiscal year 1898, from \$21,906.10 to \$27,098.46.

The amendment was agreed to.

The next amendment was, on page 5, line 15, to increase the total appropriation for contingent expenses, United States consulates, for the fiscal year 1897, from \$3,541.39 to \$3,722.67.

The amendment was agreed to.

The next amendment was, under the head "Treasury Department, office of the Secretary," on page 5, line 21, to change the date from March 1, 1898, to March 1, 1899.

The amendment was agreed to.

The next amendment was, on page 6, line 4, after the date "February 24," to strike out "1898" and insert "1899;" so as to read:

The temporary or additional force rendered necessary because of increased work incident to the war with Spain, provided for in the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, approved February 24, 1899, or provided in any other act making provisions for said temporary or additional force, rendered necessary because of increased work incident to the war with Spain, shall be appointed hereafter without compliance with the condition prescribed by the act entitled "An act to regulate and improve the civil service," approved January 16, 1883.

The amendment was agreed to.

The next amendment was, on page 6, after line 17, to insert:

To pay to the adjutant-general of the State of Delaware, the custodian of the State armory, for use of and damage to said armory and personal property of the State in his custody by officers and men of the Army of the United States of America, the sum of \$825.85.

The amendment was agreed to.

The next amendment was, on page 6, after line 23, to insert:

Payment to Utah: That the Secretary of the Treasury be, and he is, authorized and directed to pay to the persons, firms, and corporations the amounts assessed by the Commissioner of Internal Revenue and collected in the district of Utah in 1877, 1878, and 1879 as a tax of 10 per cent on alleged notes used for circulation and paid out, and which have not heretofore been refunded, as appears from the records and accounts of the Commissioner of Internal Revenue, such sums not refunded aggregating \$12,126.75.

Mr. WOLCOTT. I should like to have some explanation from the Senator in charge of the bill of what this amendment means. It is entitled "Payment to Utah," but it appears as it reads that it is a payment to certain persons, firms, and corporations of a sum of money collected over twenty years ago "as a tax of 10 per cent on alleged notes used for circulation." As the amendment reads, it is very vague and not understandable, at least to those of us who know nothing about it.

Mr. TELLER. Mr. President, this is a matter which has been presented to the Committee on Claims and examined by the committee, and it has the approval of the Department. The Government collected from a large number of mercantile establishments in the Territory of Utah a tax of 10 per cent upon certificates or notes used for circulation. The court decided that they did not fall within the provision of the statute which provided a 10 per cent tax. All the large claims, those which could get into court, were paid. This is to pay a large number of claims, some of which would not amount to more than \$50, and some to \$100, and so on. I think there are at least fifty persons or more who will be included.

Mr. WOLCOTT. I should like to ask if this provision has the approval of the Department?

Mr. TELLER. It has the approval of the Department.

Mr. WOLCOTT. Then, I suggest, at least for the sake of accuracy, that the amendment should be amended so that it will not read "Payment to Utah." It appears on the face of it to be a payment to one of the States of the Union.

Mr. HALE. That should not be, of course, and the caption is wrong.

Mr. TELLER. It should be "Payment to citizens of Utah."

Mr. HALE. That is right.

Mr. TELLER. I move to amend by inserting before the word "Utah," the words "citizens of."

The SECRETARY. It is proposed to amend the caption by inserting before the word "Utah" the words "citizens of;" so as to read, "Payment to citizens of Utah."

Mr. WOLCOTT. I do not think the Senate ought to accept the amendment even in that form, because some of those people might not now be citizens of Utah.

Mr. HALE. I had thought of that.

Mr. SPOONER. Why not simply say, "refunding of taxes?"

Mr. HALE. It will make no difference, as it is merely a caption.

Mr. WOLCOTT. I think the caption ought to go out.

Mr. HALE. Let it be struck out entirely.

Mr. TELLER. I will accept that suggestion, and move to strike out the caption.

The SECRETARY. It is proposed to amend the amendment, in line 24, by striking out the caption "Payment to Utah."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 7, after line 10, to insert:

Payment to Wyoming: To pay to the State of Wyoming the actual amount paid out by the Territory of Wyoming during the years 1884, 1885, and 1886 for expenses incurred in preserving the formation, natural curiosities, and objects of interest in the Yellowstone National Park, through patrolling, policing, and governing, after it was declared a national reservation and before United States troops were placed therein for its protection, \$7,780.44.

The amendment was agreed to.

The next amendment was, on page 8, line 12, after the word "the," to strike out "fiscal year 1898, \$1,088.77" and insert "fiscal years as follows: For the fiscal year 1899, \$309.46; for the fiscal year 1888, \$3,011.74;" so as to make the clause read:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Contingent expenses, Treasury Department: Freight, telegrams, etc.," for the fiscal years as follows: For the fiscal year 1899, \$309.46; for the fiscal year 1888, \$3,011.74.

The amendment was agreed to.

Mr. FORAKER. I submit an amendment to the pending bill, which I ask may lie on the table without being printed.

The VICE-PRESIDENT. The amendment will lie on the table.

Mr. MILLS. I wish to offer an amendment to the bill, on page 80, but I have not a copy of the bill now before me.

The VICE-PRESIDENT. The agreement was that the amendments of the Committee on Appropriations should first be acted upon. Does the Senator desire to offer the amendment now?

Mr. MILLS. No; I will wait until the reading is concluded. I do not want to be precluded from offering the amendment.

The VICE-PRESIDENT. After the committee amendments have been acted upon the bill will be open to amendment.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 9, after line 2, to insert:

Vaults, safes, and locks for public buildings: For vaults, safes, and locks, and repairs to the same, for all public buildings under control of the Treasury Department, exclusive of personal services, except for work done by contract, \$3,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 20, to insert:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Expenses of local appraisers' meetings," fiscal year 1899, \$63.27.

The amendment was agreed to.

The next amendment was, on page 10, after line 24, to strike out:

Refund to Tips & Wupperman: To refund to Tips & Wupperman, of Seguin, Tex., additional penal duty paid by them on an importation of certain white enameled ware at the port of New Orleans in 1897 and covered into the Treasury, but since remitted by the Secretary of the Treasury, \$75.04.

The amendment was agreed to.

The next amendment was, at the top of page 12, to insert:

General inspector of public buildings and supplies: For actual necessary traveling expenses, \$1,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 3, to insert:

Inspector of furniture and other furnishings for public buildings: For actual necessary traveling expenses, \$200.

The amendment was agreed to.

The next amendment was, at the top of page 13, to insert:

**PUBLIC BUILDINGS.**

For public building at Topeka, Kans.: For enlarging building under present limit, \$71,394.73; and the unexpended balances, amounting to \$13,916.27, of former appropriations for said public building are hereby made available for the enlargement of said building.

The amendment was agreed to.

Mr. PLATT of Connecticut. I should like to inquire of the Senator having this bill in charge whether the amendments on page 13 relating to public buildings are amendments to carry out provisions of law which have already been passed, or whether they are new provisions inserted here without statutes or bills for such buildings having been passed?

Mr. HALE. The policy which the committee adopted was to put nothing in the bill but what had passed the Houses.

Mr. PLATT of Connecticut. And bills have passed both Houses which are represented by these amendments?

Mr. HALE. I have no doubt of it. That was the policy and purpose of the committee.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 13, after line 8, to insert:

For old post-office building at Omaha, Nebr.: For the introduction of new plumbing, steam-heating plant, elevator with freight attachment, plastering, painting, and making such other repairs as are required and necessary to put the old post-office building, Omaha, Nebr., in condition for occupancy as headquarters, Department of the Missouri, \$25,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 15, to insert:

For public building at Carrollton, Ky.: For purchase of site and construction of building within present limit, \$35,000.

The amendment was agreed to.

The next amendment was, under the subhead "Light-House Establishment," on page 15, after line 10, to insert:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Supplies of light-houses," fiscal year 1897, \$405.29.

The amendment was agreed to.

The next amendment was, under the subhead "Mints and assay offices," on page 15, line 17, to increase the appropriation for freight on bullion and coin, by registered mail or otherwise, between mints and assay offices, from \$45,000 to \$55,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 6, to insert:

To reimburse Herman Kretz, late superintendent of the United States mint at Philadelphia, for amount paid by him into the Treasury to make good shortage discovered during the count, by hand, of the standard silver dollars on storage in the vaults of the mint, said shortage being in no wise the result of any fault or negligence on his part, namely, \$163.

The amendment was agreed to.

The next amendment was, under the head of "District of Columbia," on page 19, after line 2, to insert:

Free Public Library: That the unused portion of the appropriation made for salaries of librarian, first and second assistant librarians, for the Free Public Library for the fiscal year 1899, are hereby made applicable for the purpose of employing necessary temporary assistance in the conduct of the said library for the current year.

The amendment was agreed to.

The next amendment was, on page 20, after line 23, to insert:

Grading and paving Nineteenth street: For grading and paving Nineteenth street extended between Florida avenue and Columbia road \$12,000 is hereby appropriated, one-half to be paid out of the revenues of the District of Columbia and one-half out of the Treasury: *Provided*, That said street shall first have been widened to 90 feet from its present width of 50 feet.

The amendment was agreed to.

The next amendment was, on page 22, after line 9, to insert:

Garfield Hospital: For completing the work of inclosing, grading, and improving the grounds immediately connected with the isolating building at Garfield Memorial Hospital, \$1,000.

For completing the furnishing and equipping said building for use, \$3,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 2, to strike out:

The unexpended balances of appropriations of March 3, 1897, and July 7, 1898, for addition to cells in the police court are hereby reappropriated for service of the fiscal year 1899.

The amendment was agreed to.

The next amendment was, on page 23, after line 20, to insert:

Support of convicts: For support, maintenance, and transportation of convicts transferred from the District of Columbia, to be expended under the direction of the Attorney-General, \$5,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 9, to insert:

For defending suits in Court of Claims, fiscal year 1899, \$1,000.

The amendment was agreed to.

The next amendment was, on page 26, after line 11, to insert:

Militia: To pay for rent of rifle range for service of the fiscal year 1898, \$250.

The amendment was agreed to.

The next amendment was, on page 26, after line 14, to insert:

To reimburse the Washington Market Company for furnishing and putting in place 1,072 lockers in the new armory quarters over Center Market, for the service of the fiscal year 1898, \$2,547.25.

The amendment was agreed to.

The next amendment was, on page 26, after line 20, to insert:

To reimburse the Washington Market Company for extraordinary repairs to quarters vacated by the National Guard of the District of Columbia, after being used for armory purposes, for the service of the fiscal year 1898, \$800.

The amendment was agreed to.

**SUNDRY CIVIL APPROPRIATION BILL.**

Mr. ALLISON. I ask the Senator from Maine to yield to me that I may submit a conference report on the sundry civil appropriation bill.

Mr. HALE. I yield to the Senator.

Mr. ALLISON. I hope Senators will give attention to this report.

The VICE-PRESIDENT. The report will be read.

The Secretary proceeded to read the report. During the reading of the report,

Mr. WOLCOTT. Mr. President, I unfortunately have a bill here in which the amendments are not numbered. I ask unanimous consent to call attention to an amendment which reads as follows:

For geological and topographical surveys in Alaska, 1898 and 1899, \$7,089.60.

I realize the utter impossibility of accomplishing any sort of reduction in the constantly increasing appropriations for the Geological Survey, and it seems as if no bill ever came into the Senate that did not have something in it for the Geological Survey. I have no doubt there is something in the Navy personnel bill, if it were carefully examined, that would bring grist to the mill of the Geological Survey. I should say, by the way, that each year's appropriations for the Geological Survey steadily grow larger and larger.

We have already appropriated, I think, some twenty to twenty-five million dollars for the Geological Survey of the United States. It is all charged to the West, and the West gets very little benefit from it. If the business were to be continued on its present plan throughout the United States, it would cost several hundred millions of dollars before this work of the Geological Survey is completed, the great portion of which is useless except from an aesthetic and sentimental point of view.

I ask that the amendment "For geological and topographical surveys in Alaska, 1898 and 1899, \$7,089.60," be amended by adding thereto the following words:

And the appropriations for the next fiscal year for the continuance of the investigation of the coal and gold resources of Alaska shall be reduced by such amount.

It is not a great hardship. Over in the other body they got three hundred and odd thousand dollars. When it got over here in the hands of this obliging and liberal Committee on Appropriations, we find that we increased the appropriation for the Geological Survey some \$70,000, and of this amount \$25,000 goes into Alaska to investigate its coal and gold resources. It does seem to me that if we are called upon now to pay the deficiency from last year out of a very large appropriation, it would not be too much out of place if we let that come out of the \$25,000 they are to have for next year.

I call attention year after year—some years I skip it—to the Geological Survey from a sense of duty, thinking that perhaps some day this constant dropping may wear away the stone. I have not much hope of it, but I do feel it my duty, whenever the Geological Survey appropriation comes up, to go out of the Senate Chamber or object to it, and happening to be in the Chamber now I move the amendment.

The VICE-PRESIDENT. The amendment is not in order.

Mr. WOLCOTT. I understand I am in order, if there is no objection made.

The VICE-PRESIDENT. The Chair holds that a conference report, signed by the conferees of the House and Senate, can not be amended.

Mr. WOLCOTT. Must the Geological Survey have, in addition to all the other money, this, too?

Mr. ALLISON. If this becomes a law, they will be obliged to.

Mr. WOLCOTT. There is no way out of it?

Mr. ALLISON. I see none. If they want to expend it, they will have the opportunity.

Mr. WOLCOTT. I am afraid that the seed which I have scattered will fall into stony ground.

Mr. ALLISON. I am afraid so myself.

The reading of the conference report was resumed and concluded, which is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13098) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 27, 31, 34, 39, 46, 47, 48, 49, 54, 55, 56, 57, 84, 89, 90, 91, 95, 99, 101, 102, 103, 104, 106, 109, 110, 112, 113, 120, 128, 130, 131, 132, 133, 138, 147, 148, 149, 150, 151, 152, 155, 156, 157, 162, 169, 169, and 179.

That the House recede from its disagreement to the amendments of the

Senate numbered 5, 11, 13, 14, 15, 16, 17, 18, 20, 24, 28, 29, 30, 32, 33, 35, 36, 37, 38, 40, 41, 42, 45, 52, 54, 59, 60, 61, 65, 66, 67, 69, 70, 71, 73, 78, 79, 80, 81, 82, 85, 86, 87, 91, 92, 93, 96, 97, 99, 111, 114, 115, 116, 117, 118, 119, 121, 122, 123, 124, 125, 126, 127, 129, 134, 135, 136, 137, 141, 142, 144, 153, 154, 159, 160, 165, 166, 167, 170, 171, 172, 173, 174, 175, 176, 178, 180, 182, 183, 184, 185, 186, 187, 189, 191, and 192, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For public building at Altoona, Pa.: For purchase of site and commencement of building under present limit, \$50,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For court-house and post-office at Omaha, Neb.: For erection of addition to building under present limit, \$150,000; and the Secretary of the Treasury is hereby authorized to enter into a contract for the completion of said building within present limit of cost;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: Strike out all after the word "dollars" in line 5 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$340,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: Add at the end of said amendment the following: ", and the total cost of establishing said depot shall not exceed this sum;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Add at the end of said amendment the following: ", and the total cost of establishing said depot shall not exceed this sum;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the number proposed insert "one thousand four hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$130,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: At the end of line 4 of said amendment strike out the word "van" and insert in lieu thereof the word "von;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In the last line of said amendment strike out the words "temporarily for said purpose;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For the construction of one revenue cutter of the first class, under the direction of the Secretary of the Treasury, for service on the Great Lakes, \$23,500; and the total cost of said revenue cutter, under a contract which is hereby authorized therefor, shall not exceed \$165,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "For the fiscal year 1901, and annually thereafter, a report in detail shall be made to Congress of the salaries of all officers and employees paid from appropriations under the Smithsonian Institution;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$170,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$150,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the word "enforce" and insert in lieu thereof the following: "in all ways that are practicable, aid in the enforcement of;" in lines 7 and 8 strike out the words "and shall cause the arrest of all persons violating the same;" and in line 24, after the word "land" where it occurs the second time, insert the following: "embraced in his original settlement which;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$240,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$30,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$727,100;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: Strike out all of said amendment after the word "Kansas," in line 4; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$35,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Paris Exposition: For each and every purpose named in the paragraph in the sundry civil appropriation act approved July 1, 1896, under the heading 'Paris Exposition, \$750,000, of which amount not exceeding \$120,000 may be used for clerk hire in the United States and in Paris, and the limit of appropriations provided for in the provisions of said paragraph shall be extended \$300,000, or to \$650,000 in all, said appropriation to be available until expended:

Provided, That of said latter sum \$150,000 shall be for the exhibits by the Secretary of Agriculture provided for in said paragraph.

"For the construction of necessary buildings in connection with said exposition, \$300,000, to be immediately available.

"For pay of jurors, \$50,000, or so much thereof as may be necessary, to be available until expended; and the sums herein and heretofore appropriated on account of the Paris Exposition shall be in full of all appropriations to be made on account of said exposition by Congress, and no deficiency shall be created therein."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$3,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 190, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "may," insert the words "during the fiscal year 1900;" and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 2, 3, 4, 6, 7, 8, 10, 21, 22, 23, 24, 75, 76, 77, 88, 140, 145, 146, 153, 161, 163, and 164; and the Senate agree to the same.

W. B. ALLISON,  
EUGENE HALE,  
A. P. GORMAN,

Managers on the part of the Senate.

J. G. CANNON,

W. H. MOODY,

THOMAS C. MCRAE,  
Managers on the part of the House.

The VICE-PRESIDENT. The question is on agreeing to the report of the committee of conference.

Mr. ALLISON. Mr. President, I wish to occupy but a moment. In the disagreements on the public building amendments involved in amendment numbered 10, Nos. 8, 6, 4, 3, 2, 11, 21, 22, 23, 24, are still in disagreement. The House conferees insist that our amendment numbered 10, which embraces a large number of public buildings, shall be carefully scrutinized so as to include only those buildings for which bills have passed both Houses.

So, although nominally amendment No. 10 is disagreed to, as soon as we can ascertain what bills were provided for by the two Houses at the time this amendment was agreed to in the Senate they will be inserted if they are found in the Senate amendment. Those bills which have passed both Houses and are not found in the Senate amendment have been placed upon the deficiency bill this morning. The situation as respects these public buildings is that the House refuses thus far to assent to the insertion of appropriations for any of the public buildings, bills for which have not passed both Houses and which have not been provided for by separate statutes. Therefore they are all in disagreement.

Amendments Nos. 75, 76, and 77 relate to the Zoological Park, where there are some differences of detail and disagreement. No. 88 is the appraiser at Boston. Amendment No. 140—and I desire to call the attention of the Senator from Oregon to it—is disagreed to, the contention on the part of the House being that in the river and harbor bill, which is now pending between the two Houses in conference, the provision for the improvement of Yaquina Bay is repealed, and they decline to consider the question of an appropriation for that harbor until the question of the repeal is settled. Of course, if the law authorizing the improvement of Yaquina Bay is not repealed, they would consent that the appropriation may stand. There is also in the bill an amendment respecting the appropriation for the Missouri River.

Amendment No. 155 relates to the Hot Springs sanitarium at Hot Springs, S. Dak., which is in disagreement. No. 161 is a footing depending upon that amendment. Amendment No. 163 is the amendment placed on the bill by the Senate relating to a submarine cable between the Pacific ports of the United States and Hawaii. The House thus far has refused to consent to any part of this amendment remaining in the bill. These are the differences. The agreements read at the desk I will be glad to explain if any Senator desires special knowledge on this question.

Mr. VEST. I should be glad to hear from the Senator from Iowa in regard to the Missouri River.

Mr. ALLISON. The Senate inserted an amendment relating to the Missouri River appropriation, adding a hundred thousand dollars to the amount inserted by the House. To this the House have not thus far assented, claiming that the \$100,000 is in excess of the amount heretofore authorized by law.

Mr. MASON. I could not hear all that the Senator from Iowa said, and I desire to understand what the position is in regard to the cable to Hawaii.

Mr. ALLISON. The House conferees refuse to agree to the cable or any part of it as inserted by the Senate, and therefore that is in disagreement. The Senate conferees did not think that they were authorized, after the almost unanimous vote of the Senate, to surrender the amendment.

Mr. MORGAN. If I understood the Senator from Iowa in regard to these public buildings, a practical agreement has been reached, not completed in detail, however, to the effect that where bills have passed both Houses creating a law for the public

buildings, then the appropriation is made according to the amount the Senate has put in.

Mr. ALLISON. According to the adjustment made by the Senate in amendment numbered 10.

Mr. MORGAN. That I understand excludes all public buildings that have not passed both Houses. Am I correct about that?

Mr. ALLISON. Their contention excludes all bills that have not passed both Houses of Congress. It excludes the building at Salem. It excludes the buildings at Evanston, at Deadwood, and one or two others that I do not just at this moment have in mind.

Mr. MORGAN. Mr. President, I desire to express the hope that our conferees will not submit to this exaction on the part of the House. While this bill was under consideration in the Senate the bars were pulled down in the House, no doubt by agreement with the majestic or magisterial hand that controls the destiny of the United States in a great many particulars, and bills came flooding over here for these respective public buildings. They came in shoals and rafts, and once in a while we would notice a subsidence of the action of the Senate waiting for more bills to get into the hopper to be ground out.

That was favoritism of the worst kind, not on the part of our committee, but it was favoritism in the House, favoritism on account of members of the House who were devoted to reelection in their respective districts. I take occasion to denounce that as a fraud upon legislation and a contrivance to which the Senate of the United States ought not to submit. The bills which were put on this appropriation bill by the vote of the Senate were bills that had been considered here, and had been voted for by this body, and which the House, exercising its own rightful pleasure, had refused to consider at all, thereby picking and culling and putting such bills into the form of law as they chose to do.

Now, sir, I am informed—I do not know that I am correct as to my information, and I should be very glad to be corrected if I am not correctly informed—that those bills have not yet received the approval of the President. These bills which passed the House of Representatives, this great flood of bills that came upon us the other day in this peculiar way, have not yet been approved by the President. I wish to call the attention of the chairman of the Committee on Appropriations to the position in which we would be in the event that the President withholds his approval from some of those bills.

That remark, Mr. President, is intended to emphasize the fact that the House has succeeded in passing bills upon its own recommendation and refused to permit bills to be passed upon the recommendation of the Senate, for a House bill containing no appropriation and brought over here and acted upon in this body and which had not been submitted to the President of the United States, a bill upon which the ink was not dry at the time it came from the House over here, can not have any advantage at all in law or morals or public policy or justice over a Senate bill passed under similar circumstances and passed a few days beforehand in this body after consideration.

I object to this kind of logrolling. If we have to logroll in order to get justice done to our respective States and localities, I want it to be done so that all who are invited to the logrolling shall have somewhat of a show in it; and I undertake to denounce that as an abuse of legislative power. It is a fraud and an outrage, and the committee will find itself involved in very serious trouble if, after we have concurred in their report and passed these amendments, the President of the United States shall withhold his approval, as I hope he will do, from many of these bills.

Now, I insist, Mr. President, that every Senator here and every State ought to be treated with something like fairness and justice, and that a bill ought not to be rejected merely because it has passed the Senate and the House refuses to consider it, if you please, and then turn around and consider a bill and put it upon this appropriation when the House has passed it, and we whip it through like an auction sale, without the consideration of the merits of any one of these propositions. I sat here and saw a number of these bills pass, more than twenty, and it was done in such a hurry that names of many of the places were oftentimes mistaken on the floor of the Senate. They went through in a rush. I am opposed out and out to this method of dealing with public affairs.

I know exactly where it came from. I know the origin of this run upon the legislation of the United States. I know the very man who inspired it, and his will and pleasure were to make fair weather for certain purposes with certain members of the House by letting their bills go through, after many of them had been importuning and dunning him for a year to have recognition to get their bills passed through the House of Representatives.

Now, sir, I do not wish to speak in a spirit of criticism that is not just, but this is just, this is right and fair, and I hope the Senate will adhere to its bill on this question and not permit this kind of an arrangement to be made for the satisfaction of a particular set of men who happen to be the favorites of a particular ruler in the House of Representatives.

Mr. MANTLE. If I understood the reading of the conference report aright, it recommends that the Senate recede from amendment No. 101. I wish to state that that is an amendment which is proposed by my colleague [Mr. CARTER], who is at this moment absent from the Chamber in attendance upon a committee meeting. He has requested that I ask that a separate vote be taken upon this amendment in agreeing to the conference report. I make the request that it be done, if possible.

Mr. ALLISON. I will state to the Senator from Montana that it can not be done on a conference report.

Mr. MANTLE. I am very sorry indeed that the Senate conferees have consented to the Senate striking out that provision. The situation is one of a great deal of moment to the State of Montana. In many instances about one-half of an entire county has been set aside recklessly for the use of these reservoirs without any reference to their practical utility.

I suppose, Mr. President, it is useless to argue the case at this time. For my part I feel like voting against the recommendation that the Senate shall recede from these amendments.

Mr. WARREN. I desire to ask the Senator from Iowa who has charge of the bill what became of amendment numbered 3?

Mr. ALLISON. It is in disagreement. It has not been agreed to. The condition with respect to amendment numbered 3 involves the same contention that the House conferees make in regard to all public buildings that have not a separate and distinct authorization of law.

Mr. WARREN. I desire to state some information to the Senator, which I hope he will convey to the House conferees. This is a peculiar case and is in no wise analogous to the others, except in the one particular the Senator mentions.

Here is a building that has been provided with all the money the people of that vicinity are asking for, plans were made, the contract let, the excavation made, and all of the material on hand to complete the building up to the main floor; brickwork, stone and cut-stone work all in place and on ground. The basement, or first floor, is nearly finished. I will state how the requirement for this appropriation occurred. The Treasury Department did not make borings to ascertain to a certainty the character of the soil, as should have been done, before the foundation was commenced.

Mr. ALLISON. I will say to the Senator from Wyoming that every line of that report giving an explanation as to the building at Cheyenne was read by the Senate conferees to the House conferees. The Senate conferees placed them in possession of all the facts stated in the report and also other facts stated to me by the Senator from Wyoming.

Mr. WARREN. I desire simply to add that this action will mean, if it shall come to pass, that the amendment can not be adopted, that operations will have to be suspended upon the Cheyenne building, and that the people will be without the use of the public building there and the Government must continue to do its business with the public offices scattered over the town, as at present, until some later Congress takes action.

The building suffers in the meantime and the constructed work will greatly deteriorate. It is impossible to rearrange the plans and reduce the building to get within the appropriation because it is only a three-story building, and to take off the upper story would leave insufficient floorage room.

So we are in such a condition that we must absolutely suspend entirely the erection of the building unless we can get this further sum, and the Government will be with their money invested and without either income from it or use of it in a building. As I remarked before, the building will be deteriorating from day to day.

I trust that the conferees on the part of the Senate will use their best endeavors, on account of the extreme condition there and the peculiar circumstances, to retain this amendment, because it absolutely means an abandonment of the building until the next Congress appropriates, unless the amendment can be maintained.

Mr. BUTLER. I should like to ask the Senator from Iowa what action was taken by the conferees in regard to the amendment providing for a public building at Durham, N. C.?

Mr. ALLISON. That is in disagreement.

Mr. BUTLER. Just as the buildings in Alabama and Wyoming?

Mr. ALLISON. They stand in exactly the same relation.

Mr. BUTLER. Mr. President, I wish to repeat and emphasize what the Senator from Alabama has so well said. The case of Durham, N. C., is more meritorious than that of half of the buildings for the construction of which bills have been railroaded through the House.

In 1885 the post-office's gross receipts at Durham were \$5,545; the net receipts were \$3,835. Last year the gross receipts had jumped to \$16,430.09, and the net receipts were \$8,090.28. That is a free-delivery office. The internal-revenue collections in that town last year were \$1,253,090.43. Two of the largest tobacco factories in the world are located there. It is one of the most progressive towns in our State. It bids fair soon to be one of the

largest. There was enough tobacco to ship from Durham for export on which there were no internal-revenue taxes paid to have made the internal-revenue collector tax alone amount to \$2,259,952.79.

I dare say that this case of Durham is more meritorious than or equally meritorious as any of the dozen of the many bills that have passed, and more so than a large number of them. I for one protest against this method of favoritism in legislating and rail-roading bills through, giving little towns that do not deserve it a public building and leaving out such towns as Durham, N. C. If we had towns the size of Durham provided with public buildings and we had the money, I would be willing and in favor of erecting public buildings wherever there was any substantial reason for doing so, but I submit that Congress can not afford to turn down a great and growing town like Durham and construct public buildings galore in towns half the size and with one-fourth to one-tenth the business.

Mr. President, if a public building can not be built in a town like Durham, in this bill, then the Senate should ask the conference committee on the part of the Senate to disagree to all the public buildings in the bill. If a measure as meritorious as this can not go in, then why should any go in less meritorious?

Now, Mr. President, one word about amendment numbered 163. I understand the Senator from Iowa to say that the House conferees object to any part of the amendment providing for a Pacific cable. The amendment as sent to the Committee on Appropriations of the Senate and as adopted by the subcommittee of the Committee on Appropriations provided for the building of a submarine cable from some point on the Pacific coast not only to Honolulu, but to Manila by way of the Midway Islands and Guam, both of which belong to the United States, and also a branch to Yokohama. That amendment had been considered for some time in the Committee on Post-Offices and Post-Roads.

A subcommittee of that committee had the bill submitted to the Post-Office Department and to the Navy Department. The estimates of the Navy Department were secured, and all the information gathered was laid before the Committee on Appropriations with letters from the Navy Department suggesting certain amendments, which were incorporated. The total cost of the whole cable, not only to Manila, but with a branch line to Yokohama, was less than \$7,000,000. The Senate cut the amendment down, providing for a cable to Honolulu with an appropriation of \$2,000,000.

Now, I submit that there can be no possible objection in my mind to building the cable the whole distance, but the objection was raised by some one that we had not yet acquired the island of Luzon and that therefore we should not extend the cable farther than our possessions. But we certainly own the Hawaiian Islands; they are a part of this Government technically, but without a cable they are in fact not a part of us. They are farther from us than almost any other spot on the globe without a cable.

We had an object lesson with the *Oregon* the other day that is as strong an object lesson for the building of this cable as the former trip of the *Oregon* around Cape Horn was for the building of the Nicaragua Canal. When the message of Admiral Dewey came that he needed the *Oregon* at Manila, where was the *Oregon*? It was at Honolulu. Here the Navy Department stood desiring to wire to Captain Clark to take the *Oregon* at once to Manila, and yet to one of our possessions for one of our most magnificent vessels we had to send a boat with a message, taking a number of days instead of a few minutes.

Mr. President, if we are not going to have a cable there we can not afford to have an important vessel there that we may need at some other point in case of an emergency. If we do not need a cable to Honolulu, then why should we have annexed the islands to this country? What do we want a coaling station and dry docks there for? What do we want with it at all, if we are not to be in speaking distance of it?

Mr. President, a few days ago the President of the United States, realizing the importance of this cable, even before the incident of the *Oregon* occurred, sent a message to Congress, which I ask to have read. He urged Congress before it adjourned to take steps not only for building of a cable to Honolulu, but also to Manila by way of Honolulu.

The Secretary read as follows:

*To the Senate and House of Representatives:*

As a consequence of the ratification of the treaty of peace between the United States and Spain, and its expected ratification by the Spanish Government, the United States will come into possession of the Philippine Islands, on the farther shores of the Pacific. The Hawaiian Islands and Guam becoming United States territory, and forming convenient stopping places on the way across the sea, the necessity for speedy cable communication between the United States and all these Pacific Islands has become imperative.

Such communication should be established in such a way as to be wholly under the control of the United States, whether in time of peace or of war. At present the Philippines can be reached only by cables which pass through many foreign countries, and the Hawaiian Islands and Guam can only be communicated with by steamers, involving delays in each instance of at least a

week. The present condition should not be allowed to continue for a moment longer than is absolutely necessary.

So long ago as 1885 reference was made in an Executive message to Congress to the necessity for cable communication between the United States and Hawaii. This necessity has greatly increased since then. The question has been discussed in the Fifty-second, Fifty-fourth, and Fifty-fifth Congresses, in each of which some effort has been made looking toward laying a cable, at least as far as the Hawaiian Islands. The time has now arrived when a cable in the Pacific must extend at least as far as Manila, touching at the Hawaiian Islands and Guam on the way.

Two methods of establishing this cable communication at once suggest themselves: First, construction and maintenance of such a cable by and at the expense of the United States Government; and second, construction and maintenance of such a cable by a private United States corporation, under such safeguards as Congress shall impose.

I do not make any recommendations to Congress as to which of these methods would be the more desirable. A cable of the length of that proposed requires so much time for construction and laying that it is estimated that at least two years must elapse after giving the order for the cable before the entire system could be successfully laid and put in operation. Further deep-sea soundings must be taken west of the Hawaiian Islands before the final route for the cable can be selected. Under these circumstances it becomes a paramount necessity that measures should be taken before the close of the present Congress to provide such means as may seem most suitable for the establishment of a cable system.

I commend the whole subject to the careful consideration of the Congress and to such prompt action as may seem advisable.

WILLIAM MCKINLEY.

EXECUTIVE MANSION.

Washington, February 10, 1899.

Mr. BUTLER. Mr. President, it is impossible for me to state the important reasons for the building of this cable any stronger than the President has stated them in that message. I submit that Congress should respond promptly and cheerfully to the appeal of the President. But even if Congress did not have that faith in the President's wisdom and judgment, the object lesson we have had in the case of the *Oregon* in the last few weeks seems to me an argument that is unanswerable and should appeal to every Senator.

I trust that the conferees on the part of the Senate will insist, and continue to insist, upon this amendment.

Mr. CHANDLER. I desire to concur in what the Senator from North Carolina has said about the immediate importance of the Hawaiian cable. I also call the subject to the attention of the Senator from Illinois [Mr. CULLOM], who has officiated so acceptably as one of the commissioners to Hawaii. The amendment as it was originally proposed by the Senator from North Carolina provided for a cable to the Philippines, a complete system of Pacific cable. I forget what the Committee on Foreign Relations proposed, but I believe it was their proposition that there should be—

Mr. HALE. Their proposition was to subsidize a line for a cable clear to the Philippine Islands.

Mr. CHANDLER. Then the two propositions were, one of aid to a private company to build to the Philippines, and the other for the construction by the Government of a cable to Honolulu and the Philippine Islands. Now, the Senate Committee on Appropriations cut down the project and made it a provision for a cable to Honolulu. The Senator from Maine, whom I see here, has been trying, lo, these ten years to secure the construction of a cable to Hawaii. We could not accomplish it, as Hawaii was independent. It would seem as if we might accomplish it without any delay or question whatever now that Hawaii has become a part of the United States. So, Mr. President, I hope that under no circumstances will the Senate committee give up the Hawaiian cable.

While I am on my feet I will take occasion to say that for one I do not wish to be crowded too much by the fear of an extra session of Congress. There are worse things than an extra session of Congress. It may be a bad thing, but there are worse things than an extra session of Congress, and there are some things that ought to be done by this Government through Congressional action that are of sufficient importance to require an extra session of Congress if they can not be secured without an extra session.

Mr. HALE. Mr. President—

Mr. CHANDLER. I wish to say one thing further, unless the Senator desires to speak about the cable.

Mr. HALE. I was going to do so. The two Houses are at a deadlock on the Hawaiian cable. The Senate conferees are fully impressed with the importance of building the cable; and in the present day of the expenditure of immense sums of money in almost every direction that the human eyesight or the human imagination goes, it is not a very expensive enterprise. It can not be said that the building of it will in any way cripple us or will unduly absorb the revenue. The Senators on the part of the Senate upon the conference do not see any reason why they should give the matter up, and they have faithfully thus far stuck to it. I do not think there is any member of the conference committee on the part of the Senate who is not heartily in favor of it.

Mr. CHANDLER. I ask the Senator whether a vote of the Senate to adhere to that amendment would be of any use at this time?

Mr. HALE. I do not think that is needed now, because the word "adhere" is the final closing word, which simply says to the House, "We will have no more conference with you, and if

you do not back down the bill is lost." Therefore, I should not advise, in a diplomatic way, dealing in that manner with the other House, but would rather not do so.

Mr. CHANDLER. That is a part of the etiquette of the subject which I do not understand, and therefore I yield to the opinion of the Senator from Maine, but I do hope it may be understood by the conferees what the sentiment of the Senate is on this subject.

Mr. HALE. I think the conferees are impressed with that, that it is not only their own view, but is the united feeling of the Senate. It is one of the items which the committee considers itself substantially instructed by the Senate upon.

Mr. CHANDLER. I should like to hear from the Senator from Nevada (Mr. STEWART) upon the subject.

Mr. STEWART. I think this is the most meritorious item in the bill. When I voted for the acquisition of the Sandwich Islands, I did so under the impression that it was important in a military view; but if we are to have no telegraphic communication with it, it falls to the ground so far as that consideration is concerned. I supposed it would be treated as a part of the territory of the United States when we annexed it.

I find that the friends of annexation are not willing to accept the consequences of their own act. This Congress has declined to extend any of our laws over that country. If it is the desire to get rid of it, I think we should act promptly. We should either give the Sandwich Islands away or proceed to treat it as a part of the territory of the United States. It is highly important—it seems to me absolutely essential, if it is to be governed as a part of the territory of the United States—that the United States should have telegraphic communication with it.

I never have advocated Government telegraphs or Government control and ownership of railroads. That has been discussed much in the country, and there are two sides to the question. But I do not think there are two sides to the question whether the Government should connect all its parts by its own telegraph. I think that should be done, and the line should be in the hands of the Government. Whatever we have, whatever islands we hold, should be connected by a Government telegraph.

I am opposed to, and I shall oppose, the building of this telegraph, with the aid of the Government, by a private corporation. I do not want any private corporation to separate this country into different parts, and I shall oppose such a measure as well as I can. I rejoiced when this very proper amendment came in, and I think if there is anything the Senate should adhere to and stick to it is this amendment. I hope there will be a vote by yeas and nays on this question, so that the Senate may see and the House may see where we stand upon it.

Mr. HOAR. Mr. President, the great argument made in Congress and in the country against the annexation of Hawaii was its distance. Now, this is a measure which almost wholly removes that argument for all purposes except the purpose of physical locomotion and the movement of merchandise. It is a measure which makes Hawaii a territory touching our shores. It removes at once what was a serious and grave argument against the policy now adopted, and at a comparatively trifling cost. I hope the Senate conferees will adhere to this purpose on the part of the Senate as they would advocate any great public measure of the first importance. I will not at this late hour undertake to detain the Senate by a full discussion, as I should otherwise be very glad to do.

Mr. PETTIGREW. Mr. President, it is generally the rule that when an enterprise will not pay, they want the Government to take it up. This cable to Hawaii will not pay. There will not come enough revenue from it to pay the terminal expenses. There are only 3,000 Americans on those islands; of those there are only two or three hundred who have any money, and they are sugar planters. The business they will have to do over this cable will not pay for the employees at the two ends of the line.

If the Government is going to build a cable, why not build one that will pay? If we are going into the telegraph business, why not do it upon land? We have a telegraph system in this country which is bonded and stocked for \$125,000,000. It can be reproduced for \$25,000,000. At the present rates it would pay 20 per cent on an investment of \$25,000,000 to the Government, and therefore the rates could be reduced more than four times if the Government should build it and own it.

For my part I would rather see the Government build its telegraph system on land and relieve the people from the burdensome exactions now collected in telegraph tolls. We can get along without telegraphic communication with those 3,000 Americans, those so-called Americans, the sons of missionaries, the sugar planters of Hawaii. The rest of the population is foreign to us, and have no use for the telegraph and would not use it.

Of course if we are going to build the cable, the Government should build it rather than subsidize a private enterprise. One or the other must be done or the cable will not be built. So it is only a choice of evils. There is no necessity for the cable in any event.

If I were going into the telegraph business outside of the present boundaries of the United States, I would build a cable to Alaska, where there are 30,000 or 40,000 Americans, and connect those possessions, a country where Americans can live and where the climate is such that it will produce people capable of self-government, rather than be so crazy to secure telegraphic communication with the Asiatic hordes of Hawaii.

Since our flag went up in that country 10,000 contract laborers from Asia have been brought to Hawaii to work upon those sugar plantations—slave laborers, who are punished and imprisoned if they refuse to work under the laws of Hawaii, laws put in force by this Congress when we annexed that country. We have there a miniature despotism, a perpetuation of the old government, with all of its arbitrary and despotic powers; and yet when an amendment was offered to the resolution which annexed Hawaii to repeal the contract slave-labor laws of that country, this Senate voted it down. Eight months have rolled away and no effort has been made to provide a system of laws there or to establish a Territorial government, except the report of the commission and a speech on the part of the Senator from Illinois [Mr. CULLOM].

An effort during the last days of this session has been made to repeal the contract-labor laws and to abolish, for the second time in the United States, the system of human slavery. But the effort was not made with any very great amount of persistence; it was delayed until the last moments of the session, and to-day 25,000 men are enslaved under the flag of the United States. Some Europeans, who were imported to Hawaii last October as contract laborers from one of the provinces of Germany, refused to work, because when they reached that country they found they had been deceived, and so they refused to go upon the plantations and carry out the contract. They were arrested and ordered back to work, and, when they refused, were placed in the common jail, and they are working on the streets, with striped clothes, as convicts, under the whip and lash of a master; and this under the flag of the United States.

Last September, at Hilo, a man was arrested for refusing to carry out his labor contract. He was brought into court, and was ordered back to work. He refused to go. He took off his coat and showed his arms, bruised and cut by the blows of his master, and said he would rather go to the common jail than go back to such employment; and he was sent to jail. The last advice I have from there are to the effect that he is still in jail and compelled to associate with criminals, simply because he refused to go back to a contract employment which was nothing but slavery and submit to the bruising and beating of a taskmaster; and this under the flag of the United States.

And yet no serious effort is made to abolish this system of slavery. We fought one great war to free the African, and to-day we are paying millions to annex slavery in the Pacific; and yet this Congress, it is proposed, shall adjourn and this thing not be remedied; but there is a tremendous rush to build a cable to these islands in order that these atrocities, these crimes against the rights of man, may be more easily heard in the United States. It seems to me there are many things more important for Hawaii and for the honor of the people of this country than the building of this cable.

Mr. PETTUS. Mr. President, I desire to call the attention of Senators to the contemptible attitude in which the Senate is placed by the report of this conference committee. Our rule is that an amendment to an appropriation bill may be made provided it has had the sanction of the Senate in any form by bill or resolution previously passed by the Senate during the session. That is the law of the Senate. Now, do not Senators see that if our committee tolerate the idea that amendments put on appropriation bills by the Senate shall not be considered, we are in the contemptible attitude of allowing the House to dictate to us as to what shall be considered in a conference committee?

Mr. ALLISON. The Senator misapprehends the attitude of the Senate conferees. The House considered these amendments, but have refused to agree to them thus far. What they will do later on I do not know, but until they are agreed to they are not a law, of course.

Mr. PETTUS. They are not a law, and nothing that the House has done is a law, either, and nothing that both the Senate and the House have done is a law. It is a mere simple subterfuge, and a contemptible subterfuge at that, to call it a law, and thereby say it is sanctioned by law. It is also a mere word to the ear, without any word to the intellect, to say that a bill is considered by the House and the House refuse it merely because they have not previously sanctioned it.

Mr. President, the Senate is occupying in this matter a contemptible attitude. It has refused to assert its equality with the House of Representatives—that is what it has done—and the House ought to be required to consider these matters on their merits. If they reject them on the merits, that they have a right to do; but to tell the Senate that they will not consider them because they have not previously sanctioned them is to belittle the

Senate to an attitude which it should not occupy. It is a disgraceful attitude in the eyes of mankind.

Mr. CLARK. Mr. President, I was so far away and there was so much noise in the Chamber at the time the conference report was explained that I did not fully hear it, and I should like to ask for my personal information as to the exact attitude of the conference to the various classes of public buildings included in this bill, those bills which have passed both Houses prior to this time, and those which have passed both Houses, some of them perhaps within the last twenty-four hours, and those which have only passed this body and have not received the sanction of the other House.

The attitude of the conferees on the part of the House is that as to all the public-building bills which have not passed both Houses appropriations for such buildings shall not be included in this bill; that public-building bills which have passed both Houses they consent are to be appropriated for in the manner suggested by the Senate amendment; but inasmuch as some of the appropriations for public-building bills which have passed both Houses were in amendment No. 10, and some of the public-building bills which have not passed both Houses were also in amendment No. 10, that amendment is still in conference to ascertain which of those shall be embraced in this bill.

I should like to further ask the members of the committee of conference, does the first class include those public-building bills which have passed both Houses prior to the passage of the sundry civil bill by both Houses, or does it also include public-building bills which passed this body during the time the conference has been in session?

Mr. ALLISON. Bills which have passed this House and have passed the other House also.

Mr. CLARK. Bills which have passed the other House also, but which passed this House during the time the conference was in session?

Mr. ALLISON. When amendment No. 10 was made up by the Committee on Appropriations and offered here, it included, as we supposed, all the public-building bills which had passed both Houses, and therefore they were embraced in our amendment; but it turned out that two or three of the public-building bills inserted in amendment No. 10 had not then passed both Houses. I think one of them has passed since that time; and, if so, I suppose it will be included also. We have not discussed that detail; but all the public-building bills which had not passed both Houses when the sundry civil bill passed the Senate are not to be included, but are to be included elsewhere.

Mr. CLARK. Will the Senator please repeat that statement?

Mr. ALLISON. All the public building bills which are embraced in amendment numbered 10 are to be included in the final adjustment if they have passed both Houses, but no public building bill which is not embraced in amendment numbered 10 is expected to be included in the amendment, for the reason that it had not passed both Houses at the time the sundry civil appropriation bill passed, and, therefore, can not go in; but such buildings will be provided for in the deficiency appropriation bill before that bill passes the Senate, if the Senate shall so agree.

So the final result of the whole affair is that the public building bills which have passed both Houses and received the signature of the President, as it is assumed they will, will be embraced in one or the other of these bills.

Mr. CLARK. And none others?

Mr. ALLISON. That is the contention of the House. We stand here contending, though the Senator from Alabama finds fault with the conferees—

Mr. MORGAN. Oh, no.

Mr. ALLISON. We stand precisely where the Senator from Alabama stands; we say that under the circumstances connected with the passage of these bills through both Houses, the public-building bills which passed the Senate, and are proper bills to be passed by both Houses, should be embraced within this conference report or within the provisions of the deficiency bill, because they are upon all fours. That is our contention. The House conferees refuse to agree to it, and we have brought in this report with a disagreement covering each and every one of those amendments. So every public building provided for by the amendments of the Senate to the bill is still in conference and in contest between the two Houses.

Mr. MORGAN. Will the Senator allow me to interrupt him a moment?

Mr. ALLISON. Certainly.

Mr. MORGAN. So far from finding fault with the conferees, I applaud their course of action. I think it very desirable and very proper that, notwithstanding they are encountering this difficulty, they should have stood by the action of the Senate and come in here for advisement before they would consent to an agreement.

Mr. ALLISON. Certainly. We advised the Senate of the contention on the part of the House conferees, and we have protected our public buildings provided for in the bill. Therefore, so far as

the conferees on the part of the Senate are concerned, no harm has yet been done to any of these buildings.

Mr. CLARK. I did not rise to find any fault, but simply to make inquiries, so as to get at the exact situation.

Mr. ALLISON. I understand that, and I do not suppose the Senator from Alabama [Mr. MORGAN] did.

Mr. CLARK. I am very glad our conferees have made that contention, which seems to me very proper, and I hope they will stand by it.

I want to call attention to amendment numbered 8, providing for the erection of a public building at Evanston, in the State of Wyoming. The conditions and circumstances with reference to that building, and some others in the bill which have been agreed to by the other House, are that that building is in a town where there are United States courts and United States land offices, in addition to offices contained in most of the other buildings which the House are willing to construct. The necessity in the one case appearing, the necessity in the other case appears to be much greater, it seems to me.

Mr. GALLINGER. Mr. President, I was necessarily absent from the Senate Chamber when the conference report was presented. I only glean from the few words I have heard in the last two or three minutes the status of the public-building bills which did not chance to pass the other House. I am very glad that the Senate conferees are standing firm in their contention in behalf of those bills.

Mr. President, let us glance at the situation. The other evening some twenty, thirty, forty, or fifty bills, more or less, came over here from the House of Representatives. Any Senator could have stopped the passage of any one of those bills; but, in our good nature, we permitted all those bills to be passed by consent.

The bill for a public building at Nashua, N. H., has passed the Senate three times in three different Congresses; it has received the approval of the House committee twice certainly; but it chanced to be not quite far enough up on the House Calendar this year to pass. Had it been reached, it would have passed without dissent. Nobody would have raised a voice nor would a vote have been cast against it. I contend that that bill is just as strong and has just as strong claims to consideration by this Congress as the bill which perhaps chanced to be the next bill before it, and which passed the House, and which we in our good nature permitted to pass the Senate.

Mr. President, I want to commend our conferees for standing firm in the opinion and the conviction that the few bills which did not chance to pass the other House, but which would have passed that House had they been reached, are equally entitled to consideration on this bill as the bills which passed the House and which we in our good nature by consent permitted to pass the Senate. I trust our conferees will continue to urge hereafter on the House conferees not only the importance, but the propriety of allowing the amendments for these public buildings to remain in the appropriation bill, and to have some money appropriated for them.

Mr. MORGAN. Mr. President, I agree with the Senator from Nevada [Mr. STEWART] when he says that a cable between the coast of our continent and Honolulu is the most important feature of this bill. It appears, however, that the House of Representatives has obstinately determined not to permit that legislation to take place on this measure. I am greatly surprised at that statement, for the reason that I can not conceive that there is any question of order that the House could raise upon a report of this kind. The Senate had considered this subject for several days, and had put it upon the bill.

Anticipating the annexation of Hawaii, a very important cable company, organized in the United States with great capital, having a monopoly of all the lines, or at least a great many of the lines—a real monopoly of the cable service which leaves our Atlantic and Gulf coasts—went to Hawaii and prevailed upon the President of Hawaii and his cabinet to make with them a provisional contract for a cable from Honolulu to the Pacific coast and also from Honolulu to Japan. That contract was drawn up in due form upon terms, of course, that the cable company desired; but it was left to the Secretary of State of the United States to determine whether it should go into effect. If he disapproved it before the 1st day of January, this contract by its terms would cease; if he failed to disapprove it, it was to go on and be in effect. It was an attempt by this company to prejudice and capture the monopoly of the cable service in the North Pacific Ocean.

This great company would not have been there on that line, putting themselves to the expense and trouble of going through with this very peculiar arrangement, this attempt to fasten themselves upon this cable service before Hawaii was annexed to the United States, unless they had seen in it great profit to themselves.

It will not do, Mr. President, for any Senator to undertake to minimize the value of the cable service in the North Pacific Ocean. It is one of the elements both of commerce and of naval warfare, as well as an element of postal service or postal supply, between

commercial men and other people in the islands of Hawaii and also the United States.

I shall not take the time of the Senate by attempting to magnify or even to delineate the value of a cable between the United States and Honolulu, and between Honolulu and any other place on the Asiatic coast of the Pacific Ocean, or any of the great islands to the south of us or to the north of us. It is not necessary to do that. Any American who has any breadth of comprehension whatever understands that question. The plainest common-sense man in this country understands that we must have a cable service across the Pacific Ocean, and everybody understands that you can not have a cable service across the Pacific Ocean otherwise than by making a stopping place at Honolulu.

It gives us an advantage over the other nations of the earth that can scarcely be computed, the advantage of compelling all of them to build their lines to Honolulu because of the scientific and physical difficulties in passing those islands coming to the coast. It can not be done. Electrical science has not yet approached that perfectness where it is possible to convey messages satisfactorily, to say the least of it, across the whole width of the Pacific Ocean without a rest.

We happen to have at Honolulu, at Guam, and also in the Windward Islands, locations which we have acquired, some of them by treaty with Spain, others by discovery and appropriation years ago. Mr. Bayard, with keen sagacity, in Mr. Cleveland's Administration, caused our ships of war to stop at the Windward Islands and make a survey. I have here before me, furnished by Mr. Littlepage, of the Navy Department, charts, complete diagrams, a complete coast survey—I will call it a coast survey, a hydrographic survey—of these Windward Islands, and also other surveys, demarking the lines of cable, with their measurements and the exact attitude of these islands toward each other. I desire to put these charts in the hands of the conference committee, so that they may exhibit them to their confrères and have the advantage of this very valuable and particularly scientific and accurate information.

Mr. President, this effort of which I have spoken that was made in Hawaii was made by Schrymser & Co. Failing in that, they came before the Congress of the United States and presented their propositions here in this House and, I think, also in the other House. Those propositions were referred to the Committee on Foreign Relations, and other propositions were likewise referred. That committee took the different propositions and modified them so as to present what they conceived to be a safe bill for building, first, to Honolulu, then from Honolulu on down to Manila, either by the way of Guam or by way of the Windward Islands, a line to Japan.

Those bills were referred by resolution of the Committee on Foreign Relations to the Committee on Appropriations. That committee took the whole subject in review, and I am very much gratified to say that that committee acted, in my judgment, more wisely than the other committees of this body who have considered that subject. They concluded that the best thing to do was to build what you might call a trunk line between Honolulu and the coast, connected with the land system here, and that that should be built at the expense of the Government; that the Government should have the absolute control of it; that it should be built by the War Department and turned over to the service of the Postal Department.

Without going into the particulars of the measure, the Senate has voted upon this bill; and, speaking of it generally, I am satisfied it is the only safe way to handle this great subject of controlling intelligence in the North Pacific Ocean. The only way to do it is to make this Government not only independent of other governments, but to compel other governments, or other companies chartered by other governments, if they choose to build lines, to hold them in subordination to the power of the United States to control the information which passes across those lines, especially in relation to military and naval affairs.

Now, preparatory to all of this, and while Hawaii was an independent State, the Government of the United States made three very accurate surveys between Honolulu and the coast of California. On the coast of California the surveys extended from San Francisco down to Monterey, and they represent what is called a lane survey; that is to say, an area 300 miles wide, which has been distinctly and thoroughly surveyed and sounded in the most accurate and scientific manner. We have possession of all that information.

What has been developed by these surveys? A perfect plateau without any serious break whatever in it between Honolulu and the American coast at Monterey and San Francisco. There has not yet been discovered in the bottom of any part of the oceans any plain or plateau which is equal to this in the security of the transmission of intelligence by cable or in the security of the wires. There is no loop in the whole line; there is no cavern into which this line drops or hangs by its own weight. It is comparatively a

level plain. There are some undulations in it, but they are very gradual, very gentle, like the swelling of the hills here in Maryland perhaps, though not quite so abrupt as that. But the survey has been a marvelous success, and in the discovery of this plateau equally so.

Mr. Pritchett, the head of the Coast Survey, when he was in Hawaii, made examinations and drew a chart which shows that a similar plain extends from the northwesternmost island of Kauai down to the southwesternmost island of Hawaii, connecting all of these islands, so that there is not a safer piece of ground to be found in the bottom of the sea in any part of the world than that over which this cable is projected.

That committee had every evidence that could be called for or that could be required to justify their action. They have made an appropriation of a sum of money for the building of this cable, and they have put it in the proper form. There is no objection to the form of it; there is no objection to the project. No objection can be raised upon the ground that it is not necessary; and no objection has ever been raised, or ever will be raised, by any person except the Senator from South Dakota [Mr. PETTIGREW], that it is not necessary. I expect that that Senator stands alone amongst all the people of this earth in his opinion that there is no necessity for a cable between Honolulu and the United States, and I wish to let him enjoy that opinion, because it is his own exclusive property. It is not necessary for him to take out any copyright upon it or any patent upon it, because everybody knows that it belongs to him from the nature of things.

What, then, is it that is interfering with this business? Now, let us inquire what it is. Mr. President, it is that same monopoly that is interfering here. They do not want the United States of America to control this cable because that takes the monopolistic power out of their hands. They have already aroused and excited the competition of other companies who are watching this legislation with very eager eyes to prevent them from acquiring some peculiar advantage. The recommendation of the Committee on Appropriations cuts them off from all opportunity of that sort, and the war which is made in the conference committee against this cable is a war in favor of monopoly and not a war in favor of the United States Government.

We have got cable lines in other places which we maintain and for which we make regular appropriations, built by the Government of the United States and sustained by the Government. So it can not be said to be entirely a new enterprise. It is something that we know how to do, and which we have been doing for a good many years. So it is not novel. It is all right and all correct in every particular; and what objection can be made to it, or what objection will be made to it by any American citizen, except some corporation or company that desires to control this avenue of intelligence between the heart of the Pacific Ocean and the main coast of America?

That is the whole question. I am not deceived about it. I know exactly who the antagonist of this proposition is. The Senate put the amendment on without objection. It is very true, I believe, that the Senator from South Dakota [Mr. PETTIGREW] had some observations to make about the Hawaiians and the Americans and the missionaries and some other people living down there whom he does not want to hear from, either by letter or by cable. He seems to have a very small opinion of those people down there, and the only advantage they have in the world is that they enjoy the same opinion of him. I judge they do.

His remarks on this subject called forth a statement by a gentleman who comes here accredited as the agent or the commissioner of the Chamber of Commerce of Honolulu. I happen to know that gentleman personally, and I can assure the Senate that there is not a more intelligent and excellent man in Hawaii or in the United States in my acquaintance than Mr. Kinney. Besides that, he is one of the best lawyers in the whole country. He says, in regard to this matter:

In reference to Senator PETTIGREW's remarks on Hawaii, I desire to make the following statement:

Hawaii is unquestionably handicapped by her undesirable labor system and conditions that have grown out of it. The idea that any man should be imprisoned for refusing to carry out a civil contract, however willful his refusal, is naturally offensive to public opinion in the United States. While it is true that here in the United States this very thing is being done in the enforcement of the contract for service entered into by seamen, and the imprisonment of seamen for refusing to work has been upheld by the United States Supreme Court, yet the extension of such a system to the common labor of a country is hopelessly antagonistic to the institutions of this country.

But, undesirable as our system is, it certainly is not as black as was suggested by Senator PETTIGREW in his remarks in the Senate. The laborer is kindly treated, amply protected, and as well paid as New England farm hand. The suggestion of whipping is absolutely without foundation; it must have been furnished to Senator PETTIGREW by some one of the few malcontents left in Hawaii, still so bitterly hostile to annexation that they would rejoice to bring a panic to Hawaii through the operation of annexation, to gratify their revengeful feelings. The part of sound statesmanship is, however, as we contend, to introduce the broader and higher American system into Hawaii, so as to cause the least possible friction or financial disturbance.

Hawaii has of her own accord and under her own impulses been growing toward freer institutions. The contract-labor system has pretty generally been discarded except where it is necessary to make advances to the laborer to get him into the country. Otherwise the percentage of free laborers is overwhelmingly in excess of those under contract. The white men that Senator Pettigrew refers to as being imprisoned are undoubtedly the Galician laborers recently imported from Austria. Under our immigration laws planters are compelled by the Government to bring in a certain percentage of white labor as against a certain number of Japanese immigrants. In pursuance of that provision a ship's company of several hundred of these Galicians arrived in Honolulu after the joint resolution of annexation had passed, the planters having to pay some \$30,000 for their passages and expenses.

These laborers were told by friends that under annexation their contracts could not be enforced against them and that they could jump them with impunity, which they accordingly did. They were committed to prison, the lower court holding against them. Meanwhile a test case has been submitted to the supreme court of the Hawaiian Islands and a decision is now due. The circumstances under which the Dole government allowed some 7,000 Japanese contract laborers to be sent for after the joint resolution of annexation had passed are substantially as follows:

"The local government for some years had been keeping the planters down very close in their requisitions for laborers, so that when the joint resolution was finally passed the labor market in Hawaii was actually short for existing needs. But a small percentage of the Japanese laborers remain in the country for any length of time after their three years' contract expires. The result is that the Japanese population keeps continually changing. It would commence to lessen at once if the process of renewal was stopped."

"When, therefore, the news of annexation reached Hawaii the planters were not only confronted with a short labor market, but one that would grow absolutely inadequate in a very short time after the anti-contract and immigration laws of the United States had been extended to Hawaii. They therefore applied for permission to secure sufficient laborers to offset the numbers whose contracts would expire in a year or so, and to supply the demand for more laborers from several new plantations, and as a result a sufficient number were allowed to come in to meet actual imperative needs for a period of from eighteen months to two years."

Mr. President, that has not anything to do, so far as I know, with this cable. At the same time, it is a necessary and proper reply from this commissioner from Hawaii to the remarks of the Senator from South Dakota, which I conceive to be entirely unjust and entirely unsupported by the facts.

I will add nothing in regard to the importance of this measure, but I do hope that our conferees will recognize the fact that we are taking now the first direct and practical start or movement in realizing the power that we have acquired by the annexation of Hawaii through this cable, and scarcely an element of power connected with the annexation of Hawaii will be more important and more influential upon the future destiny of this country than the cable line.

Mr. HALE. Unless the Senator from Iowa can dispose of this matter at once, without any further debate, I must ask the Senate to go into executive session for a few moments, as it is important to confirm certain nominations.

Mr. ALLISON. I hope we can have a vote on the report.

Mr. PETTIGREW. I will delay the Senate for only a minute. I wish to reply to some remarks made by the Senator from Alabama.

Mr. ALLISON. After that I hope we may have a vote.

Mr. PETTIGREW. Mr. President, the Senator from Alabama [Mr. MORGAN] says that those who have opposed the building of the cable by the Government of the United States are working in the interest of monopoly, and that he can not be deceived about it. This is the first time the Senate of the United States has proposed that the Government should build a cable to Hawaii. Heretofore the effort has been to subsidize a cable to Hawaii to be built by a private company or corporation, and in each instance the Senator from Alabama has been the champion of that enterprise, of that monopoly. If a company which sought a subsidy is now trying to defeat the effort to build a cable on the part of the United States, that company, that very monopoly of which he complains, has received his most ardent and earnest support in the past, and of course he can not be deceived. He certainly must know the facts of which he speaks. He must be very familiar with the methods of that monopoly.

I have always opposed the building of a cable to Hawaii, subsidized or otherwise, because I believed the United States could better invest its money and because I did not think it was necessary to secure cable communication with only 1,100 American citizens and about 1,900 people of American descent, 1,900 of whom are males and 1,100 females. I did not think that sort of a community deserved the expenditure of several million dollars on the part of the Government of the United States in order that we might hear of them, perhaps too often.

Now, let us see. Not only is this the situation in regard to the American population, but these Americans or people of American descent enacted contract-labor laws for the purpose of working their sugar plantations with slave labor. Here is an extract from the Hilo Herald of September 10, 1898:

A few days ago a laborer on the Hononu plantation was arrested for deserting contract service. At his trial the man offered no defense and Judge Hapai, upon hearing that it was the man's first offense, ordered him to return to his work. The man, however, refused to do so, preferring to go to jail rather than return to the plantation. He was accordingly sent to the Hilo jail. Here is an instance of a man who has committed no crime against

God or man being deprived of his liberty and sent to associate with criminals. Just before the trial the man removed his coat and showed a torn shirt sleeve and bruises upon his arm, indicative of ill-treatment.

And this occurred months after that country was annexed to the United States. Last fall they imported into Hawaii some people from one of the provinces of Germany, and about 80 of these contract laborers were sent to a plantation. They refused to work, claiming they had been deceived when they made their contracts. The court, under the Hawaiian law, ordered them to return to the plantation to which their contract had been assigned.

The men obeyed the court, but some of them left the estate a second time, and for this desertion have been ordered to return to their labor or go to prison. A number of them are in prison and are dressed in prison garb. One marched through the city in the chain gang to work on the public works in company with all grades of criminals. I get this information from a letter from Joseph O. Carter, one of the most prominent citizens of that country and a man of the highest character and integrity.

Mr. PLATT of Connecticut. Mr. President—

The VICE-PRESIDENT. Does the Senator from South Dakota yield to the Senator from Connecticut?

Mr. PETTIGREW. I will finish in a moment.

I wish to state further that there are good people on those islands. The natives are the best people there. The native Hawaiians are kind hearted, nearly all of them can read and write, they obey the law, and they are the best citizens of those islands to-day. Under the bill which is brought in here by our commission they are to be excluded from participation in the government by a property qualification.

In other words, this Republic, abandoning the idea of manhood suffrage, abandoning the idea that the individual shall rule, proposes to establish in the Hawaiian Islands the doctrine of the supremacy of property over the rights of man, and, in support of our newly-born imperialism, the commission brings in here a bill for us to adopt which provides a property qualification that eliminates these people from any participation in the government, except that they may vote for the lower house—the house of representatives. But they can not vote for senators and are granted no voice in the selection of their governor.

The consequence is that the senate can prevent any legislation whatever in the interest of the people, even if the people should elect the members of the house of representatives. Those natives of Hawaii were opposed to annexation. That was their land and their country. They ought to have been allowed to retain it, instead of having it taken away from them by the forces of the United States, simply to assist a lot of sugar planters to plunder that country.

In the Hawaiian debate it was urged upon this floor that the sugar trust was opposed to annexation. The same charge is made now in regard to the monopoly. I do not believe the sugar trust was opposed to annexation, for under their contract they get the Louisiana sugar and the Hawaiian sugar on the same terms that it came to them before annexation. Annexation did not affect their interests a particle. If any Senator wishes to break down the sugar trust, admit refined sugar free of duty instead of putting a discriminating duty upon it and he will break down the sugar trust. The trust deal in refined sugar, and they buy the raw sugar, and we put a discriminating duty in their favor on refined sugar in order to give them a monopoly of the American trade. I made the motion twice in connection with the two tariff bills to take off the duty from refined sugar in order to destroy the sugar trust; and the last time I did it the Senator from Alabama voted against it.

Mr. President, you will invariably find it true that a man who stands on this floor and yells "Stop thief!" has some occasion for concealment. Who was it that was interested in the annexation of Hawaii? The Hawaiian sugar planters, who had already received in remitted duties \$78,000,000 and who now receive each \$10,000,000 on the amount of sugar they ship to this country. In other words, if we had left the duty upon their sugar, we would collect \$10,000,000 a year. Their importations do not reduce the price, because the quantity is not sufficient to affect the market; and the consequence is they take the \$10,000,000 of remitted duty, and it is put into their pockets.

Who could afford to come here and urge annexation? Who had the money to do it? Who had the \$78,000,000, and who was to get the \$10,000,000, if the islands were annexed? The Hawaiian sugar planters. Who could afford to subsidize newspapers and employ lobbyists? The Hawaiian sugar planters. The stock of the Ewa plantation went up to 400 per cent. within a week after the islands were annexed, because of the enormous profit they could make when duty to the amount of 2 cents a pound was remitted.

I am tired, Mr. President, of hearing this talk about the opponents of the annexation of the Hawaiian Islands being the champions of trusts and monopolies, because it is false in every particu-

lar; and not only that, but I believe that those who make the accusation know it is false, and I do not propose to sit silent and endure any more of it here.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on agreeing to the report of the committee of conference.

Mr. McBRIDE rose.

Mr. HALE. If there is to be further debate—

Mr. ALLISON. There will be none.

Mr. HALE. If this is to give rise to further debate—

Mr. PLATT of Connecticut. We are ready for a vote.

The PRESIDING OFFICER. Is the Senate ready for the question? The question is on agreeing to the report of the committee of conference.

The report was agreed to.

Mr. ALLISON. I move that the Senate still further insist upon its amendments in disagreement and ask a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. ALLISON, Mr. HALE, and Mr. GORMAN were appointed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 8571) to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARNER, Mr. GIBSON, and Mr. MADDOX managers at the conference on the part of the House.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 718) for the relief of Benjamin F. Vennum, of Wheeling, Ohio County, W. Va.;

A bill (H. R. 4833) to authorize John M. Schofield, major-general, United States Army, to accept a testimonial from the President of the Republic of France; and

A bill (H. R. 11577) for the relief of B. F. Parlett, collector of internal revenue for the district of Maryland.

The message further announced that the House had passed the bill (S. 1114) for the establishment of a light and fog signal on or near Sabine Bank, Texas, with an amendment; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 914) removing the charge of desertion against Charles Sweet;

A bill (H. R. 1773) granting a pension to Robert Persley;

A bill (H. R. 2419) for the relief of Frank Dunn;

A bill (H. R. 5046) to remove the charge of desertion from the military record of Lawrence Ressler;

A bill (H. R. 5758) to remove the charge of desertion from the record of James Geissinger;

A bill (H. R. 6063) for the relief of Anson W. Gillett;

A bill (H. R. 6359) to quiet land titles in the District of Columbia;

A bill (H. R. 8119) granting an honorable discharge to John Dinsbeer, late second lieutenant in Company C, First Regiment of Missouri State Militia;

A bill (H. R. 8506) to remove the charge of desertion from the military record of John P. Henderson and to grant him an honorable discharge;

A bill (H. R. 8607) to correct the military record of Sylvester F. Hildebrand;

A bill (H. R. 8354) to correct the military record of William Hayelbeck, of Portsmouth, Ohio; and

A bill (H. R. 9760) to redeem certain outstanding certificates issued by the board of audit and the board of public works of the District of Columbia.

The message further communicated to the Senate the intelligence of the death of JOHN W. CRANFORD, late a member of the House from the State of Texas, and transmitted resolutions of the House thereon.

The message also announced that the Speaker of the House had appointed Mr. BURKE, Mr. HENRY of Texas, Mr. DE GRAFFENREID, Mr. LANHAM, Mr. MCRAE, Mr. SMITH of Kentucky, Mr. BREWER, Mr. McCLEARY, Mr. MAHANY, Mr. JENKINS, and Mr. MOON as the committee on the part of the House to take charge of the funeral arrangements.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House

had signed the enrolled bill (H. R. 2412) to amend the military record of James Roche; and it was thereupon signed by the Vice-President.

#### EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business. It will be for only a few moments.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 2d instant approved and signed the following acts:

An act (S. 240) to authorize Joseph J. Kinyoun, passed assistant surgeon of the Marine-Hospital Service, to accept a medal from the President of the Republic of Venezuela;

An act (S. 2284) to authorize Admiral T. O. Selfridge, United States Navy; Capt. G. H. Wadleigh, United States Navy; Lieut. Commander E. H. Gheen, United States Navy; Lieut. Commander Raymond P. Rodgers, United States Navy; Paymaster J. B. Redfield, United States Navy; Lieut. J. J. Hunker, United States Navy; Surg. D. N. Bertollette, United States Navy, and Ensign R. L. Russell, United States Navy, to accept medals presented to them by the Russian Government;

An act (S. 2552) to set aside a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Mount Ranier National Park;

An act (S. 4748) for the relief of Charles K. Kirby and Edinger Bros. & Jacobi;

An act (S. 5352) creating the office of Admiral of the Navy;

An act (S. 5450) to attach Claiborne County, Miss., to the western division of the southern judicial district of Mississippi; and

An act (S. 5513) to amend an act entitled "An act authorizing the Arkansas Northwestern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," and extending the time for constructing and operating the said railway for two years from the 5th day of April, 1899.

The message also announced that the President had on this day approved and signed the following bill and joint resolution:

An act (S. 5144) authorizing and directing the Secretary of the Treasury to donate one set of life-saving beach apparatus to the Imperial Japanese Society for Saving Life from Shipwreck; and

A joint resolution (S. R. 189) to promote the relocation of certain tracks of the City and Suburban Railway Company of the District of Columbia.

#### DEATH OF HON. JOHN W. CRANFORD.

Mr. CHILTON. Mr. President, I request that the resolutions of the House in regard to the death of Representative CRANFORD be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate resolutions of the House of Representatives, which will be read. The Secretary read as follows:

#### IN THE HOUSE OF REPRESENTATIVES, March 3, 1899.

*Resolved*, That the House has heard with deep regret and profound sorrow of the death of Hon. JOHN W. CRANFORD, late a Representative from the State of Texas.

*Resolved*, That a committee of eleven members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral at Sulphur Springs, Tex., and that the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

*Resolved*, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of this resolution.

*Resolved*, That the Clerk of the House communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The Speaker announced the appointment of Mr. BURKE, Mr. HENRY of Texas, Mr. DE GRAFFENREID, Mr. LANHAM, Mr. MCRAE, Mr. SMITH of Kentucky, Mr. BREWER, Mr. McCLEARY, Mr. MAHANY, Mr. JENKINS, and Mr. MOON as members of said committee.

Attest:

A. McDOWELL, Clerk.

Mr. CHILTON. Mr. President, I offer the resolutions which I send to the desk.

The PRESIDING OFFICER. The resolutions will be read. The Secretary read the resolutions, as follows:

*Resolved*, That the Senate has heard with deep sensibility the announcement of the death of Hon. JOHN W. CRANFORD, late a Representative from the State of Texas.

*Resolved*, That a committee of nine Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased and to accompany the remains to the place of burial in Texas.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to.

The PRESIDING OFFICER appointed as the committee under the second resolution Mr. MILLS, Mr. CHILTON, Mr. MORGAN, Mr. BERRY, Mr. COCKRELL, Mr. FORAKER, Mr. PERKINS, Mr. CHANDLER, and Mr. MASON.

#### PAY OF STENOGRAPHER.

Mr. FRYE obtained the floor.

Mr. JONES of Nevada. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield?

Mr. FRYE. I will yield if it takes only a minute.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. KYLE February 20, 1899, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the stenographers employed to report the hearings on the bill (H. R. 7380) limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of or work done for the United States or any Territory, or the District of Columbia, before the Committee on Education and Labor, be paid from the contingent fund of the Senate.

#### INVESTIGATION BY COMMITTEE ON MANUFACTURES.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. MASON January 10, 1899, reported it without amendment; and it was read, as follows:

*Resolved*, That in considering the Senate resolution No. 467 the Committee on Manufactures shall have power to send for persons and papers, to administer oaths, and to examine witnesses, under oath, touching the matters which they are hereby empowered to investigate, and may employ a stenographer for said committee; and the necessary and proper expenses incurred in the execution of this order shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of said committee; and said committee may sit by subcommittee or otherwise during the sessions and any recess of the Senate, and at such times and places as they may deem expedient.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. COCKRELL. I should like to have the Senator from Illinois make some explanation of what he intends to do under this resolution.

Mr. MASON. I will state that the Committee on Manufactures last year recommended some legislation in regard to mixed flour which was passed by the Senate. It became a part of the Dingley tariff act, and it is working to the entire satisfaction of the Government. Over 150 factories are now under the law making mixed flour, but it is stamped.

Mr. COCKRELL. And they are branding it as mixed flour?

Mr. MASON. They are branding it as mixed flour and buying stamps. The Department reports shows that over 10,000 barrels have been taken under it. The committee is going to present evidence simply. The committee has had it under advisement for months, and I have stated fully—

Mr. FRYE. If the resolution is going to give rise to any discussion, I must object.

Mr. MASON. It is not going to cause any discussion.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

#### RIVER AND HARBOR BILL.

Mr. FRYE. I submit the report of the committee of conference on the river and harbor bill.

The PRESIDING OFFICER. The report will be read.

Mr. HALE. Before the report is read I should like to know in the interest of the business of the Senate what course my colleague proposes to take with regard to this report. Does he propose to go on and continue it? Of course it is a privileged report and can come in now; but is it his purpose to go on and consider it with a view of securing action by the Senate at this time?

Mr. FRYE. It is, because it is a final report, a full agreement.

Mr. HALE. Has the Senator any assurance that the report will not give rise to long debate and discussion or to a question of consideration? I ask the question because my colleague will see, as other Senators will, that it is important with reference to other business that we should know what course is to be taken with the river and harbor bill. There have been intimations to me from Senators that so strongly are they opposed to the provisions of the bill as agreed upon by the conferees that they do not propose to let it become a law. Of course when it is once in, if its consideration is continued in the Senate with that result in view, all other business—the deficiency bill, the Army bill, the conference upon the naval bill and the sundry civil bill, and everything else—is slaughtered. Now, what is the Senator's view? I wish he would state that before the reading of the report is begun. What is his expectation with regard to it.

Mr. FRYE. My expectation is that it will be agreed to before a great while. I can not conceive it possible that any Senator can

be so aggrieved with anything in the report that he will hazard the appropriation bills and an extra session of Congress, and all that sort of thing.

Mr. HALE. Then the Senator proposes to go on and develop whatever is the sentiment of the Senate in the matter. I only want to say that we have now only twenty-one hours and a half for all of the business of the session before the gavel falls, and if the river and harbor bill is evidently going to absorb that time, some of us, in the interest of other business, whether we are for the river and harbor bill or not, at some near time must test the sense of the Senate whether it proposes to go on with it. I do not now seek to interfere with my colleague.

Mr. ALLISON. I desire to say one word, if the Senator from Maine will allow me, before the reading of the report is commenced. I understand that this is a final report on the river and harbor bill. Am I correct in that?

Mr. MILLS. Yes; that is true.

Mr. ALLISON. It covers every item?

Mr. HALE. It is an agreement.

Mr. ALLISON. It is an agreement. Then I suggest to the Senator from Maine having charge of the river and harbor bill, if this is a final report it matters not whether it is passed at this hour or ten hours hence. The deficiency bill, which is now under consideration, and the Army bill, which will follow it, are bills which must go to the House for consideration there, and for conference at a later stage. So I think, for the economical use of the hours which remain of this session, it is wise to pass in the Senate first the appropriation bills that must pass, and then take up the conference report.

Mr. BERRY. That is right.

Mr. ALLISON. Therefore, this being a final report, the enrolling clerks will have the report and they can proceed with the enrollment as though the bill was passed, whereas the enrolling clerks can not touch the deficiency appropriation bill or the Army appropriation bill. So I trust the Senator from Maine having charge of the river and harbor bill will allow the conference report to go over until the deficiency appropriation bill and the Army appropriation bill shall have been passed by the Senate, and then we are certain to get all these bills through. If we spend five or six hours, or even three or four hours—

Mr. HALE. Or two hours.

Mr. ALLISON. In the consideration of the conference report at this time it will be impossible possibly for the Army bill and the deficiency bill to be considered in both Houses. So I make that suggestion to the Senator from Maine. I would not have brought in the report which I have in charge had I known that it would occupy more than fifteen minutes. I supposed I could get it out of the way, but it led to debate which was more enlarged debate than I had supposed.

Mr. HALE. The deficiency appropriation bill would have been through by this time, and could have gone into conference and been out of the way, and then that conference report, with others, could have come in.

Mr. FRYE. The only trouble about it that I can see is the suggestion my colleague has made that some Senators here propose to talk the river and harbor bill to death. It will be a good deal more difficult for them to talk it to death with an appropriation bill behind it than with nothing behind it. But at the same time I myself personally have more interest in passing the Army and the deficiency appropriation bills and saving an extra session of Congress than I have in the river and harbor bill, important as that measure is. Therefore I shall accept, unless my committee objects to it, the proposition of the Senator from Maine and the Senator from Iowa and allow the consideration of the appropriation bill to go on now.

Mr. CULLOM. Then let us go on with it.

Mr. HALE. Let the reading of the deficiency appropriation bill be proceeded with.

Mr. BERRY. All right.

#### DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, under the head "War Department," on page 33, after line 8, to insert:

That in all cases where an officer or an enlisted man in either the Army, Navy, Marine Corps of the United States, or contract surgeon or trained nurse in the employ of the Government has died while on duty away from home since the 1st day of January, 1888, and the remains have been taken home and buried at the expense of the family or friends of the deceased, the parties who paid the cost of transportation and burying such remains shall be repaid at the expense of the United States by the Secretary of the Treasury, not to exceed what it would have cost the United States to have transported the remains to their homes.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous, War Department," on page 35, after line 8, to insert:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Headstones for graves of soldiers," fiscal year 1897, \$146.23.

The amendment was agreed to.

The next amendment was, under the head "Navy Department," on page 39, after line 14, to insert:

To pay W. H. Michael for labor and material expended on the compilation of Laws Relating to the Navy and Marine Corps, authorized by law, \$3,000.

The amendment was agreed to.

The next amendment was, under the subhead "Naval establishment," on page 41, after line 2, to strike out:

The accounting officers of the Treasury Department are hereby authorized and directed to credit the amount disallowed in the account of Paymaster C. M. Ray, United States Navy, being his final account of the U. S. S. *Maine* for the third quarter of 1898, and being for expenses for burial of Ensign J. C. Breckinridge, United States Navy, amounting to \$411.55.

The amendment was agreed to.

The next amendment was, on page 41, after line 10, to insert:

The accounting officers of the Treasury are hereby authorized to allow, in the accounts of pay officers of the Navy ordered to pay the same, the funeral expenses incurred in the cases of Chaplain Thaddeus S. K. Freeman and Ensign Joseph C. Breckinridge and Worth Bagley.

The next amendment was, under the head "Department of the Interior," page 49, to increase the appropriation "For work at Capitol, and for general repairs thereof," from \$25,000 to \$28,000.

The amendment was agreed to.

The next amendment was, on page 49, after line 16, to insert:

To pay Prof. Charles E. Munroe for services as an expert in investigating the causes of the explosion in the Capitol building on November 6, 1898, \$1,000.

The amendment was agreed to.

The next amendment was, on page 53, under the subhead "Public lands service," after line 5, to insert:

For replacing the furniture, fixtures, instruments, etc., in the office of the United States surveyor-general of North Dakota, which were destroyed by fire on the 8th day of August, 1898, \$2,000.

The amendment was agreed to.

The reading of the bill was continued to the end of the clause making appropriations for the geological and topographical surveys in Alaska, from line 14 to line 17, on page 54.

Mr. WOLCOTT. The reading clerk seems to have passed—I have been sitting here, and he must inadvertently have passed it rather hastily—the provision on page 54, from lines 14 to 17, inclusive, which reads:

For geological and topographical surveys in Alaska, 1898 and 1899, \$7,069.00.

Mr. HALE. Are those the same items in regard to which the Senator made an eloquent speech this morning?

Mr. WOLCOTT. The same items. The remarks which I then made were extremely applicable, except that they were upon the wrong bill. It was the right number and street, but the wrong town. [Laughter.]

Mr. HALE. The Senator having made his remarks upon that bill, as that bill has gone through, will he not now kindly let this bill go through?

Mr. WOLCOTT. Without a speech?

Mr. HALE. No; let us consider that that speech was made on this bill. [Laughter.]

Mr. WOLCOTT. I will, with great pleasure, if the Senator was convinced by it.

Mr. HALE. I will say to the Senator that I have sympathized with him from the beginning about this system and the inefficiency of this branch of the service. It has been before us early and late. It never ceases in its demands. What it does not get on the sundry civil bill it gets on the deficiency bill; what it does not get this year it gets next year, and what it does not get next year it will get in the hereafter, and it will go on until the Senator and I are moldering in the dust.

Mr. WOLCOTT. That is what is going to happen to us, and that is what is going to happen to them also. Only one word. I will not repeat any remarks I had the pleasure of making on the other bill a little while since, and will only make one suggestion as a Western man.

When these people come here clamoring at the doors of the Appropriations Committee they say, "This is going West; it is demanded by the West. They are hungry and eager there for more geological surveys, and they will be perfectly happy if you will give them some more topography and some more geology." [Laughter.]

Mr. President, I do not know one of those Western States but what would rather that you would give them \$50,000 every two years for some public building inside of the limits of one of those States and leave all this geology out, and yet we are going to an expense of from \$400,000 to \$700,000 every year for this geological survey in one form or another. In the sundry civil bill, which we have already passed, they get nearly \$500,000, including \$25,000

for exploration, or whatever they may call it, of coal and gold in Alaska. The amendment which I desire to offer is that the appropriation for the next fiscal year for surveys in Alaska shall be lessened by the amount which is carried in the deficiency bill.

Mr. HALE. Will not the Senator, under the rule, consent that we simply go on with the amendments of the committee? And then, when we are through with those amendments, any other amendment will be in order.

Mr. WOLCOTT. I see I have got to make that speech over again. [Laughter.]

Mr. HALE. That is the reason I am invoking the point of order, so that we may have a third speech of the same kind from the Senator.

Mr. WOLCOTT. I am very sure the Senator will get it if I am here.

I now give notice that at the proper time, if the proper time shall ever arrive, I will again present the amendment.

Mr. HALE. Let the reading of the bill proceed, Mr. President.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "Indian Affairs," page 56, line 15, after the words "five hundred and," to strike out "fifty-three dollars and forty-four" and insert "ninety-three dollars and twenty-three;" so as to make the clause read:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Telegraphing and purchase of Indian supplies" for the fiscal year 1898, \$563.23.

The amendment was agreed to.

The next amendment was, at the top of page 58, to insert:

For payment to J. A. Gillilan amount expended by him in the purchase and shipment of 322 bushels of seed potatoes for planting in May, 1898, for the Leech Lake, Cass Lake, and Winnibigoshish bands of Chippewa Indians, \$233.81.

The amendment was agreed to.

The next amendment was, on page 59, line 14, to strike out "twenty-nine dollars and five" and insert "fifty-one dollars and twenty;" so as to make the clause read:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Incidentals in New Mexico" for the fiscal year 1898, \$51.20.

The amendment was agreed to.

The next amendment was, on page 60, after line 12, to insert:

The accounting officers of the Treasury are hereby authorized to allow office rent to the commission to the Five Civilized Tribes while remaining at the seat of government, under orders and direction of the Secretary of the Interior, during the fiscal year 1898, not to exceed \$100.97.

The amendment was agreed to.

Mr. PETTIGREW. I wish to call attention to the paragraph on page 60 for continuing the work of the commission to negotiate with the Crow, Flathead, and other Indians.

When the Indian appropriation bill was under consideration this same appropriation was offered to continue the commission and negotiate with the Indians. By a very decided and emphatic vote the Senate struck out the provision. I see it now appears in this bill as a House provision. I suppose the purpose is to furnish a place for these three people for another year. Under the existing law their terms expire in April.

These commissioners under this bill will continue another year, and I judge from the persistence with which this matter is pursued that the Senators who want to take care of these people are exceedingly anxious to get them out of their States; and for the purpose of accommodating those Senators and relieving them from the burdensome presence of these commissioners in their home States, and letting them roam over the Rocky Mountains at will, and draw \$4,500 a year each from the United States, they have secured this provision from the House of Representatives.

From this persistence, I am satisfied if the Senate should strike out the provision it would triumph in conference, and therefore, after calling attention to the matter, I will not move to strike it out.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Department of Justice," on page 62, after line 19, to insert:

Payment to John H. Koogler: To pay John H. Koogler for preparing and conducting prosecution against Tillman C. Chance in the Indian Territory, by direction of the United States court, \$25.

The amendment was agreed to.

The next amendment was, on page 63, after line 23, to strike out:

Payment to J. S. Lunsford: To pay J. S. Lunsford, deputy United States marshal for the western district of Arkansas, for services rendered and expenses incurred in connection with the arrest of M. M. Smith, Thomas Bolden, and Nathan Conner, in Polk County, Ark., \$33.70.

The amendment was agreed to.

The next amendment was, under the subhead "United States courts," on page 66, line 19, after the word "appropriation," to

insert "and the like appropriation for the fiscal year 1900;" so as to make the clause read:

For salaries of United States district attorneys and expenses of United States district attorneys and their regular assistants, \$6,000: *Provided*, That this appropriation and the like appropriation for the fiscal year 1900 shall be available for the payment, upon the approval of the Attorney-General, of the expenses of the United States district attorneys while absent from their respective districts in connection with services heretofore rendered, or to be rendered, before the Supreme Court of the United States.

The amendment was agreed to.

The next amendment was, at the top of page 67, to insert:

To pay amounts found due by the accounting officers of the Treasury on account of appropriation "Salaries and expenses of district attorneys, United States courts," fiscal year 1898, 30 cents.

The amendment was agreed to.

The next amendment was, under the subhead "Out of the postal revenue," on page 72, line 13, to increase the appropriation for free delivery for the fiscal year 1898 from \$56,973.52 to \$57,008.72.

The amendment was agreed to.

The next amendment was, on page 73, line 19, to increase the appropriation for mail transportation for the fiscal year 1898 from \$14,345.93 to \$28,234.17.

The amendment was agreed to.

The next amendment was, on page 73, after line 20, to insert:

For railway post-office cars, fiscal year 1898, \$2,492.11.

The amendment was agreed to.

The next amendment was, on page 74, line 24, to increase the appropriation for compensation of postmasters for the fiscal year 1898 from \$707,569.14 to \$707,771.01.

The amendment was agreed to.

The next amendment was, under the subhead "Senate and House," on page 76, after line 7, to insert:

That the expenses necessarily incurred by the postal service commission, appointed under the act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1899, approved June 13, 1898, between February 1 and March 4, 1899, be paid from the appropriations made by the above-mentioned act.

The amendment was agreed to.

The next amendment was, on page 76, after line 15, to insert:

#### SENATE.

To reimburse the official reporters of the proceedings and debates of the Senate for expenses incurred from March 4, 1898, to March 4, 1899, for clerk hire and other extra clerical services, \$3,900.

The amendment was agreed to.

The next amendment was, on page 76, after line 22, to insert:

For five annual clerks to Senators who are not chairmen of committees, at the rate of \$1,500 each per annum, \$2,450.

The amendment was agreed to.

The next amendment was, on page 77, after line 2, to insert:

To pay Hawkins Taylor, assistant clerk to the Committee on Foreign Relations, the difference between the pay of assistant clerk and clerk to said committee, \$780.

The amendment was agreed to.

The next amendment was, on page 77, after line 6, to insert:

To pay Michael Conlan the difference between the compensation of a laborer and that of a messenger from December 2, 1899, to March 31, 1890, under resolutions of the Senate March 1, 1889, and January 27, 1890, \$238.75.

The amendment was agreed to.

The next amendment was, on page 77, after line 13, to insert:

To pay H. E. Cunningham for additional services rendered in the office of the Secretary of the Senate as acting assistant minute and journal clerk from March 12, 1898, to May 15, 1898, \$385.

The amendment was agreed to.

The next amendment was, on page 77, after line 19, to insert:

To pay Robert P. Troy for services rendered on the floor of the Senate from August 18, 1893, to February 18, 1896, \$1,980.

The amendment was agreed to.

The next amendment was, on page 77, after line 23, to insert:

To enable the Secretary of the Senate to pay the persons who performed the work of arranging and preparing the index of private claims introduced in the Senate during the Fifty-second, Fifty-third, Fifty-fourth, and Fifty-fifth Congresses, under Senate resolution of June 10, 1898, \$7,500, which sum may be expended as additional pay or compensation to any officer or employee of the United States, to be immediately available, and to be paid only upon vouchers signed by the chairman of the Senate Committee on Claims.

The amendment was agreed to.

The next amendment was, on page 78, after line 8, to insert:

For purchase of furniture, \$2,500.

The amendment was agreed to.

The next amendment was, on page 78, after line 10, to insert:

For repairs of Maltby Building, \$2,000.

The amendment was agreed to.

The next amendment was, on page 78, after line 11, to insert:

To pay Richard Gay as conductor of elevator from January 31, 1890, to March 4, 1890, at the rate of \$1,200 per annum, \$110.

The amendment was agreed to.

The next amendment was, on page 78, after line 16, to insert:

For pay of two elevator conductors from March 5, 1890, to June 30, 1899, at the rate of \$1,200 per annum, \$780.

The amendment was agreed to.

The next amendment was, on page 78, after line 20, to insert:

For paying at Senate stable, \$1,500.

The amendment was agreed to.

The next amendment was, on page 78, after line 22, to insert:

For miscellaneous items, exclusive of labor, for the fiscal year ending June 30, 1897, \$13.60.

The amendment was agreed to.

The next amendment was, on page 78, after line 25, to insert:

For miscellaneous items, exclusive of labor, for the fiscal year ending June 30, 1898, \$3,592.52.

The amendment was agreed to.

The next amendment was, on page 79, after line 3, to insert:

For miscellaneous items, exclusive of labor, \$15,000.

The amendment was agreed to.

Mr. MILLS. I move to insert the amendment which I send to the desk, to come in at the end of line 17, on page 80.

The PRESIDING OFFICER. The Chair will suggest to the Senator from Texas that the understanding of the Chair is that there was an agreement that the committee amendments should first be acted upon, and afterwards amendments offered by individual Senators on the floor.

Mr. MILLS. I understood from the Senator in charge of the bill that he would not object to the amendment.

Mr. HALE. But will not the Senator wait until the reading of the bill is concluded, and then offer the amendment?

Mr. MILLS. Very well.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "House of Representatives," on page 80, line 21, after the word "To," to strike out "Madison" and insert "Mason;" so as to make the clause read:

To Mason S. Peters, \$565.30.

The amendment was agreed to.

The next amendment was, under the head of "Judgments, United States courts," on page 84, line 18, after the word "eighty-eight," to insert "and Senate Document No. 154;" and in line 20, after the word "appealed," to strike out "\$3,486.93" and insert "\$24,421.60;" so as to make the clause read:

For payment of the final judgments and decrees, including cost of suit, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," certified to Congress at its present session by the Attorney-General, in House Document No. 188 and Senate Document No. 154, and which have not been appealed, \$24,421.60, together with such additional sums as may be necessary to pay interest on the respective judgments at the rate of 4 per cent per annum from the date thereof until the time this appropriation is made: *Provided*, That none of the judgments herein provided for shall be paid until the right of appeal shall have expired.

The amendment was agreed to.

The next amendment was, under head of "Judgments, Court of Claims," on page 85, line 18, after the word "ninety-seven," to insert "and Senate Document No. 153;" and strike out, in lines 20 and 21, "\$39,076.71" and insert "\$235,771.47;" so as to make the clause read:

For payment of the judgments rendered by the Court of Claims reported to Congress at its present session in House Document No. 197 and Senate Document No. 153, \$235,771.47: *Provided*, That none of the judgments herein provided for shall be paid until the right of appeal shall have expired.

The amendment was agreed to.

The next amendment was, under the head of "Judgments in Indian depredation claims," on page 86, line 14, after the word "in," to strike out "House Documents Nos. 43 and 183" and insert "Senate Document No. 143;" and in line 16, after the word "session," to strike out "\$273,551" and insert "\$368,594.50;" so as to make the clause read:

For payment of judgments rendered by the Court of Claims in Indian depredation cases, certified to Congress at its present session in Senate Document No. 143 of this session, \$368,594.50; said judgments to be paid after the deductions required to be made under the provisions of section 6 of the act approved March 3, 1891, entitled "An act to provide for the adjustment and payment of claims arising from Indian depredations," shall have been ascertained and duly certified by the Secretary of the Interior to the Secretary of the Treasury, which certification shall be made as soon as practicable after the passage of this act, and such deductions shall be made according to the discretion of the Secretary of the Interior, having due regard to the educational and other necessary requirements of the tribe or tribes affected; and the amounts paid shall be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian service.

The amendment was agreed to.

The next amendment was, on page 94, after line 17, to insert as a new section the following:

SEC. 3. That for the payment of the following claims certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1896 and prior years, unless otherwise stated, and which have

been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. —, Fifty-fifth Congress, third session, there is appropriated as follows:

**CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.**

For heating apparatus for public buildings, \$72.61.  
For fuel, lights, and water for public buildings, \$1.36.  
Customs: For repayment to importers excess of deposits, \$14.34.  
For expenses of Revenue-Cutter Service, \$12.  
For Life-Saving Service, \$230.  
Internal revenue: For refunding taxes illegally collected, \$832.30, and this amount shall be paid to Selina Pulsifer, the widow of John W. Pulsifer, the deceased claimant.

**CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.**

For pay, etc., of the Army, \$543.20.  
For pay of two and three year volunteers, \$224.92.  
For bounty to volunteers, their widows, and legal heirs, \$270.  
For subsistence of the Army, \$23.  
For regular supplies, Quartermaster's Department, \$2,216.43.  
For incidental expenses, Quartermaster's Department, \$75.17.  
For transportation of the Army and its supplies, \$49.84.  
For horses and other property lost in the military service, \$5,300.

**CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.**

For pay of the Navy, \$1,248.82.  
For provisions, Navy, Bureau of Supplies and Accounts, \$2,073.54.  
For enlistment bounties to seamen, \$308.34.  
For destruction of clothing and bedding for sanitary reasons, \$51.52.  
For bounty for destruction of enemies' vessels, \$57.70.

**CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.**

For surveying the public lands, \$5,775.67.  
Indians: For support of Sioux of different tribes, subsistence and civilization, \$1.02.  
For support of Flatheads and other confederated tribes, \$46.75.  
For incidentals in Montana, \$46.15.  
For Indian schools: Support, \$15.  
For substation, Flathead Agency, Mont., \$29.25.  
Pensions: For fees of examining surgeons, pensions, \$16.50.

**CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.**

**STATE DEPARTMENT.**

For salaries of consular officers while receiving instructions and in transit, \$5.43.  
For salaries, consular service, \$1,029.50.

**DEPARTMENT OF JUSTICE.**

For fees and expenses of marshals, United States courts, \$240.  
For fees of commissioners, United States courts, \$8.15.

**CLAIMS ALLOWED BY THE AUDITOR FOR THE POST-OFFICE DEPARTMENT.**

For miscellaneous, First Assistant Postmaster-General, \$331.50.  
To pay the audited claims certified in Senate Document No. 155, \$2,744.50.

The amendment was agreed to.

Mr. HALE. I move to amend the amendment by inserting in line 4, page 96, the words "one hundred and forty-nine;" so as to read: "Senate Document No. 149."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was concluded.

Mr. HALE. There are one or two committee amendments. On page 12, after line 25, I move to insert what I send to the desk. The amendment was read and agreed to, as follows:

To pay to Mary S. Hoffman the sum of \$179.03, due at the time of his death to her husband, E. O. Hoffman, for salary from September 1, 1898, to October 6, 1898, as an employee of the Light-House Board.

Mr. HALE. These are House amendments, sent to us by the committee of the House. On page 80, after line 22, I move to insert what I send to the desk.

The amendment was read and agreed to, as follows:

To pay Henry D. Clayton for expenses in contested-election case, as recommended by the Committee on Elections, \$300.

Mr. HALE. Also, on page 80, after line 4, I move to insert what I send to the desk.

The amendment was read and agreed to, as follows:

For miscellaneous items and expenses of special and select committees, \$15,000.

Mr. HALE. These are House matters. I also offer the amendment I send to the desk, to come in on page 84, after line 10.

The amendment was read, and agreed to, as follows:

To pay W. P. Jerdons for clerical services rendered to John W. Cranford, deceased, late a member of the House from the State of Texas, \$100.67.

Mr. HALE. On page 85, after the word "cents," in line 23, I move to insert what I send to the desk.

The amendment was read, and agreed to, as follows:

For payment of the judgments rendered by the Court of Claims, as follows: To Thomas R. Morgan, \$90, and to Henry J. Hayden, \$1,783; in all, \$237,688.58.

Mr. HALE. I offer the amendment which I send to the desk.

The SECRETARY. It is proposed to insert, after line 24, on page 85, the following:

Provided further, That in case of the appropriation for the judgment in favor of Anthony F. Navarro and others, as set out in No. 17305 of Senate Document No. 153, the Secretary of the Interior is directed to withhold from distribution among the said Indians so much of any moneys due them by reason of said judgment as may be found justly and equitably due as per individual contracts for legal and other services rendered said claimants, and to pay the same on account of the prosecution and recovery of the moneys aforesaid to the attorney of record in said cause, as required by the decree of the court.

Mr. PLATT of Connecticut. I should like to have the amendment read again.

Mr. PETTIGREW. I should like to know what this is and the sum involved.

Mr. HALE. This is to carry out the finding of the court, which is found in the judgment of the Court of Claims at the March term, 1898, in which there is this clause, "For that purpose, the sums set forth in said third finding of fact, less any attorney's fee which may by Congress be provided to be paid to claimant's attorney of record."

Mr. PETTIGREW. This leaves it in the discretion of the Secretary to fix the amount to be paid to the attorney?

Mr. HALE. According to the contract.

Mr. PETTIGREW. According to the contract.

Mr. HALE. It is in the same line as the Boutwell case.

Mr. PETTIGREW. What is the amount involved?

Mr. HALE. Altogether it is \$29,000.

Mr. PETTIGREW. Under this amendment the court fixes the amount of attorney's fees?

Mr. HALE. According to the contract.

Mr. PETTIGREW. According to the contract. I do not know that I have anything further to say about it.

The amendment was agreed to.

Mr. HALE. I move to insert what I send to the desk, to be inserted after line 6, on page 58.

The amendment was read, and agreed to, as follows:

For additional amount for compensation of Dr. George I. Leavitt, physician for the Indians on the Walker River Reservation in Nevada, \$120.

Mr. HALE. On page 27, after line 17, I move to insert what I send to the desk.

The amendment was read, and agreed to, as follows:

For emergency fund to meet unforeseen contingencies constantly arising, to be expended at the discretion of the President, \$3,000,000.

Mr. PETTIGREW. I wish to offer an amendment to be inserted on page 60, after line 12.

The SECRETARY. After line 12, on page 60, it is proposed to insert:

That the Secretary of the Treasury be, and is hereby, authorized to pay the balance of awards made to the loyal Seminole Indians under the direction of the Secretary of the Interior, with interest thereon, as per Articles III and IV of the treaty of March 21, 1896, and paragraph 14 of the agreement of December 16, 1897; and the sum of \$177,085 is hereby appropriated for the purpose: *Provided*, That if any of the said loyal Seminoles whose names are on the lists as made up in pursuance of the said treaty of 1896 shall have died, then the amount due such deceased persons, respectively, shall be paid to their legal heirs; and the acceptance of the sum hereby appropriated shall be in full settlement of said awards.

The amendment was agreed to.

Mr. MILLS. I offer an amendment to come in after line 17 on page 80.

The amendment was read and agreed to, as follows:

To pay to the heirs of John W. Cranford, deceased, late member of the House of Representatives from the State of Texas, \$5,000.

Mr. BUTLER. I offer an amendment to be inserted on page 76, after line 15.

The SECRETARY. On page 76, after line 15, it is proposed to insert:

For the erection of a monument in honor of the memory of Brig. Gen. Francis Nash, of North Carolina, according to the resolution of Congress passed on the 4th day of November, 1777, \$5,000; and for the erection of a monument in honor of the memory of Brig. Gen. William Lee Davidson, of North Carolina, in accordance with the resolution of Congress passed on the 20th day of September, 1781, \$5,000; and that the Secretary of the Treasury shall pay the sums appropriated to the order of the governor of North Carolina whenever required for the purposes aforesaid.

Mr. PLATT of Connecticut. Mr. President—

Mr. GALLINGER. I should like to hear the amendment read again.

Mr. PLATT of Connecticut. Will the Senator wait until I get through?

Mr. GALLINGER. Certainly.

Mr. PLATT of Connecticut. The Continental Congress authorized ten monuments to be erected in honor of persons who had served in the Revolutionary war, at some \$500 apiece.

Mr. HALE. If there is going to be debate, I shall object.

Mr. PLATT of Connecticut. One or two were for Connecticut generals, and we have never thought that the Government ought now to expend \$5,000 for those generals, and we have never made any claim for it. Congress has passed some bills, but no monuments have been erected. There have been some bills passed in the Senate. Now, if Congress is going to do it, it ought to take the whole ten persons who in the Continental Congress were thus honored. I do not think it ought to be done in the interest of one or two. It ought to be done for all if for any.

Mr. HALE. If any debate or objection is made, I shall have to make the point of order, of course.

Mr. BUTLER. I do not care to debate the amendment.

The amendment was agreed to.

Mr. LODGE. I offer the amendment I send to the desk.

The SECRETARY. It is proposed to insert the following:

That the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated for the printing, in book form, of so much of the report of the committee on awards of the World's Columbian Commission as is contained in the special reports upon special subjects or groups as were prepared by expert judges authorized to act by the World's Columbian Commission, its executive committee, the executive committee on awards, the committee on final report, or the board of reference and control, said reports, when printed, to be for the use and distribution of the Department of State.

Mr. HALE. There was a large demand for about \$80,000 worth of printing. It was left to the Committee on Printing to examine it and edit it, and only report such reports of awards as would be useful in our exposition at Paris. I wish to know from the Senator who offers the amendment whether this covers that programme?

Mr. LODGE. This covers the programme. The original amount asked for was \$78,000. The Committee on Printing felt that there was no reason for the expenditure of so large a sum. This provides simply for the reports of certain experts, which are essential and very valuable and important for the coming exposition. The estimate of the Public Printer, which is on the back of the amendment, is under \$10,000.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Massachusetts.

The amendment was agreed to.

Mr. GORMAN. I offer the amendment I send to the desk, to be inserted on page 41, after line 15.

The amendment was read, and agreed to, as follows:

For payment to W. B. Reaney, surviving partner of the firm of Reaney, Son & Archibald, \$97,108.78, in full discharge of all claims against the United States as per the report of the Selfridge board, found in Senate Executive Document No. 18, first session of the Thirty-ninth Congress.

Mr. McMILLAN. I offer the amendment I send to the desk.

The SECRETARY. On page 21, after line 4, insert:

That in the District of Columbia any street railway company operating its cars in part over the tracks of another company along a route authorized by Congress shall be allowed twelve months from the passage of this act in which to install an underground electric system, and pending such change shall preserve all rights now granted by its charter.

Mr. HALE. This simply prolongs the time.

Mr. McMILLAN. That is all.

The amendment was agreed to.

Mr. GEAR. I offer the amendment I send to the desk, to be inserted as a new section.

The SECRETARY. It is proposed to insert as a new section the following:

That the Secretary of the Treasury, the Secretary of the Interior, and the Attorney-General be, and hereby are, authorized and required to negotiate with the Sioux City and Pacific Railway Company, said company being the owner of a line of railroad with terminals at Sioux City, Iowa, and Fremont, Nebr., for a settlement of the latter's obligation with reference to the bonds heretofore issued by the United States in aid of the construction of said railroad, and to make such settlement as shall be in their judgment to the best interest of the United States; and upon the payment into the Treasury of the United States, on behalf of said Sioux City and Pacific Railway Company, of such sum as may be agreed upon, it shall be the duty of the Secretary of the Treasury to execute under his hand and seal of office, on behalf of the United States, and deliver to said Sioux City and Pacific Railway Company a release in writing, duly acknowledged before an officer authorized to acknowledge deeds, stating that the sum of money so to be paid is in full satisfaction of the lien of the United States created by the issue of said bonds.

SEC. 2. That the payment of said sum shall be in full satisfaction of all causes of action which the United States may have against said company growing out of the issuing of said bonds: *Provided, however,* That the President of the United States shall approve such settlement. Said Secretary shall also have the power to send for persons and papers and swear and examine witnesses on the question as to the value of the Government lien upon said railroad; *And provided further,* That the said Sioux City and Pacific Railroad Company shall pay in settlement of the claim of the United States not less than \$1,000,000, of which \$250,000 shall be paid at the date of settlement, and the balance of \$750,000 shall be paid in three years: *And provided further,* That the said settlement shall be made within six months from and after the passage of this act.

Mr. HALE. I do not know anything about the matter. It involves a large sum. It certainly ought not to go on except by unanimous consent. If no Senator objects to it, I shall not, because I do not know about it.

Mr. GEAR. I will state that this settlement is one of the last on the Pacific system. It involves quite a large amount. The only limitation is that we shall not take less than \$1,000,000.

Mr. PERKINS. I desire to ask if it has the recommendation of the committee?

Mr. GEAR. Yes.

Mr. MORGAN. The Committee on Pacific Railroads reported an amendment to go on the sundry civil bill, but it was for a very much larger sum than this.

Mr. HALE. I can not hear the Senator from Alabama.

Mr. MORGAN. It was for a very much larger sum, and the committee, of course, have not recommended this amendment for a million dollars.

Mr. HALE. Is it recommended by the committee?

Mr. MORGAN. No.

Mr. GEAR. I beg pardon. It is recommended by a majority of the committee.

Mr. MORGAN. When was that? It was recommended with

an amendment, and only with an amendment, that not less should be paid than the amount of the principal debt and interest without compounding the interest. That was the recommendation of the committee, and not a million dollars. It was very largely above that sum of money.

Mr. GEAR. I will state to the Senator from Alabama that it is provided in the bill that the amount shall not be less than a million dollars. I have a dispatch here which I wish to read:

TREASURY DEPARTMENT, March 1.

Hon. J. H. GEAR:

The debt of the Union Pacific is all provided for and paid, also the Central and Western by agreement of February 1, 1899, as provided by act July 7, 1898, leaving Central Branch U. P. S., \$3,763,176.07, and Sioux City and Pacific, \$4,241,532.70, as the only lines indebted to the Government.

W. F. MACLENNAN.

The VICE-PRESIDENT. The Chair will state to the Senator from Iowa that he can not be heard at the Reporter's table.

Mr. MORGAN. Let the dispatch be read. I did not hear it, and I do not know where it comes from.

The VICE-PRESIDENT. The Secretary will read the dispatch. The Secretary read as follows:

TREASURY DEPARTMENT, March 1.

Hon. J. H. GEAR:

The debt of the Union Pacific is all provided for and paid, also the Central and Western by agreement of February 1, 1899, as provided by act July 7, 1898, leaving Central Branch U. P. S., \$3,763,176.07, and Sioux City and Pacific, \$4,241,532.70, as the only lines indebted to the Government.

W. F. MACLENNAN.

Mr. PLATT of Connecticut. I think I will ask to have the amendment read again. It is a very large and a very important matter, and I think the Senate should give some attention to it.

Mr. GEAR. I will state in reply to the Senator that a similar amendment was passed as applicable to the Central Pacific at the last session.

The VICE-PRESIDENT. The Secretary will again read the amendment.

The Secretary again read the amendment.

Mr. GEAR. I ask leave to modify the amendment by striking out the word "swear" and inserting the words "administer oaths;" so as to read, "administer oaths and examine witnesses;" and also by striking out, after the words "one million dollars," the remainder of the amendment.

Mr. BUTLER. I ask that the amendment to the amendment be read.

The VICE-PRESIDENT. The Secretary will report the modifications made by the Senator from Iowa.

The SECRETARY. It is proposed, in line 14 of the amendment, to strike out the word "swear" and insert "administer oaths;" so as to read:

Said secretary shall also have power to send for persons and papers and administer oaths and examine witnesses.

And by striking out all after the words "one million dollars" in the following words:

Of which \$250,000 shall be paid at the date of settlement, and the balance of \$750,000 shall be paid in three years: *And provided further,* That the said settlement shall be made within six months from and after the passage of this act.

Mr. ALLEN. Mr. President, I do not desire to address myself to this amendment. I desire to offer another amendment.

Mr. HAWLEY. We can not hear on this side.

The VICE-PRESIDENT. The Senator from Nebraska desires to offer another amendment.

Mr. PLATT of Connecticut. It is very difficult to understand these amendments. Indeed it is difficult to understand anything that is going on in the Senate now. If I have the floor, I will wait until I can be heard.

Mr. ALLEN. It is impossible to hear the Senator on this side of the Chamber.

The VICE-PRESIDENT. The Senator from Connecticut will suspend his remarks until the Senate is in order.

Mr. PLATT of Connecticut. I am not willing to have an amendment of this character passed simply because it is offered. A good many other amendments are being passed here which have not been considered at all by the Senate, and I think I will take this occasion to say that it is very improper legislation. We have this deficiency appropriation bill; it has been considered by the committee; the committee has considered, of course, all amendments which have been introduced and referred to it; and when the bill is through and the committee amendments are adopted, it seems that all that is necessary to do is for a Senator to rise and propose any amendment on any subject involving any amount of money, and no objection is made by the committee or anyone else.

I want to enter my protest, Mr. President, against the course of legislation on these appropriation bills in the Senate. Immense claims, old claims, stale claims, matters of pure legislation are being put on these bills without the slightest objection or the slightest consideration or without the Senate knowing what goes on the bills. Now, if the Senate desires to legislate in that way, I can do nothing except to interpose my protest.

Mr. HALE. I raise the point of order that the amendment involves legislation.

The VICE-PRESIDENT. The Chair must sustain the point of order.

Mr. ALLEN. I offer an amendment, to be inserted on page 13, after line 18.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. On page 13, after line 18, insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or receive the donation of a suitable site and to contract for the erection and completion of a substantial and commodious building, with fireproof vaults therein, for the use and accommodation of the post-office and other Government offices at the city of York, in the State of Nebraska; that said site and building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of \$30,000.

Mr. PLATT of Connecticut. Mr. President, I do not care to run this appropriation bill, but I want to call the attention of the Senator who has it in charge. I ask him if he knows what this amendment which has now been offered is.

Mr. HALE. I only know from its being read, and at the time there was such confusion that I do not believe the clerk who read it understood it.

Mr. PLATT of Connecticut. Then I ask that it may be read again, and read when the Senate is quiet.

The VICE-PRESIDENT. Senators will take their seats. The pending amendment is the one offered by the Senator from Nebraska [Mr. ALLEN]. The Secretary will again read the amendment.

The Secretary again read Mr. ALLEN's amendment.

Mr. PLATT of Connecticut. The amendment having been read in the same confusion which prevailed when it was first read, I desire to ask the Senator who has charge of the bill if he knows what the amendment is, whether it has been considered by the committee, whether any bill for the building referred to has passed the Senate, and what there is to the amendment, as far as he knows?

Mr. ALLEN. The bill has passed the Senate. It has been considered by the Committee on Public Buildings and Grounds and recommended favorably.

Mr. HALE. The bill was reported to the Senate and passed by the Senate.

Mr. PLATT of Connecticut. Has it passed both Houses?

Mr. HALE. I do not think it has.

Mr. ALLEN. It is pending in the other House.

Mr. PLATT of Connecticut. We were told earlier in the day by either the Senator from Maine or the Senator from Iowa that it was the policy of the committee not to allow any public building to be appropriated for either in the sundry civil appropriation bill or in the deficiency appropriation bill unless bills for the public buildings had passed both Houses before the consideration of those appropriation bills. I desire to ask now whether the policy of the committee has been changed. Because if it has, I wish to introduce some amendments for public buildings.

Mr. CULLOM. So do I.

Mr. PLATT of Connecticut. I know very many other Senators desire also to do so. I simply desire that there shall be some rule about it.

Mr. ALLEN. This amendment does not carry an appropriation—not a dollar, not a nickel.

Mr. PLATT of Connecticut. Then it has no business on the appropriation bill.

Mr. ALLEN. Then let the Senator make objection to it if he desires.

Mr. PLATT of Connecticut. If there is any objection I can make, I thought I was making it.

Mr. ALLEN. Very well; I do not doubt it.

Mr. HALE. The Senator from Connecticut has himself objected to it.

Mr. SIMON. Mr. President—

Mr. WOLCOTT. Are amendments now in order?

The VICE-PRESIDENT. They are in order after the disposition of the amendment offered by the Senator from Nebraska. The Senator from Oregon [Mr. SIMON] was recognized.

Mr. ALLEN. Let my amendment be disposed of.

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from Nebraska [Mr. ALLEN].

The amendment was rejected.

Mr. SIMON. I move to amend the bill by adding after line 2, page 77:

To pay Lafayette Grover the amount expended by him in defending his title to his seat in the Senate from the State of Oregon, \$2,500.

Mr. HALE. All cases involving claims on account of contested seats in the Senate the Committee on Appropriations has always relogated to the Committee on Privileges and Elections. They involve a great deal of investigation, and that committee has always had charge of all matters touching allowances for Senatorial seats. This is a very old matter. The Committee on

Appropriations knows nothing whatever about it. I do not know whether the Senator in offering the amendment is directed by the Committee on Privileges and Elections. If that is the case, it is in accordance with the rule we have always observed.

Mr. SIMON. I desire to say that it has been approved by the Committee on Privileges and Elections and was reported by the chairman of that committee.

Mr. ALLEN. Mr. President, I desire to make a remark in answer to the remark of the Senator from Connecticut.

Mr. CHANDLER. Will not the Senator from Nebraska allow this amendment to be acted on first?

Mr. ALLEN. It is a good place to make my remarks, Mr. President, right on this amendment.

The Senator from Connecticut finds fault with the committee, and I suppose with the Senate, too, for admitting upon appropriation bills what he calls legislation. I suppose everything we do here, Mr. President, is legislation, or at least it should be. I do not know of any power we have that is not legislative, excepting in cases of impeachment and in passing upon treaties and in confirming or rejecting appointees of the President.

But, Mr. President, the committees appointed by this body are full to overflowing with bills that it has been absolutely impossible to get them to take up and consider and report, either favorably or unfavorably. The Senator from Connecticut himself is culpable to a great extent in that respect. I have now before a committee of which he is a member several bills that have been there for two years that have never even challenged the attention of the Senator from Connecticut or any other member of the committee. The bills are in the committees by the hundreds and by the thousands, and it is because you have got to pursue the committees night and day and importune them constantly that Senators are compelled in the last moment to come into the Chamber and ask to put their bills on appropriation bills in the form of amendments.

If there was a little more statesmanship, Mr. President, in committees, a little more attention to the public business and a little less idling away of time in committee meetings, this difficulty would disappear to a great extent. Every man seems to think his own bill embraces the greatest feats and ideas of statesmanship that it is possible to embrace in a bill. I have no doubt the Senator from Connecticut believes that his bills embrace the ne plus ultra of all good things, of all beneficial things, and that the bills of other Senators embrace the dregs of legislation and the impracticable things.

Why are not these bills taken up? Why do not the committees take them up in their order and consider them and have the stamina either to report them favorably or reject them? If that were done, there would be no chasing around here at the last moment to get these necessary measures on an appropriation bill.

Here the Senator stands, Mr. President, within eighteen or twenty hours of the constitutional death of this Congress, an obstructionist to good measures simply because under the rules he has it within his power to do so.

Mr. SIMON. I desire, in connection with the amendment I offered, to present a letter from ex-Senator Grover setting out the basis of his claim. I ask that it be read.

The VICE-PRESIDENT. The letter will be read as requested by the Senator.

Mr. SIMON. It has been suggested that it be printed in the RECORD without being read.

The VICE-PRESIDENT. If there be no objection, the letter will be placed in the RECORD without reading.

The letter referred to is as follows:

PORTLAND, OREG., February 4, 1892.

DEAR SIR: I have forwarded to the Senate Committee on Privileges and Elections a claim to be reimbursed for expenses necessarily incurred by me in defending my seat in the Senate of the United States in the years 1877-78, in the sum of \$2,500.

The investigation of my election to the Senate was ordered on numerous petitions from Oregon, asking that I be refused my seat for reason of alleged fraud in my election by the legislature.

These petitions were not signed by members of the legislature nor by persons who were present at the election, but chiefly by persons who knew nothing of the matter, giving their signatures on the wrongful representations of designing persons. Nor was the investigation of my election originated or promoted by the Republican party or by any prominent members of it; but it was brought about by a small faction of Democrats, who sought my defeat in the legislature after a fair and honorable nomination in a caucus of my party, in which they were fully represented and fairly treated.

The legislature of Oregon was at that time Democratic by a fair majority, brought together in that interest chiefly by my work stamping the whole State as a candidate for the Senate, and of course I was the leading and the legitimate candidate. No benefit would accrue to the Republican party by a change of personal occupancy of this seat in the Senate, so the Republican members of the legislature took but little interest in the contest, but nominated and voted for a prominent Republican, voting for Senator as a compliment to him and maintaining their own organization intact.

In the work of the subcommittee on Privileges and Elections sent to Oregon to investigate my election, I do not remember that any Republican member of the legislature was called to testify against me, but all the members who testified were called in my behalf to explain the fairness and the honorable character of my election.

In the report of the Committee on Privileges and Elections I was unanimously acquitted of any wrong or dishonorable act in my election, and my

seat was sustained and occupied by me for the full term of six years from 1877 to 1883.

The reason why I have not at an earlier day filed my claim for reimbursement of my expenses in this contest, in accordance with the custom in case of contested seats in the Senate, is that at the time of the contest and since, until a late day, I have been so conditioned as to private fortune that I did not feel the necessity of doing so; but at the present time it is otherwise. But I have never waived my right to apply for reimbursement according to the custom of the Senate.

I have written this letter to you individually as a prominent member of the committee before whom this matter will come, as well as a prominent member of the Senate, and ask your kindly attention and consideration of the same.

Very sincerely, your obedient servant,

LA FAYETTE GROVER.

Hon. WILLIAM E. CHANDLER,  
United States Senator, Washington, D. C.

Mr. PLATT of Connecticut. Mr. President, a single word in reply to the Senator from Nebraska.

This Congress has appropriated by many millions of dollars more than any other Congress that ever sat in Washington, and the Senator from Nebraska will be the first and loudest to charge it with extravagance. All I desire is that if it be possible the appropriations shall be only such as receive the attention of the Committee on Appropriations and the Senate, and such as the Senate knows what they are when they are put upon appropriation bills.

Mr. ALLEN. My amendment does not carry a penny.

Mr. PLATT of Connecticut. If it is the policy of the Committee on Appropriations to say nothing when amendments are offered and then try to strike them out in conference, that is a very improper and inconsiderate way of legislating. It has come to be almost impossible for the Committee on Appropriations to oppose any amendment which ought not go on an appropriation bill. There is rush and hurry and demand and importunity to get every claim a Senator desires to have recognized upon appropriation bills.

Now, Mr. President, I think we may well pause, and in the few remaining hours of this session endeavor to transact business intelligently with reference to these claims. It is not for me to lecture or to scold or to criticize, but I do feel that as a Senator I have some responsibility and some duty to perform. All I ask is that all these claims that are sought to be put on these bills shall be understood, shall be considered, and if in order shall be acted upon by the Senate, and not go as a matter of course because some Senator desires to have them.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Oregon [Mr. SIMON].

Mr. PETTUS. I desire to state in reference to that amendment that it was regularly presented by the Committee on Privileges and Elections, regularly reported, and referred to the Committee on Appropriations, and it seems to me it ought to be allowed.

The amendment was agreed to.

Mr. FORAKER. I desire to offer an amendment to the bill. I move to insert, on page 6, after line 17, the following:

To pay the claims (Treasury settlements) certified in Senate Document No. 60, second session Fifty-fourth Congress, \$23,000.83.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Ohio.

Mr. FORAKER. These are claims to which I desire especially to call the attention of the Senator in charge of the bill. One year ago I offered the amendment. It was objected to by him at that time, and there was an understanding, pretty general, I think, arrived at by the Senate upon his suggestion, that if it could go over until this year it might be included in the omnibus bill, as it is called.

There is no controversy whatever about the justice of these claims. The Government has the money in the Treasury arising in this way: During the war the Government took possession of a steamboat, and while in possession of it permitted it to be destroyed. The insurance companies enumerated here paid the risk which they held on the boat, amounting to \$23,000. The Government recognized the liability and paid to the owners the amount of the value of the boat, less this insurance money, and the insurance companies became thereby subrogated to the rights of the owners. They have been for more than thirty years trying to get their money. The Departments have uniformly ruled in their favor. The Attorney-General has given an opinion, which I have here. I think, in all fairness, this claim ought to be allowed without any objection whatever. The amount is \$23,000.

Mr. WOLCOTT. Mr. President, I will ask what committee reports this amendment?

Mr. FORAKER. It is not reported. I referred it to a committee, but they made no report on it.

Mr. WOLCOTT. Is it a claim that has not been reported by any committee?

Mr. FORAKER. Oh, it has not been reported by any committee, but it has—

Mr. WOLCOTT. Has it passed any committee of the Senate?

Mr. FORAKER. No, sir; not at this Congress. I referred to

the report made in the previous Congress. It has been several times reported. I have before me, printed, the Attorney-General's statement as to the claim having been audited and being a just and proper one to be paid.

Mr. ALLISON. Mr. President—

The VICE-PRESIDENT. Has the Senator from Ohio concluded?

Mr. FORAKER. I have not concluded, Mr. President. I insist on this amendment. I had hoped that the Senator having the pending bill in charge would accept the amendment. It is manifestly just, and it seems to me nothing less than an outrage that the Government, which has this money in the Treasury and has had it there for thirty years, should not pay it.

This was reported in connection with the omnibus claims bill and passed the Senate. It received the favorable action of the Senate, but it was crowded out on that bill because, as I understand, they had to cut down the appropriation to a certain figure. That precluded the possibility of allowing this claim, but the allowance of others was preferred. The claim has been passed upon favorably by the Senate.

Mr. ALLISON. Mr. President, this claim is one that is so old that I have almost forgotten the circumstances connected with it. If I understand the case, it is one where the insurance companies paid losses during the war.

Mr. FORAKER. Yes, sir.

Mr. ALLISON. And the Government received from Great Britain a certain amount of money—

Mr. FORAKER. No; this is not one of those cases.

Mr. ALLISON. Then let me ask the Senator how the Government has the possession of this money?

Mr. FORAKER. In this way: The Government impressed into the Government service during the war a steamboat upon which these insurance companies had an insurance risk. The boat was destroyed while in the service of the Government. The Government subsequently recognized its liability to reimburse the owners for the value of the boat, and the claim was adjusted. Meanwhile the insurance companies were called upon to pay, and they did pay the amount.

This amendment provides for the payment of \$23,000. When the Government came to pay, recognizing the right of the insurance companies to be subrogated, it paid to the owners of the steamboat the amount which was found to be due on account of the loss of the boat less the amount which had been paid by the insurance companies.

Now, the insurance companies, the Government having reserved their money in that way, having made their payments, the Government having taken advantage of their payment, therefore they ask the Government to reimburse them; but the Government has never done so, although the account has been adjusted in the Treasury Department, and has been time and again recommended for payment, and although the claim has passed the Senate in the way I indicated a moment ago.

Mr. ALLISON. But the difficulty with me respecting this claim is that thirty or more years have passed away since the claim had its origin; and if it was a perfectly just claim, and perfectly manifest and proper that it should be paid, it seems to me very curious that in the last hours of the session we should be asked to put it upon the deficiency appropriation bill without the report at this session of some standing or select committee of this body.

That is the criticism I would make upon the amendment.

Mr. FORAKER. I can answer the Senator to his own satisfaction, I am sure. I presented this amendment last year, and it was ruled out on a point of order, but an agreement was arrived at at that time that it should be included in the omnibus claims bill this year. I had the claim presented to the Committee on Claims, and the committee recommended that it be put onto the omnibus bill. I did not know until a few days ago that it had been stricken out of that bill. The reason for striking it out was that it was said it was necessary to cut down the amount provided in that bill, which made it necessary to exclude a number of claims, and they excluded this among others.

Mr. ALLISON. The very object of having that omnibus claims bill considered was to eliminate old claims from the appropriation bills. If we are to adopt the practice of inserting now upon the deficiency bill the claims which were rejected, or which were not considered in the omnibus bill, we shall be in no better position than we were in some years ago respecting this matter.

Mr. FORAKER. This claim was considered there.

Mr. PLATT of Connecticut. There were claims amounting to about \$5,000,000 passed by the Senate—four or five million dollars—which were eliminated.

Mr. STEWART. Over \$6,000,000.

Mr. ALLISON. Are they all to go on this bill?

Mr. PLATT of Connecticut. I was going to say, why should not all of them go on this bill, if any go on it?

Mr. ALLISON. That is true.

Mr. FORAKER. I think the Senator from Missouri [Mr. COCKRELL] had on the bill of last year, or the year before, claims of exactly this character to the amount of about \$100,000.

Mr. COCKRELL. One hundred thousand dollars was not anywhere considering the number of claims I had which had been rejected and a great many disagreed to. I have not offered them here, because I did not think they would properly come here on an appropriation bill.

Mr. FORAKER. That may be, but I bring this amendment here because certainly it is appropriate to put it on this bill. It may not be good policy to do it, but surely it is legitimate legislation, and certainly I have a right to insist upon it under all the circumstances.

The point I am particular about is that I reserved it to the last hour, and I reserved it only because of the understanding that was had about these claims, and because I had done my full duty about having this particular claim brought before the committee.

Mr. ALLISON. I do not wish to interfere with any agreement which was made, but certainly there was no agreement about putting the amendment on this bill.

Mr. HALE. There was no agreement to put it on the bill, but only that the Senator from Ohio should wait until other claims had been considered. Of course there was no agreement to put it on.

Mr. FORAKER. No; I do not claim that. We put it in the omnibus claims bill, as we thought, and it having failed there, I want to put it on here.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Ohio.

Mr. ALLISON. I think we should have some understanding about this amendment. If this amendment is to go on the bill, every other amendment which has been rejected or omitted on the omnibus claims bill, so called, will come in; and though there is no present report of a committee, Senators will say, "These matters were relegated to the Committee on Claims and not put in the omnibus bill, and were thrown out because there was not money enough, as was supposed, to pay the nine or ten million dollars involved."

Mr. HALE. I think the Senate understands the situation. If these matters are put on the deficiency bill, there are thirty or forty others that will be put on, and there is no use of our doing that.

Mr. FORAKER. The Senate can rule this out on a point of order, but there has been no amendment of this kind offered by anybody, and under the rules such an amendment can not be offered now. I took advantage of the situation as soon as I learned it and presented this amendment. I am within the rules, and nobody else can get within the rules now with such an amendment, as I understand.

Mr. HALE. The Senate can vote the amendment down, of course.

Mr. FORAKER. Certainly the Senate can vote it down or the Senate can vote it up, of course. It is a just claim, which has been pending for thirty years unpaid, and I am within the rule in offering the amendment; and we should pay the claim.

Mr. WOLCOTT. May I interrupt the Senator long enough to make a suggestion to the Senator from Maine [Mr. HALE]?

Mr. FORAKER. Certainly.

Mr. WOLCOTT. Those of us who do not serve on the Committee on Appropriations, in the stress and volume of business at the end of a session, must follow our leaders—we must stand by the action of the committee. If the committee or the Senator in charge of this bill have in their possession under the parliamentary rule a valid objection to this amendment, we ought not to be called upon to vote the measure down. I will vote with the Senator from Ohio upon the merits of the measure, if I am called upon to do so, but we have a right to call upon the Senators in charge of the appropriation bills to make points of order when points of order ought to be made.

Mr. HALE. Undoubtedly, if a point of order can be properly made; but the Senator says he has brought himself within the rule by reporting this amendment from a committee.

Mr. FORAKER. No; by referring the amendment to the Committee on Appropriations.

Mr. HALE. I understood the Senator to say he had reported it from the committee.

Mr. FORAKER. No; but an amendment must not be reported by a committee in order to come under the rule. I understand, under the rule, if an amendment be offered and referred to the Committee on Appropriations for more than one day before it is presented to the Senate it is in order; and, having done that, I am within the rule.

Mr. HALE. No; it must be reported from a committee.

The VICE-PRESIDENT. Reported favorably from a committee of the Senate.

Mr. STEWART. And then referred to the Committee on Appropriations one day before being presented in the Senate.

Mr. FORAKER. I want a disposition of the amendment.

Mr. THURSTON and Mr. TILLMAN addressed the Chair.

Mr. CHANDLER. Mr. President, who has the floor?

The VICE-PRESIDENT. The Senator from Ohio [Mr. FORAKER] is entitled to the floor.

Mr. FORAKER. I hope I shall not be taken off the floor, Mr. President, until I find the rule.

The VICE-PRESIDENT. Rule XVI governs the matter.

Mr. TILLMAN. With the permission of the Senator from Ohio, I should like to say a word while he is looking for his rule.

Mr. FORAKER. Very well.

Mr. TILLMAN. If those of us who are in charge of claims, whether large or small, that were rejected or thrown out by the conference committee from the omnibus claims bill have any status here, and there is going to be a change in the policy of the Appropriations Committee in regard to those, I have a very small claim which is a very just one, which has been passed by the Senate twice, and I give notice that if one of these claims goes in, I shall ask—following out my usual policy here—I shall ask that I get a little piece of this steal. [Laughter.]

Mr. FORAKER. I have now the rule to which I had reference. The second paragraph of Rule XVI reads as follows:

2. All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill no amendment proposing to increase the amount stated in such amendment shall be received.

Mr. HALE. The Senator has not borne in mind that previous to an amendment being sent to the Committee on Appropriations the day before being offered in the Senate it must be reported by a standing or select committee of the Senate. Let the Chair rule upon the point of order.

The VICE-PRESIDENT. The Chair understands there has been no report from either a standing or select committee of the Senate on this claim.

Mr. FORAKER. There has been no report on this particular amendment. There was a report on this claim when it was proposed in connection with the omnibus claims bill.

The VICE-PRESIDENT. The Chair will be compelled to rule out the amendment under the first clause of Rule XVI—not the one read by the Senator from Ohio—unless the amendment has been reported by a standing or select committee of the Senate at this session.

Mr. FORAKER. Now, that I have the floor, Mr. President, I have three other amendments which I want to offer, and I want to retain the floor, at least, until I offer them.

I move to amend by inserting after line 2, on page 79, what I send to the desk.

The SECRETARY. On page 79, after line 2, it is proposed to insert:

To pay amounts found due the several States for expenses incurred and paid by them under act of July 27, 1861, as recommended by the Second Comptroller of the Treasury November 21, 1862, and December 2, 1862, and reported under resolution of the Senate (Fifty-fourth Congress, first session, Senate Document No. 75) by the Auditor for the War Department, \$195,230.43.

Mr. FORAKER. Mr. President, that is also an old claim. It applies not only to Ohio, but quite a number of other States. It is for expenses incurred in furnishing troops during the civil war.

The claim has been allowed by the Department, and has been repeatedly recommended for payment. I do not know of any good reason why it should not be paid, except that every time it is presented a point of order is raised against it. I ask the Senate to take action upon the amendment.

Mr. HALE. I am constrained to make the same point of order I made against the other amendment.

The VICE-PRESIDENT. Has the amendment been reported by a standing or select committee of the Senate?

Mr. FORAKER. It has not been.

The VICE-PRESIDENT. Then the amendment is not in order.

Mr. FORAKER. There is an amendment on the table which I offered to-day, which I now ask to have read.

The SECRETARY. It is proposed to insert, after line 20, on page 2, the following:

To pay the Second and Third Assistant Secretaries of State additional compensation of \$500 each; in all, \$1,000.

Mr. FORAKER. In support of that amendment I send to the desk a letter from the Secretary of State which I ask to have read.

The Secretary read as follows:

DEPARTMENT OF STATE, Washington, February 16, 1899.

SIR: It will be seen by reference to the CONGRESSIONAL RECORD of February 11, 1899, page 1909, that the proposition to raise the salary of the Second and Third Assistant Secretaries of State was rejected in the Senate on a point of order that the proposed increase had not been estimated for.

While it is true that the increase was not estimated for in the Book of Estimates presented at the present session (House Document No. 12, Fifty-fifth Congress, third session), it was estimated for in the Book of Estimates laid before the Fifty-fifth Congress, second session, in House Document No. 12, pages 18 and 345.

Congress at that session gave to each of the two Assistant Secretaries named \$4,000, an increase of \$500; but it seems proper to say that the bill as it left the Senate gave them \$4,500, the reduction having taken place in conference.

I am cordially in sympathy with the recommendation of my predecessor that the salary of these officers be placed at \$1,500, and trust that your committee will renew its amendment in that direction on the pending deficiency appropriation bill.

There is no valid reason why the Assistant Secretaries in the Department of State should not receive the same salary as like officers in the other Executive Departments. It is a simple act of justice and equity to grant this and it seems a hardship to deny it. In point of service the present incumbents of these positions have perhaps been connected with the Government longer than any other Assistant Secretary at the present time.

Their service in this Department has covered a period of more than twenty years. They give regularly many hours daily overtime to the Department's work, and are entirely familiar with its duties. As a matter of fact, they have no fixed hours, and include Sundays as well in the discharge of their official duties. They have done this for years, and the public business demands this extra service of them.

I therefore trust that this suggestion may receive the committee's favorable consideration.

I have the honor to be, sir, your obedient servant,

JOHN HAY.

HON. WILLIAM B. ALLISON,

Chairman Committee on Appropriations, United States Senate.

Mr. FORAKER. As the Secretary of State says, it is an act of equity and justice to give to these officers the increased pay which is provided for by this amendment. I hope the Senator in charge of the bill will not make any point of order against it, if he has the privilege and the right to do so under the rules.

Every Senator knows that there is not a more faithful official in Washington than Mr. Cridler and the other incumbent who will be affected, and it is due to them not only on account of the extra labor they have to perform, the important character of it, and the extra hours they have to give to the service, but also because every other official of equal rank is paid, as I understand, what it is proposed to pay to these officials. I hope no Senator will make any objection to the amendment.

Another thing the letter says is that there has been an estimate for this appropriation heretofore—not at this particular time—that it has been urgently recommended and estimated for heretofore, and I hope it may go through without objection.

Mr. PLATT of Connecticut. I should like to inquire whether this is a deficiency amendment to a deficiency bill or whether it is a proposal on a deficiency bill to increase permanently the salaries of some officers?

Mr. FORAKER. It is a proposal to increase salaries.

Mr. PLATT of Connecticut. I do not think that has any place on a deficiency bill. I do not want to usurp the place of the committee, however, in objecting to it.

Mr. HALE. The Committee on Appropriations, when Senators call attention to these points, can not discriminate and let one amendment in and not another. I am thoroughly in sympathy with the statement which has been made here and with the statement which has been read at the desk, but I can not, after what has been said, consistently refrain from making the point of order as the organ of the committee and of the Senate in reporting the bill. The amendment is clearly subject to the point of order.

The VICE-PRESIDENT. The Chair is constrained to sustain the point of order unless an estimate for it can be found in the Book of Estimates.

Mr. THURSTON. I propose an amendment, and in doing so I desire to explain it in a very few words, in the hope that my amendment may escape the fate of some of the later amendments. That momentary explanation may not make it necessary for me to explain more at length the subject. I offer as an amendment a bill which has heretofore passed the Senate.

The Omaha Exposition closed last year with great success. It left behind splendid grounds and buildings. Public-minded citizens desire to continue it another year. They have raised half a million dollars, and they propose to deposit with the United States \$50,000, out of which alone shall come any expense incident to the object stated in this amendment. The amendment relieves the Government from all liability whatever, and I now offer it to the pending bill.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to insert the following:

That the President of the United States be, and he is hereby, authorized to appoint a board of management for the Greater America Exposition of Omaha, Neb., to consist of not less than six members, selected from the Departments at Washington and the Army and Navy and consular service, who shall be charged with the selection, preparation, installation, transportation, arrangement, safe-keeping, exhibition, and return of exhibits from the West Indies and the islands of the Pacific Ocean, illustrating the life, resources, and attractions thereof, said exhibits to be placed in the buildings erected by the United States on the site of the Trans-Mississippi and International Exposition at Omaha, Neb., and the use of said building for said purpose is hereby granted to the Greater America Exposition Association: *Provided*, That on November 1, 1899, or as soon thereafter as practicable, the possession and ownership of said buildings shall be vested in the city of Omaha, Neb.

That for the purpose of encouraging and aiding said Greater America exposition the Secretary of the Interior is authorized to plan and direct the holding of a congress of American Indians, similar to that held on the same grounds in 1893, and to assign from his Department, to take charge of and conduct said congress, the necessary agents, inspectors, and employees.

That the Departments at Washington be, and are hereby, authorized and directed to place at the disposal of the board of management herein created such property as may have been collected or may hereafter be gathered together by Government agents as will aid in carrying out the plans for the

exhibit proposed, and are authorized and directed to render to the Greater America Exposition Association such assistance in collecting, preparing, transporting, and installing such additional exhibits as may be deemed desirable and expedient by the exposition association.

That so much of the act of Congress approved June 10, 1896, entitled "An act to authorize and encourage the holding of a trans-Mississippi and international exposition at the city of Omaha, in the State of Nebraska, in the year 1898," as relates to the admission to the United States of exhibits to said exposition be, and the same in hereby, extended to the Greater America Exposition aforesaid: *Provided*, however, That before this provision shall be operative the Greater America Exposition Association shall deposit to the credit of the United States in a United States depository at Omaha the sum of \$50,000, to be expended under regulations to be adopted by the Secretary of the Treasury in carrying out the provisions herein set forth: *And provided further*, That the United States shall in no manner, and under no circumstances, be liable for any bond, debt, contract, expenditure, expense, or liability, of any kind whatever, of the said Greater America Exposition Association, its officers, agents, servants, or employees, or incident to or growing out of said exposition; and employees of the said United States detailed as members of said board for duty in connection therewith, including officers and enlisted men of the Army and Navy, shall receive no compensation beyond their regular salaries or rates of pay and their actual and necessary traveling expenses and subsistence while necessarily absent from their homes or stations engaged on the business of said board, and any unexpended balance shall be returned to said Greater America Exposition Association.

That the Secretary of State be, and he is hereby, authorized to invite the cooperation of the governments of the world in making a success of the Greater America Exposition, and to direct the consuls and representatives of this government in other lands to bring the scope and purpose of said exposition to the attention of the organized commercial bodies and government authorities at their several stations.

Mr. HALE. To save the time of the Senate, as it is getting late and other bills are waiting, I make the point of order on the amendment that it is legislation.

Mr. ALLEN. I hope the Senator will not make the point of order.

Mr. HALE. I am constrained to do so, as Senators must see. Senators are suggesting to me that I am making fish of one and flesh of another.

Mr. ALLEN. I was made fish of some time ago.

Mr. HALE. I am constrained to make the point of order. If the Chair overrules it, the question can then be decided by the Senate.

Mr. ALLEN. I should like to have the Senator from Maine listen to me before he makes the point of order.

This company has invested a great many thousand dollars in this enterprise. It does not cost the Government a dollar. It simply authorizes a Government exhibit at the expense of the association. It would be a terrible disappointment to a great many thousand people and to a great many very worthy gentlemen not to have this amendment passed in some form. In view of the fact that it is not a claim and that it carries no appropriation, but simply gives color and recognition to this enterprise without any expense to the Government, I trust the Senator from Maine and all other Senators will withdraw all objections and let the amendment go through.

Mr. HALE. I am a good deal in sympathy with the Senator about that; but after the lectures which have been visited upon the Committee on Appropriations this afternoon for not enforcing points of order, during the rest of the consideration of the bill I shall feel constrained, whatever may be my feeling about any particular amendment, to make the point of order; and it must rest with the Chair under the rule.

Mr. ALLEN. I am satisfied the Senator from Colorado and the Senator from Connecticut will withdraw their strictures.

Mr. THURSTON. At any other time in the legislative session I should discuss this proposition, but I do not feel justified in occupying the time of the Senate now. The Chair will see that the objection is not tenable.

I offer an amendment now, which was put into the Indian appropriation bill by the Committee on Appropriations to carry into effect the existing law, and on the written recommendation of the Secretary of the Interior.

The VICE-PRESIDENT. Does the Chair understand the Senator from Nebraska to withdraw his first amendment?

Mr. THURSTON. I understood from a Senator on the floor that the Chair had already decided the point of order.

The VICE-PRESIDENT. The Chair has not made any ruling whatever. The Chair, however, is constrained to sustain the point of order made by the Senator from Maine. The next amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. After line 18, on page 60, it is proposed to insert:

To enable the Secretary of the Interior to establish and maintain at the city of Omaha, Neb., a warehouse for Indian supplies, from which distribution shall be made to such Indian tribes of the West and Northwest as the Secretary of the Interior may direct, \$8,000.

Mr. HALE. Is the amendment reported from any standing committee?

Mr. THURSTON. That was put on the Indian appropriation bill by the Committee on Appropriations, and it is in obedience to the written recommendation of the Secretary of the Interior. It carries into effect an existing law providing for the establishment of an Indian depot in that city, passed two years since.

Mr. HALE. Did it go out in conference?

Mr. THURSTON. It went out in conference.

Mr. HALE. I am constrained to make the point of order.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Nebraska.

The amendment was agreed to.

Mr. THURSTON. After line 10, on page 84, I move to insert what I send to the desk.

The SECRETARY. On page 84, after line 10, it is proposed to insert:

To pay E. H. Djureen for extra services in the folding room of the House of Representatives from January 1 to February 1, 1899, \$75.

Mr. THURSTON. I wish to say to the Senator in charge of the bill that I am informed that that was left out in the House by mistake. The only way it can now get into the bill is to put it on here. If in conference that is found not to be the fact, of course I shall have no objection to its going out.

Mr. HALE. Our rule is to put on anything which the House for lack of time or change of law or mistake has failed to put in. I was going to say that this is a case that comes under that rule, but if it is found in conference that it is not a mistake, of course the Senator will understand why it is dropped out.

The VICE-PRESIDENT. Is there any objection to the amendment?

Mr. COCKRELL. I object to the amendment. We have had for years a rule, and an invariable rule in regard to the House and Senate, that we will not interfere with their amendments and they are not to interfere with ours. If my memory serves me—I know I have always done so, as a member of the Committee on Appropriations—we have always required a member of the House, or any other person connected with the House coming to the Senate for an amendment to be placed upon the bill in the interest of any member of the House or any employee of the House, to bring to us a recommendation of the Committee on Appropriations.

Mr. HALE. I understand the Senator from Nebraska has done that.

Mr. COCKRELL. Has the Senator a recommendation from the Committee on Appropriations?

Mr. THURSTON. No; I do not claim that. It was sent to me by a member of the House.

Mr. COCKRELL. This claim has been presented to me, I have no doubt, and I told them it did not belong on an appropriation bill in the Senate.

Mr. HALE. If the Senator from Nebraska has not got what I supposed he had—

Mr. THURSTON. I offered the amendment at the request of the member of the House and for his accommodation, thinking that the matter could be placed before the conference committee, and if it failed to find that it was intended to have been put on in the House, it could go out as a matter of course.

Mr. HALE. I can not consent to that, because just now a matter of that kind came to me and I sent the member back to get what I supposed the Senator from Nebraska had. I make the point of order.

The VICE-PRESIDENT. The Chair sustains the point of order.

Mr. FORAKER. A point of order was made against the first of the amendments I proposed, on the ground that it had not been reported by a committee. I was not aware at the time that it had been. I find since that the claim provided for in the first amendment, to pay the insurance company \$23,000, was reported by the Committee on Claims favorably, and, in view of that, I ask now that the Chair may be allowed to reconsider the ruling made upon the point of order, for this makes me clearly within the rule, and that I may have action upon the amendment.

The VICE-PRESIDENT. The Chair will ask the Senator whether the amendment was reported by the Committee on Appropriations?

Mr. FORAKER. It was reported from the Committee on Claims by the Senator from Colorado [Mr. TELLER].

The VICE-PRESIDENT. And referred to the Committee on Appropriations?

Mr. TELLER. Referred to the Committee on Appropriations.

Mr. FORAKER. Referred to the Committee on Appropriations.

The VICE-PRESIDENT. If that is true, the Chair was clearly wrong. The Chair asked the question whether it had been so reported and referred to the Committee on Appropriations.

Mr. TELLER. I will say that when it was called up I was not paying close attention, and I did not notice that it was the same case, or I would have called the attention of the Senate to it.

Mr. PETTIGREW. I wish to call the attention of the Chair to the last paragraph of Rule XVI:

No amendment the object of which is to provide for a private claim shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

I should like a ruling on the point of order.

The VICE-PRESIDENT. The point of order is made by the

Senator from South Dakota. The Chair must sustain the point of order, if it is a private claim.

Mr. FORAKER. If the Senator insists upon it, it is a claim, and I suppose would be called a private claim within the provisions of the rule.

The VICE-PRESIDENT. The Chair was in error as to the first ruling, but he was in error on account of the information given by the Senator from Ohio.

#### IMPERSONATION OF WEIGHMASTERS.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8635) to punish the impersonation of weighmasters in the District of Columbia, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 3.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same amended as follows: In lieu of striking out section 2, add at the end of section 2 the following proviso: "Provided, That nothing in this act shall be held to prohibit the sale of corn on the cob by the barrel;" and the Senate agree to the same.

JAMES McMILLAN,

A. P. GORMAN,

B. R. KENNEY,

Managers on the part of the Senate.

G. M. CURTIS,

JOHN J. JENKINS,

W. S. COWHERD,

Managers on the part of the House.

The report was agreed to.

#### WHARF PROPERTY IN THE DISTRICT.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10294) relative to the control of wharf property and certain public spaces in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 7, and 8, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same amended as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "That the Secretary of War is authorized to grant permission to the Department of Agriculture for the temporary occupation of such area or areas of Potomac Park, not exceeding a total of 75 acres in extent, as may not be needed in any one season for the reclamation or park improvement, the said areas to be used by the Department of Agriculture as testing grounds: *Provided*, That nothing herein contained shall be construed to change the essential character of the lands so used, which lands shall continue to be a public park, as provided in the act of Congress approved March 3, 1897: *And provided further*, That said area or areas shall be vacated by the Department of Agriculture at the close of any season, upon the request of the Secretary of War: *And provided further*, That the entire park shall remain under the charge of the Secretary of War;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same amended as follows: In lieu of the matter proposed to be stricken out insert the following:

"That on or before January 1, 1903, the fence around the Botanical Garden shall be removed: *Provided*, That at the first session of the Fifty-sixth Congress the Joint Committee on the Library is directed to report a bill embodying a plan for removing the Botanical Garden to another location."

And the Senate agree to the same.

That the Senate recede from its amendment numbered 9.

JAMES McMILLAN,

H. C. HANSBROUGH,

CHARLES J. FAULKNER,

Managers on the part of the Senate.

G. M. CURTIS,

JAMES D. RICHARDSON,

W. S. COWHERD,

Managers on the part of the House.

The report was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 10253) to amend the internal-revenue laws relating to distilled spirits, and for other purposes.

The message further announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 1055) to amend section 4766 of the Revised Statutes of the United States; and

A bill (H. R. 10294) relative to the control of wharf property and certain public spaces in the District of Columbia.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 1340) for the relief of John Clyde Sullivan;

A bill (S. 3640) authorizing Lieut. Commander Raymond P. Rodgers, United States Navy, to accept a decoration of the Cross of the Legion of Honor from the Republic of France;

A bill (H. R. 2550) granting a pension to Annie M. Clemens;

A bill (H. R. 3973) to remove the charge of desertion from the military record of Sebastian Beckerd;

A bill (H. R. 11097) granting an increase of pension to William W. Patterson;

A bill (H. R. 11160) to authorize the appointment of a clerk of the district courts of the United States within and for the eastern district of Virginia, to validate their acts, and prescribe where the records shall be kept; and

A bill (H. R. 11629) for the extension of Pennsylvania avenue SE., and for other purposes.

#### PUBLIC BUILDING AT BALTIMORE.

Mr. GORMAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 710, "An act to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

That the House recede from its amendment numbered 2, and agree to the same.

That the House recede from its amendment to the title.

A. P. GORMAN,  
E. MURPHY, JR.,  
*Managers on the part of the Senate.*  
DAVID H. MERCER,  
J. H. BANKHEAD,  
*Managers on the part of the House.*

The report was agreed to.

#### DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes.

Mr. CHANDLER. By direction of the Committee on Naval Affairs, I move the amendment I send to the desk.

The SECRETARY. On page 41, after line 2, insert:

The officers and enlisted men comprising the temporary force of the Navy during the war with Spain who served creditably beyond the limits of the United States, and who have been or may hereafter be discharged, shall be paid two months' extra pay; and all such officers and enlisted men of the Navy who have so served within the limits of the United States, and who have been or may hereafter be discharged, shall be paid one month's extra pay.

Mr. HALE. Has the amendment been reported by a committee?

Mr. CHANDLER. This amendment was reported by direction of the Committee on Naval Affairs as an amendment to the pending bill. It had already passed the Senate as a separate bill and favorably reported in the House, and it is clearly a deficiency. I may also add that a bill making a similar provision for the Army became a law January 12.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

The amendment was agreed to.

Mr. CLARK. I offer the amendment I send to the desk.

The SECRETARY. On page 52, after line 5, it is proposed to insert:

General Land Office: For the following additional employees in the office of the Commissioner of the General Land Office for the balance of the fiscal year 1899, the same having been heretofore provided by law for the fiscal year ending June 30, 1900, namely, for four clerks at the rate of \$1,000 each, three clerks at the rate of \$900 each, and three laborers at the rate of \$600 each; in all, \$2,917.30.

Mr. HALE. I make the point of order that it is an increase of appropriation, that it is not estimated for, and that it has not been reported by a standing committee.

The VICE-PRESIDENT. Nor recommended by the head of a Department?

Mr. CLARK. I was unable to hear the Senator from Maine, owing to the confusion.

The VICE-PRESIDENT. The Senator from Maine will restate his point of order.

Mr. HALE. It is that under Rule XVI it is an increase of appropriation, a new item, and is not recommended by any standing committee.

Mr. CLARK. I hope the Senator from Maine will withhold the point of order for one moment, and I will explain exactly what this is.

Mr. HALE. I will state also that this whole subject was considered on the legislative appropriation bill, and certain additions were given to the force of the Interior Department, and others were refused.

Mr. CLARK. Yes.

Mr. HALE. And it would not be good legislation now, it having been fully considered and acted upon in the legislative appropriation bill, to put it upon the deficiency bill.

Mr. CLARK. If the Senator will listen for a moment, it is those additions which were made in the legislative bill that this provides for.

Mr. HALE. I am going to listen to the Senator, of course.

Mr. CLARK. The Senator makes the objection that we have already provided certain employees and no more should be provided. This is to provide for the pay from now until the 30th of June of the very additional employees that were given to the General Land Office on the legislative bill for next year.

Mr. HALE. The legislative bill, of course, only—

Mr. CLARK. And it is so stated in the body of the amendment. The General Land Office insists most strenuously that they need now as much as afterwards the additional force which is to come on the 1st of July.

Mr. HALE. To be frank with the Senator, that presents a new consideration. If the clerks that are covered by the Senator's amendment are the same that are covered by the legislative appropriation bill which applies to the next fiscal year, I do not see any danger of bad legislation in providing, if the office need them, that they shall have the clerks between now and July.

Mr. CLARK. That is what the amendment is intended for, and I should like to have it read at the desk, to see if it covers that, and if it does not, I shall be glad to have it amended so as to do so.

Mr. HALE. That is fair. Let it be read.

The Secretary again read the amendment.

Mr. HALE. I think that makes a good case, Mr. President, and I do not make the point of order.

The amendment was agreed to.

Mr. CAFFERY. I offer the amendment which I send to the desk, to come in after line 5, on page 74.

The SECRETARY. After line 5, on page 74, it is proposed to insert:

That the Secretary of the Treasury is hereby authorized and directed to state an account with Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mails over postal routes Nos. 30003 and 149003 during the period between July 1, 1878, and February 21, 1892, both inclusive, in which he shall credit said company with nonland-grant rates over that portion of its route between New Orleans and Morgan City, La., in accordance with the decision of the Court of Claims in case No. 13877, and shall pay to said company, out of any money in the Treasury not otherwise appropriated, such sum as shall remain due upon such adjustment.

Mr. HALE. I make the same point of order as that made by the Senator from South Dakota [Mr. PETTIGREW]. It is a private claim.

The VICE-PRESIDENT. The Chair sustains the point of order. Mr. TURLEY. On page 79, after line 5, I move to insert what I send to the desk.

The SECRETARY. It is proposed to insert, on page 79, after line 5, the following:

To pay Martha E. Bowden and Zenobia Porter, the heirs of Lemuel J. Bowden, formerly a Senator from the State of Virginia, \$3,000.

Mr. HALE. I make the same point of order.

Mr. TURLEY. The amendment is recommended by the Committee on Privileges and Elections.

Mr. HALE. That is not my point. I make the point of order under the other clause, that it is a pure claim. It is the same point made by the Senator from South Dakota.

Mr. TURLEY. I do not think the point of order is well taken. It is not a claim made by these parties. It is an allowance by the Senate to the heirs of a dead Senator. It is not a claim made by them directly against the Government. It is in pursuance of a practice which has been pursued by the Senate since 1875 in making allowances to the families or estates of Senators who died in the service. There have been twenty-two just such cases.

Mr. HALE. There is so much confusion here that I could not tell when the amendment was read.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The amendment will again be stated.

Mr. HALE. Let it be stated again. I want to see if it is one of these matters that come under the jurisdiction of the Committee on Privileges and Elections.

Mr. TURLEY. Yes, sir.

Mr. HALE. Of course if it does, it is all right.

The Secretary again read the amendment.

Mr. TURLEY. It is unanimously recommended by the Committee on Privileges and Elections.

Mr. HALE. These matters have always been left to that committee.

The amendment was agreed to.

Mr. HANSBROUGH. I move to strike out the committee amendment on page 52 and insert what I send to the desk.

The PRESIDING OFFICER. The Chair would suggest to the Senator from North Dakota that the amendment, having been adopted, can not be stricken out as in Committee of the Whole, but the motion may be made in the Senate.

Mr. HANSBROUGH. Let the amendment be read.

Mr. COCKRELL. I should like to hear what the Senator proposes.

The SECRETARY. It is proposed to strike out, on page 52, the committee amendment, being lines 6 to 10, inclusive, and insert in lieu thereof—

Mr. HANSBROUGH. I think it would be in order to reconsider the vote by which the amendment was adopted.

The PRESIDING OFFICER. That is undoubtedly in order.

Mr. HALE. Does the Senator's amendment refer to the same subject-matter?

Mr. HANSBROUGH. Precisely.

Mr. HALE. Then of course the vote ought to be reconsidered.

The PRESIDING OFFICER. Does the Senator from North Dakota make the motion to reconsider the vote by which the amendment was agreed to?

Mr. HANSBROUGH. I do.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. The Senator from North Dakota offers an amendment, which will be stated.

Mr. HALE. Instead of the committee amendment.

The SECRETARY. In lieu of lines 6 to 10, on page 52, it is proposed to insert:

Reproduction of the official plats of United States surveys, diagrams, field notes, and correspondence constituting the records and files of the surveyor-general and register and receiver at Bismarck, N. Dak., which were destroyed by fire on the 8th day of August, 1898; also, for safes and typewriters for the surveyor-general's office and local land offices, the work to be done and the purchases made under the direction of the Commissioner of the General Land Office, \$30,000: *Provided*, That \$2,000 of this amount may be expended in the purchase of furniture, fixtures, and instruments in the office of the surveyor-general of North Dakota, which were destroyed by fire.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. MONEY. I move the amendment I send to the desk. The amendment is taken from a bill which has passed the Senate. I have stricken out all after the enacting clause, as indicated by the pen marks.

The SECRETARY. After line 12, on page 98, it is proposed to insert:

That the appropriation made by act of March 3, 1879, to be paid to Robert Otis, as administrator of the estate of Roger A. Hiern, be, and hereby is, made available for payment to the administrator de bonis non of said estate, said Robert Otis having died; and the suspension imposed by joint resolution of July 1, 1879, upon the disbursement of said appropriation until the further action of Congress is hereby raised and removed.

Mr. HALE. I would not object to the first part of it, simply transferring it, but a part of the original legislation declared that no payment should be made until further legislation by Congress, and I can not yield that point.

Mr. MONEY. Does the Senator make the point of order on the amendment?

Mr. HALE. Yes.

Mr. MONEY. I did not understand the point of order. Will the Senator state it again?

Mr. HALE. I would not object, I said, to that part of it which simply transfers it from one person to another, but the original legislation provided that nothing further should be done until further legislation by Congress, and the Senator seeks to repeal that provision by this amendment. Therefore it is a change of existing law, and is legislation.

Mr. MONEY. Mr. President, this bill has passed the House, I am informed, quite a number of times. It has passed the Senate, and I am told by a member of the committee that it would not be subject to a point of order, and that there was no objection to it. As a matter of fact, I beg to say that the sum was appropriated once, and payment made to the owners of the steamer, except this one man. It was suspended by a joint resolution because, it was said, he was not loyal. There never was any proof brought up that he was disloyal.

On the contrary, there are affidavits to show that he was loyal; but even independent of that fact it was not necessary that there should be any proof of loyalty whatever, because this steamer was purchased. General Butler came to New Orleans on the 2d day of May, and on the 8th day of May he had the steamer brought from the lake where she was lying and authorized the captain to enlist a crew, and on the 12th she went into the service of the Government as a hired vessel.

She was carried on the quartermaster's roll as a purchased steamer, and in October, 1865, she was sold as the property of the Government and the money paid into the Treasury. Then the parties who were concerned, who owned sixty-five one-hundredths of the steamer, were paid their money. It was denied to Roger A. Hiern, the other owner, upon the ground of disloyalty; but the commission appointed to inquire into this thing found that he was loyal, although I hold that it had no relation to the subject. It is an award of money, and the money was appropriated, and was stopped by the resolution of which I spoke. I do not think the amendment is subject to a point of order, and I hope the Senator from Maine will not object to it.

Mr. HALE. Let the Chair rule upon it. I think myself there is some doubt about it on the Senator's statement, but I should prefer that the Chair should rule upon it.

Mr. MONEY. I state from my information that the bill has passed the House. It has been favorably reported in the Senate and passed the Senate, and the money has been lying there for all these years. I do not see how any point of order can lie against the amendment, it having passed the Senate.

The PRESIDING OFFICER. The Chair will ask the Senator to restate the facts concerning this matter, as the attention of the Chair was diverted when he made the statement a moment ago.

Mr. MONEY. I understand that the Chair wants a restatement of the facts.

The PRESIDING OFFICER. If the Senator pleases.

Mr. MONEY. It is suggested to me by the Senator from Missouri [Mr. COCKRELL] that the difficulty with the Senator from Maine will be obviated by allowing the amendment to close with the word "died," in line 7, which will relieve it of any point of order whatever.

The PRESIDING OFFICER. Does the Senator consent to that modification?

Mr. MONEY. Yes, sir; I consent to it.

The PRESIDING OFFICER. With that modification, the Chair rules that the amendment is in order. The question is on agreeing to the amendment submitted by the Senator from Mississippi.

The amendment was agreed to.

Mr. MORGAN. I submit an amendment reported by the Select Committee on the Construction of the Nicaragua Canal.

The SECRETARY. At the end of the bill insert:

To reimburse to the Maritime Canal Company, of Nicaragua, for expenditures in aid of the commission authorized by act of Congress known as the Ludlow commission for inspection and survey of the Nicaragua Canal, \$15,890.35: *Provided*, That the Secretary of the Treasury shall investigate the items of the said claim and approve the same before any payment of the same is made.

Mr. HALE. Was the amendment reported by any standing committee?

Mr. MORGAN. It was reported by the Select Committee on the Construction of the Nicaragua Canal, and referred to the Committee on Appropriations.

Mr. HALE. Was it reported at this session?

Mr. MORGAN. Yes.

Mr. HALE. Very well; then let it pass.

The amendment was agreed to.

Mr. DANIEL. I am instructed by the Committee on Foreign Relations to offer an amendment to the bill, which I send to the desk.

The SECRETARY. Insert at the end of the bill:

That the Secretary of the Treasury pay, out of any money in the Treasury not otherwise appropriated, to the legal representative or representatives of the late James Crooks and to the legal personal representative or representatives of the late William Crooks, said James and William Crooks having been citizens of Canada, the sum of \$5,000, the value of a vessel, called the *Lord Nelson*, illegally seized by Lieutenant Woolsey, of the Navy of the United States, on Lake Ontario, on the 5th day of June, 1812, and interest on said sum at the rate of 4 per cent from the day of seizure to the date of the approval of this act, paying to said representative or representatives of each of said James and William Crooks one-half the sum found due under this act, which said sum shall be received by said representatives, and each of them, as a full payment and satisfaction of all claims on account of the loss of said vessel against the United States.

Mr. HALE. That is a pure claim, besides being eighty years old. I raise the point of order against it.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. DANIEL. I did not catch the remark of the Senator from Maine.

Mr. HALE. I made the point of order that this is a pure claim under the last section of the rule, besides being eighty years old. That, of course, does not add to the point, but it shows how unwise it would be to take up one of these old matters. We are fortunate in having a rule which excludes them.

The PRESIDING OFFICER. The point of order is sustained.

Mr. WOLCOTT. I offer an amendment to come in on page 84 at the close of line 17, the amendment having relation to the Geological Survey.

The SECRETARY. At the end of line 17, page 54, insert:

*Provided*, That the appropriations for the next fiscal year for the continuation of the investigation of the coal and gold resources of Alaska be reduced by this amount.

Mr. WOLCOTT. Will the committee accept the amendment?

Mr. HALE. It is not subject to a point of order, of course. It is only a limitation upon the appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LINDSAY. I offer an amendment to be inserted after line 5, page 86.

The SECRETARY. On page 86, after line 5, insert:

To pay to the personal representative of James H. Dennis the sum of \$25,638, being the amount found by the Court of Claims to be due to him by reason of certain contracts for the improvement of the Tennessee River.

Mr. HALE. I make the point of order on the amendment.

The PRESIDING OFFICER. The Senator from Maine makes the point of order against the amendment. On what ground, the Chair will ask the Senator from Maine?

Mr. HALE. If it is a judgment of the Court of Claims, it is, of course, not subject to the point of order; but if it is simply a Bowman claim, none of those are on this bill, and I make the point of order against it.

Mr. LINDSAY. The claim was considered by the Committee on Claims and incorporated by that committee into what is known as the omnibus bill. Therefore it has received consideration, and favorable consideration, by a committee of the Senate.

Mr. HALE. It is for the very reason that it was put in with the other claims that it has not been reported and referred to the Committee on Appropriations.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. ALLISON. I ask unanimous consent to offer an amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

Mr. ALLISON. I hope my friend in charge of the bill will not make the point of order.

The SECRETARY. On page 35, after line 13, insert:

Monument to Sergt. Charles Floyd: To enable the Secretary of War, in cooperation with the Floyd Memorial Association, to cause to be erected over the remains of Sergt. Charles Floyd, a member of the Lewis and Clark expedition, who died and was buried August 30, 1804, near the present site of Sioux City, Iowa, a fitting monument commemorative of that expedition and of the first soldier to lay down his life within the Louisiana purchase, \$5,000: Provided, That the total cost and expense to the United States of erecting said monument shall not exceed \$5,000.

Mr. PETTUS. I desire the Chair to decide whether that amendment is in order or not.

The PRESIDING OFFICER. Does the Senator make the point of order against it?

Mr. PETTUS. Yes, sir.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. ALLISON. Then I offer an amendment to be inserted on page 87, after line 10.

The SECRETARY. On page 87, at the end of line 10, insert:

Provided, That no one of said judgments provided in this paragraph shall be paid until the Attorney-General shall have certified to the Secretary of the Treasury that there exists no ground sufficient in his opinion to support a motion for a new trial on an appeal of said cause.

Mr. ALLISON. That is a limitation. It was in—

Mr. COCKRELL. That is always put in with those bills.

Mr. ALLISON. It has always been put in.

The amendment was agreed to.

Mr. KENNEY. I desire to offer an amendment, to come in at the bottom of page 60.

The SECRETARY. At the bottom of page 60 insert:

To the National Investment Company of Washington City, D. C., for arrearages of rent in connection with the municipal building, No. 464 Louisiana avenue, for the use of the Commissioners of the District of Columbia, \$3,000.

Mr. HALE. Where does that amendment come from, Mr. President?

Mr. KENNEY. I should like to state—

Mr. HALE. Is it submitted as an estimate by the District Commissioners?

Mr. KENNEY. It is not.

Mr. HALE. Then, of course, I must make the point of order.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. PERKINS. I desire to offer an amendment to be inserted after line 17, on page 6.

The SECRETARY. After line 17, page 6, insert:

That the Secretary of the Treasury be, and he is hereby, authorized and required to examine, adjust, and pay the accounts of the Cape Smyth Whaling and Trading Company for supplies furnished and services rendered in rescuing, housing, feeding, clothing, and caring for shipwrecked whalers in the Arctic seas in 1897 and 1898 until they were taken in charge by officers of the Revenue-Cutter Service; and the said Secretary is authorized and directed to adjust and allow said accounts upon the same basis as to prices as have been allowed by him for similar services and supplies subsequently furnished upon the request of the officers of the Revenue-Cutter Service.

Mr. HALE. Was this a matter in connection with the expedition of the Government in the northern seas?

Mr. PERKINS. I will state—

Mr. HALE. If the Senator will answer the question.

Mr. PERKINS. It was in connection with it. The amendment has been referred to the Committee on Commerce and favorably reported.

Mr. HALE. I do not care about that. It is not a claim. It is in connection with the service of the Government?

Mr. PERKINS. It is for supplies furnished to the Government, and only to overcome a technical objection of the Auditor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WELLINGTON. I desire to offer an amendment to the bill. After line 22, page 20, I move to insert:

Grading of S street: For grading of S street from Phelps place westward \$5,000 is hereby appropriated, one-half to be paid out of the revenues of the District of Columbia and one-half out of the Treasury.

Mr. HALE. This is new matter, unless it has been reported from the Committee on the District of Columbia.

Mr. WELLINGTON. I desire to say to the Senator in charge of the bill that I am informed that a bill has passed both the Senate and the House providing for the grading of S street and that it is in accordance with the wishes of the Commissioners that an appropriation should be so made.

Mr. HALE. If the Senator is correct and an act has passed providing for this improvement, and the Commissioners estimate for it, then I do not make any point. Is the Senator confident about that?

Mr. WELLINGTON. The act passed. I am confident of that. I am also confident that the Commissioners are willing to have the appropriation made, but there has been no definite estimate that I know of.

Mr. HALE. If the amendment goes in, I must notify the Senator that as it is to carry out an existing law, he must furnish to the committee of conference an estimate from the Commissioners.

Mr. WELLINGTON. I will state to the Senator that if that can not be done, I shall ask that it be stricken out.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was agreed to.

Mr. PETTIGREW. I ask unanimous consent for the adoption of the amendment which I send to the desk.

The SECRETARY. On page 60, at the end of line 18, insert:

The Secretary of the Interior shall make a thorough investigation of all warrants heretofore issued by the Cherokee Nation, drawn by the principal chief of said nation in accordance with the legal act of the national council, upon the school, orphan, or asylum funds of said nation; and if the said Secretary shall find that said warrants are legal and valid and not fraudulent and that the money received from the sale of the same has been expended for the support of the schools, orphan asylum, and insane asylum, he shall pay said warrants, respectively, out of the funds belonging to said nation in the Treasury of the United States which are designated as school, orphan, and asylum funds, not exceeding in amount the sum of \$40,000.

Mr. HALE. I must make the point of order that that is legislation.

The PRESIDING OFFICER. The point of order is sustained.

Mr. HOAR. I move to amend, on page 22, after line 15, by inserting:

For the chair of pedagogy of Howard University, \$1,500.

Mr. PETTUS. I ask if the amendment is in order?

Mr. HOAR. I hope my friend will waive that objection. This chair was established last winter by law, but there was an omission to provide for it. It is this colored university over here, which has a pretty hard struggle at best. I hope the Senator will not object. It is the chair for the instruction of students in pedagogy.

Mr. PETTUS. I think it should be examined by a committee.

Mr. HOAR. It will be examined by the conference committee. It has been referred to the committee. I trust my honorable friend will not insist on his objection. It is a very harsh application of the rule.

The PRESIDING OFFICER. Does the Senator from Alabama make the point of order?

Mr. PETTUS. I do.

The PRESIDING OFFICER. The point of order is sustained.

Mr. CARTER. I offer an amendment. At the end of line 13,

page 54, I move to insert:

That in the form provided by existing law the Secretary of the Interior may file and approve surveys and plats of any right of way for a wagon road, railroad, or other highway over and across any forest reservation or reservoir site when in his judgment the public interests will not be injuriously affected thereby.

Mr. HALE. I raise the point of order that that is legislation.

Mr. CARTER. I will state that it is merely a construction of existing law. I desire to explain directly to the Senate the importance of this amendment. There are two railroads in the course of construction in the State of Montana. One of them encounters one of these ephemeral and indefinite propositions known as forest reservations, and hundreds of men are compelled to quit their work because they have encountered that imaginary line.

The Secretary of the Interior holds—I do not think that is according to a wise construction, but still he holds—that a plat of a survey can not be filed over one of those forest reservations for a railroad. The same is true with reference to reservoir sites. Unless this amendment be adopted, very important public improvements will be stayed until the next meeting of Congress.

I believe this amounts merely to a matter of construction of an

existing law. It was provided in the law relating to forest reservations that highways were to extend across the reservations without let or hindrance, but "highways" were construed by the Secretary of the Interior not to include railroads, and consequently the maps are not filed.

I do not think the point of order lies, strictly speaking, in consequence of the suggestion I have made.

Mr. HALE. If the Senator does not need the law, he is all right as it is; but I think this is legislation, and I make the point of order, as I feel constrained to do, not that I am hostile to the amendment, but as I am compelled to make it in all these cases.

Mr. CARTER. Mr. President, in view of the importance of this matter, and the fact that the amendment does not carry any appropriation, and that the failure to enact any legislation at this session of Congress will involve very great hardships to individuals and communities, I will ask unanimous consent that the amendment may be inserted.

Mr. STEWART. Will the Senator allow me to appeal to the Senator from Maine to permit this amendment to go through?

Mr. CARTER. Certainly.

Mr. STEWART. In view of the fact that these reservations were made without consideration and without examination, and that they stop great public works—

Mr. HALE. What is the public work that is stopped?

Mr. STEWART. The building of a railroad.

Mr. CARTER. There are two railroads there.

Mr. STEWART. This is nothing but a forest reservation.

Mr. HALE. Is it railroad legislation?

Mr. STEWART. No; it is to let railroads go through a forest reservation. The forest reservations ought to be abolished. They take up twenty or thirty million acres of land, which were set apart from maps and not from any examination of the country.

Mr. HALE. In the way that things come here we can not look up all of these matters. I do not know much about land matters myself.

Mr. STEWART. This is not a small matter. It is an important matter.

Mr. HALE. The more important it is, the more grave should be the consideration given it.

Mr. STEWART. Yes.

Mr. HALE. I do not feel that I know enough about forest reservations to understand what would be the effect of an amendment of this kind; but there are Senators here who do know, Senators who give attention to public-land questions, and there are lawyers here who know what would be the effect of this proposed legislation. If it is granting new and great privileges to a railroad company, they ought not to be granted on this deficiency bill.

Mr. STEWART. It is not.

Mr. HALE. There are lawyers here who will know. I do not know.

Mr. STEWART. Under the general law passed in 1875 all railroads could build over the public lands which are granted, and now these railroad projects are in process of construction. Here in the Department, without any examination of the case, between twenty and thirty million acres of land have been withdrawn and placed in reservations, and sometimes they withdraw whole towns. It is the most inconsiderate thing I have ever known.

The building of railroads over the public lands ought to be allowed and not be interfered with by such inconsiderate and obstructive orders as those which have been issued. It is doing nobody good, but is doing harm. To stop a railroad in a forest reservation is very detrimental to the public interests, and railroads can not hurt a forest reservation.

Mr. WILSON. I simply rise, Mr. President, to inquire if the Senator in charge of the bill has made a point of order against the amendment?

Mr. CARTER. There has been a point of order made, but I have requested unanimous consent for the insertion of the provision in the bill. There is no appropriation in it, and it permits a very important public work to proceed.

Mr. WILSON. Mr. President, I will say to the Senator from Montana that unless something is done it will be absolutely impossible to get any railroad across the State I in part represent. They have taken a block right out in the center across the backbone of the mountains, taking 8,000,000 acres of land, and we are there blocked, so that it is impossible to proceed in any direction whatever. If the same thing were to occur on the east of the Mississippi River, the people would not stand it and there would be a riot.

No greater outrage has ever been perpetrated upon a free people than that which has been perpetrated by the withdrawal of these lands without notice to our people. It is an infamous thing. It is retarding the growth and the development and the prosperity of that section of the country wherever the withdrawals have been made. It ought to be stopped. It is going to cost the people of the United States \$50,000,000 to carry out this proposed scheme, and it will never amount to the value of a shoestring as

far as saving any of the forests is concerned—nothing whatever. We ought to have the right to develop our country and to get railroads across it, but we have no such opportunity.

I will say to the Senator that this is not a new question. It has been brought up here in past years and debated time and time again, and it has been before the Appropriations Committee and before the Forestry Committee. We have had no opportunity to be heard. This amendment ought to be allowed and railroads permitted to be constructed, so that our section of the country may be developed.

Mr. CARTER. I ask the Chair to state the request I presented for unanimous consent.

The PRESIDING OFFICER. The Senator from Montana asks unanimous consent to be permitted to offer the amendment which has been stated from the desk. Is there objection? The Chair hears none. The question is upon agreeing to the amendment.

The amendment was agreed to.

Mr. HALE. I hope the bill will now be passed, so that we can get it into conference.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

Mr. COCKRELL. I ask unanimous consent for the adoption of an amendment which I send to the desk.

The SECRETARY. At the end of line 18, page 60, it is proposed to insert:

That the sum of \$29,850.74, being the interest at 5 per cent per annum from June 9, 1884, to March 23, 1886, due the Western Cherokee Indians under the award of the United States Senate of September 5, 1859, on the principal sum of \$212,326.94, found to be due them under the decision of the Supreme Court of June 6, 1884, is hereby appropriated, to be paid to the authorized agent of the council of the Western Cherokee Indians.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. ALLISON. I ask unanimous consent that the clerks of the Senate number the Senate amendments to the deficiency bill, so that it may be printed by order of the Senate.

The PRESIDING OFFICER. Without objection, that order will be made.

#### ARMY APPROPRIATION BILL.

Mr. SEWELL. I ask that the Army appropriation bill be now taken up.

The PRESIDING OFFICER. The Senator from New Jersey asks unanimous consent for the present consideration of the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900. Is there objection? The Chair hears none, and the bill is before the Senate as in Committee of the Whole.

#### WESLEY VAN OVER.

Mr. CHILTON. I ask that bills from the House of Representatives on the table of the President of the Senate be laid before the Senate.

Mr. CARTER. The Senator from New Jersey [Mr. SEWELL] has yielded to me for the purpose of making a report, which I present, with the permission of the Senate.

Mr. CHILTON. I should like first to have the bills from the House of Representatives laid before the Senate.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 1778) for the relief of Wesley Van Over, late of Company C, One hundred and ninth New York Volunteers, and Company G, Eighth Pennsylvania Cavalry; which was read twice by its title.

Mr. PLATT of New York. I ask unanimous consent for the immediate consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FOG SIGNAL NEAR SABINE BANK, TEXAS.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1114) for the establishment of a light and fog signal on or near Sabine Bank, Texas, which was to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized to establish a light house and fog-signal station on or near Sabine Bank, Texas, at a cost not to exceed the sum of \$50,000.

Mr. CHILTON. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

#### OHIO CENTENNIAL AND NORTHWEST TERRITORY EXPOSITION.

Mr. SEWELL. I yield for a moment to the Senator from Ohio [Mr. FORAKER].

Mr. FORAKER. I ask the Chair to lay before the Senate the bill from the House of Representatives providing for the Ohio Centennial.

The PRESIDING OFFICER laid before the Senate the bill

(H. R. 12102) to encourage the holding of the Ohio Centennial and Northwest Territory Exposition at the city of Toledo, Ohio; which was read twice by its title.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill.

Mr. SEWELL. I wish to say that if the bill takes any time, I shall have to object to its consideration.

Mr. FORAKER. I do not think it will take very much time. There will certainly be no discussion of it.

Mr. SEWELL. It is essential that the appropriation bills should be passed at the earliest possible moment.

Mr. FORAKER. I know that; but the bill can not take very much time, as we passed one just like it yesterday.

Mr. SEWELL. Very well; if it does not lead to debate, I shall not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. ALLEN. I desire to offer an amendment to that bill. I offer what I send to the desk as an amendment.

The PRESIDING OFFICER. The amendment submitted by the Senator from Nebraska will be stated.

Mr. FORAKER. I hope the Senator will not press that amendment.

Mr. ALLEN. I shall not offer the amendment if it will send the bill into conference. I tried to ask the Senator a moment ago if the bill would have to go to conference.

Mr. HANNA. If the bill should be amended, it will have to go to conference.

Mr. ALLEN. I do not desire that. I do not desire to inflict my own grievances upon anybody else, and I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 414) for the erection of a public building at Tampa, Fla.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company of Maryland to extend its line of road into and within the District of Columbia, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BABCOCK, Mr. CURTIS of Iowa, and Mr. RICHARDSON managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11712) to provide a site for a building for the Washington Public Library, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MERCER, Mr. GILLET of Massachusetts, and Mr. BANKHEAD managers at the conference on the part of the House.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, insists upon its disagreement to amendments numbered 2, 3, 4, 6, 7, 8, 10, 21, 22, 23, 24, 75, 76, 77, 88, 140, 145, 146, 158, 161, 163, and 164, agrees to a further conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. MOODY, and Mr. McRAE managers at the conference on the part of the House.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city;

A bill (S. 1056) to provide for a public building at Cleveland, Ohio;

A bill (S. 1114) for the establishment of a light and fog signal on or near Sabine Bank, Texas;

A bill (S. 3712) to authorize John R. Williams, first lieutenant, Third Artillery, United States Army, to accept the decoration of Chevalier of the Legion of Honor from the President of the French Republic;

A bill (S. 5050) to authorize A. E. Bates, brigadier-general,

United States Volunteers, to accept the decoration of "The Legion of Honor" from the President of the French Republic;

A bill (S. 5090) to authorize Victor Vifquain, colonel Third Nebraska Volunteer Infantry, to accept the decoration of the "Order of the Double Dragon" from the Emperor of China;

A bill (H. R. 914) removing the charge of desertion against Charles Sweet;

A bill (H. R. 1773) granting a pension to Robert Persley;

A bill (H. R. 2419) for the relief of Charles Simpson, alias Frank Dunn;

A bill (H. R. 4041) removing the charge of desertion from the record of W. H. Sherwood, Company F, Thirteenth Ohio Cavalry;

A bill (H. R. 4677) to increase the pension of Rebecca McMullen;

A bill (H. R. 5046) to remove the charge of desertion from the military record of Lawrence Ressler;

A bill (H. R. 5428) to authorize the construction of a bridge over the Tennessee River at or near Sheffield;

A bill (H. R. 5758) to remove the charge of desertion from the record of James Geissinger;

A bill (H. R. 6062) for the relief of Anson W. Gillett;

A bill (H. R. 8119) granting an honorable discharge to John Dinsbeer, late second lieutenant in Company C, First Regiment of Missouri State militia;

A bill (H. R. 8506) to remove the charge of desertion from the military record of John P. Henderson, and to grant him an honorable discharge;

A bill (H. R. 8607) to correct the military record of Sylvester F. Hildebrand;

A bill (H. R. 8854) to correct the military record of William Hazelbeck, of Portsmouth, Ohio;

A bill (H. R. 9760) to redeem certain outstanding certificates issued by the board of audit and the board of public works of the District of Columbia; and

A bill (H. R. 10253) to amend the internal-revenue laws relating to distilled spirits, and for other purposes.

#### PUBLIC BUILDING AT TAMPA, FLA.

Mr. WARREN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 414) for the erection of a public building at Tampa, Fla., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same with amendments. Strike out the word "three" and insert in lieu thereof the word "two;" and the Senate agree to the same.

FRANCIS E. WARREN,  
H. D. MONEY,  
*Managers on the part of the Senate.*  
DAVID H. MERCER,  
J. D. HICKS,  
J. H. BANKHEAD,  
*Managers on the part of the House.*

The report was agreed to.

#### ARMY APPROPRIATION BILL.

Mr. ALLISON. I ask for the regular order, whatever it is.

Mr. HAWLEY. Mr. President—

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Army bill is the regular order.

Mr. HAWLEY. That is very unfortunate. I have a bill which would commend itself in a moment. I have been waiting the whole afternoon to call it up.

Mr. ALLISON. I know no more important business than the Army bill. If the Senator has a more important bill than that, I should like to know it.

Mr. CULLOM. Let us proceed with the Army bill.

Mr. SEWELL. I hope we may now go on with the Army bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900, which was reported from the Committee on Appropriations with amendments.

Mr. SEWELL. I ask that the formal reading of the bill may be dispensed with and that the amendments of the Committee on Appropriations may be acted upon as they are reached in the reading of the bill.

The PRESIDING OFFICER. Without objection, that order will be pursued.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 4, line 4, to increase the appropriation for pay of officers of the line from \$4,000,000 to \$5,000,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to insert:

For pay of the company commissioned officers in each regiment of the special or immune regiments their salaries from the time each organized company reported at rendezvous as a company for service until said officers were commissioned; and for pay of the regimental commissioned officers their salaries from the time the regiment was mustered into service until

said officers were commissioned, \$75,000, or so much thereof as may be necessary: *Provided*, That such company and regimental officers shall be paid only from the time when they personally reported for duty.

The amendment was agreed to.

The next amendment was, under the subhead "Pay of enlisted men," on page 4, line 20, after the word "of," to strike out "the line" and insert "enlisted men of all grades;" so as to make the clause read:

Pay of enlisted men of all grades, including recruits, \$13,500,000.

The amendment was agreed to.

The next amendment was, under the subhead "Hospital Corps," on page 5, line 11, to increase the pay of enlisted men in the Hospital Corps, from \$493,800 to \$750,000.

The amendment was agreed to.

The next amendment was, under the subhead "Pay to clerks and messengers at department headquarters and at Headquarters of the Army," on page 5, after line 14, to strike out:

Fifteen clerks, at \$1,800 each per annum, \$27,000.

Fifteen clerks, at \$1,000 each per annum, \$24,000.

The amendment was agreed to.

The next amendment was, on page 5, line 19, to increase the number of clerks at \$1,400 each per annum from 20 to 30; and in line 20, to increase the appropriation therefor from \$28,000 to \$42,000.

The amendment was agreed to.

The next amendment was, on page 5, line 23, to increase the number of clerks at \$1,000 each per annum from 85 to 100; and in line 24, to increase the appropriation therefor from \$85,000 to \$100,000.

The amendment was agreed to.

The next amendment was, at the top of page 6, to strike out:

Eleven clerks, at \$900 each per annum, \$9,900.

Eighteen messengers at \$340 each per annum, \$15,120.

The amendment was agreed to.

The next amendment was, on page 6, line 6, to increase the number of messengers at \$720 each per annum from 50 to 68; and in line 7, to increase the appropriation therefor from \$36,000 to \$48,960.

The amendment was agreed to.

The next amendment was, on page 6, line 9, to reduce the total appropriation for pay to clerks and messengers at department headquarters and at Headquarters of the Army from \$397,030 to \$262,960.

The amendment was agreed to.

The next amendment was, on page 9, line 14, after the word "dollars," to insert the following proviso:

*Provided*, That the regimental sergeant-majors and regimental quartermaster-sergeants of artillery and infantry shall have the same pay and allowances as the regimental sergeant-majors and regimental quartermaster-sergeants of cavalry.

The amendment was agreed to.

The next amendment was, on page 9, line 24, after the word "dollars," to insert the following proviso:

*Provided*, That the requirements of law relative to the reduction of the Army on July 1, 1901, shall not be held to apply to the officers of the Record and Pension Office.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous," on page 10, line 23, before the word "paymasters," to strike out "sixty" and insert "seventy;" and in line 24, before the word "thousand," to strike out "eighty-four" and insert "at \$1,400 each, ninety-eight;" so as to make the clause read:

For pay of 70 paymasters' clerks, at \$1,400 each, \$98,000; paymasters' messengers, \$15,000; traveling expenses of paymasters' clerks and expert accountant of the Inspector-General's Department, \$30,000; in all, \$123,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 16, to insert:

All the money hereinbefore appropriated, except the appropriation "for mileage to officers when authorized by law," shall be disbursed and accounted for by the Pay Department as pay of the Army, regular and volunteer, and for that purpose shall constitute one fund.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 28, after line 11, to strike out:

For restoring the power house, machinery, and electric plant at the Rock Island Arsenal, which were destroyed by fire January 3, 1890, to be immediately available, \$9,851.24.

The amendment was agreed to.

The next amendment was, on page 28, line 19, before the word "mustered," to strike out "hereafter;" and in line 24, before the word "mustered," to strike out "hereafter;" so as to make the clause read:

That all enlisted men in the Regular Army who enlisted subsequent to the declaration of war for the war only and mustered out of the service who have served honestly and faithfully beyond the limits of the United States shall be paid two months' extra pay on muster out and discharge from the service, and all enlisted men in the Regular Army who enlisted subsequent to the declaration of war for the war only and mustered out of the service who have served honestly and faithfully within the limits of the United States shall be paid one month's extra pay on muster out and discharge from the service

from any money in the Treasury not otherwise appropriated, said moneys to be immediately available.

The amendment was agreed to.

Mr. MORGAN. I desire to offer an amendment to page 28, after line 4.

Mr. FRYE. Are we through with the committee amendments?

Mr. SEWELL. I hope the Senator from Alabama will permit the bill to be perfected first by the committee.

Mr. MORGAN. I did not hear what the Senator said.

Mr. FRYE. We are not through with the committee amendments yet.

The reading of the bill was resumed and concluded.

Mr. SEWELL. On page 11, line 3, there is a clerical mistake in the bill. It reads \$129,000, and it should be \$143,000. I move to amend the bill in that particular.

The amendment was agreed to.

Mr. HAWLEY. I move to insert, on page 27, after line 2, the usual annual amendment, giving two old cannon to the Grand Army encampment with which to make memorial badges. I send the amendment to the desk.

The SECRETARY. After line 2, on page 37, it is proposed to insert:

The Secretary of War is hereby authorized to deliver to the order of Lewis Wagner, chairman of the general committee of the thirty-third national encampment of the Grand Army of the Republic, to be held at Philadelphia, Pa., in September next, two dismounted condemned cannon used in the late civil war, to be used for the purpose of furnishing memorial badges commemorative of the holding of said encampment at Philadelphia, Pa.: *Provided*, That no expense shall be caused to the United States through the delivery of said condemned cannon.

Mr. HOAR. I should like to inquire of the Senator who offered the amendment or who has it in charge—

Mr. HAWLEY. I offered it.

Mr. HOAR. I do not rise to oppose the amendment, but I should like to know why such legislation is necessary? Has not the War Department some authority of that sort now?

Mr. HAWLEY. I am glad to answer the question. The War Department has abundant authority to give old condemned cannon to Grand Army posts for preparing monuments, but this is just a little outside of that. The strict letter of the law does not permit to be done what the amendment proposes. The Department would be glad to do it, but it has not the authority.

Mr. HOAR. I inquire because I have one or two applications from home.

Mr. HAWLEY. The Senator will find a law providing the course of action to be taken. There will be no difficulty in getting some old condemned cannon for monuments.

Mr. HOAR. Very well.

The amendment was agreed to.

Mr. WARREN. I offer the amendment which I send to the desk.

The SECRETARY. On page 6, after line 21, it is proposed to insert:

*Provided*, That the Adjutant-General shall have the rank, pay, and allowances of a major-general of the Army.

Mr. PETTUS. Mr. President, I object to that amendment to an appropriation bill as legislation changing the existing law.

Mr. WARREN. Mr. President, the amendment is one that comes up duly, having been reported from the Military Committee, and I hope the Senator from Alabama will not make any objection to it.

Mr. PETTUS. The Senator is mistaken when he says it has been reported from the Military Committee. The Military Committee has never acted on that as an amendment to this bill. If it has, it has acted on it merely individually, and not at a meeting of the committee; but even if it was reported from the committee, it is still liable to the objection which I have made.

Mr. WARREN. Mr. President, I desire to say that I hope there will be no question of veracity between the Senator from Alabama and myself.

Mr. PETTUS. There can not be any.

Mr. WARREN. In the first place, the bill is one that passed the House of Representatives. It then came to the Senate, and passed the Senate with an amendment. It went back to the House and the expectation was that it could be reached, but it has not been reached, and therefore the amendment was introduced in due course and sent to the Military Committee, and in due course the Military Committee have reported the amendment precisely in the same way that they have reported almost all other business for the last several days.

It has been impossible, of course, for Senators to be on the floor and at the same time in the committee room. Therefore upon a great many of these matters the committee has been polled. It is true that the Senator from Alabama [Mr. PETTUS] did not permit the use of his name in the polling of the committee, but it is nevertheless true that the amendment has been reported by a large majority of that committee, and comes in here exactly as other matters have come in, and exactly as the amendment which has just been adopted came; and inasmuch as it has passed both

Houses in the form of a bill, I do not see that there ought to be any objection to it, and I do not think there should be.

The VICE-PRESIDENT. What is the specific point of order of the Senator from Alabama to the amendment?

Mr. SEWELL. I do not want the Senator from Wyoming to make any mistake. The bill has not passed the other House.

Mr. WARREN. It passed the other House before it came to the Senate originally.

Mr. SEWELL. No, the original bill was introduced in the Senate by me, and I think the Senator from Wyoming is mistaken.

Mr. WARREN. The Senator may have introduced a similar bill. I remember distinctly the taking of the bill up in the committee.

Mr. SEWELL. I introduced the bill, and it passed this body.

Mr. COCKRELL. I do not think it ever passed the other House.

Mr. WARREN. It passed the House and came to this body with an amendment making it applicable to the present Adjutant-General only. That is the position of it. It then came back. That was in the first session of this Congress.

Mr. SEWELL. I think the Senator is entirely mistaken in saying that it passed both Houses. It never passed the other House.

Mr. WARREN. That is my remembrance of it.

The VICE-PRESIDENT. What is the point of order made by the Senator from Alabama?

Mr. PETTUS. My point of order is that it is new legislation on an appropriation bill.

The VICE-PRESIDENT. General legislation?

Mr. PETTUS. Yes, sir; it is legislation on an appropriation bill.

So far as the statement of facts is concerned, I have no question about them; but they are not all the facts. A bill was passed by the House of Representatives, as I remember it, and it came to the Senate. The bill was passed here with an amendment to make it applicable to the present occupant of that office. That bill has never been acted on in this body, and it has never been, as I am informed, in the House of Representatives, if it is proper to speak of that body.

Mr. WARREN. If the Senator will permit me, it passed the Senate as we amended it in committee, and it went to the House of Representatives.

Mr. PETTUS. I said that.

Mr. WARREN. Yes.

Mr. PETTUS. It went to the House, but that bill has never been acted on, and this amendment which is proposed here has never been ratified by the Senate in any way.

So far as the action of the committee is concerned, I insist that the committee has never acted on this proposed amendment. A committee can not act, as I understand it, without giving to the members of the committee an opportunity to be heard. There has never been a meeting of the committee at which this matter has been considered, and the Senator states correctly that he has applied to me—

Mr. WARREN. Does not the Senator recollect that a similar subject was acted on?

Mr. PETTUS. A similar subject was acted on, as I have said twice.

Mr. WARREN. Does not the Senator know that all the business of the Military Committee for four or five days has been reported as this amendment has been, by polling the members of the committee?

Mr. PETTUS. I am not discussing that subject. I am discussing my rights as a member of that committee, and I have a right to attend the meetings of that committee and to be heard when it acts.

Mr. FORAKER. Will the Senator from Alabama allow me to ask him was not this bill passed at the last session? I remember that we had it under consideration.

Mr. PETTUS. It was not passed in the shape it is here proposed. It was passed by the Senate.

Mr. FORAKER. My recollection is that it was in effect the same.

Mr. PETTUS. No, it was not in effect the same.

Mr. FORAKER. Wherein does this amendment differ from that bill? I am merely asking for information.

Mr. PETTUS. It differs in this, that the bill which passed the Senate provided that Mr. Corbin should be Adjutant-General.

Mr. FORAKER. That was at the last session. Do you say the bill named him at the last session?

Mr. PETTUS. It did not name him, but it said the present occupant.

Mr. FORAKER. That is what this amendment is, as I understand it.

Mr. MASON. May I ask the Senator from Alabama a question?

Mr. PETTUS. Yes, sir.

Mr. MASON. I understand the effect of the amendment is to promote General Corbin. Is not that right?

Mr. WARREN. The amendment is that he shall receive the pay and allowances of a major-general.

Mr. MASON. I simply wanted to inquire if it was an amendment proposing to promote General Corbin?

Mr. PETTUS. It was. At the last session of Congress there was such a bill.

Mr. MASON. Does any one object to that?

Mr. FORAKER. It was a special bill, I believe.

Mr. MASON. I wish to know about it.

Mr. PETTUS. I can not hear two or three questions asked at the same time.

Mr. MASON. I want to know if anyone has objected to the reasonable promotion of General Corbin in view of his great services?

Mr. PETTUS. I think so, and if this amendment is going to be pressed it will have to be discussed. The purpose of the amendment, Mr. President, is simply to pass one man, and not a fighting man at that, over the whole line of brave men who have been fighting our battles.

Mr. MASON. I do not admit that.

Mr. HAWLEY. Will the Senator allow me?

Mr. PETTUS. I will allow the Senator to ask a question, but I will not yield for debate.

Mr. HAWLEY. You have debated it yourself.

Mr. PETTUS. Of course I have, for I have the floor.

Mr. HAWLEY. The Senator is debating the merits of it.

Mr. PETTUS. And I am going to do so. I will permit a question if the Senator wishes to ask one.

Mr. SEWELL. Will the Senator from Alabama allow me to say that it is important that this bill should be passed at the earliest possible moment? The conference report on the river and harbor bill is to follow this, and it is absolutely necessary that we should get on with the business.

Mr. PETTUS. Perhaps it is.

Mr. SEWELL. If the Senator is going to occupy time, I shall have to object to it.

Mr. PETTUS. Perhaps it is, but I am not going to submit to this outrage upon the whole Army of the United States simply because this discussion consumes time.

Mr. SEWELL. The reason I have allowed the discussion to go on so far is that a bill similar to the amendment which has been proposed passed the Senate last winter. I myself introduced it. The Senator from Alabama opposed it very vigorously. The bill, however, passed and went to the other House. It was, therefore, in a position to be introduced as an amendment to an appropriation bill, because it has met the approval of the Senate.

Mr. PETTUS. If the Senator had attended to what was said by the Senator from Wyoming [Mr. WARREN] and myself, he would have found that that matter has all been stated, and stated accurately. The bill was passed in a certain shape. It passed the House; it came to the Senate, and the Senate amended it by providing in substance that the present occupant of the office should be the man promoted; but this amendment as it is now proposed has never passed the Senate at all, so far as I am informed. A piece of it was passed.

Mr. SEWELL. Will the Senator allow the amendment to be read again?

Mr. PETTUS. I can not prevent that.

Mr. WARREN. Will the Senator accept the amendment exactly in the form that it passed from the Military Committee in the first instance? Will he consent to its being considered in that form?

Mr. PETTUS. I will not. I shall make my objection to it then as I made it before.

Mr. ALLEN. Will the Senator permit me to ask him whether his antagonism is to General Corbin in person?

Mr. PETTUS. My antagonism is to the proposition that one man sitting in his office shall be promoted over the men who are doing the fighting of the country. General Corbin has already been promoted over what I believe are much better men.

Mr. HAWLEY. Will the Senator allow me?

Mr. HOAR. I rise to a question of order.

Mr. HAWLEY. I want to have the privilege of a word. The Senator from Alabama has really discussed the merits of the proposition, which is all right enough, and I want to say a single sentence, and that is all I wish to say. From my personal observation I believe there is not a man in this city who has done the work for six months past that General Corbin has done—not a man.

The VICE-PRESIDENT. The Senator from Massachusetts will state his point of order.

Mr. HOAR. My point of order is that there is not a debatable question before the Senate.

Mr. GORMAN. That is so.

Mr. WARREN. I hope I shall not be cut off by the point of order without having an opportunity of saying a word.

Mr. HOAR. I rise to a question of order, Mr. President, and I demand the opinion of the Chair upon that question.

The VICE-PRESIDENT. The Senator from Massachusetts raises a question of order, which the Chair will decide. The Chair assumes that the debate has been going on by unanimous consent.

Mr. HOAR. I object.

The VICE-PRESIDENT. Objection is made to further debate on the subject.

#### NAVAL APPROPRIATION BILL.

Mr. HALE. I rise to a privileged report.

Mr. ALLEN. Let the question of order be first determined.

Mr. HALE. The report will only take five minutes. It is very important that it should get over to the House of Representatives.

The VICE-PRESIDENT. If there be no objection, the Chair will delay deciding the question which has been raised until the conference report shall have been acted upon—if there is no objection. The Chair hears none, and the report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 14, 15, and 23. That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 25, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 50, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the number named in said amendment insert "seventeen thousand five hundred;" and on page 1, in line 9, after the word "pay," insert the words "and allowances prescribed by law;" and on the same page, in line 11, after the word "list," insert the words "including the Admiral of the Navy, whose pay and allowances shall be the same as those received by the last General of the United States Army;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: On page 26 of the bill, in line 15, after the word "honorably," insert the words "as such;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The act of June 10, 1896, authorizing the construction, in the discretion of the Secretary of the Navy, of two submarine boats is hereby amended so as to permit the Secretary to contract for two submarine boats of the Holland type, similar to the submarine boat Holland."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out the amended paragraph and insert in lieu thereof the following:

"Pay, Marine Corps: For pay and allowances prescribed by law of officers on the active list, \$34,900."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: Strike out the amended paragraph and insert in lieu thereof the following:

"Pay of noncommissioned officers, musicians, and privates, as prescribed by law, and the number of enlisted men authorized for the Marine Corps shall be exclusive of those undergoing imprisonment with sentence of dishonorable discharge from the service at expiration of such confinement, and for the expenses of clerks of the United States Marine Corps traveling under orders, \$112,548."

And the Senate agree to the same.

On amendments numbered 4, 21, 22, 23, 24, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 the committee of conference have been unable to agree.

EUGENE HALE,

A. P. GORMAN,

Managers on the part of the Senate.

C. A. BOUTELLE,

S. G. HILBORN,

A. J. CUMMINGS,

Managers on the part of the House.

Mr. TILLMAN. Mr. President, I should like to ask the chairman of the Naval Committee, or whoever is on the committee of conference, to explain just what has been agreed to by the conference committee and what has been disagreed to—what is left.

Mr. HALE. About all that has been done is to agree to uncontested points—the increases that became necessary by reason of the personnel bill and the fire at the navy-yard at Brooklyn—uncontested matters.

The Gathmann-gun amendment is disagreed to; the dry dock and all the provisions in relation to the increase of the Navy and in relation to armor. The conferees found themselves at a deadlock on those and have reported a disagreement. It is only sending the report over to the other House for action there. None of the controverted matters have been in any way touched upon in the agreement. The two Houses stand opposed to each other.

Mr. CHANDLER. As I understand, Mr. President—

Mr. SEWELL. I do not wish, being in charge of the Army bill, to be taken off my feet in this way by having Senators enter into a general discussion.

Mr. HALE. I have no idea that there will be any discussion. There ought not to be. I said, when I introduced the report, that it would not take five minutes. I should not have introduced it but for that. There is nothing in the report that involves controversy.

Mr. CHANDLER. The Senator from New Jersey should know that there is not often discussion upon conference reports, but Senators do want to know at the time what has resulted. I understand that as to the Gathmann gun there is still a disagreement, and that as to the Holland torpedo boats the Senate amend-

ment has been agreed to, with a provision that makes it absolutely obligatory upon the Secretary to build the two torpedo boats. Is that so, I ask the Senator from Maryland?

Mr. HALE. No.

Mr. GORMAN. It is not true.

Mr. CHANDLER. There were some conditions annexed to the provision as it passed the Senate, and that clause has been stricken out.

Mr. GORMAN. The condition of the act of a year ago remains in force as it was. It gives the Secretary the same discretion, and no more.

Mr. CHANDLER. Then, I will ask the Senator, what is the need of the provision, if the Secretary now has the authority to build the two boats?

Mr. GORMAN. I think absolutely none, and it does not change the condition, in my judgment.

Mr. CHANDLER. It leaves it still discretionary with him.

Mr. GORMAN. Perfectly so, as I understand it.

The VICE-PRESIDENT. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

Mr. HALE. I move that the Senate further insist upon its amendments not agreed to and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. QUAY, and Mr. GORMAN were appointed.

SARAH HAMILTON.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read: To the Senate:

In compliance with a resolution of the Senate of the 2d instant (the House of Representatives concurring) I return herewith the bill S. 3466, entitled "An act granting a pension to Sarah Hamilton."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, March 3, 1899.

Mr. PRITCHARD. I move that the bill be indefinitely postponed.

The motion was agreed to.

#### ARMY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900.

Mr. PETTIGREW. I should like to hear the amendment read.

The VICE-PRESIDENT. The Secretary will read the pending amendment.

The SECRETARY. It is proposed to insert the following:

Provided, That the Adjutant-General shall have the rank, pay, and allowances of a major-general of the Army.

Mr. WARREN. I do not wish to transgress any rule, but I should like for a moment to address myself to the point of order, that I may cite some precedents. The compensation of officers of the Government has been changed repeatedly in appropriation bills. Governors of Territories and judges in Territories have had their salaries changed repeatedly. Where the law provided \$3,600 for a judge, \$3,000 for governor, an appropriation bill has reduced it to \$2,400. It has also raised salaries at different times. I do not think the point of order should obtain.

The VICE-PRESIDENT. The Chair will submit the question of order to the Senate. The amendment is signed on the back by seven members of the Military Affairs Committee.

Mr. PETTIGREW. I wish to ask a question right here. Did the Military Committee yesterday have the amendment referred to the Appropriations Committee?

Mr. WARREN. The amendment was introduced. This particular amendment did not go to the Committee on Appropriations.

Mr. PETTIGREW. Then clearly it is not in order on that ground.

Mr. WARREN. It is reported from a standing committee.

Mr. PETTIGREW. But not referred to the Committee on Appropriations one day before being presented here. That is the rule.

Mr. LODGE. It is clearly out of order.

Mr. ALLEN. I trust the question will be submitted to the Senate, whatever it may be. I am not much of a military man, and I am not much of a hero worshiper. I beg the Senator's pardon. I was going to make a little speech if I did not interrupt the Senator.

The VICE-PRESIDENT. The Chair will submit the question of order to the Senate. Is the amendment in order?

Mr. PETTUS. I do not remember whether this is debatable or not.

Mr. ALLISON. It is.

Mr. PETTUS. Mr. President, I wish to add a few more words. This is general legislation. It changes the rank of the Adjutant-General, and it not only changes his rank, but it changes his pay. I want to make an objection to it on the ground that the committee has never acted on the amendment, and that it has never been referred to the Committee on Appropriations, as suggested by the Senator from South Dakota.

Mr. President, in reference now to this report that comes here, do Senators say that a committee of this body can make a report without allowing the members of the committee an opportunity to be heard? Certainly no such parliamentary law can ever be heard of in this country. It has been decided over and over again. In law you appoint arbitrators, and the arbitrators may be ten. Nine of them may call a meeting and give the other arbitrator no notice, and that award is absolutely void. Why? Because every member of the board of arbitrators has a right to be heard in the discussion of the subject, and an opportunity afforded him to convince his fellow-arbitrators that what they are doing is wrong. That has been decided thousands of times.

A committee! What is that? It is a body composed of the number of members which the Senate chooses to name, and there is no authority at all for a majority of the committee to act except when a meeting is called, and then if a man absents himself he surrenders his opportunity to be heard. But no committee can act lawfully or decently unless there is a meeting and an attendance. I know this has been done time and again. It is a common practice where nobody objects; but the Senator from Wyoming had notice that I not only objected to what was proposed to be done, but I objected to anything being done except it was in a meeting of the committee.

I know that the committee is polled, as they call it here; and when nobody objects to the polling, it passes as the action of the committee. But no committee can act without a meeting of which reasonable notice shall be given to all the members to be present. So I say this has never received the sanction of any committee of this body.

Mr. FORAKER. Will the Senator from Alabama allow me to interrupt him for a moment?

Mr. PETTUS. Not for debate for a moment.

Mr. FORAKER. Not for debate, but to correct a statement made a while ago. I understood the Senator from Alabama to say that the amendment now proposed differs substantially from the bill as we passed it upon the recommendation of the Military Affairs Committee last July. I have that bill before me as it passed, as I recall—

Mr. PETTUS. And it contains exactly what I have stated. I hope the Senator will not interrupt what I am saying.

Mr. FORAKER. I beg the Senator's pardon.

Mr. PETTUS. Now, I will read this. It is exactly what I stated to the Senate.

Mr. FORAKER. It is exactly what I stated.

Mr. PETTUS. No, sir; it is not.

Mr. FORAKER. Let us see where the difference is.

Mr. PETTUS. I decline to be interrupted. This habit of interrupting a Senator for the purpose of interruption when he is arguing a great question like this could never be done in a gentleman's parlor. Why should it be done in the Senate?

Mr. President, I stated that the bill as we passed it provided that the Adjutant-General should be a major-general. Now, what does this bill say? This is the bill as it is now pending in the House of Representatives:

That the present Adjutant-General of the Army shall during his term of office have the rank, pay, and allowances of a major-general in the Army of the United States.

That is all there is of it. This amendment does not say that. It does not say it at all. It says the Adjutant-General shall, and it does not say that it is limited to his term of office. It goes through all time. Mr. President, this matter has been considered very fully within the last year—

Mr. ALLEN. I rise to a parliamentary inquiry. What is the question now before the Senate for discussion?

The VICE-PRESIDENT. Two points of order, one raised by the Senator from Alabama and another raised by the Senator from South Dakota.

Mr. ALLEN. Is the Senator from Alabama proceeding by unanimous consent or simply by the indulgence of the Chair to instruct the Chair?

The VICE-PRESIDENT. The Chair supposes that the Senator from Alabama is instructing the Chair.

Mr. ALLEN. Very well. Then I have nothing further to say.

Mr. PETTUS. I do not want to discuss this subject out of order. If I am out of order, I want to quit. I propose to discuss it when I am in order.

Mr. WARREN. May I ask the Senator from Alabama a question?

Mr. PETTUS. Certainly; if it is nothing but a question.

Mr. WARREN. I do not know that I quite understand the Senator. Now, we have here a bill exactly as reported from the committee and exactly as it passed the Senate. Is the Senator willing that that shall be offered as a substitute for what I have offered?

Mr. PETTUS. How is that?

Mr. WARREN. Is the Senator willing that it shall be offered as a substitute for what I have offered—the exact measure we passed?

Mr. PETTUS. I am not willing that this thing shall pass in any shape, form, or fashion, because it is a disgrace to the Army of the United States.

Mr. WARREN. That is the Senator's opinion.

The VICE-PRESIDENT. The Chair is ready to decide the question of order raised.

Mr. PETTIGREW. I wish to read the rule.

The VICE-PRESIDENT. The Chair is entirely familiar with it.

Mr. PETTIGREW. I make the point of order that this, if reported by a standing committee, was not referred to the Committee on Appropriations one day previous to its presentation here, and therefore on that ground it is clearly out of order. There can be no possible chance to argue that question, and I should like to have it ruled upon.

The VICE-PRESIDENT. The Chair was in doubt in respect to the point raised by the Senator from Alabama as to whether or not this is general legislation. The Chair did not believe it was, and was willing to submit it to the Senate. Since that time the Senator from South Dakota has raised the point of order under the second section of Rule XVI, and it is said that this amendment, although authorized by the Military Affairs Committee, has never been submitted to the Committee on Appropriations at all. It is clearly out of order under that section of the rule.

Mr. SEWELL. Has the Chair taken into consideration that this has already passed the Senate in the present Congress?

The VICE-PRESIDENT. No objection is made to it on that account. That is under the first section of the rule. The objection is made under the second section, that it adds a new item of appropriation and has never been submitted one day prior, or at all, to the Committee on Appropriations.

Mr. SEWELL. I trust we will now go on with the bill.

Mr. FORAKER. I offer the amendment I send to the desk.

The SECRETARY. It is proposed at the end of the bill to add the following:

That the present Adjutant-General of the Army shall during his term of office have the rank, pay, and allowances of a major-general in the Army of the United States.

Mr. FORAKER. This amendment differs, as I understand, from the one which has just been disposed of under the rule and upon the point of order. This applies only to the present Adjutant-General, while the other, as the Senator from Alabama informed us a moment ago, applied to the office without any limitation, and therefore to any occupant, either the present or any successor of the present Adjutant-General. This is the one which was reported favorably, and which passed the Senate in the shape of a bill during the last session.

Mr. PETTUS. I raise the point of order which was raised by the Senator from South Dakota, that this amendment was not referred to the Committee on Appropriations a day before it is offered here. I also make the point of order that it does not come here with the recommendation of any committee at all at this time.

Mr. FORAKER. I think, in view of the fact that this was reported at the last session, as I stated a moment ago, by the Military Affairs Committee and then voted upon, that it is entirely pertinent and proper to offer it here as an amendment.

The VICE-PRESIDENT. Will the Senator from Ohio state to the Chair how this will avoid the second section of the same rule? It is in compliance with the first, but not with the second section.

Mr. FORAKER. I am willing to take the judgment of the Senate upon that question, and I hope it may be submitted to the Senate.

Mr. LODGE. It has just been ruled out.

The VICE-PRESIDENT. The Chair sustains the point of order made by the Senator from Alabama.

Mr. ALLEN. I appeal from the decision of the Chair, and ask for a yea-and-nay vote.

The VICE-PRESIDENT. The Senator from Nebraska appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. PETTUS and Mr. ALLEN called for the yeas and nays, and they were ordered.

Mr. FORAKER. There is some confusion as to how we shall vote. A vote in the affirmative sustains the point of order, and a vote in the negative has the contrary effect.

The VICE-PRESIDENT. The question is, Shall the decision of the Chair stand as the judgment of the Senate? Those in favor will vote yea, those against nay.

The Secretary proceeded to call the roll.

Mr. CLARK (when his name was called). The Senator from Kansas [Mr. HARRIS] is detained from the Chamber by illness, and, as I am paired with that Senator, I withhold my vote.

Mr. DAVIS (when his name was called). I am paired with the Senator from Texas [Mr. CHILTON].

Mr. HANNA (when his name was called). I have a general pair with the junior Senator from Utah [Mr. RAWLINS], and withhold my vote.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. CLAY]. As this is a parliamentary question, not a political question, I shall take the liberty of voting. I vote "yea."

Mr. McLAURIN (when his name was called). I again announce my pair with the Senator from North Carolina [Mr. PRITCHARD].

Mr. PROCTOR (when his name was called). I am paired with the junior Senator from Florida [Mr. MALLORY]. He not being present, I withhold my vote.

Mr. QUAY (when his name was called). Upon this question I am paired with the Senator from Maryland [Mr. GORMAN]. If the Senator from Maryland were present, he would vote "yea" and I should vote "nay."

Mr. SEWELL (when his name was called). I am paired with the Senator from Wisconsin [Mr. MITCHELL].

Mr. SHOUP (when his name was called). I am paired with the senior Senator from California [Mr. WHITE]. I understand if he were present, he would vote "yea." I would vote "nay."

The roll call was concluded.

Mr. MONEY. I desire to announce that my colleague [Mr. SULLIVAN] is unavoidably absent and is paired with the Senator from Illinois [Mr. MASON]. I do not know how my colleague would vote if present.

Mr. BACON. I announce my pair with the junior Senator from Rhode Island [Mr. WETMORE].

The Secretary recapitulated the vote.

Mr. McLAURIN. I understand that votes are necessary to make a quorum, and for that purpose I break my pair and vote "yea."

Mr. SEWELL. I will vote if my vote is necessary to make a quorum. I vote "yea."

Mr. HANNA. I vote "yea."

The result was announced—yeas 42, nays 7; as follows:

#### YEAS—42.

Allison,	Gallinger,	McLaurin,	Simon,
Bate,	Gear,	Martin,	Smith,
Berry,	Hanna,	Money,	Spooner,
Burrows,	Hansbrough,	Morgan,	Stewart,
Butler,	Hawley,	Nelson,	Thurston,
Caffery,	Heitfeld,	Perkins,	Tillman,
Chandler,	Hoar,	Pettigrew,	Turnley,
Daniel,	Kenney,	Pettus,	Turner,
Davis,	Lindsay,	Platt, Conn.	Wellington.
Fairbanks,	Lodge,	Roach,	
Frye,	McEnery,	Sewell,	

#### NAYS—7.

Allen,	Foraker,	Mantle,	Warren.
Carter,	McBride,	Murphy,	

#### NOT VOTING—41.

Aldrich,	Faulkner,	Mills,	Sullivan,
Bacon,	Gorman,	Mitchell,	Teller,
Baker,	Gray,	Pasco,	Turpie,
Cannon,	Haile,	Penrose,	Vest,
Chilton,	Harris,	Platt, N. Y.	Wetmore,
Clark,	Jones, Ark.	Pritchard,	White,
Clay,	Jones, Nev.	Proctor,	Wilson,
Cockrell,	Kyle,	Quay,	Wolcott.
Cullom,	McMillan,	Rawlins,	
Deboe,	Mallory,	Ross,	
Elkins,	Mason,	Shoup,	

The VICE-PRESIDENT. The decision of the Chair is sustained.

Mr. FORAKER. I offer the following amendment:

And provided further, That no franchises or concessions of any kind whatever shall be granted by the United States, or by any military or other authority whatever for which the United States is responsible, in the island of Cuba during the occupation thereof by the United States.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Ohio.

Mr. FORAKER. Mr. President, since that amendment was proposed a few days ago there has been so much in the newspapers about there being no occasion for it that I desire to read a few paragraphs from the Evening Star of February 10. It is an account of a new board that has been appointed, called the advisory board in some places and in others called the colonial board. It says:

The board appointed by the President to investigate and report upon taxation, franchises, and concessions in Cuba and Porto Rico is established in the Lemon Building. The handsomely equipped suite of rooms they now occupy on the second floor will be vacated to-day, and the board hereafter will use the third-floor suite, in which the war-investigating commission has been sitting.

So it goes on. It next describes the scope of the inquiry as covering all kinds of franchises, enumerating street railroads, electric lights, etc. I ask, in order that I may save time, that the portion I have marked may be inserted in the RECORD.

The VICE-PRESIDENT. There being no objection, that will be the order.

The article referred to is as follows:

#### ROOMS OF THE BOARD.

The board appointed by the President to investigate and report upon taxation, franchises, and concessions in Cuba and Porto Rico is established in the Lemon building. The handsomely equipped suite of rooms they now occupy on the second floor will be vacated to-day, and the board hereafter will use the third-floor suite, in which the war-investigating commission has been sitting.

Mr. Curtis has not yet reported for duty, but his colleagues, Messrs. Kennedy and Watkins, were busy to-day with a number of clerks, classifying and filing applications for franchises and concessions and receiving personal calls in connection with these matters.

The board hopes to obtain the services of a competent Spanish-speaking clerk to act as translator, and to complete its force of clerks who will accompany the board in a few days. The start for Cuba will be made within a week or ten days.

#### THE SCOPE OF INQUIRY.

The scope of their inquiry comprehends all matters referred to them by the Secretary of War for investigation and recommendation. Only subjects related to civic administration will be considered, and the board will not touch upon anything relating to the military. These include questions concerning the judiciary, the assessment and collection of taxes; the granting of patents, the sale or gift of franchises, either local or interprovincial; railway grants, street-car line concessions, electric light and other municipal monopolies.

Upon all these the board will in due time report to the Secretary of War, but they have no power to do more than to formulate recommendations for the guidance of the President and Secretary of War.

#### PLANS OF THE BOARD.

General Kennedy, of the board, gave to a Star reporter to-day the following interview:

"At present we are called the advisory board, but I believe that in time some more suitable designation will be found. We are expecting to be joined at once by Mr. Curtis, the new appointee, and then we will organize and perfect the details of our work."

"We are hunting for a Spanish-speaking clerk to act as translator, but we find it hard to accomplish. I don't know how large a force of clerks will accompany us. The start will be made soon—within a week or ten days. We will go direct to Havana in order to avoid the sickly season. Then we will visit every port, large city, and province on the island. We believe that we will be at least a month or six weeks doing this, and afterwards the same time and care will be spent in Porto Rico. We have nothing to do with the Philippines, as the United States has not completed the occupation of those islands."

#### MANY APPLICATIONS FOR CONCESSIONS.

"Very many applications have been referred to us by Secretary Alger and Assistant Secretary Melklejohn, and not a few calls have been made by applicants in person. A few requests for grants of franchises and concessions are from American syndicates, but the majority are from corporations already established on the island. Nothing will be done with any of these until we have gone over the ground and carefully looked into the advantages or disadvantages of each."

Mr. HOAR. I most heartily concur with the Senator's purpose in offering the amendment. I desire to ask him what significance he puts to the phrase "for which the United States is responsible?" Would it not be well to strike out those words and say "no franchises shall be granted by the United States?"

Mr. FORAKER. Probably so; but I wanted to make it explicit, for the United States is maintaining a military occupation there now.

Mr. HOAR. It makes it less explicit with those words in. I think it would be made stronger by simply saying that no franchises whatever shall be granted by the United States.

Mr. FORAKER. I do not object to striking that out, but I say no franchise shall be granted by the United States or by any authority for which the United States is responsible, having reference to those put in authority over the provinces there.

Mr. HOAR. But suppose some court or public official should say that a franchise granted by the United States incurring no further responsibility to maintain it or to do anything about it is not a franchise for which the United States is responsible. That would be a chance to destroy almost entirely the Senator's purpose.

Mr. FORAKER. I accept the amendment.

Mr. HOAR. It seems to me that an absolute statement that no franchises shall be granted clinches it. That is my proposition.

Mr. SEWELL. Mr. President—

Mr. FORAKER. Let me have the amendment so amended.

Mr. SEWELL. I have something to say about it.

Mr. FORAKER. I have no objection to the Senator proceeding. I wanted to amend the amendment.

Mr. SEWELL. I understand there have been no franchises granted. If there had been, this amendment has nothing to do on a pure and simple appropriation bill to pay the officers and men of the Army and furnish supplies. I make the point of order against the amendment.

Mr. FORAKER. In answer to that—

The VICE-PRESIDENT. Upon what ground is the point of order made? On the ground that it is not relevant?

Mr. SEWELL. On the ground that it is not germane to the bill.

Mr. CHANDLER. I hope the Senator from Ohio will fix the amendment as he wants it before it is debated.

Mr. FORAKER. I agree to strike out, if I may have consent, from the amendment as I offered it the words "for which the United States is responsible." The amendment will now read:

That no franchises or concessions of any kind whatever shall be granted by the United States, or by any military or other authority whatever, in the island of Cuba during the occupation thereof by the United States.

Let it be read at the desk.

The VICE-PRESIDENT. The amendment will be read as modified.

The SECRETARY. At the end of the bill insert:

*And provided further, That no franchises or concessions of any kind whatever shall be granted by the United States or by any military or other authority whatever in the island of Cuba during the occupation thereof by the United States.*

Mr. MORGAN. Mr. President—

Mr. SEWELL. I now object to the amendment on the ground that it has never been committed to a standing committee or reported from one of the standing committees of the Senate.

Mr. LODGE. But the point of order does not apply, because the amendment does not increase the appropriation or make a new item.

Mr. CHANDLER. It is a mere limitation on the military authority, for which millions of dollars are appropriated in this act.

The VICE-PRESIDENT. The question of relevancy the Chair will submit to the Senate. Is the amendment in order? [Putting the question.] The amendment seems to be in order. It is declared to be in order. The question is on agreeing to the amendment.

Mr. BURROWS. Mr. President, it seems that this amendment is based on a report published in the Star of this city.

Mr. FORAKER. And numerous other papers contain similar reports.

Mr. BURROWS. I allude only to what the Senator referred to—the Star. If I remember correctly, some time since a resolution was passed calling upon the War Department to report whether any franchises had been granted to any parties in Cuba. That report declares that none had been granted. I desire simply to state that in communication with the War Department to-day I was informed that no franchises had been granted in those islands to anybody, and more than that, that an order had been issued by the War Department that none must be granted.

Mr. MORGAN. I think this is very dangerous legislation. I ask the lawyers of this body, who are supposed to understand the meaning of legal phrases, what is a franchise? Well, a corporation is a franchise. An authority to sell whisky is a franchise. An authority to vote is a franchise. There is a vast multitude of licenses and other indulgences that are classed by the law writers as franchises.

Now, the time is rapidly approaching, I trust it is very close at hand, when the Government of the United States, represented by the President, the President exercising in Cuba and other places his military power, will be able to make a transfer of the military rule, of the dominion there, into the hands of civil power; but in order to do that it is very obvious that at some time or other there must be an ascertainment of public will in respect to the change of government from the military to the civil form, the military form being in the hands of the United States, the civil form being in abeyance at the present time.

It is intended to be ultimately vested in the people of Cuba, according to such expression as they may see proper to make in that behalf. It is therefore inevitable, under our system of procedure at least, and under all the conceptions we have of free government, that when this transfer is to take place it must be done by a plebiscite or by some form of vote, and the President of the United States, as a military commander, must, at some time or other, by some agreement or arrangement he may make with the civil authority there, say: "I will prescribe to you a form of voting. I will confer upon certain persons here the franchise to vote upon this question of the changing of civil government. I will not confer it upon women, I will not confer it upon aliens, I will not confer it upon those who have borne a bad moral character, by service in the penitentiary or otherwise, or upon persons who can not, for instance, read or write. I will prescribe the qualifications of the voters by a plebiscite that is to take this military government out of my hands and place it into the hands of the people." Now, there is a franchise. It is an express franchise, given to the individual man.

Mr. MASON. Mr. President—

Mr. MORGAN. This amendment, as we have it here now, forbids the President of the United States to do that. So I think it is a very dangerous piece of legislation.

Mr. MASON. Will the Senator yield for a question?

Mr. MORGAN. More than that, Mr. President, it is premature. It is unnecessary for us at this moment of time, and particularly in the agitated state of public sentiment in the island of Cuba, to commence making provisions of law which are to control those people.

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Illinois for a question?

Mr. MORGAN. I did not hear the question. I can barely hear myself.

Mr. FORAKER. Will the Senator from Alabama allow me to interrupt him at this point?

Mr. MORGAN. Yes.

Mr. MASON. That is all right. I yield to the Senator from Ohio.

Mr. FORAKER. I will wait until the Senator concludes then.

Mr. MORGAN. If any Senator wants to ask me a question, all right.

Mr. MASON. I desire to ask the Senator a question, if it does not interrupt him.

Mr. MORGAN. Well, what is it?

Mr. MASON. The question is simply a mere matter of practice or law. Do you state that under the resolution by which we took possession of the island of Cuba any commissioner of the United States or the United States itself can grant a perpetual franchise that will be binding upon the people of Cuba?

Mr. MORGAN. Not at all. But there are franchises which the President of the United States can confer upon them, and which nobody else can confer. This franchise includes all those privileges, rights, opportunities, or whatever they may be, that will—

Mr. MASON. As I understand the amendment, it only seeks to make the limitation up to the time we part with the island of Cuba. What objection can there be to it?

Mr. MORGAN. That is very true, but my argument refers to the time, method, and manner of parting with Cuba, the way of getting rid of it and getting this authority out of our hands, which in its character now is military, and getting it into the hands of civil power.

Mr. MASON. As I understand the amendment offered by the Senator from Ohio, he only seeks that there shall be a limitation which shall expire with our parting with the military title of Cuba. Do you seek anything different from that?

Mr. MORGAN. I think I do. I think I see enough in the meaning of the word "franchise" to put us in a very bad position.

Mr. MASON. I simply wanted to understand the Senator.

Mr. MORGAN. I think it would put us in a very doubtful attitude on this question, and I say it is premature. We recognize the fact that in the island of Cuba there are quite a number of people who are more anxious to cut each other's throats than they are to do any benefit to mankind.

Mr. MASON. Do you mean among the major-generals or the brigadier-generals in our Army?

Mr. MORGAN. I am talking about those members who often are talking in assemblies. What is the assembly called there? I forget now.

Mr. MASON. You mean Cubans and not Americans?

Mr. MORGAN. I mean Cubans and Spaniards. I passed through this, Mr. President. It is not a strange sensation or experience, either, to me. I have seen the time when my State was required to give obedience to military rule, and that when a war was not prevalent in the United States—when it had been closed; but it was a necessary movement.

It was necessary in order to keep men from doing violence to each other. It is the hardest task we have, and about the only one we have in Cuba to-day, to prevent those men from cutting each other's throats, resulting from the difficulties that occurred during the war. It is the natural state of the human mind after a great war is over to seek vengeance, and we are there not only as peacemakers, but we are going to have peace there if we have to fight for it.

Mr. MASON. You are going to have peace if you have to fight for it?

Mr. MORGAN. Yes; we are going to compel it. We do not intend to permit, and we can not decently and with self-respect permit, any of those men to cut each other's throats in that country and destroy property and the like of that while we are exercising territorial dominion there.

Now, that being so, we had better let this matter alone and let the President of the United States go on and exercise his proper power under the laws of the United States, for those are the laws that regulate his conduct there. I grant you the Constitution of the United States restrains him, because he is an officer of our Government, but the basis of legal procedure that the President of the United States is authorized to act upon in Cuba are the laws of nations, and under the laws of nations he has got the right as the Commander in Chief there of the military forces of occupation to prescribe the methods and the instrumentalities through which civil law shall be administered.

Mr. CAFFERY. Will the Senator from Alabama permit me to ask a question?

Mr. MORGAN. Certainly.

Mr. CAFFERY. I understand the Senator from Alabama to say that the United States have military occupancy of the country.

Mr. MORGAN. We all know that.

Mr. CAFFERY. And I know you all know it. I say I understand you to say so.

Mr. MORGAN. I do say so.

Mr. CAFFERY. I want to know from the Senator whether that military occupancy gives the United States the sovereignty over the island?

Mr. MORGAN. Now we have got to the old debating-society question about what is sovereignty, how it is to be divided up, and how many different elements exist in sovereignty.

Mr. CAFFERY. I do not ask about what sovereignty is, but who has the sovereignty?

Mr. MORGAN. It is the power of ruling without appeal. That is the sovereignty. That man or that body of men who have the power to rule without the right of appeal from that authority to some other power is sovereign. He may be a military sovereign or he may be a civil sovereign. The sovereignty of the United States is existent in the island of Cuba to-day, and it has a representative there in the major-general who is in command particularly; but the flag that floats there signifies the supremacy of the Government of the United States over any other government that is in Cuba, or that ever has been there.

That is our situation in regard to the matter of sovereignty. Whether we can define it or not, we have an emblem there that expresses it. That flag expresses the whole thing. Under that flag General Brooke commands in a military way, and he does what you did with us in the South. He employs the civil establishment in that country for the purpose of preserving peace, law, order, property, life, and liberty to the extent that it is granted to the people there, and it is a perfectly just thing in him to do it.

It is sanctioned by all the international law and sanctioned also by our example through many years here, while the controversy waxed so warm as that men could scarcely contain themselves when talking about it on this floor and out amongst the people. But now the sovereign power is there; I do not care whether you call it military power or civil power; it makes no difference what you call it. The right of rule without appeal is there, and that is in the hands of the United States.

Now, we want to get rid of it. We assumed it for a certain definite, fixed, and announced purpose. We have never in the slightest degree cast a suspicion upon our purpose and intention of carrying it into honest and sincere effect and operation, and the quicker we can do it the better for all concerned. But it is dangerous to do it to-day. When the assembly of Cuba makes a question with General Gomez about his receiving through the United States, if you please, \$3,000,000 to be paid into the hands of the Cuban soldiery through the United States instead of receiving it directly and in virtue of their own right out of the treasury of Cuba—when they make a question of that kind with General Gomez and get into a great tumult about it, almost as bad as the French Assembly, and when things of that sort go on in Cuba, we had better take a firm stand here and not make bows and coupes to them, and say to them: "Obedience to the law is the first duty you have got to learn, and until you have done that and have accomplished it to such a satisfactory extent that we can see the life, liberty, and property of Spaniards, negroes, or anybody else reasonably safe in Cuba we are going to hold our dominion over you."

Now, I do not care about entering into definitions or distinctions or finespun theories about this business. It is the practical, everyday duty, and I want the President of the United States to have, unabridged by the action of Congress, all the power that he possesses under the laws of nations, to rule in that land until we get ready to turn the authority over to those people. I think the amendment is unfortunate in having the word "franchise" in it.

Mr. PLATT of Connecticut. Mr. President, what is the necessity for this action by Congress? If I believed that there was any disposition or intention on the part of the Administration, or anybody connected with it, to issue or grant any corporate privileges in Cuba, I would vote for this amendment. But, Mr. President, I do not believe it. Everything that has been done by this Administration and by anyone connected with the Administration from the time we began military occupation in Cuba to this time disproves any insinuation that there is any such intention.

Now, Mr. President, a resolution was sent to the War Department to know whether any corporate privileges or concessions had been granted. The reply to that resolution was that there had been none. There has been an order issued by the War Department to the authorities in Cuba directing that there shall be none granted, and I think I am justified in saying that there is no intention of granting any by the President, by the Secretary of War, by the advisory board, or by any persons in authority in Cuba.

That being the case, we are asked, on the authority of an irresponsible newspaper statement, to gravely pass an act here that no one shall have authority to do that. There would be just as much propriety in putting on at the end of this bill a provision that no officer should squander any of the money which is appropriated in the bill. To pass an amendment of this sort is a direct charge or an insinuation that somebody intends to do it, and therefore I propose to vote against it.

Mr. FORAKER. Mr. President, there seems to be an undue sensitiveness about this amendment, and running through all these speeches there is an intimation that something is insinuated which is of a character that will reflect upon somebody by the mere offering of it.

Mr. President, I disclaim any such intention. We have a right, it seems to me, to speak upon such a subject as this without having any improper motive attributed to us. I resent the insinuation that there is any improper motive to be attributed. As a full justification of the action of presenting the amendment I call attention again to the newspaper article that has already been put in the RECORD, and I desire to read very briefly from it.

It will show that this action is not premature, as was said by the Senator from Alabama, and it will show conclusively that those having authority with respect to Cuba have expressed an intention to grant franchises in that island. There is not any question about the truthfulness of this statement. Nobody ever denied anything contained herein. This is only one, as I said a while ago, of a number of statements and a number of interviews. What I shall read in a moment comes from an interview with the president of this advisory board. He states here all the duties of that board, and I do not know where else to learn them. You can not go to any statute and find what are the duties of that board.

There is no statute by which that board is created expressly. There is no statute defining the power of that board. It is a board appointed by the President in the exercise of the power belonging to him while a military occupation is being maintained in these various islands. It is a board not appointed by him with the advice and consent of the Senate. We know of its existence, we know of its power only as the board itself has seen fit to proclaim it. Now, here is what the president of this board says. I submit it is sufficient to show that this legislation is not premature and not without excuse, if it be at all appropriate legislation.

Mr. SPOONER. What is the date of that article?

Mr. FORAKER. The 10th day of February. It came out in the paper just about the time, I think, that the answer was made to the resolution which was passed by the Senate asking for information on this subject. I do not remember that the answer to that resolution went any further than simply to say that no franchises have been granted heretofore. I did not know that anybody claimed that any had been.

The question is not as to the past, Mr. President, but it is as to the future. When we find those exercising authority by appointment of the President proclaiming their intention in this regard, it is time for the Senate of the United States, and the Congress of the United States, to express an opinion on the subject, if it have any opinion to express.

Here let me call attention to the fact that we have been invited by the President himself to legislate in regard to this matter. In his Boston speech he announced not only to the Congress of the United States, but to the whole country, that the responsibilities of the war were now to pass to Congress; that it was for Congress to say what should be done in those islands. He shifted from himself all responsibility in regard to them. It seems to me, therefore, if a question arise with respect to any one of those islands and we want to express a policy in regard thereto, it is certainly our right to do so without having somebody impute to us a motive that is offensive.

Mr. HALE. Is the Senator so innocent that he supposes because of general declarations all of the subject of these outlying possessions are to be left to Congress, there is to be any legislation to that end? Does he not know that while that has been the general declaration, whenever any attempt is made for action on the part of Congress, it is opposed and contravened and stifled?

Mr. FORAKER. I do not know to what particular attempt the Senator from Maine refers. I do know, however, that when this matter is proposed there is opposition. I do not see why there should be. But now let me read from the article.

Mr. HALE. Let me say to the Senator that I am surprised he does not see the programme is the other way; that there is to be no act on the part of Congress; that Congress is to adjourn and let every attempt which has been made to make a declaration of policy by Congress be opposed and thwarted and destroyed.

Mr. FORAKER. I did not expect to have occasion to go so far as that, and I should very much regret to think that there is a disposition on the part of the Administration to prevent Congress announcing a policy with respect to these islands.

Now, Mr. President, let me not be diverted from reading here as a justification for the offering of this amendment further from the interview.

The scope of their inquiry—

Speaking of this board—

comprehends all matters referred to them by the Secretary of War for investigation and recommendation. Only subjects related to civic administration—

I call the attention of the Senator from Alabama to that—

Only subjects related to civic administration will be considered, and the board will not touch upon anything relating to the military. These include questions concerning the judiciary, the assessment and collection of taxes, the granting of patents, the sale or gift of franchises, either local or inter-provincial.

Now stop and think, Mr. President, what is meant by an "inter-provincial" franchise. It means the granting of a franchise to

build a railroad or some other kind of highway. I imagine, across that island; and if so, then I am opposed to the United States entering into any such business in the island of Cuba, where our occupation is to be temporary.

Mr. MORGAN. The Senator is not reading from his amendment, but he is reading from a newspaper.

Mr. FORAKER. I suppose I have a right to read what I see fit to read.

Mr. MORGAN. All right. But when you come to inform the Senate on the question as to what your amendment means, the newspaper article will not furnish the explanation.

Mr. FORAKER. No; I am not talking about that. I am to be the judge as to what I shall say in my remarks to the Senate. I am speaking now, not of my amendment, but I am speaking for myself; and I am undertaking to speak to the Senate upon that which moved me to offer the amendment, in answer to the claim of the Senator from Alabama that it is premature and uncalled for.

Mr. MORGAN. As to being a judge, we are all judges for that matter, and we are judging the Senator's amendment, not by a newspaper statement, but from what the Senator says.

Mr. FORAKER. The Senator declined to permit me to interrupt him a moment ago unless I should confine myself to a simple inquiry. I did not want to take very much of his time, but only wanted to call attention to this, and he would not give me the opportunity, and so I want to do it now:

Local or interprovincial—

Now, listen—

railway grants, street car line concessions, electric light, and other municipal monopolies.

In other words, if that kind of a programme is to be entered upon, it means that the United States will not get out of Cuba in a hundred years.

Mr. HALE. Of course it will not.

Mr. FORAKER. And never will get out of Cuba. I hope, for one, to see the United States withdraw from that occupation and let the people of that island establish an independent government of their own, as we have promised, and I hope it can be done at no distant day.

Now, further this interview says:

At present we are called the advisory board, but I believe that in time some more suitable designation will be found.

"In time." How much time? This year or next year? This is the president of the board who speaks. Is he not one in authority?

We are expecting—

Now listen to this—

We are expecting to be joined at once by Mr. Curtis, the new appointee, and then we will organize and perfect the details of our work. We are hunting for a Spanish-speaking clerk to act as translator, but we find it hard to accomplish. I do not know how large a force of clerks will accompany us.

This is to Cuba. He made that statement before starting to Cuba:

The start will be made soon—within a week or ten days. We will go direct to Havana in order to avoid the sickly season. Then we will visit every port, large city, and province on the island.

I have read enough to show his declaration as to the power his board is to exercise. Are we not entitled, Mr. President—

Mr. MASON. What is the title of the board?

Mr. FORAKER. The "advisory board," he says they are called now, but some time in the future he hopes to get some other name which will be more suitable.

Mr. STEWART. Who is the president of the board?

Mr. FORAKER. The president of the board is Gen. Robert P. Kennedy, of Ohio, a man of intelligence, selected by the President to be the presiding officer of this board. Is he not to be presumed to understand the powers which the President wants him to exercise?

Mr. PLATT of Connecticut. I am sorry to hear the Senator from Ohio say that the president of that board is a man of intelligence after he reads that statement, if it be true that it is an interview with him.

Mr. FORAKER. Well, Mr. President, I do not mean to criticize General Kennedy. I assume that he was speaking according to his instructions, and for that reason I do not think there is anything to justify what the Senator from Connecticut has said. General Kennedy certainly understands, or should understand, what he has been chosen to do.

Now, listen further as to the character of these franchises. He says:

Very many applications have been referred to us by Secretary Alger and Assistant Secretary McKeljohn, and not a few calls have been made by applicants in person. A few requests for grants of franchises and concessions are from American syndicates, but the majority are from corporations already established on the island. Nothing will be done with any of these until we have gone over the ground and carefully looked into the advantages or disadvantages of each.

There is an officer of the Government—I suppose he is an officer, and that he has taken an oath, and no doubt is drawing a salary and has all the muniments of office. There is the president of this

board telling us that the board at an early day is to start to Cuba and these various islands.

I am told by the Senator from Iowa [Mr. GEAR] who sits near me that the board has already gone. I do not know whether that is the case or not, but I have a right to assume, when we read this in the newspapers and see no contradiction of it, that the board is expected to exercise the character of power here described, and that the board is at an early day to set about doing it.

I desire to protest against it, and I think the effective way of protesting against it is to legislate against it; to legislate that we do not want the granting of any franchises, either interprovincial or otherwise, in the island of Cuba. We want to pacify the island, then recognize a government established by the people of that island, and then bring our troops home; and the quicker we can do it the better I think it will be for us, and the better for the island, too.

Mr. LODGE. Mr. President—

Mr. FORAKER. Mr. President, one word further, and then I will yield with pleasure to the Senator from Massachusetts.

The Senator from Alabama made a strong point in definition to show that the word "franchise" was so broad that it might prevent the conferring of the elective franchise. I do not know that that is contemplated. But however that may be, all the difficulties suggested by the Senator from Alabama on account of his definition of the word "franchise" can be obviated by putting one word in this amendment, as he will agree with me, and that is by saying "property franchises or concessions." I will ask consent to put in this amendment, before the word "franchises," the word "property." Then it will read "property franchises."

The VICE-PRESIDENT. The amendment of the Senator from Ohio will be modified in the manner suggested by him.

Mr. LODGE. Mr. President, I did not intend to say a single word in regard to this amendment. I intended simply to vote for it; but I must decline to be put in the position in which I think the Senator from Connecticut puts those of us who support the amendment. I can not see that that amendment reflects on any human being. We are told that no franchises have been given, and none are to be given. Very well; then we are carrying out in a statute the declared policy already agreed upon.

Mr. President, it seems to me of the last importance that Congress should say by statute, and say to all the world, that while we are holding these islands by military authority, we are not going to have them exploited for commercial purposes. I do not believe in hampering the President in the slightest way, either in the military or the political department with which he is engaged.

I should object very much at this time, on our insufficient knowledge, to interfere with him; but the story has gone abroad from the interview, which has been read here, with the chairman of the advisory commission, from which it appears that men are running eagerly forward to get franchises in Cuba. If the country is still in that unsettled condition, as I believe it is, and it is necessary to maintain military rule there, it is not in a fit condition for a board or a commission or anybody else to enter upon the granting of franchises.

I want, Mr. President, above all things, that whatever islands we hold or whatever islands we part with, when we start the government of those islands we shall be free, absolutely free, from the slightest suspicion even that there is jobbery or corruption or that we are trying to get into those islands to exploit for the benefit of individuals or of corporations. It will be time enough when Congress is thoroughly informed to make suitable laws in the islands which we retain for the establishment of corporations and the granting of franchises. It is not the time to do it now.

I believe, Mr. President, that we are carrying out the policy of the Administration, that we are strengthening the hands of the Department and of the President, when we put firmly into the statute law the declaration that there shall be no granting of commercial franchises and concessions until a legally ordered government, a constitutional government, either under our auspices or the auspices of the people themselves, is established in Cuba or in any other island that has passed into our hands.

I want to see this amendment go upon the bill, because I want to say plainly to all the world and to all speculators and to all adventurers who are trying to get concessions or franchises there that that business is not going on while we hold military authority; that it is not to be done until those people have a legal, constitutional, and proper government. I think that is a just and a righteous action for the United States to take.

I object, Mr. President, to having it suggested that those of us who believe in the establishment of this policy are therefore opposing the Administration. Who is there here that says we are opposing the policy of the Administration because we forbid franchises and concessions to be granted by commissions or by the military authority?

We are told in one and the same breath that that is the precise policy of the Administration, and yet that it is a reflection upon somebody because we embodied that policy in a statute. That is

just the place it ought to be, Mr. President—in a statute—so there can be no question anywhere as to the attitude of the United States—not merely as to the attitude of the Administration, but as to the attitude of Congress, which has its own responsibility in these matters, and which is just as much entitled to have its opinion on a case like this as anyone else, and it is as important to deal with that now as it is, in my judgment, to leave to the President absolute freedom in all military and political matters.

Mr. FRYE. I yielded the right of way on the conference report on the river and harbor bill in order that two bills, the deficiency and the Army appropriation bills, might be disposed of. Now, it is working along into the night, and the river and harbor conference report is a very long one. If there is any desire on the part of the Senate that the river and harbor bill shall become a law, I trust there will be no more debate on these amendments.

Mr. SPOONER. I want to say only a word. It is difficult for me to see the theory upon which this amendment is either proposed or defended. Our occupation of Cuba is, of course, a temporary occupation. No one has any warrant for the assumption, I think, that it is intended to be otherwise than a temporary occupation. It is a military occupation. It is an occupation from the standpoint of duty in time of war.

The Senator from Alabama [Mr. MORGAN] stated the law as it undoubtedly is when he said that all the power which the President of the United States has in Cuba to-day is a power which he does not derive from Congress, but which he derives from the Constitution, which declares him Commander in Chief, and his power as Commander in Chief he obtains from the laws of war.

We can not legislate for Cuba. Even if the treaty with Spain were ratified Cuba could not be legislated for by Congress. The sovereignty of Cuba is not proposed to be ceded to the United States. The only power we have there is military power, which, under the declaration of Congress, no man can or will dare to turn his back upon, nor will Congress turn its back upon it, for it would be dishonoring the military power of the United States in that island.

The President does not derive, as I said before, his power as a military commander from Congress, nor can Congress take away from him any of the powers which, as Commander in Chief under the laws of war in time of war, he is entitled to exercise. There may be franchises, I do not know but franchises essentially of a temporary kind, to be exercised under the control of the military power, which might be of interest to the health of the community.

I can imagine a variety of circumstances under which a mere temporary grant of franchise under military control ought to be granted, but I have not heard it contended here, though I suppose it will be, that it is in the power of a military commander there, or in the power of the President of the United States, as the Commander in Chief, deriving his only power in Cuba from the laws of war, to grant any property franchise which will outlive our occupation.

The President speaks for himself better than anyone else can speak for him. It is not an entirely dignified thing for Congress to gravely and deliberately legislate upon a newspaper interview. It has not been the habit of Congress; and while I do not challenge in the slightest degree the purpose of the Senator from Ohio [Mr. FORAKER], I do think that the adoption of this amendment casts inferentially an imputation upon the President, not from anything said in advocacy of it, but from the amendment itself.

The President has been quite careful to look after the future interests of the people of Cuba so far as franchises are concerned. There is a legislative body, so called, in Cuba, under a law of which there was an advertisement for the sale of franchises. The President stopped it. We find in an order signed by him, addressed to General Wade, under date of December 12, 1898, this language:

It is manifest that a power which has lain so long unexercised, and which it is now proposed to exercise within two days of the final evacuation of the island by all the Spanish forces, involving, as it does, the granting of franchises of enormous value, and the attempt to commit the future government of the island of Cuba to very heavy money obligations in the way of interest guaranties, can not be permitted to be exercised without impairing very seriously the interests of the people and government of the island of Cuba, for whom, at the present time, the United States stands practically in the relation of a trustee.

In that the President repudiates the idea that there is legislative power there, that there is any government there, which has the power to grant property franchises. He further says:

It can not be permitted that the persons nominally representing the remnants of Spanish government there shall in this manner sell the franchises of the country and commit the future government of the island to obligations of such importance.

So in the interest of that people he puts his foot promptly upon the attempt of an alleged local government in Cuba to complicate the future of that island, its government, its people, and its interests by the granting, during our military occupation there, of property franchises.

Mr. CAFFERY. Does not that paper say that the franchises

are to be given, or to be offered, by the representatives of the Spanish Government?

Mr. SPOONER. They claimed to do that, and the President stopped it.

Mr. CAFFERY. And not by the Cuban government?

Mr. SPOONER. Not by any Cuban government or any other government. This was attempted to be done within two days of the final evacuation of Cuba by Spain, and it is hardly to be supposed that the President of the United States, caring for the interests of that people in that way, protecting them, as he properly did, against the attempt of the Spanish representatives in a so-called government, would complicate the future of the island by any improvident granting of franchises, or would allow the military commanders of the United States to do that if they had the power, which they have not.

Mr. TELLER. Will the Senator allow me to call his attention to the order issued by the President on the 22d day of December with reference to this matter? He has it in the document from which he is reading, I have no doubt.

Mr. SPOONER. Yes.

Mr. TELLER. That certainly authorizes the municipalities to grant franchises, with the approval of the commanding officer in Cuba and the Secretary of War.

Mr. SPOONER. Not until submitted to the Secretary of War or submitted to the President.

Mr. TELLER. Yes.

Mr. SPOONER. I suppose my friend does not claim that the President or any military commander could grant franchises which would outlive our military occupation?

Mr. TELLER. That is a very grave question. I think such franchises could outlive our military occupation. I do not think there is any question about that.

Mr. CHILTON. I wish to call the Senator's attention to the New Orleans case on that point.

Mr. TELLER. In that case it was held that a military commander could make a franchise without limit, if I remember.

Mr. FORAKER. I so understand.

Mr. CHILTON. The decision does not absolutely say that.

Mr. TELLER. It is not an absolutely analogous case to this on the principle laid down.

Mr. FORAKER. No.

Mr. CHILTON. In the New Orleans case a military commander had granted a franchise for ten years, and it was held that that franchise was valid on the theory that his power was not absolutely limited to the military occupation, but that he had a right to a reasonable exercise of his power. So it was held that that was a reasonable exercise of the power at that time.

Mr. SPOONER. That was as to a part of our own country—

Mr. CHILTON. I understand that.

Mr. SPOONER. As to which this Government had a right to legislate, and over which it had jurisdiction.

Mr. CHILTON. I think we can legislate in this case so far as our military commanders are concerned.

Mr. MASON. Mr. President, I think the statement made by the Senator from Texas is correct, following the statement made by the Senator from Minnesota some days ago, that a franchise may be granted which extends beyond the military occupation. I will say to the Senator, with all due respect to his judgment as a lawyer, that that is the law. That is the reason for the offering of this amendment. If there was no intention to extend any franchise beyond our military occupation, what objection can there be to the amendment?

The junior Senator from Massachusetts has stated it correctly. What sense is there, what common honesty is there, in our people occupying the island of Cuba and selling franchises, according to the statement made by Mr. Kennedy, the chairman of this special commission, to pass upon the street car and electric lights, etc.? If it is not the intention, he can not object; if it is the intention, we ought to object.

I am very much pleased with the statement by the junior Senator from Massachusetts that the passage of this resolution is not intended to offend, and can not offend, the President of the United States. One of the favorite arguments of distinguished gentlemen on this floor when they want to defeat a bill is to say: "If you pass this bill, you offend the President;" and the next Senator who speaks will say: "If you defeat this bill, you offend the President."

Mr. SPOONER. I have not said that.

Mr. MASON. I beg the Senator's pardon. I had not referred to the Senator from Wisconsin, except when I replied to his suggestion as a lawyer.

I say this is the law, and I say I believe you will admit it to be the law that, following the decision in the New Orleans case referred to by the Senator from Texas a moment ago and by the Senator from Minnesota a few days ago—the decision of our own courts—that franchises granted during military occupation would be continuing franchises.

Mr. President, I am for this amendment. I had not intended to take a moment of the time of this body at this late hour. A Senator near me suggests that he wishes that I would not. I will say to him I am sorry I have to do so. I am exceedingly sorry at this hour that we have to indulge in law lectures. I say now I am for the amendment because we have no right to traffic in the franchises of those people.

The streets of their cities, as well as the rivers and hills of their country, belong to them, and we have no right to grant franchises for street cars or railroads, steam or electric, no right to grant franchises for gas companies, no right to traffic in the future of those people; but, following the suggestion of the junior Senator from Massachusetts, we ought to offer them a free country, including their soil, and including everything that God Almighty has left within their reach, and including franchises to use their streets, the right to condemn, the right to use and exercise the law of condemnation.

Mr. President, I have no desire to discuss this amendment further, unless it becomes absolutely necessary, in order to enlighten those people who are so very anxious to leave these questions to Mr. Kennedy and his board, the appointing of which did not excite the most profound confidence among the people. There was no occasion for the appointment.

General Alger had conducted his office like an honest man; and when the clouds shall have rolled away, it will be shown to the people of this country that he has been clean handed, not only in the administration of the War Department, but that he has never attempted to grant franchises, and he has never, in his Department, attempted to impose anything improper on the people in Cuba. When this distinguished gentleman, Mr. Kennedy, states that franchises are to be granted for street cars and steam-car lines and lines of electric cars he offends the good judgment and common sense, not only of the Administration, but of the people of this country.

Mr. SEWELL. I hope we shall have an opportunity of passing the Army bill in the course of the next few hours.

The VICE-PRESIDENT. The amendment of the Senator from Ohio [Mr. FORAKER] is before the Senate. The question is on the amendment.

Mr. MILLS. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. WETMORE]. I suggest to the Senator from Massachusetts [Mr. LODGE], who is paired with my colleague [Mr. CLAY], that we exchange our pairs, so that he and I may vote.

Mr. LODGE. That will be agreeable to me.

Mr. BACON. I vote "yea."

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. If he were present, I should vote "yea."

Mr. GEAR (when his name was called). I am paired with the Senator from New Jersey [Mr. SMITH]. If he were present, I should vote "yea."

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). My colleague is absent on account of illness. He is generally paired with the Senator from Maine [Mr. HALE]. If my colleague were present, he would vote "yea."

Mr. KENNEY (when his name was called). I announce my pair with the junior Senator from Pennsylvania [Mr. PENROSE], who is absent from the Chamber. I therefore withhold my vote. Were he present, I should vote "yea."

Mr. McLAURIN (when his name was called). I again announce my pair with the Senator from North Carolina [Mr. PRITCHARD].

Mr. MASON (when his name was called). The pair I have already announced, my regular pair with the Senator from Mississippi [Mr. SULLIVAN], still continues, but I have a special agreement with him that I may vote on this question. I will therefore vote. I vote "yea."

Mr. MONEY (when his name was called). I am paired with the senior Senator from Oregon [Mr. McBRIDE]. If he were present, I should vote "yea." I do not know that I am at liberty to vote in his absence. If any gentleman can tell me, one of his neighbors, how he would vote, I shall be glad to know. If not, I withhold my vote.

The roll call was concluded.

Mr. MONEY. I understand that the Senator from Arkansas [Mr. JONES] is generally paired with the Senator from Maine [Mr. HALE], who votes "yea," and the Senator from Arkansas would vote "yea" if present. I transfer my pair and will vote. I vote "yea." I desire to state that my colleague [Mr. SULLIVAN], who is unavoidably absent, would, if present, vote "yea." He releases his pair.

Mr. PASCO. I am paired with the Senator from Washington [Mr. WILSON]. I transfer my pair to the Senator from Utah [Mr. CANNON], and will vote. I vote "yea."

Mr. KENNEY. I am informed that the junior Senator from Pennsylvania [Mr. PENROSE], if present would vote "yea." I will therefore vote. I vote "yea."

Mr. CLARK. I am informed that the Senator from Kansas [Mr. HARRIS], if present, would vote "yea." I will therefore vote. I vote "yea."

Mr. BACON (after having voted in the affirmative). Since announcing the transfer of my pair, my colleague has voted. Therefore I will have to withdraw my vote, the junior Senator from Rhode Island not being thus protected.

Mr. FORAKER. The Senator from California [Mr. WHITE] is unavoidably detained from the Chamber, and I was requested to announce that if he were present he would vote "yea."

The result was announced—yeas 47, nays 11; as follows:

## YEAS—47.

Allen,	Foraker,	Martin,	Rawlins,
Bate,	Gallinger,	McDon,	Roach,
Berry,	Gorman,	Mills,	Simon,
Butler,	Hale,	Mitchell,	Stewart,
Caffery,	Hansbrough,	Money,	Teller,
Chandler,	Heitfeld,	Murphy,	Thurston,
Chilton,	Hoar,	Pasco,	Tillman,
Clark,	Kenney,	Perkins,	Turley,
Clay,	Lindsay,	Pettigrew,	Turner,
Cockrell,	Lodge,	Pettus,	Warren,
Daniel,	Mallory,	Proctor,	Wellington,
Davis,	Mantle,	Quay,	

## NAYS—11.

Allison,	Hanna,	Platt, Conn.	Sewell,
Fairbanks,	Hawley,	Platt, N. Y.	Spooner,
Frye,	Morgan,	Ross,	

## NOT VOTING—32.

Aldrich,	Elkins,	McBride,	Smith,
Bacon,	Faulkner,	McEnery,	Sullivan,
Baker,	Gear,	McLaurin,	Turpie,
Burrows,	Gray,	McMillan,	Vest,
Cannon,	Harris,	Nelson,	Wetmore,
Carter,	Jones, Ark.	Penrose,	White,
Cullom,	Jones, Nev.	Pritchard,	Wilson,
Deboe,	Kyle,	Shoup,	Wolcott,

So the amendment proposed by Mr. FORAKER was agreed to.

Mr. PETTIGREW. I offer the amendment I send to the desk. The SECRETARY. On page 20, after line 14, it is proposed to insert:

That the Secretary of War is hereby directed to expend \$90,000 in constructing buildings of brick or stone for a permanent post at Fort Meade, S. Dak., said post when completed to have a capacity for one regiment of cavalry.

Mr. SEWELL. I object to that. It is not brought properly before the Senate. It does not come from any committee.

Mr. PETTIGREW. Does the Senator from New Jersey make the point of order?

Mr. SEWELL. I do.

Mr. PETTIGREW. This was introduced and referred to the Committee on Appropriations, but not reported by the Committee on Military Affairs.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. MORGAN. I offer the amendment I send to the desk.

The SECRETARY. After line 4, on page 29, it is proposed to insert:

The President is authorized to appoint four brigadier-generals in the Regular Army in addition to those now authorized by law, each of said offices to cease and terminate as they become vacant.

Mr. MORGAN. I offer the amendment upon assurances from the highest authority—

Mr. HALE. It is subject to the point of order.

Mr. SEWELL. Under ordinary circumstances I would not object to it, but—

Mr. MORGAN. Let me finish my remarks.

Mr. SEWELL. But I do not want to load this bill down. There is no estimate for it nor is there a recommendation for it.

Mr. MORGAN. I have the floor.

Mr. SEWELL. It has not been to any committee, and therefore I will have to make the point of order on it.

Mr. MORGAN. The point of order is not well taken. From line 17 down, on page 28, down to line 4 on page 29, there is new and general legislation in this bill. It is very true that that new and general legislation came over from the House of Representatives, but the rules of the Senate protect us against a suggestion of the House as much as they do from a suggestion made by a Senator or a committee in regard to new legislation. Our rule is not worth anything at all if the House can violate it at its pleasure or if the Committee on Appropriations can violate it at its pleasure. The rule must be just as good for one man and one committee as for another.

Now, here is new legislation upon this bill and general legislation, and I propose my amendment as an amendment to that new and general legislation. If that stays in the bill, then my amendment is in order, because it is an amendment offered to a proposition that is new and general. It is a phase of the question which is not usually made here. We bow in submissive obedience to the

will of the House, whenever they choose to put on anything that is now or general in legislation, and because they have put it there we even deny ourselves the right to amend it.

Now, no proposition can come here from the House of Representatives that is not amendable, and the objection made here that this is new and general legislation is not well taken. There might be an objection, perhaps, on the ground of its increasing the expenditures of the Government, but this is a case where, I think—in fact, I know, if I know anything of the sort or can know anything of the sort—that the four brigadier-generals are just as necessary to the Army of the United States, in its present condition and in the condition in which it is left by the legislation of this session of Congress, as the additional regiments are.

Mr. SEWELL. If the Senator will allow me to interrupt him, I will say that in the organization of the Army there are six brigadier-generals allowed for the regular establishment, three major-generals, and any number of brigadier-generals and major-generals of volunteer forces that the President may direct, limited only to 4,000 to a brigadier-general and 12,000 to a major-general.

Mr. MORGAN. Then the question comes down to this, whether we can legislate to put any brigadiers in the volunteer service and can not legislate to put them into the regular service.

Mr. SEWELL. That is the law on which this bill is drafted and supported. Now, if you can add four brigadier-generals in the regular establishment, you can add a dozen major-generals, or anything else you please. You have the power to do it if both Houses will vote for it.

Mr. MORGAN. I do not understand that there is any distinction in the law between the regular and volunteer service—none at all. We certainly have reduced the brigadier-generals in the Army as now organized, both regular and volunteer, to such a proportion that the Army is not safe; it will not have the proper command.

I think if these four brigadier-generals were put into this bill it would be a very happy thing for this country.

I can conceive, I think, the gentlemen to whom these honors would fall and upon whom these duties would devolve, and in that conception I would have more of the real, genuine, honest brotherhood in this country than I can find in any other provision that can be put on any statute.

We have started out very well, and we have got to a point now where every man North, South, East, and West is equally concerned in the honor which has been won by men who were in the Confederate army and by men who were in the Union Army alike, and there has been established in this country a substantial, genuine, honest, practical brotherhood of men which did not exist one year ago. Whenever we can break down those barriers, when we can get the debris of the past out of our pathway, we shall have a very much higher and stronger movement than we have ever had before. I do not think the Senate ought to make very sharp points upon a great proposition like this.

I do not feel at liberty to speak about this matter as I would under different circumstances. I am not a representative of the President of the United States, or his Administration, or his party. As a Democrat I antagonize every inch of ground he stands on, but I have very great respect for what I conceive to be, and what I am well informed are, his wishes—that this army shall be so increased in the particular I have mentioned in the amendment, and that he shall have the opportunity of continuing that good work which has brought about so much of respect and confidence between the people of the different sections of this country.

All I can do is to lay it before the Senate and let the Chair rule upon the question raised by the Senator from New Jersey in charge of the bill as to whether the amendment is in order. I suppose if it is in order it will be adopted.

The PRESIDING OFFICER. The Chair feels constrained to sustain the point of order.

Mr. GEAR. At the end of line 16, on page 23, I move to insert what I send to the desk.

The SECRETARY. It is proposed to insert after line 16, on page 23, the following:

That the Secretary of War is authorized to accept, on behalf of the Government, for military purposes, 400 acres of land within 5 miles of the corporate limits of Des Moines, Iowa, provided in his judgment it is suitable for an army post.

Mr. PETTIGREW. I should like to know whether the Senator in charge of the bill accepts the amendment. I just offered the following amendment, and the point of order was raised against it.

That the Secretary of War is hereby directed to expend \$60,000 in constructing buildings of brick or stone for a permanent post at Fort Meade, S. Dak., said post, when completed, to have a capacity for one regiment of cavalry.

Mr. SEWELL. I objected to the amendment of the Senator from South Dakota because it required an expenditure of money. I do not object to this amendment, because it applies to a free gift to the Government.

Mr. PETTIGREW. This is not legislation? It is not amenable to the rules?

Mr. SEWELL. It is a free gift to the Government.

Mr. PETTIGREW. I raise the point of order.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. TILLMAN. I offer the amendment I send to the desk.

The SECRETARY. On page 28, after line 4, it is proposed to insert:

That the act of January 12, 1899, be, and it is hereby, amended so as to authorize the payment to the legal heirs or representatives of the officers and enlisted men who died or were killed or who may die in the service the extra pay provided for in that act for officers and enlisted men who have been or are mustered out.

Mr. SEWELL. Let it be read again. I wish to hear it.

The Secretary again read the amendment.

Mr. SEWELL. I have no objection to it.

Mr. WARREN. I should like to ask the Senator proposing the amendment if that is necessary under the law, and just what is sought to be done. I ask for information only.

Mr. TILLMAN. I think it is necessary in order to put the relatives of those whose lives have been sacrificed in this war on a par with those who have returned home.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from South Carolina.

The amendment was agreed to.

The bill was reported to the Senate, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1900."

#### HOUSE BILLS REFERRED.

The bill (H. R. 718) for the relief of Benjamin F. Vennum, of Wheeling, Ohio County, W. Va., was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 4833) to authorize John M. Schofield, major-general, United States Army, to accept a testimonial from the President of the Republic of France was read twice by its title, and referred to the Committee on Foreign Relations.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 12184) to distinctly designate parcels of land in the District of Columbia for the purposes of assessment and taxation.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8571) to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 414) for the erection of a public building at Tampa, Fla.;

A bill (H. R. 1778) for the relief of Wesley Van Over, late of Company C, One hundred and ninth New York Volunteers, and Company G, Eighth Pennsylvania Cavalry;

A bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg;

A bill (H. R. 6359) to quiet land titles in the District of Columbia;

A bill (H. R. 10294) relative to the control of wharf property and certain public spaces in the District of Columbia; and

A bill (H. R. 12102) to encourage the holding of the Ohio Centennial and Northwest Territory Exposition at the city of Toledo, Ohio.

#### CLAIMS AGAINST SPAIN.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and was, on motion of Mr. CHILTON, ordered to lie on the table and be printed:

To the Senate:

In response to the resolution of the Senate of February 28 last directed to the Secretary of State, I transmit a report from that officer submitting a list of claims against Spain, growing out of the insurrection in Cuba, filed in the Department of State, not embraced in Senate Document No. 79, Fifty-fourth Congress, second session.

WILLIAM MCKINLEY.

#### EXECUTIVE MANSION.

Washington, March 5, 1899.

#### INDIAN RESERVATIONS IN NEVADA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the Senate, a letter from the Commissioner of Indian Affairs relative to Indian reservations in the State of Nevada,

and also a list of the allotments of lands to Indians, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

#### REPORT OF EXCISE BOARD.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting a report of the operations of the excise board of the District of Columbia for the license year ended October 31, 1898; which, with the accompanying paper, was referred to the Committee on the District of Columbia, and ordered to be printed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 3d instant approved and signed the following acts:

An act (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new building thereon for the accommodation of the Government service in said city;

An act (S. 1056) to provide for a public building at Cleveland, Ohio;

An act (S. 571) granting a pension to Susan Mellsop;  
 An act (S. 896) granting a pension to Mary J. Hill;  
 An act (S. 1071) granting a pension to Abigail R. Ellet;  
 An act (S. 1378) granting a pension to William F. Gowdy;  
 An act (S. 1619) granting a pension to Michael Lannan;  
 An act (S. 1759) granting a pension to James H. Preston;  
 An act (S. 2497) granting a pension to Elizabeth J. Cook;  
 An act (S. 2919) granting a pension to Olivia T. Worden;  
 An act (S. 3227) granting a pension to John W. Lay;  
 An act (S. 3325) granting a pension to Maria S. Whitney;  
 An act (S. 3911) granting a pension to Henry C. Bedell;  
 An act (S. 3532) granting a pension to J. K. Hager;  
 An act (S. 4366) granting a pension to Elizabeth M. Mead;  
 An act (S. 4416) granting a pension to Mary F. Hilliard;  
 An act (S. 4480) granting a pension to Winburn Hicks;  
 An act (S. 4485) granting a pension to John Lindquist;  
 An act (S. 5435) granting a pension to Emma J. McIntire;  
 An act (S. 5386) restoring to the pension roll the name of Samuel S. McDonald;  
 An act (S. 1209) granting an increase of pension to John H. Gearkee;  
 An act (S. 1545) granting an increase of pension to George W. Emery;  
 An act (S. 1918) granting an increase of pension to William Sharrock;  
 An act (S. 1908) granting an increase of pension to George W. Nevins;  
 An act (S. 1976) granting an increase of pension to Annie E. Ruff;  
 An act (S. 2317) to increase the pension of Aaron B. Page;  
 An act (S. 2235) granting an increase of pension to Henry Hatch;  
 An act (S. 2335) granting an increase of pension to Charles Edson;  
 An act (S. 3136) granting an increase of pension to William O. Torrey;  
 An act (S. 3766) granting an increase of pension to Nancy M. Lindsey;  
 An act (S. 4382) granting an increase of pension to Eliza M. Miller;  
 An act (S. 4631) granting an increase of pension to Joseph F. Mollere;  
 An act (S. 4483) granting an increase of pension to John H. Crandall;  
 An act (S. 4918) granting an increase of pension to Jehiel J. Stevens;  
 An act (S. 4845) granting an increase of pension to George H. Lamport;  
 An act (S. 5267) granting an increase of pension to Charles E. Bamfield;  
 An act (S. 5264) granting an increase of pension to Bartlett Corniff;  
 An act (S. 4635) granting an increase of pension to John B. Boggs;  
 An act (S. 5260) to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes;  
 An act (S. 5130) to provide for the erection of a building for the Department of Justice;  
 An act (S. 2675) authorizing the exchange of lot 6 of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot;  
 An act (S. 4510) to correct the military record of William H. Fore;

An act (S. 5258) to authorize the construction of a bridge across the Missouri River at the city of Yankton, S. Dak.;

An act (S. 1340) for the relief of John Clyde Sullivan;

An act (S. 3640) authorizing Lieut. Commander Raymond P. Rodgers, United States Navy, to accept a decoration of the Cross of the Legion of Honor from the Republic of France;

An act (S. 3712) to authorize John R. Williams, first lieutenant, Third Artillery, United States Army, to accept the decoration of Chevalier of the Legion of Honor from the President of the French Republic;

An act (S. 5050) to authorize A. E. Bates, brigadier-general, United States Volunteers, to accept the decoration of "The Legion of Honor" from the President of the French Republic;

An act (S. 5090) to authorize Victor Vifquain, colonel Third Nebraska Volunteer Infantry, to accept the decoration of the "Order of the Double Dragon" from the Emperor of China; and

An act (S. 104) to increase the pension of Lucretia C. Waring.

#### MEMORIALS.

Mr. GALLINGER presented memorials of the Woman's Christian Temperance Union of Warner, of the Woman's Christian Temperance Union of Newport, and of the Woman's Christian Temperance Union of Stratford, all in the State of New Hampshire, remonstrating against the seating of polygamists in the Congress of the United States; which were ordered to lie on the table.

Mr. DANIEL. I present the memorial of Alex. J. Wedderburn, corresponding secretary of the National Pure Food and Drug Congress, of Fairfax County, Va., relative to the necessity for enacting legislation regarding interstate traffic in adulterated and misbranded food, drugs, and drinks. I move that the memorial be printed as a document.

The motion was agreed to.

#### CHRISTIAN ARNDT.

Mr. CLARK, from the Committee on Foreign Relations, to whom was referred the bill (S. 5208) for the relief of Christian Arndt, of Shelby County, Tenn., a citizen of Germany, reported it without amendment.

#### INDEX TO REPORTS OF SECRETARIES OF SENATE.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. TELLER on this day, reported it without amendment; and it was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Senate cause to be prepared an index to all the reports of the Secretaries of the Senate, and that he communicate the same to the Senate when completed.

#### JOINT RESOLUTION INTRODUCED.

Mr. MORGAN introduced a joint resolution (S. R. 261) granting arid and semiarid lands to the States wherein they lie; which was read twice by its title.

#### ROYAL J. FREEMAN.

On motion of Mr. GALLINGER, it was

*Ordered*, That the papers in the pension claim of Royal J. Freeman (S. 4811) be withdrawn from the files of the Senate and transmitted to the claimant, no adverse report having been made in the case.

#### ENGLEBERTH BENSINGER.

On motion of Mr. PENROSE, it was

*Ordered*, That the papers filed with S. 5234, to correct the military record of Engleberth Bensinger, be withdrawn from the files of the Senate, there being no adverse report.

#### PRECEDENTS AND DECISIONS.

Mr. SPOONER submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That there be printed and bound in cloth for the use of the Senate 500 copies of the Precedents and Decisions on Points of Order and Phraseology in the United States Senate and House of Representatives, with an index.

#### DEATH OF HON. JOHN W. CRANFORD.

Mr. CHILTON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That owing to the fact that Congress is about to adjourn by constitutional limitation, and that it is therefore impossible to set apart a day for tributes to the memory of the Hon. JOHN W. CRANFORD, late a member of the House of Representatives from the State of Texas, that permission be granted to Senators who desire to do so to print eulogies upon his life and character for fifteen days.

#### RIVER AND HARBOR BILL.

Mr. FRYE. I submit the conference report on the river and harbor bill.

The Secretary proceeded to read the report, and after having read the Nicaragua Canal amendment, inserted as section 3,

Mr. TELLER. I should like to ask the chairman of the Committee on Commerce, who has the bill in charge, to state very briefly what that proposition is. It is difficult to understand it in the way it is read. I wish to know whether the President is authorized to construct the canal in any way without first reporting back to Congress.

Mr. FRYE. Not at all. If the amendment had been read through the Senator would have seen. It was not read through.

Mr. TELLER. I thought it had been read.

Mr. FRYE. No; it was not read through.

The Secretary read the proposed sections 4 and 5 of the Nicaragua Canal amendment.

Mr. PETTIGREW. I should like to ask—

Mr. FRYE. There is one more section.

Mr. PETTIGREW. On this same subject?

Mr. FRYE. Yes.

The Secretary read the proposed section 6 of the amendment.

Mr. FRYE. That is all of it.

Mr. PETTIGREW. Do I understand that the President is limited in his authority to such investigations as will lead to the construction and ownership of the canal by the United States alone? That seems to be the language of the amendment.

Mr. FRYE. That is the language of the amendment.

Mr. PETTIGREW. That is the purpose?

Mr. FRYE. Ownership.

Mr. PETTIGREW. That is the purpose of it?

Mr. ELKINS. Yes; that is what it is.

The Secretary resumed the reading of the report, and was interrupted by

Mr. MILLS. I should like to have some explanation of what is stricken out. We can not understand anything about the bill the way the report is being read.

Mr. FRYE. The last dozen leaves have been simply a renumbering of the sections made necessary by changes in the bill—section 11 changed to 13, and 9 to 14, and so on. It has nothing to do with the bill other than that.

The Secretary resumed and concluded the reading of the report, which is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 23, 27, 28, 29, 33, 34, 35, 36, 40, 43, 45, 48, 53, 55, 72, 76, 77, 79, 81, 118, 121, 131, 133, 138, 144, 145, 146, 147, 148, 158, 159, 161, 162, 166, 172, 173, 174, 175, 177, 181, 197, 198, 200, 201, 203, 208, 209, 212, 213, 218, 219, 232, 247, 248, 249, 290, 303.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 31, 32, 37, 38, 39, 41, 44, 46, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 70, 71, 73, 74, 75, 78, 80, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 114, 115, 116, 117, 119, 120, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 134, 135, 137, 139, 140, 141, 142, 149, 150, 151, 152, 153, 154, 155, 156, 157, 160, 163, 164, 165, 168, 169, 170, 171, 176, 178, 179, 180, 182, 184, 185, 186, 187, 189, 190, 191, 192, 193, 194, 195, 199, 202, 204, 205, 206, 207, 210, 211, 214, 215, 216, 217, 222, 223, 224, 225, 226, 227, 228, 229, 230, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 245, 246, 250, 270, 272, 273, 274, 275, 276, 277, 278, 279, 281, 282, 283, 284, 285, 286, 287, 288, 289, 291, 292, 293, 294, 295, 297, 298, 299, 300, 301, 302, 304, 305, 306, 307, 308, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In line 15, page 4 of the bill, strike out the word "one" and insert in lieu thereof the word "two"; and in lieu of the language inserted by the amendments insert the following: "and the Secretary shall appoint a board of three engineers, whose duty it shall be to examine said project and report whether any modification of the same should, in their judgment, be made, with an estimate of the cost of completing the same, and so much of the above appropriation as may be necessary shall be used for that purpose;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the second paragraph of the language inserted by the amendment insert the following:

"If, however, the Secretary of War shall be unable to make a contract or contracts for the completion of said project for a sum within the amounts above specified, then the said \$1,000,000 herein appropriated, or so much thereof as may be necessary, shall be applied by him in the construction or purchase of such dredges, steamboats, and other plant, machinery, and appliances as may be necessary to prosecute said project, and shall cause the work on said project to be entered upon and prosecuted under the charge of the Secretary of War by employment of labor and materials necessary therefor, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate the said sum of \$1,000,000 exclusive of the \$1,000,000 herein appropriated."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: After the word "thereof" in the language inserted by the amendment insert the following: "not increasing the total cost;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: After the word "thereof" in the language inserted by the amendment insert the words "not increasing the total cost;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the language inserted by the amendment insert the following:

"Biscayne Bay, Florida: The Secretary of War shall appoint a board of three engineers to examine and report upon the respective routes from Miami to the sea by Norris Cut, Bear Cut, and Cape Florida Entrance, respectively, with reference to the most feasible route and the cost of providing a channel 18 feet in depth and suitable width, with a view to ascertaining the desirability of improving the same; and to pay the expense of said board the sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: Restore the paragraph struck out by the amendment and amend the same by striking out, after the word "dredges," page 16, line 17, of the bill, the word "fifty" and inserting in lieu thereof the words "two hundred;" and by

striking out, after the word "aggregate," page 16, line 22, of the bill, the words "four hundred and fifty" and inserting in lieu thereof the words "three hundred;" strike out the language inserted by the amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: Restore the section stricken out by the amendment, with an amendment as follows: Strike out the words "two hundred and fifty" and insert in lieu thereof the words "three hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the language inserted by the amendment insert the following: "Mouth of Brazos River, Texas: For dredging and such other work as may be deemed most effective in the judgment of the Secretary of War in improving and developing the harbor, \$85,000: *Provided*, That no part of said sum shall be expended until the Brazos River Channel and Dock Company shall file with the Secretary of War a transfer to the United States of the jetties and auxiliary works; also a release of all rights and privileges conferred upon said company by its charter or by the act of Congress approved August 9, 1888, to charge or collect tolls for the use and navigation of said river; and the Secretary of War is directed to have an examination made of the mouth of the Brazos and the jetties, and report to Congress the estimated cost of extending the jetties one-half mile, and the estimated depth and width of the channel to be obtained by such extension, and the estimated cost of obtaining 20 feet of water and a channel 150 feet wide;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: Insert the language as proposed in the amendment, and on page 83 of the bill strike out lines 12, 13, and 14; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: After the word "dollars" insert the following: "to be expended in accordance with the project submitted by the Secretary of War, as set forth in the report of Maj. W. L. Marshall of July 16, 1897;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the language inserted by the amendment insert the following: "*Provided*, That the Secretary of War may enter into a contract or contracts for the materials and work necessary for the completion of said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$342,000 exclusive of the amount herein and heretofore appropriated;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In the language inserted by the amendment strike out the words "one million dollars" and insert in lieu thereof the words "\$500,000 exclusive of the amount herein and heretofore appropriated;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In next to the last line of the language inserted by the amendment strike out the words "one million" and insert the words "five hundred thousand;" after the word "Law," at the end of the language inserted, add the following: "The Secretary of War is hereby authorized to appoint a board of three engineers to make a further examination of the project and report such modification of the same as may be deemed desirable, with an estimate of the cost, the expense of such examination to be paid from the appropriation herein made;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: At the end of the language inserted by the amendment insert the following: "exclusive of the amount herein and heretofore appropriated;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: Strike out the language inserted by the amendment, and on page 43 of the bill, lines 24 and 25, strike out the words "one hundred and twenty-five" and insert in lieu thereof the words "two hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment as follows: After the word "mouth" in the language inserted by the amendment insert the following: "and preventing re-formation thereof;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In the language inserted by the amendment strike out the words "two hundred and fifty" and insert in lieu thereof the words "one hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 230, and agree to the same with an amendment as follows: In lieu of the language inserted by the amendment insert the following: "Improving Missouri River: Continuing improvement above Sioux City to and including Bismarck, \$170,000, to be expended in the discretion of the Secretary of War;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the language inserted by the amendment insert the following: "For the improvement of the Missouri River on the Nebraska side, opposite Sioux City, Iowa, and from the lower limits thereof, to a point opposite Elk Point, S. Dak., the sum of \$25,000, to be expended under the direction of the Secretary of War;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 231, and agree to the same with an amendment as follows: Strike out the words "one hundred" and insert in lieu thereof the word "seventy-five;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 243, and agree to the same with an amendment as follows: In addition to striking out the section, as proposed by the amendment, insert on page 30 of the bill, after line 19, the following new paragraph:

"Yaquina Bay, Oregon: The Secretary of War is hereby authorized to appoint a board of three engineers, who shall make examination thereof, with a view to ascertaining the desirability of prosecuting the work authorized by the river and harbor act of 1896, or such modification thereof as, in the judgment of said board, may be desirable for the commerce of said bay, together with an estimate of the cost of such work, and until such report shall have been made and acted upon by Congress no further action shall be taken by the Secretary of War in pursuance of existing law, and \$5,000, or so much thereof as may be necessary, is hereby appropriated to pay the expenses of such examination."

And in lieu of the language inserted by the amendment as section 3 insert the following:

"SEC. 3. That the President of the United States of America be, and he is

hereby, authorized and empowered to make full and complete investigation of the Isthmus of Panama with a view to the construction of a canal by the United States across the same to connect the Atlantic and Pacific oceans; that the President is authorized to make investigation of any and all practicable routes for a canal across said Isthmus of Panama, and particularly to investigate the two routes known respectively as the Nicaraguan route and the Panama route, with a view to determining the most practicable and feasible route for such canal, together with the proximate and probable cost of constructing a canal at each of two or more of said routes; and the President is further authorized to investigate and ascertain what rights, privileges, and franchises, if any, may be held and owned by any corporations, associations, or individuals, and what work, if any, has been done by such corporations, associations, or individuals in the construction of a canal at either or any of said routes, and particularly at the so-called Nicaragua and Panama routes, respectively; and likewise to ascertain the cost of purchasing all of the rights, privileges, and franchises held and owned by any such corporations, associations, and individuals in any and all of such routes, particularly the said Nicaraguan route and the said Panama route; and likewise to ascertain the probable or proximate cost of constructing a suitable harbor at each of the termini of said canal, with the probable annual cost of maintenance of said harbors, respectively; and generally, the President is authorized to make such full and complete investigation as to determine the most feasible and practicable route across said Isthmus for a canal, together with the cost of constructing the same and placing the same under the control, management, and ownership of the United States.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 244, and agree to the same with an amendment as follows: In lieu of the language inserted by the amendment insert the following:

"Sec. 4. To enable the President to make the investigations and ascertainment herein provided for, he is hereby authorized to employ in said service any of the engineers of the United States Army, at his discretion, and likewise to employ any engineers in civil life, at his discretion, and any other persons necessary to make such investigation, and to fix the compensation of any and all of such engineers and other persons."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 245, and agree to the same with an amendment as follows: In lieu of the language inserted by the amendment insert the following:

"Sec. 5. For the purpose of defraying the expenses necessary to be incurred in making the investigations herein provided for, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000,000, or so much thereof as may be necessary, to be disbursed by order of the President."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 246, and agree to the same with an amendment as follows: In lieu of the language inserted by the amendment insert the following:

"Sec. 6. That the President is hereby requested to report to Congress the results of such investigations, together with his recommendations in the premises."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 250, and agree to the same with an amendment as follows: In lieu of the words "Sec. 10," inserted by the amendment, insert the words "Sec. 7," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 251, and agree to the same with an amendment as follows: In lieu of the words "Sec. 11," inserted by the amendment, insert the words "Sec. 8," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 252, and agree to the same with an amendment as follows: In lieu of the words "Sec. 12," being the first words inserted by the amendment, insert the words "Sec. 9," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 253, and agree to the same with an amendment as follows: In lieu of the words "Sec. 13," being the first words inserted by the amendment, insert the words "Sec. 10," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of the words "Sec. 14," being the first words inserted by the amendment, insert the words "Sec. 11," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 255, and agree to the same with an amendment as follows: In lieu of the words "Sec. 15," being the first words inserted by the amendment, insert the words "Sec. 12," and in the second and third lines of the language inserted by the amendment strike out the words "twelve, thirteen, and fourteen," and insert in lieu thereof the words "nine, ten, and eleven;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 256, and agree to the same with an amendment as follows: In lieu of the words "Sec. 16," inserted by the amendment, insert the words "Sec. 13," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 257, and agree to the same with an amendment as follows: In lieu of the words "Sec. 17," inserted by the amendment, insert the words "Sec. 14," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 258, and agree to the same with an amendment as follows: In lieu of the words "Sec. 18," inserted by the amendment, insert the words "Sec. 15," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 259, and agree to the same with an amendment as follows: In lieu of the words "Sec. 19," being the first words inserted by the amendment, insert the words "Sec. 16," in the third and fourth lines of the language inserted by the amendment strike out the words "sixteen, seventeen, and eighteen;" and insert in lieu thereof the words "thirteen, fourteen, and fifteen;" in the sixteenth line strike out the word "sixteen;" and insert in lieu thereof the word "thirteen;" in the twentieth line strike out the word "seventeen;" and insert in lieu thereof the word "fourteen;" in the twenty-second line strike out the word "eighteen;" and insert in lieu thereof the word "fifteen;" in the twenty-ninth line strike out the words "sixteen, seventeen, and eighteen;" and insert the words "thirteen, fourteen, and fifteen;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 260, and agree to the same with an amendment as follows: In lieu of the words "Sec. 20," being the first words inserted by the amendment, insert the words "Sec. 17," and in the third line of the language inserted by the amendment strike out the words "eleven to eighteen," and insert in lieu thereof the words "nine to sixteen;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 261, and agree to the same with an amendment as follows: In lieu of the words "Sec. 21," inserted by the amendment, insert the words "Sec. 18," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 262, and agree to the same with an amendment as follows: In lieu of the words "Sec. 22," inserted by the amendment, insert the words "Sec. 19," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 263, and agree to the same with an amendment as follows: In lieu of the words "Sec. 23," inserted by the amendment, insert the words "Sec. 20," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 264, and agree to the same with an amendment as follows: In lieu of the word "eleven," inserted by the amendment, insert the word "nineteen;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 265, and agree to the same with an amendment as follows: After the word "sections," inserted by the amendment, insert the words "ten to twenty inclusive;" and at the end of paragraph of the bill insert a new section as follows:

"Sec. 24. Whenever in this act the amount provided for the completion of any project under continuing contract is less than the cost as estimated by the engineers, proposals for bids shall be invited without further action by Congress."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 267, and agree to the same with an amendment as follows: In lieu of the words "Sec. 24," inserted by the amendment, insert the words "Sec. 22," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 271, and agree to the same with an amendment as follows: Strike out the paragraph next above the language inserted by the amendment, being lines 18, 19, and 20, page 74, of the bill, and in lieu of the language inserted by said amendment insert the following: "St. Jones River, Delaware, from its mouth to the highest point of feasible navigation;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 280, and agree to the same with an amendment as follows: After the word "feet," in the language inserted by the amendment, insert the word "deep;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 290, and agree to the same with an amendment as follows: In lieu of the language inserted by the amendment insert the following:

"Maurice River,"

"Oldmans Creek."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 309, and agree to the same with an amendment as follows: After the language inserted by the amendment insert a new heading and two paragraphs, as follows:

#### "WEST VIRGINIA."

"Elk River, from its mouth to Sutton."

"Guyandotte River, from its mouth to a point 50 miles above."

And the Senate agree to the same.

WM. P. FRYE,  
STEPHEN M. WHITE,  
S. B. ELKINS,  
*Managers on the part of the Senate.*  
T. E. BURTON,  
WALTER REEVES,  
T. C. CATCHINGS,  
*Managers on the part of the House.*

The PRESIDING OFFICER (Mr. GALLINGER in the chair)  
The question is on agreeing to the report.

Mr. FRYE. I do not wish to make any statement about the bill, because I do not wish to take the time of the Senate, but I will try to answer any question that any Senator may desire to ask me in relation to it.

Mr. QUAY. I would be glad if the Senator from Maine would inform me what disposition was made of the project for the deepening and improvement of Delaware River to a channel of 30 feet.

Mr. FRYE. The project to obtain 30 feet was recognized; an appropriation of several hundred thousand dollars was made; and a continuing contract was provided for to a limited amount, not to the full amount.

Mr. HOAR. I suggest that we pursue the usual course, which is the most convenient one, that the report be read through without interruption, and then if any Senator desires information—

Mr. FRYE. It has been read through, as I understand it.

Mr. HOAR. I thought it had not been completed.

Mr. CARTER. I desire to inquire what disposition was made of amendment 215, and likewise amendment 216.

Mr. FRYE. Will the Senator state what they are?—generally, I mean.

Mr. CARTER. They relate to the landing at Judith and the repair of the levee at Fort Benton, in Montana—Missouri River improvements.

Mr. FRYE. There was no change made at all.

Mr. BUTLER. I should like to ask the Secretary to turn to page 54 and inform me as to the amendments there. I would ask the chairman, but he can not remember, of course, all these little items. There are several amendments, 152, 153, 154, and so on.

Mr. FRYE. My recollection is that there was not any change made in the bill as to those items.

Mr. ELKINS. Those are in.

Mr. FRYE. I do not think in any North Carolina item any change was made whatever in the bill as it passed the Senate. They are very small amounts.

Mr. BUTLER. They are very small amounts. We were very modest.

Mr. FRYE. Unusually modest for North Carolina.

Mr. BUTLER. Unusually modest in comparison with our

needs and what we were justly entitled to. Has the Secretary turned to the items?

The PRESIDING OFFICER. The Chair is informed that the House receded from its disagreement to all those items.

Mr. BUTLER. I will ask the Secretary to look especially at amendment 187 and see if that is changed.

The PRESIDING OFFICER. The Chair is informed by the Secretary that the House conferees receded. That item stands in the bill.

Mr. BUTLER. I am very much obliged to the chairman for standing by us in our modesty.

Mr. CARTER. I desire to inquire what disposition was made of amendments 218 and 219, the first relating to the construction of certain reservoirs in the State of Wyoming, and the second relative to the making of certain surveys, having in contemplation the further prosecution of work.

Mr. FRYE. Both those amendments were disagreed to.

Mr. CARTER. Mr. President, realizing the enormous burden of labor the chairman of this committee and those associated with him upon the committee have contributed to the perfection of this bill, I undertake at this late hour of the last day of the session with great reluctance to challenge the attention of the Senate for any time at all upon this report. Only a deep sense of duty to the section of country from whence I come constrains me to again direct attention to the necessity for serious consideration of this question of storage reservoirs.

What is the question here presented, Mr. President? From the acquisition of the Louisiana Territory, or soon thereafter, the United States have steadily contributed to the building up of mud banks upon the Lower Mississippi River for the purpose of preventing the inundation of the surrounding country by the constantly recurring floods. Experience has shown that these mud banks or dikes are but as ropes of sand to stay the irresistible flow of the torrent of waters poured into the lower valley each flood season. Sometimes, indeed, it occurs that the country is shocked at the appalling loss of life and destruction of property occurring in the Lower Mississippi Valley by reason of the freshets that spread out to the foothills from the banks of the river. It would surpass the comprehension of anyone in this presence to-night to fairly attempt to understand the enormous amount of money that has been invested from the beginning in the building of dikes or levees along the banks of the Mississippi River.

Some years ago, inspired by a wise policy, I believe, and clearly within the limits of constitutional authority, certain lakes or reservoirs, if you please, were created at the head waters of the river. The constitutional fiction was met upon the theory that the reservoirs constructed in the vicinity of Lake Itasca, in the State of Minnesota, would hold up the waters during the season of freshet and heavy rainfall and that in the dry season of the year those waters might work down into the channel of the stream and furnish a steady flow of water for the purposes of navigation.

The building of the reservoirs in the State of Minnesota was constitutional, and yet, Mr. President, the impounding of waters within that State was but the submerging of a succession of swamps. The impounding of water in that section of the country was like carrying coal to Newcastle, according to the ancient suggestion. The water was not needed there. It was supposed to be needed during the dry spell in the river below.

Now, after the lapse of some years, invoking this same principle of constitutional authority, we come into the Senate and ask that reservoirs be built at the head waters of streams in the arid region of the United States where the water will constitute, when impounded, a benediction to all the country round about, where the water thus impounded, while being restrained as a destructive agent from the Lower Mississippi Valley, may be utilized to make the desert blossom as the rose.

It is suggested, in reply to this seemingly just and proper application of a principle heretofore applied, that the land surrounding the reservoirs in the arid region might possibly be benefited by the presence of the impounded water which could be allowed to percolate out through the soil, quicken it into life and activity, and cause it to produce crops.

Mr. President, there is not a constitutional objection that can be urged to the proposition presented in these reservoir amendments which could not with equal force have been urged against the construction of reservoirs at the head waters of the Mississippi. So the constitutional aspects of the case may be for once and all set aside.

What, then, is the reason to be urged, or suggested, or advanced in any form for denying to the States in the Rocky Mountain country the pittance of an appropriation provided for in these two amendments, the whole sum not exceeding \$150,000? To be entirely frank about it, the opposition is based upon the theory that this appropriation is but the entering wedge to a general policy. I would spurn the advocacy of these amendments for the mere sake of getting an unnecessary appropriation for my section of the

country for \$150,000 or any other sum. It is true that this is the inception of a policy which we ask Congress to approve; and it is for that reason that we insist upon its consideration now.

Mr. President, as a matter of fact, that great region of country, the eastern slope of the Rocky Mountains, extending from the Canadian line to the Mexican border, little known and little understood to-day by a majority of our people, is destined within the experience of men here present to-night to be relied upon to furnish the bread for the American people, to say nothing about the export of flour and wheat.

There is a great national proposition involved here in the line of policy. Senators will recall that the wheat-producing properties of the soil of all the older States have steadily become exhausted. New England no longer pretends to be a wheat-producing country. Pennsylvania has ceased to be a factor in the market. The soil of Ohio has been seeded down to grass. Indiana produces about 8 bushels per acre on the average; Illinois about 10. The production per acre in Iowa has steadily decreased. The production in Minnesota, with the far-famed valley of the Red River of the North as a part of its soil, has been reduced to about an average of 12 bushels per acre of wheat. How long will it be, Mr. President, with this continuous exhaustion of the wheat-producing properties of the soil of the older States, until we may be compelled to go to the irrigated fields of India to get the bread to feed our people?

When you reach the arid region you find by the concurrent testimony of all persons of experience, supplemented by the information collected by the Census Bureau, that the average yield of wheat—a failure never occurs—amounts to from 30 to 50 bushels per acre. I know of patches of ground in the State of Montana upon which wheat has been steadily grown for the last fifteen years without alteration of crop, and each and every year the crop has yielded over 30 bushels per acre.

Viewed from the standpoint of the people concerned in feeding themselves, it is a matter of supreme moment for Congress to look to some scheme for the reclamation of our arid lands.

England, Mr. President, wise and long-sighted in policy, has steadily progressed in reclaiming the arid plains of India, until to-day the Liverpool market in wheat is contested by the people of India with the people of the United States. The India wheat is to-day coming into the Liverpool market from a soil that twenty-five years ago was as barren as the desert of Sahara. If it is a wise policy upon the part of Great Britain to add to the wealth of the nation, to supply the bread needed by the people by reclaiming the arid lands of far-off India, may it not be wise for us to give timely attention to the great national resource upon which must depend our living in the future?

Mr. President, the frontier has disappeared in the United States. Our people are talking of going beyond the borders of the mainland in quest of homes and opportunities. This need not be so if this Government, utilizing the forces at its command, will but render it possible for the citizens of Connecticut and Massachusetts and Maine and all the older States who seek homes for themselves to go out upon the great slopes of the Rocky Mountains, and there make homes on which they can rear their families, upon which they can raise the subsistence which will finally be crystallized into the schoolhouse, the church, the well-kept highway, and all the agencies of a well and splendidly ordered community.

Mr. President, why should this departure not be made? I venture to say that there is not in the Chamber to-night, nor, going beyond that, in the capital of the country, an individual who can, in the face of the construction of reservoirs in Minnesota, urge a constitutional objection to the proposition. No one will for five minutes undertake to argue against this proposed appropriation upon the merits. The question is in all its aspects easily understood. During certain seasons of the year the rapidly melting snows on the mountains rush down in torrents to the valleys below, swelling the streams, and the contributions of all these streams will finally result in the inundation of the Lower Mississippi.

We propose now, Mr. President, to inaugurate a policy whereby this mountain torrent will be stayed on its course; that its mission of destruction shall be turned into a mission of mercy; that the force which would in the Lower Mississippi destroy will be chained and compelled to become a producing factor in Wyoming, Montana, the Dakotas, and all the States along the line of each and every stream.

If in the end it requires \$50,000,000 to complete the contemplated system, well and good. The Government owns the major portion of the land to be reclaimed by the impounded water. Land that to-day is valueless will, if we may judge of the future by the past, reach a market value of from ten to one hundred dollars per acre. Judged in the light of a governmental speculation, if you please, this is a most enticing field.

I think this conference committee may well return to deliberate, and, after mature deliberation, return to this Chamber with

these two amendments unchanged, unimpaired, and left in full force to go upon the statute books of the country. We ask nothing more than this at this time. Of the thirty-odd million dollars to be carried from the Treasury through this bill, the great empire extending from Canada to Mexico and from the Missouri to the Sierra Nevada Mountains, is here like a pauper seeking a pittance of a hundred and fifty thousand dollars to prosecute surveys and begin the construction of the proposed system of storage reservoirs, and this conference report strikes out the pittance embraced in the amendments.

The position, Mr. President, is in itself humiliating. I observe in the bill an appropriation for a stream called Pull-and-be-Damned [laughter], and another appropriation made for Old Man's Creek. The exact amount embraced in these respective appropriations I do not know, nor do I care to recall. No one pretends that any public good will result from such appropriations.

With all the questionable items this bill contains, I am not prepared to see it pass with the honorable, just, meritorious, and constitutional proposition presented by these amendments stricken out. For the time being, I yield the floor to the Senator from Wyoming [Mr. WARREN].

Mr. WARREN. Mr. President—

Mr. MANTLE. Will the Senator yield to me?

Mr. WARREN. Certainly.

Mr. MANTLE. This is a very important matter, and I think we ought to have a quorum of the Senate present to hear the statements made regarding it.

The PRESIDING OFFICER. The Senator from Montana suggests the absence of a quorum. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Foraker,	McLaurin,	Roach,
Bacon,	Frye,	Mallory,	Ross,
Berry,	Gallinger,	Mantle,	Sewell,
Butler,	Gorman,	Martin,	Shoup,
Caffery,	Gray,	Mills,	Simon,
Carter,	Hanna,	Money,	Spooner,
Chandler,	Hansbrough,	Murphy,	Stewart,
Chilton,	Hawley,	Nelson,	Teller,
Clark,	Helffield,	Pasco,	Thurston,
Clay,	Hoar,	Pettus,	Tillman,
Cockrell,	Jones, Nev.	Platt, Conn.	Turley,
Daniel,	Kenney,	Platt, N. Y.	Turner,
Deboe,	Lindsay,	Pritchard,	Warren,
Elkins,	Lodge,	Quay,	Wellington,
Fairbanks,	McBride,	Rawlins,	Wolcott.

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum of the Senate is present, and the Senator from Wyoming will proceed.

Mr. WARREN. I yield to the Senator from Idaho [Mr. SHOUP] to present a conference report.

#### CODE FOR ALASKA.

Mr. SHOUP submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 8571, "An act to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

The House agrees to all Senate amendments up to and including amendment numbered 112, with the following provisions: That whenever reference is made to sections in these amendments there shall be added after the number of the section the words "of this Title."

In amendment numbered 19, after the word "crime," in line 4, strike out all to and including the word "wife," in line 5.

In amendments numbered 55, 59, 63, 104, strike out the word "numbered" and insert in lieu thereof the abbreviated term "No. —."

Amendment 74, striking out the word "eleven," in line 6 of section 311, and inserting the word "seven," is also concurred in.

The Senate recedes from its amendment numbered 113.

The Senate recedes from its amendment numbered 114 and from all amendments to the end of the bill changing the number of the chapters.

The House concurs in Senate amendment numbered 115.

The Senate recedes from its amendment numbered 116.

The House concurs in the Senate amendment numbered 117, striking out the word "numbered" and inserting in lieu thereof the abbreviated term "No. —."

The House agrees to amendment numbered 118.

The House agrees to amendments numbered 119 and 120, striking out the word "numbered" and inserting in lieu thereof in each instance the abbreviated term "No. —."

The Senate recedes from its amendments numbered 121, 122, 141, and 148.

The House agrees to Senate amendments numbered 123 and 124.

The House agrees to the Senate amendment numbered 125 with the following amendments, to wit: In line 1 of section 457, after the word "the," insert the words "judge of the district court or the;" and in line 8 of said amendment, after the word "and," insert the words "he or;" and after the word "law," in line 17, page 236, insert the words "and the same may be modified or changed at any time by said judge or judges with the approval of the Attorney-General;" and after the word "Oregon," in line 20, strike out all down to and including the last word of said section.

The House concurs in Senate amendments numbered 126, 129, 131, 134, 136, 137, 138, 140, 142, 143, 144, 145, 146, 147, 150, 151, and 152, without amendment.

The House agrees to the Senate amendment numbered 157, with the following amendment: On page 227, strike out all of line 18 in section 460.

The House agrees to the Senate amendment numbered 159, with the following amendments, to wit: On page 231, section 483, in line 1, after the word "license" add the letter "s;" in said line 1, strike out the word "herein-after" and insert, in said line 1, after the word "for," the words "in this

act;" and in line 11, on page 232, after the word "thereof," insert the following: "And provided, That the clerk of the said court and division thereof shall give bond or bonds in such amount as the Secretary of the Treasury may require and in such form as the Attorney-General may approve and all moneys received for licenses by him or them under this act shall be covered into the Treasury of the United States under such rules and regulations as the Secretary of the Treasury may prescribe."

The House agrees to the Senate amendment numbered 132, with the following amendment, to wit: On page 233, in section 465, strike out the lines numbered 25 and 26; in line 27, page 234, strike out the word "sixth" and insert the word "fifth;" and in line 31, page 234 of said section, strike out the word "seventh" and insert the word "sixth."

The House agrees to the Senate amendment numbered 133, with the following amendment, to wit: On page 234, section 465, in line 3, after the word "minor," insert a comma and add the word "Indian;" and striking out all of said section after the word "drunkard."

The House agrees to the Senate amendment numbered 135, with the following amendment, to wit: In section 468, page 235, in line 27, strike out the word "pint" and insert the word "gallon."

The House agrees to the Senate amendment numbered 139, with the following amendments, to wit: On page 238, in section 472, line 7, strike out the word "five" and insert the word "one;" in line 9 of said page and said section strike out the words "six months" and insert the words "one month;" and in line 12 of said page and said section strike out the word "six" and insert the word "two."

The House agrees to the Senate amendment numbered 149, with the following amendments, to wit: On page 241, section 490, line 1, strike out the words "respecting the;" and in line 2 of said section strike out the words "sale or manufacture of intoxicating liquors;" and in line 3 of said section strike out the word "June" and insert in lieu thereof the word "July;" and the Senate agree to the same.

GEORGE L. SHOUP,  
THOMAS H. CARTER,  
S. R. MALLORY,

Managers on the part of the Senate.

V. WARNER,  
HENRY R. GIBSON,  
JOHN W. MADDOX,

Managers on the part of the House.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

Mr. MILLS. Some one ought to explain the report. The Senate can arrive at no knowledge of the changes which have been made from the reading of that paper. There are extensive changes which have been made from one end of the bill to the other, and I think there ought to be some explanation of them. I know nothing about them.

Mr. FRYE. If there is to be any discussion, I shall have to object.

Mr. CHANDLER. I do not think the Senator from Maine will undertake to do that. This is the criminal code for Alaska. I was present the other evening when it was read through from beginning to end, and I am as diligent as anybody when I apply my mind to a legal document. I assure the Senator there is nothing in it that is objectionable. It has been taken largely from the criminal code of Oregon, and it contains no provision to which any Senator, I think, ought to object. It has been canvassed over and over again by very able Senators. The Senator from Vermont [Mr. ROSS], a new Senator in this body, has been over it, I think, from beginning to end. It would be a great pity, Mr. President, if this code were not enacted into law at this session of Congress.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

#### RIVER AND HARBOR BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. WARREN. Mr. President, I do not know just how this conference report has been made as to language, but I know that most conference reports start out with the statement that "after full and free conference," and then the report goes on to relate what items have been agreed to and what have been disagreed to.

#### NOT A FULL AND FREE CONFERENCE.

Without reflecting in the slightest manner upon any Senator serving on the conference committee, for I have confidence in everyone, I yet believe that practically this bill has not been in fair and free conference. I do not know that I understand the meaning of the words "conference," "conferees," etc., but I have supposed that when gentlemen are selected to assemble at some given point and deliberate upon a subject, they are to open up all the disputed points and consider them fully and fairly and freely; that to confer was to consider in amity and without prejudgment as to any single item; that no previous prejudice would be allowed to enter and no prejudiced conferee allowed to sit as a juror in a case when his prejudice unfits him.

I am informed that a part of this conference committee refused to even consider some of the river and harbor bill amendments. I have tried to find upon what grounds they refused the consideration of these particular amendments which have been called in

question and discussed by the Senator from Montana [Mr. CARTER], and which refer to the building of certain reservoirs and making preliminary surveys of sites for others, as follows:

Reservoirs at the head waters of the Missouri River: For construction along Piney Creek, Wyoming, of three reservoirs, in accordance with the recommendations submitted in House Document No. 141, Fifty-fifth Congress, second session, \$50,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such work and materials as may be necessary for the completion of such reservoirs, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$155,000, exclusive of the amount herein appropriated: *Provided further*, That these reservoirs shall be emptied, as near as may be, each year between June 30 and September 30, the discharge of stored water to be under the direction of the State engineer or other State officer especially designated for the purpose by the State wherein such reservoirs are located.

The Secretary of War is hereby directed to cause preliminary surveys or examinations to be made of one or more reservoir sites in each arid and semi-arid State, and report upon the cost, practicability, and desirability of constructing such reservoirs and other works necessary for the storage and utilization of water to prevent floods, overflows, and erosion of river banks and levees, and for the reinforcement of the flow of streams and raising the water line therein during drought and low water, and to utilize the water so stored where practicable for irrigation, mining, or domestic purposes while it is in transit to replenish the streams during the season of low water, and the sum of \$50,000 is hereby appropriated to carry out the purposes of this section.

It is said that certain conferees from another place maintain that these amendments have no proper place on the river and harbor bill, but we have no arguments, we have no facts submitted, we have nothing except the ipsi dixit of three men, or really of one man, to sustain the claim.

Mr. President, I have proceeded heretofore, in the interest and efforts I have given the matter, upon the theory that the subject was germane to the river and harbor bill, and I believe so yet. If there is any other side to the case, I am ready even now to hear it and be governed by it, and I challenge those who oppose the amendments adopted by the Senate and rejected by the House to show why they are not germane. Certainly money has been appropriated heretofore for the building of reservoirs in the interest of navigation, etc., and that is what one of these amendments calls for. Certainly money has been appropriated heretofore for examinations. That is what the other one of these amendments refers to.

#### IT IS GERMANE.

We have the Government reports, official documents, which show that investigations have heretofore been made, and that following those investigations appropriations have been made for the avowed purpose of building reservoirs to raise the water at low tide in the interest of navigation, and that such reservoirs were accordingly built.

We know that river and harbor bills, from time immemorial, or ever since they have become a factor in our legislation, have carried money for the repression of floods, money for dams, levees, dikes, and works of various kinds to confine within certain safe limits the floods of various rivers. So I am unable to see, and I have heard no statement which convinces me, that this is not absolutely germane and properly introduced on a river and harbor bill.

As evidence of this I quote as follows from the Annual Report of the Chief of Engineers, United States Army, part 2, 1892:

#### AS TO LOW WATER.

The low water of 1891 was a remarkable one, lower than that of 1864 (which was the lowest on record prior to 1891). (Page 1760.)

As regards the low water of 1864, it may be said navigation was almost wholly suspended, the very lightest boats being unable to reach St. Paul. In 1877 the situation was nearly as bad, there being but very few boats which tried to run. (Page 1760.)

On account of very low water prevalent during a great part of the season the amount of business done by the raft boats was much curtailed, as also the rafting of logs from Minneapolis down the river. (Page 1762.)

#### AS TO CANALS.

*Operating and care of Des Moines Rapids Canal for the fiscal year ending June 30, 1892.*—The canal was open to navigation 234 days and closed 132 days. Navigation closed November 20, 1891, and opened April 1, 1892, though a few boats passed through the canal after and before these dates during the period that the canal was formerly closed to navigation.

Extremes of low and high water have occurred during the fiscal year. From July 1, 1891, to the close of navigation, one long-continued low-water period prevailed, the river reaching, on October 1, 1891, the unprecedented low stage of 0.25 foot below the low water of 1864, the lowest previously recorded stage during the season of navigation and when not influenced by ice gorges. In 1892 the canal opened with a stage at the lower lock of 4.9 feet above low water of 1864, and the river continued to rise, the stage on June 30, 1892, being 12.3 feet above low water of 1864, this stage being only 1.7 feet and 0.3 foot less than the highest stages in 1851 and 1888, respectively. (Page 1777.)

*Business of the canal.*—Low water during the first half of the fiscal year caused all traffic to pass through the canal. During most of the latter half of the fiscal year the water was so high that hardly any boats came through the canal. (Page 1779.)

#### SNAGS AND WING DAMS.

In the report of February 8, 1875, upon part of the Mississippi routes to the seaboard is a plan of improvement to afford 3 to 5 feet depth in the canal by removing snags, bowlders, and bars, and confining the low-water

discharge to widths practicable for navigation by means of wing dams where necessary. In 1889 the estimate was increased. (Page 1816.)

#### MISSISSIPPI RIVER RESERVOIRS.

The three completed reservoirs at the head waters of the Mississippi River above Grand Rapids may be relied upon henceforth to provide sufficient water and depth for steamboats on the river at and above Brainerd. (Page 1817.)

The reservoir project is the outcome of surveys and examinations in 1869, 1874, 1878, and 1879, the results of which are published in appendixes to various annual reports of the Chief of Engineers. (Page 1818.)

From the results of the surveys and examinations just noted and further examinations in 1880, the first cost of constructing 41 reservoir dams in Minnesota and Wisconsin was placed at \$1,800,083, exclusive of that of land damages, which could not be given in advance. (See page 1871, Appendix W, to Report of the Chief of Engineers for 1881.)

The project for this improvement was inaugurated in 1880 by an appropriation for the construction of a reservoir dam at Lake Winnibigoshish, made by act of Congress approved June 14 that year. For the reasons given in the Annual Report for 1886 the work of construction was commenced and has been continued in Minnesota.

The project has for its object the construction and maintenance of reservoirs at the head waters of the Mississippi River, in the State of Minnesota, for the purpose of collecting the surplus water, principally from the precipitation of winter, spring, and early summer, to be systematically released so as to benefit navigation upon the Mississippi River below the dams and as far down as Lake Pepin. Reduction of heights of floods in localities immediately below the dams is expected to obtain to some extent, but control of extended floods or freshets is not expected.

There are four completed reservoirs, viz:

At Lake Winnibigoshish, completed in 1883-84; capacity, 45,800,000,000 cubic feet.

At Leech Lake, completed in 1884; capacity, 30,000,000,000 cubic feet.

At Pokegama Falls, completed in 1884, lift of dam increased in 1889; capacity, 4,700,000,000 cubic feet.

At Pine River, completed in 1886; capacity, 7,500,000,000 cubic feet.

Rules and regulations to control the use and administration of the reservoirs were formulated and approved by the Secretary of War February 21, 1889, as authorized by the river and harbor act of August 11, 1888. Gaugings of the Mississippi River at St. Paul, to determine the effect of reservoir water, have been made to a limited extent during the past three years. They form the subject of a separate report.

During May and June, 1891, men and materials for constructing the Sandy Lake Dam were assembled. (Pages 1818-1819.)

The beneficial effects resulting in previous years from the operation of the completed reservoirs have been maintained. (Page 1822.)

The benefit of the reservoir volume extended over some 425 [390] miles of river below Grand Rapids, the rapids being 388 [353] miles, by river, above St. Paul. Of the 425 [390] miles 200 [165] are navigated by steamers.

The increase in channel depth at St. Paul due to the release of the stored-up water undoubtedly averaged for the eighty-six days 1 foot to 1½ feet. (See Appendix Z, Annual Report, 1888.)

The increase in channel depth at St. Paul due to the reservoir water undoubtedly averaged 1 foot during the low-water season of 1888. (See Appendix B B, Annual Report, 1889.)

The effect of the reservoirs on the navigable depth of water in the channel of the Mississippi River above the Falls of St. Anthony is not as conclusively shown as it could be. A series of hydrological and meteorological observations on the Mississippi and the principal tributaries above St. Paul, extending over a period of several years, would furnish information not only of great practical value in the operation of the reservoirs, but would also be of scientific value in connection with the loss of river water by evaporation and filtration, and in the progression (and even dispersion) of a flood wave. A commencement in this direction has been made by the provision for gaugings at or near St. Paul, but the money available for the purpose is inadequate for thorough work, and is only applicable near St. Paul. It is estimated that the sum of \$15,000 per annum can be profitably expended in hydrological and meteorological investigations during a period of four years. (Page 1823.)

It is unfortunate for the reservoir question that so little of the river above St. Paul is navigable, for on that portion, naturally, the greatest effect of the water from the reservoirs has been exhibited. At Grand Rapids, in 1889, during the discharge there was a rise of 5.2 feet, and at Aitkin, 165 miles below, a rise of 3 feet and a proportional rise to the Falls of St. Anthony. This effect, as may be noticed on the gauge sheet, was continued during the entire discharge. Of this portion of the river, only 165 miles is at present operated on by steamboats, and consequently the resulting benefits have not been appreciated to the full extent.

The results from the reservoirs may not seem very large, but when it is considered that what has been done has been accomplished by the construction of only four reservoir dams, and that storage operations have so far been carried on through four years of unusually low water, the results are encouraging, if not phenomenal.

The greatest accumulation at any one time was about 35,000,000,000 cubic feet in 1885; with that accumulation the two main reservoirs were just about half full. With the reservoirs full (and there is no reason to suppose but that they can be easily filled when the rainfall gets back to its normal condition), there is every reason to believe that everything that has been claimed for the system, as far as built, will be realized.

#### ONE REASON WHY SOME OPPOSE.

In Wisconsin the lumbermen were at first very enthusiastic on the question of Government reservoirs; but of late years they have, however, obtained control of most of the important streams, and it is believed that, recognizing the fact that their interests can not help being more or less antagonized by the retention of water for the benefit of navigation, they are now to a great extent opposed to their construction. In all probability this opposition is the cause of the work not having been started in that State. (Page 1830.)

Reservoirs have been heretofore provided for in river and harbor appropriation bills.

#### GAUGING MISSISSIPPI RIVER AT OR NEAR ST. PAUL, MINN.

The Board of Engineers, to whom was referred the project for the application of \$37,000, appropriated by the river and harbor act of August 5, 1889, for reservoirs at the head waters of the Mississippi River, recommended in their report, dated May 24, 1897: "That such gaugings be made at or near St. Paul, during the annual operation of the reservoirs as shall determine

accurately the discharge at that point at critical periods." (Page 1692, Annual Report Chief of Engineers, 1887.) (Page 1849.)

UNITED STATES ENGINEER OFFICE,  
St. Paul, Minn., February 24, 1891.

GENERAL: In compliance with the act of Congress, September 19, 1890, I have the honor to report the result of a preliminary examination of "Red River and tributaries above Fergus Falls and Crookston and of Big Stone Lake, with a view to improving navigation thereon by the erection of suitable dams, or by such other means as may be deemed best, together with an estimate of cost."

I interpret the foregoing as calling for an investigation of the question of improving the Red River of the North by means of reservoirs at Big Stone Lake, and on the Otter Tail and Red Lake rivers, and have made the examination accordingly. (Page 1855.)

Very respectfully, your obedient servant,

W. A. JONES,  
Major, Corps of Engineers.

Brig. Gen. THOMAS L. CASEY,  
Chief of Engineers, U. S. A.

(Through Col. O. M. Poe, Corps of Engineers, division engineer, north west division.)

UNITED STATES ENGINEER OFFICE,  
St. Paul, Minn., January 11, 1892.

GENERAL: I have the honor to make the following report upon the survey of Red River and tributaries above Fergus Falls and Crookston, and of Big Stone Lake, with a view to improving navigation thereon by the erection of suitable dams, or by such other means as may be deemed best, together with an estimate of cost.

#### SURVEY AND PROJECT.

Its object was to gather data from which I might determine whether sufficient watersheds and holding ground were available to afford water enough during low stages of the Red River of the North to make the said river navigable without other works for improvement. For this purpose two localities for holding large bodies of water conspicuously offered themselves: (1) Red Lake, (2) Lake Traverse. (Page 1863.)

It is thus reasonable to expect that the two reservoirs above described will furnish sufficient water to render the Red River continuously navigable during the whole open season from the Rabbit River dam to Lake Winnipeg. And, further, by placing a lock in the Rabbit River dam navigation would be extended to the head of Lake Traverse; and, still further, measurements taken by Mr. Davenport in 1882 show that Big Stone Lake is only 7 feet below the level of Lake Traverse. Hence, if we place a dam across the outlet of the former and cut a short canal between the two, navigation would be extended to the foot of Big Stone Lake, thus creating a water transportation line 615 miles in extent, without counting Lake Winnipeg and the Saskatchewan River.

It is probable that the creation of these two reservoirs would relieve the Red River Valley from a considerable portion of the effects of floods.

There is still another aspect to this matter. The stored-up waters in Red Lake distributed uniformly during the open season through Red Lake River would render it navigable for small craft. (Page 1871.)

That is to say, something like 1,000 miles of transportation line would be created, at a cost not exceeding \$1,000 per mile. (Page 1873.)

During the year 1891, when the Mississippi River fell to a zero stage at points just below the influence of the reservoirs on its head waters, these reservoirs maintained a stage of about 1.5 at St. Paul. (Page 1893.)

Very respectfully, your obedient servant,

W. A. JONES,  
Major, Corps of Engineers.

Brig. Gen. THOMAS L. CASEY,  
Chief of Engineers, United States Army.

#### RESERVOIRS AT HEAD WATERS OF THE MISSISSIPPI RIVER.

[Extracts from Annual Report of Chief of Engineers for 1890, Part 3.]

#### Abstract of appropriations.

By act—		By act—	
Approved June 14, 1880.....	\$75,000	Approved Sept. 19, 1890.....	\$80,000
Approved Mar. 3, 1891.....	150,000	Approved July 13, 1892.....	60,000
Passed Aug. 2, 1892.....	300,000	Of Aug. 17, 1894.....	61,000
Approved July 5, 1894.....	60,000	Passed June 3, 1896.....	80,000
Approved Aug. 5, 1896.....	67,500		
Of Aug. 11, 1898.....	12,000	Total.....	905,500

(Page 1832.)

At Lake Winnibagoishish, completed in 1883-84; height of dam, 14 feet; capacity, 45,800,000 cubic feet.

At Leech Lake, completed in 1884; height of dam, 6 feet; capacity, 30,000,000 cubic feet.

At Pokegama Falls, completed in 1884; height of dam, 7 feet (increased in 1889 to 9 feet); capacity, 4,700,000 cubic feet.

At Pine River, completed in 1886; height of dam, 17 feet; capacity, 7,500,000 cubic feet.

At Sandy Lake, completed in 1895; height of dam, 9.4 feet; capacity, 3,000,000 cubic feet. (Page 1841.)

#### EFFECT OF THE RESERVOIR WATER.

The Board of Engineers, in their report dated May 24, 1887, and printed on pages 1661-1698, Annual Report of the Chief of Engineers, 1887, express this opinion:

"As far down as the mouth of the first considerable tributary, the St. Croix, it is therefore not unreasonable to suppose that navigation may be benefited nearly in proportion to the effect upon the St. Paul gauge, i. e., from 1 foot to 18 inches of low-water stages.

"The two plates published opposite page 2305, Annual Report 1895, and the plate accompanying this year's report upon gauging the Mississippi River at or near St. Paul, Minn., show the dates for releasing water and the effect of the reservoir water upon the Mississippi River at St. Paul during the low-water periods of the years 1893-1895. The three records indicate that a rise in the river at St. Paul commences in seven or eight days following the release of water from the distributing reservoir at Pokegama Falls, and in about five days thereafter the full effect is felt. The mean time is therefore ten days. The rise on the signal service gauge, St. Paul, due to the reservoir water in 1893, was 1 foot; in 1894, 1.3 feet; in 1895, 1.2 feet." (Page 1842.)

#### CASE PROVEN.

So, Mr. President, it is not only strictly germane but usual to appropriate money in river and harbor bills for the construction of reservoirs.

Furthermore, Mr. President, it seems to me, judging from precedents in legislation, that when a subject is of importance enough to interest more than one-third of the States of this Union, when an amendment, or we will say two amendments, bearing upon the same subject are being considered carrying only \$100,000, and a possible expenditure of \$265,000 all told, the item ought, in good faith and good policy, to pass. Only \$100,000 can, under this bill, be expended until we meet again, and we can then give it our further consideration and the appropriations be limited as to what we do hereafter.

Only the insignificant sum of a possible maximum of \$265,000 is at issue, and in this the most vital interest is entertained by 17 States and Territories of the Union. It seems to me that when 17 States and Territories are interested in an item of \$100,000, or even \$265,000, it would be kindly, it would be just, and it would be dignified as well, and further, it would be good legislation, for the conferees to agree to the amendments, or in case the appropriation could not be settled upon, to report a disagreement to the Senate so that Senators may know what is going on in that committee, and whether or not some arrangements can be made to amend the original amendments; or whether or not the sense of the Senate shall not be taken upon the amendments and the whole subject-matter.

I am not quite willing, Mr. President, to sit here and listen day after day to conference reports being read, in which the stereotyped language appears, "after full and free conference," unless such words express the truth. I am not willing to admit that there has been a free and full conference on this river and harbor bill.

Mr. WELLINGTON. Will the Senator from Wyoming yield to me for a moment?

Mr. WARREN. Certainly.

B. F. PARLETT.

Mr. WELLINGTON. I ask the Chair to lay before the Senate the bill of the House of Representatives for the relief of B. F. Parlett.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 11577) for the relief of B. F. Parlett, collector of internal revenue for the district of Maryland, which was read the first time by its title and the second time at length, and was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### REGENT OF SMITHSONIAN INSTITUTION.

Mr. GRAY. Mr. President, some years ago, under an act of Congress to that effect, I had the honor of being appointed a Regent of the Smithsonian Institution. I desire now to resign that appointment at the hands of the President of the Senate, and I ask him to take such action as is appropriate in the premises.

The VICE-PRESIDENT. Unless there be objection, the resignation of the Senator from Delaware is accepted.

The Chair appoints Mr. LINDSAY Regent on the part of the Senate of the Smithsonian Institution, under the provisions of the Revised Statutes relative to that institution, to fill the vacancy occasioned by the resignation of the Senator from Delaware.

#### PRINTING OF CERTAIN LAWS.

Mr. LODGE. I present for present consideration, from the Committee on Printing, a resolution which provides for an additional print of some bills for which there is a great demand, and copies of which the clerk in the document room tells me are exhausted.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed for the use of the Senate 500 additional copies in law form of the "Act to provide for the taking of the Twelfth and subsequent censuses;" "An act for increasing the efficiency of the Army of the United States, and for other purposes;" "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States;" "An act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes;" and "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes."

#### PAY OF STENOGRAPHERS.

Mr. GALLINGER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the stenographers employed to report hearings before the Committee on the District of Columbia, upon matters referred to said committee, be paid from the contingent fund of the Senate.

Mr. JONES of Nevada subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably the foregoing resolution; which was considered by unanimous consent, and agreed to.

## RIVER AND HARBOR BILL.

The Senate resumed the consideration of the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. WARREN. Mr. President, I was about to say when interrupted, and I will repeat it so as not to lose the trend of my remarks, that we are in the peculiar position of being called upon to consider a reputed report from a conference committee as to which I assume the usual announcement is made that "we have had full and free conference." Yet we find a subject as to which 17 States and Territories out of 50, a little more than one-third, are a unit upon, one certain amendment in the bill that calls for a hundred thousand dollars only, which has not been considered or been the subject of true conference.

Mr. President, last year was perhaps one of the greatest history-writing years in the annals of our Government. More momentous and important occurrences happened during the last twelve months than in any other year. But, Mr. President, in all this remarkable history that we have made in the last year there is not a single item so remarkable as this one, whereby a conference committee undertakes to report here, without first reporting a disagreement, upon a subject which shuts out seventeen States and Territories from the benefits of an amendment amounting to only a hundred thousand dollars. There is not a precedent for it in this year or in any other year, in this Congress or in any other.

I have submitted here, sometimes unwillingly, it is true, to one-man power when it established no new precedent, but it seems to me that now when we are nearing the end of the session I can not without further protest record myself and sign my name, so to speak, to the articles of a new principle and thus establish it as a precedent, one in which we would not only write new history, but, in my judgment, history more dangerous than any page ever recorded in legislative doings, i. e., that conference committees need not confer, that majorities can not rule, but that the House portion of a conference committee may arbitrarily dictate and proclaim that certain matters shall not go to conference but can be foreclosed against without even reading.

## CONFERENCE COMMITTEE'S ACTION CAN NOT BE DEFENDED.

I think I am justified, after the many days of silence that I have indulged in as a member of this body, and after assenting to many new and important things, to ask that we do not at this time undertake to establish this dangerous precedent. It can not be defended. No member of the conference committee will attempt to defend such action.

It is reputed that so far as one side of this alleged conference is concerned—the one which comes from the other part of the Capitol—that notwithstanding a majority of the whole conference committee is ready to consider this subject further, one man, and one alone, and he not the presiding officer of the House of Representatives—one man out of a body of 356 men—proposes to say to the Senate of the United States: "You shall be pulled down to the bull ring. There shall be one-half nearly of the United States in area declared practically outside the Union. You shall have no part or lot in this appropriation bill entitled: 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.'"

## PERSONNEL OF COMMITTEE.

Mr. President, there are a great many remarkable things connected with this case. I am led to look over to the other end of the Capitol as well as in the Congressional Directory and see who are in charge and who are members of the Committee on Rivers and Harbors of the House of Representatives, this great committee, which, in conjunction with the committee of the Senate, proposes to aid the commerce and trade of the country. I find that the committee is composed of seventeen men. I observe that one-half of the United States—the western half—is conspicuous by the absence of any of its Representatives upon that committee. Is it because there are not members enough numerically allowed that committee to give to each State a member? Grant it. Is it because there are not good men enough in one-half of the United States to allow that half a member? I deny it. Is it because in spreading out over the country they have reached as far as they can, starting from the Atlantic and going West, as the star of empire ever takes its way? And have they reached the western limit within which good men can be found competent to serve? Have they exhausted the committee places by recognizing each State with a member as far as they go, and therefore can not go any further? Nay, Mr. President. We find they were crowded. They had to crowd them all into the Eastern States. Here is New York with two members upon that committee—two men from one State. The others are grouped, not particularly upon the seacoast, it is true, but all of them east of the Missouri River.

## PROVIDE FOR THEMSELVES.

Mr. President, I do not want to say that these gentlemen have been partial to themselves and to their States, but there is one thing very remarkable in considering this committee and its work, and that is, first, that 30 States, including, of course, the neglected West—exactly two-thirds of the whole number in the Union—have only about \$6,000,000 set apart for its benefit. The other one-third has something like \$25,000,000, and it is remarkable that the \$25,000,000 falls pretty largely into the States which have Representatives of the House on the Committee on Rivers and Harbors. In fact, the larger share of this \$6,000,000 as well as to States represented on the House committee. A grab game, surely!

## CORPORATIONS AND TRUSTS.

Mr. President, we hear a great deal of corporations and trusts. You can not get a man upon this side of the Chamber or upon the other, nor can you find a man who belongs to a third political party or a compromise party, who will admit, if the question is put to him, that he is an upholder of trusts or corporations that seek to monopolize. They all deny it. Go over, if you please, and take a seat in the gallery of the House, or go on the floor and listen to the debates there, and you will hear from time to time remarks concerning trusts and corporations that are always uncomplimentary to them. I do not know that I ever heard a man stand in the other end of this Capitol and defend corporations and trusts.

I do not recall now any Senator who has upon any occasion risen in his place for the purpose of defending trusts as such, or corporations as such. It may be true that different Senators have at different times defended this or that corporation in some particular manner, and I hope the time will never come when those Senators will not individually and as a part of the Senate be willing to say that a corporation has just the same rights as an individual. I hope we shall always maintain equality as between all citizens and under all circumstances. I believe that corporations are necessary. I believe that labor and capital have equal rights.

## THE WORST ONE YET.

But here, Mr. President, we have an example, in my judgment, of a most gigantic trust, the most gigantic combination that it has ever been my privilege to see or to hear of, a trust or combination by which a committee of sixteen men at the other end of the Capitol manage in some way to take all the water in the United States into their particular sixteen States. They manage to remove every river, lake, and inlet, so far as appropriation consideration is concerned, down into that little corner of even fifteen States. They manage to find that every harbor we have worthy of notice is located in the fifteen States represented on a certain committee of another body. They manage in cutting up this watermelon, if it may be termed such, amounting to the sum of thirty-odd million dollars, to say "about \$27,000,000 belongs to us—members of this committee—and the other \$3,000,000 we will put around in little five and ten thousand dollar bunches or dabs where we can secure just votes enough to get out of the House and over into the Senate, and then we will hold the poor old Senate up in conference."

## WHERE THE MONEY GOES.

If anyone doubts the truth of my statement I invite his attention to the bill itself. I may be inaccurate, but only to the extent of a few thousand dollars, and when we are talking about \$30,000,000 to be expended at once and somewhere about \$200,000,000 later on, a matter of a few thousand does not make much difference, but the statement, as I make it, is substantially correct; that is to say, "in our little House tea party of fifteen or sixteen on Committee on Rivers and Harbors, out of 356 members we sixteen will take over twenty-five millions now and a couple of hundred millions later on. We will then take the thirty remaining States and put there six millions, the greater part of it in such as are represented on this committee, the balance of it supposably where it will do us the most good, and get us the most votes. The balance of the country we will bunco and leave it out in the cold."

Mr. CARTER. Will the Senator from Wyoming yield to me for a moment?

Mr. WARREN. Certainly.

## PROPOSED EXECUTIVE SESSION.

Mr. CARTER. I move that the Senate proceed to the consideration of executive business.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Montana. [Putting the question.] The yeas appear to have it.

Mr. CARTER. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I am paired with the Senator from New Jersey [Mr. SMITH]. I transfer my pair to the

Senator from South Dakota [Mr. KYLE] and will vote. I vote "nay."

The roll call having been concluded, the result was announced—yeas 16, nays 49; as follows:

YEAS—16.			
Bate,	Heitfeld,	Roach,	Thurston,
Carter,	Jones, Nev.	Shoup,	Turner,
Chandler,	Mantle,	Stewart,	Warren,
Hansbrough,	Pettigrew,	Teller,	Wilson.
NAYS—49.			
Allen,	Foraker,	McBride,	Platt, N. Y.
Allison,	Frye,	McLaurin,	Proctor,
Bacon,	Gallinger,	McMillan,	Quay,
Berry,	Gear,	Mallory,	Ross,
Butler,	Gorman,	Martin,	Smith,
Caffery,	Gray,	Money,	Spooner,
Chilton,	Hale,	Morgan,	Tillman,
Clark,	Hanna,	Murphy,	Turley,
Clay,	Hawley,	Nelson,	Wellington,
Cullom,	Hoar,	Pasco,	Wolcott.
Davis,	Kenney,	Perkins,	
Deboe,	Lindsay,	Pettus,	
Fairbanks,	Lodge,	Platt, Conn.	
NOT VOTING—25.			
Aldrich,	Faulkner,	Mitchell,	Turpie,
Baker,	Harris,	Penrose,	Vest,
Burrows,	Jones, Ark.	Pritchard,	Wetmore,
Cannon,	Kyle,	Rawlins,	White.
Cockrell,	McEnery,	Sewell,	
Daniel,	Mason,	Simon,	
Elkins,	Mills,	Sullivan,	

So the Senate refused to proceed to the consideration of executive business.

#### RIVER AND HARBOR BILL.

The Senate resumed the consideration of the conference report on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

#### A GRAB GAME IT IS.

Mr. WARREN. Mr. President, the honorable Senator who preceded me, the Senator from Montana [Mr. CARTER] entered somewhat into the merits of this case as to the necessities of the desired appropriation.

I desire to enter into that to some extent later on, but I repeat now, when we have more Senators present, what I said before: I want to ask the Senate whether they are ready, after as many surrenders as we have made to various despotic ones during this session, to surrender once for all and say they will recognize now and hereafter an alleged conference committee coming from another place, with the avowed purpose before they come of not agreeing or not even discussing some one given subject, as being the genuine article, i. e., a conference committee who will in deed as in word hold "full and free conference;" that there shall be no report whatever except as the House members dictate, and no report of disagreement, so that the Senate can not even once instruct their conferees whether they shall or shall not stand by a proposition.

Mr. President, this reservoir proposition in this bill did not have a single negative vote when it passed the Senate if I am correct, and I think I am. So we have a right to consider that it once passed the Senate unanimously. To go a little further back, I do not understand that in the Senate Committee of Commerce there was any disinclination on the part of the committee as a whole or any of its members to place this amendment in the bill and report it to the Senate.

#### SENATE COMMITTEE DID THEIR DUTY.

It came to them in due course as an amendment first submitted by a Senator on this floor and afterwards reported back from a regular standing committee to whom it was referred. After being reported back from that committee it was sent to the Committee on Commerce. They took it up, as they should do, and as I feel very grateful to them for doing, and placed it in the bill. When it came here for indorsement it was neither smuggled through nor was it rushed through without a full Senate, but it was given full, fair, and free discussion, and after such discussion it was adopted.

Now what happened? It went to the committee of conference. I do not think I am divulging anything secret or that would be denied when I assume that the committee on the part of the Senate were all of them in earnest about retaining the amendment, and that at least a majority of them were in favor originally and all the time of the subject-matter and the issues represented by the proposition. Two men, Senators, of that committee have always expressed themselves that way.

But here we meet conferees from another place who say, "Gentlemen, you can not take up the little matter of \$100,000 put in there as one of the features to represent more than two-fifths of this Union in acres and more than one-third of the Commonwealths in number; we will not even consider it; we will not de-

bate it; and if you attempt to make a disagreement even, we will put up our dolls and toys and go home."

#### AMOUNT INVOLVED.

Now, I wish to submit it to the Senate whether or not we will establish a precedent for future committees of conference upon that basis. If this was a little item of an ordinary ten or fifteen dollar claim or a hundred dollar claim, if it was a matter that only had reference to one or two people, if it was an unimportant matter from all standpoints, it might pass by without notice. But here we have a bill that positively carries within its covers the greatest promise of money of any bill that ever passed, if I am right, this or any other Congress. The chairman shakes his head. I hope he will explain if I am wrong. I think I am right.

Mr. FRYE. I am not a speaking member of this body.

Mr. WARREN. This bill contains a Nicaragua Canal provision. Now, I do not believe it has been denied by any Senator that a Nicaragua Canal will cost not less than its estimate of \$115,000,000, and if we are to judge by what other projects have cost, if we are to judge by expenditures in our private business, those of us who have ever built a dwelling house, a stable, a bridge, or a fence, it is presumed that we will expend a good deal more than the estimate. In fact, it would be safer to say that it would cost twice what our guess or estimate was, and in that case we have in this bill what may eventually lead to more than \$200,000,000 expenditure upon that one feature alone.

Now, outside of that, I understand it is a matter of some thirty-odd millions immediately and more to follow.

Mr. FRYE. Mr. President, I can not sit quietly and allow such statements as those to be made. The bill carries about \$14,000,000 of cash and about \$23,000,000 of continuing contracts, instead of \$40,000,000 and \$50,000,000. With regard to the Nicaragua Canal, it provides only for a survey, and the appropriation is limited to \$1,000,000.

Mr. WARREN. I thank the Senator sincerely for even that much information; but if he will indulge me further, the commencement of the canal presumes its finish, does it not?

Mr. FRYE. The survey does not presume it at all. The survey of the improvement the Senator is talking about calls for over \$5,000,000, if a survey calls for an appropriation necessarily.

Mr. WARREN. Be that as it may, I am glad to get these little flash lights even upon this bill as it has come out of conference. We all know that in the manner these things are necessarily handled in these last hours of the session we can know little more about what is going on and in the bill when it is being read from point to point than if it was in another language. So I say I am glad to get that much information. But even then there is a confession by the chairman of a matter of some \$37,000,000 if I heard aright.

But be that as it may, the principle remains the same. Either the Senate is one of the coordinate branches of this Government or it is not. If the Senate is one of the coordinate branches of the Government and one of the legislative bodies, I do not believe that we can afford to break loose from or surrender our rights so long ago established; that is to say, the right of differing here when a project comes from the other House, differing in a friendly and neighborly way, as we may differ with each other personally. I believe that we should maintain the right of amendment to the House bills when they come here, and I believe that we should maintain the right, after having so amended these bills, to have conferences.

I pause a moment to exclaim again that we have had practically no conferences upon this bill, and we have no conference report, practically. We are denied a conference. We have a report that comes in here confessedly from a body of men in which one side of it say, "You can have but one kind of a report, and that is favorable; you can not disagree and take it back into your body, because we are afraid that the Senate would overrule you and overrule us." Is the Senate going to submit to this? Now, if I was talking solely about arid lands and irrigation it would be another thing, but I am talking now, in these preliminary remarks, about the rights of the Senate.

I want every Senator here, Mr. President, to take this matter home to himself and ask whether he wants to be confronted hereafter, when he may have a measure that he is interested in, with a bad precedent that he may establish in these last hours of a Congress—a Congress, it seems to me, whose efforts and accomplishments in behalf of the nation have established it as one of the greatest Congresses of the world. It does not seem to me that we want to ignominiously surrender now in these last days and establish a precedent that will come up hereafter to confront us at every turn.

#### OUR EARNESTNESS.

Mr. President, I had in my eye a moment ago a Senator of this body, one whom I love to honor, one whom I always delight to hear upon any subject—and it is my highest ambition to sit at his feet and gain wisdom from his knowledge and speech—who on one occasion said that if he could avert a probable coming action of

the Senate he would be willing to have a halter placed around his neck and be conducted to the desk in front of the President and there beheaded.

Now, Mr. President, that shows the kind of earnestness sometimes felt by Senators in their work. While I may not be as patriotic as he, and not as intense upon this question as he was upon that, I want to say, nevertheless, that I had rather give up my commission in the Senate, here and now, than consent to this proposed innovation of conference committees and undertake to explain to my constituents when I go home why it is that this great body they delight to honor always, and that I delight to honor, is guilty of a kind of work that no legislative body or rump legislature on earth was, I believe, ever guilty of. Undertaking to hold a conference that is not a conference; of coming in here with a report that bears upon the face of it its falsity. A full and free conference, forsooth, when conferees come over here bound and gagged!

Mr. President, it has come to pass, it seems, that honorable members of the Senate are compelled to come in here and say to me and others that they stand mute, bound and gagged, because one member of another body, or one member of a conference committee, says, "You will have it this way, or we will beat the river and harbor bill."

It has been my pleasure and my privilege to vote for river and harbor bills heretofore. With one slight exception, and that carried no money in it, there has never been a thing in a river and harbor bill that benefited my State. In fact, if you should take the river and harbor bills as they have passed here and look through them, you would discover that this Union was lacking several States, and my State would be one of them. We believe there are rivers and harbors that need improvement. We believe in navigation. We believe in improving it. We have voted time and again for it.

#### AN UNEVEN DIVISION.

Mr. President, we stand here ready now to take the bill up and act upon it the same as we have acted upon other bills, and if we can not convince our friends in the Senate that we are worthy of consideration we are willing then to surrender. But I submit, Mr. President, that when you take the river and harbor bill and lay down beside it a United States map and draw a line through it in the middle from north to south, leaving just an even half upon one side and an even half upon the other, you can not make me believe, nor can you make even a boy who can not read believe, if he ever saw a map, that there are \$28,000,000 to \$35,000,000 worth of water on one side of it and only \$2,000,000 to \$3,500,000 worth of water and harbors on the other.

You can not make anybody believe that. Take the Pacific Ocean, the greatest in the world, and the most important to-day, and becoming more and more important, with its coast commencing up at the British possessions, with all its ins and outs, around all those sounds and bayous and bays, and coming clear down south to the very end of our possessions, and then skipping over to the Gulf of Mexico and taking the larger shore of the Gulf of Mexico, and adding that entire coast together, you can not make me believe that there is only \$3,000,000 worth of harbor work necessary upon all of that coast and country, while \$30,000,000 or more of harbor work is necessary upon the Atlantic and the small remnant that is left of the Gulf of Mexico.

Have we appropriated money for similar purposes heretofore? That we have not is the only adverse argument I have heard, and I understand certain conferees are unwilling even to listen to a statement or to look at our proofs showing that we have heretofore so appropriated. I understand the only thing that has ever been attempted in the line of adverse argument is, "This is all right, boys, but it is on the wrong bill; it should not be on the river and harbor bill." Well, now, I think that that is a mistake. I think this is the very place. When we build reservoirs at the head of the Missouri River, to prevent overflows and erosion of banks, I do not know why we are transcending any rule that will not apply to the river away down at the very lower end, where we build dikes and dams, etc., to confine the waters of the Mississippi.

Mr. President, I hold in my hand an official document, and I will venture to say that not a man upon that conference committee has opened it. I venture to say that so far as the House conferees are concerned they do not know that the book is in existence, or, if so, that it contains any reference to this subject.

Mr. MANTLE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wyoming yield to the Senator from Montana?

Mr. WARREN. Certainly.

Mr. MANTLE. I wish to ask the Senator from Wyoming if he will now yield to me for the purpose of making a motion to recommit this conference report to the committee of conference? In making that request, I desire to say that, in my opinion, the statement of fact and of the conditions existing and surrounding this question are such that Senators have been impressed, and that

they will join with those of us who are directly interested in this vital question for the purpose of recommitting the report in the hope that another conference more favorable may result. I make that request of my honorable friend from Wyoming.

Mr. WARREN. If my distinguished friend the Senator from Montana feels that there is a disposition to give us that fairness and that consideration which I feel we have been without heretofore, I certainly wish to offer no objection. I think the report should go back to conference. I have no right, perhaps, to ask it, but I should like to have some assurance from the committee to whom it will go that it may receive some consideration and that they will endeavor to give it a full consideration.

Mr. FRYE. The motion to recommit would not be in order. The report must be either agreed to or disagreed to—one of the two.

Mr. MILLS. It can be recommitment, under the rules of the Senate, when the proposition is made.

Mr. MANTLE. I submit to the Chair whether or not my motion is in order.

The VICE-PRESIDENT. The Chair believes that the motion is entirely in order. The Chair understands that there are but three actions which may be taken, either to agree to the report, to disagree to it, or to recommit it. The Chair finds the precedents to be many of the recommitment of reports of committees of conference. That has been the practice in both Houses.

Mr. MANTLE. I now make that motion, and in doing so I appeal to the Senate in behalf of that great territory so directly and so vitally concerned in this question to unite with us to the end that the motion may prevail and that another opportunity may be given to the conferees to arrive, if possible, at a conclusion favorable to the Senate view of this matter.

Mr. WARREN. I wish to add my appeal to that of the Senator from Montana. I want to go a little further. I want to ask the chairman of the committee to ask consent of this body to take the bill into conference and see if he can not get a renewed consideration and if possible a more favorable one. I should like to have the honorable Senator who has charge of the bill make that request.

Mr. FRYE. The honorable chairman who has charge of the bill can not make it. A recommitment of the report means the death of the bill beyond any manner of question.

Mr. WARREN. I hope not.

Mr. FRYE. There can not be any doubt about it. You can not have a conference on this subject in the last twenty hours of the session and expect to get it through both Houses. The report has not been agreed to in the House yet.

Mr. WARREN. I understand that it will take but a few minutes to get the conferees together.

Mr. FRYE. I do not know where they are.

Mr. WARREN. All I have to say is that they ought to be near by.

Mr. CLARK. They are in the building.

Mr. MANTLE. I submit if the House conferees could change their mind it will be but a moment's labor to adopt the report here and the same at the other end of the Capitol. I beg the distinguished chairman of the Committee on Commerce to give us another opportunity to secure what we insist upon.

Mr. FRYE. The chairman must submit to whatever the Senate does, and he will submit to whatever the Senate does, but he has no authority to ask that the report shall be recommitment.

Mr. MANTLE. I will assume that responsibility and again ask the Senate to stand with us in another effort in this direction.

The VICE-PRESIDENT. The question is on the motion to recommit the report to the conference committee.

Mr. FRYE. Now, one moment. The Senator from Texas has a grievance; the Senator from Oregon has a grievance; the Senator from Florida has a grievance; the Senator from Iowa has a grievance; the Senator from Delaware has a grievance; the Senator from Oregon—I think I mentioned him—

Mr. SPOONER. Call the roll.

Mr. FRYE. No; there are not a great many who have grievances. Senators get about all they asked. If the report is recommitment, then I suppose every Senator who has a grievance is going to appear before the committee of conference and ask that all the grievances may be righted.

Mr. PASCO. I shall be there, if you will allow me to come.

Mr. LODGE. The Senators from Massachusetts will be there.

Mr. FRYE. Yes; the Senators from Massachusetts have a grievance. The senior Senator has a very serious one.

Mr. WARREN. Will the Senator from Maine yield to me for just a moment?

Mr. FRYE. Allow me to say one word more, if the Senator will permit me in his time.

The Senator has been complaining that there has been no free and fair conference. Why? Because every Senator has not realized everything that the Senate put in for him into the river and harbor bill. There never was a conference report yet on an

appropriation bill that did not disappoint at least one-quarter of the Senators. What is a conference for? It is a compromise between the two Houses, and you can not expect that everything shall be obtained.

Mr. WARREN. Is it supposed that the surrender shall be entirely on one side?

Mr. FRYE. You have to surrender, and you must surrender, or else you never can have a bill reported. You never could have an appropriation bill passed if there was not a surrender on each side. The House itself surrendered more than we surrendered in this report, and I am tired of hearing complaints made against the conferees because they did not stand up. The conference committee on the part of the Senate fought for this proposition from the time they went into the conference until it was closed, and after it was closed they asked the House conferees to agree to put this provision in.

Mr. WARREN. I believe that is true, and I thank the Senator and his associates on the conference.

Mr. FRYE. Now, the Senator a little while ago in his speech made a suggestion that at least two of the conferees on the part of the Senate stood by it.

Mr. WARREN. I did not say that.

Mr. FRYE. I heard the Senator say it when walking behind there.

Mr. WARREN. I do not think I said just that.

Mr. FRYE. I heard the Senator say it exactly. Now, who are the two who stood by him?

Mr. WARREN. Did I say at least two stood by me?

Mr. FRYE. Yes, sir; that they stood by this proposition.

Mr. WARREN. I ask the reporter to see whether I used any such language. I want to see whether I used the language the Senator imputes to me, that at least two Senators stood by me.

Mr. FRYE. I heard it.

Mr. WARREN. All right. I think the Senator is mistaken. I want to convince him of it.

Mr. FRYE. That will consume another half hour's time.

Mr. WARREN. I hope not.

Mr. FRYE. I do not propose to help the Senator to filibuster on this bill at all.

Mr. WARREN. I do not want to consume time, but I do not propose to be impaled as saying something that I did not say. I hope the Senator does not want to put me in that position, because I certainly did not use the language. Unless it was a slip of the tongue, I did not say that at least two Senators stood by me.

Mr. FRYE. I stood by the proposition, and I stood by every proposition that was made in the Senate.

Mr. WARREN. And I so stated—I so undertook to state—and if I have said anything else I want to be corrected.

Mr. FRYE. I have been on a good many conference committees, and I wish that I never could be on another while I live.

Now, I have spent on this bill a month of solid, hard work, meeting in the morning at 10 o'clock and working up until 8 and 9 and 10 o'clock at night, in order to get a bill perfected so that these improvements might go on in the rivers and harbors of the country. Here it is reported on the last night of the session, and then commences immediately a fight against the bill, a purpose on the part of certain Senators that it shall not become a law, although all this labor has been spent upon it, because, forsooth, the Senate conferees could not succeed in inducing the House conferees to put a proposition they were not in favor of in the bill.

Now, I do not believe it is justified. I do believe the Senators from those States are justified in making speeches in relation to this matter, speeches touching the merits of the case. But here the Senator from Wyoming has spent three-quarters of an hour in attacks upon conference committees. I do not believe that is justified. Conference committees have hard work enough with each other without, after they have got through their work, being subject to castigation from various Senators who have not received their merits as they believe and as the Senate and as I believe.

Now, the Senator from Texas [Mr. MILLS]—a man whom I admire beyond most men; a man with whom I have served in public life for twenty-five years; a man whom I would do as much for as I would for any man living—feels that he has been aggrieved beyond measure because a continuing contract was not made for a canal from the ocean up to Houston, costing over \$4,000,000. The House has refused to agree to anything of the kind, and what did we do? We appropriated \$300,000 in cash to go immediately to work, not upon that same project, but to do the same thing the project called for—dredging that stream—and it is more money than can be spent by any possibility on that river next year. And yet the Senator from Texas is going to take the floor by and by, as he informed me, and is going to make a desperate fight against this bill becoming a law, because, forsooth, he did not get the continuing appropriation for over \$4,000,000 for the canal up to Houston.

Now, the Senator from Wyoming and the Senator from Montana complain about the ocean being on the seashore. [Laughter.]

Mr. WARREN. Oh, no.

Mr. FRYE. And not up in Montana and Wyoming, and that all this money is appropriated without any of it going where there are no rivers and no harbors and no ocean.

Mr. CLARK. Oh, come out and see us.

Mr. FRYE. And where you are praying now for water to irrigate with. [Laughter.]

Mr. WARREN. Do you object to their praying for anything?

Mr. FRYE. No; they may pray for anything they please, but I do not want them to prey on the river and harbor bill. [Laughter.]

The VICE-PRESIDENT. The question is on the motion to recommit the report to the committee of conference.

Mr. MILLS and Mr. WARREN called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. HANNA (when his name was called). I have a general pair with the junior Senator from Utah [Mr. RAWLINS], and I therefore withhold my vote.

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BACON. I announce my pair with the junior Senator from Rhode Island [Mr. WETMORE].

The result was announced—yeas 25, nays 41; as follows:

## YEAS—25.

Allen,	Hansbrough,	Mills,	Thurston,
Carter,	Heitfeld,	Pettigrew,	Turner,
Chandler,	Jones, Nev.	Rawlins,	Warren,
Chilton,	Kenney,	Roach,	Wilson.
Clark,	McLaurin,	Shoup,	
Gallinger,	Mantie,	Simon,	
Gear,	Mason,	Stewart,	

## NAYS—41.

Allison,	Elkins,	Martin,	Sewell,
Bate,	Fairbanks,	Money,	Smith,
Berry,	Foraker,	Morgan,	Spooner,
Burrows,	Frye,	Murphy,	Teller,
Butler,	Gray,	Nelson,	Tillman,
Caffery,	Hale,	Pasco,	Turley,
Clay,	Hawley,	Perkins,	Wellington,
Cockrell,	Lindsay,	Pettus,	White.
Cullom,	Lodge,	Platt, Conn.	
Davis,	McBride,	Quay,	
Deboe,	McEnery,	Ross,	

## NOT VOTING—24.

Aldrich,	Gorman,	McMillan,	Proctor,
Bacon,	Hanna,	Mallory,	Sullivan,
Baker,	Harris,	Mitchell,	Turpie,
Cannon,	Hoar,	Penrose,	Vest,
Daniel,	Jones, Ark.	Platt, N. Y.	Wetmore,
Faulkner,	Kyle,	Pritchard,	Wolcott.

So the motion to recommit the conference report was not agreed to.

## PROPOSED EXECUTIVE SESSION.

Mr. HANSBROUGH. I move that the Senate proceed to the consideration of executive business.

Mr. FRYE. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MALLORY (when his name was called). I again announce my pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. MONEY (when Mr. SULLIVAN's name was called). My colleague [Mr. SULLIVAN] is paired with the Senator from Illinois [Mr. MASON].

The roll call having been concluded, the result was announced—yeas 14, nays 48; as follows:

## YEAS—14.

Carter,	Heitfeld,	Shoup,	Turner,
Chandler,	Jones, Nev.	Simon,	Warren.
Clark,	Lodge,	Stewart,	
Hansbrough,	Roach,	Thurston,	

## NAYS—48.

Allen,	Elkins,	McEnery,	Pritchard,
Allison,	Fairbanks,	McLaurin,	Quay,
Bacon,	Foraker,	McMillan,	Ross,
Bate,	Frye,	Martin,	Sewell,
Berry,	Gallinger,	Money,	Smith,
Burrows,	Gear,	Morgan,	Spooner,
Butler,	Gorman,	Murphy,	Teller,
Chilton,	Hale,	Nelson,	Tillman,
Clay,	Hanna,	Pasco,	Turley,
Cockrell,	Hawley,	Perkins,	Wellington,
Cullom,	Lindsay,	Pettus,	White,
Deboe,	McBride,	Platt, Conn.	Wolcott.

## NOT VOTING—28.

Aldrich,	Gray,	Mantie,	Proctor,
Baker,	Harris,	Mason,	Hawkins,
Caffery,	Hoar,	Mills,	Sullivan,
Cannon,	Jones, Ark.	Mitchell,	Turpie,
Daniel,	Kenney,	Penrose,	Vest,
Davis,	Kyle,	Pettigrew,	Wetmore,
Faulkner,	Mallory,	Platt, N. Y.	Wilson.

So the Senate refused to go into executive session.

## RIVER AND HARBOR BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. WARREN. Mr. President, I do not see the Senator from Maine [Mr. FRYE] in the Chamber, but I desire to say the Senator certainly misunderstood what I said and my meaning. I do not want to delay the proceedings to ask that my remarks be now read, but the official report will show that when I opened I paid tribute to the conferees on the part of the Senate as a body. Here he comes now, and I want to say to him I fully believed then, and I believe now, that the chairman of the conference committee was anxious to stand by the Senate's work. The only connection in which I assumed to make a distinction between him and his two colleagues was when stating the great interest, the number of States, the great acreage, etc., that were interested in this small appropriation, I said that at least two of the Senators believed in the policy of reservoir building in the arid region.

If I took an undue liberty with the Senator from Maine it was because of a remark he once made here on the floor of the Senate which led me to believe that he personally did not have the same feelings as the other two conferees did; but I want now to pay my tribute to him, and to say that in my opinion he has been fair about this matter. I do not, however, believe he will deny here, or in any other place, that some of the conferees he had to meet with did not enter the conference with that spirit which conferees are supposed to enter with, ready to take up every project and discuss it on its merits, ready to open it up and hear arguments advanced on each and every one of them, and to be willing to give all equal consideration, and then if they failed to agree in the first instance, report a disagreement and allow the Senate to have a vote upon the disputed matter again. I hardly think the Senator will say the House conferees were willing to do that.

Mr. FRYE. I do not feel at liberty to say what any conferee did or said in the conference committee. I think it very probable, however, that I was mistaken as to the language of the Senator from Wyoming; but I took it, of course, as a reference to me, and it could not be to anybody else. I will not take the liberty of saying now, in the midst of a Senator's speech, whether I am in favor of the arid-land project or not.

Mr. WARREN. I do the Senator the justice to say that I believe, if he was opposed to it personally, having been directed by the Senate to protect it, he would do so. It is but simple justice to say this.

## PURPOSE OF RESERVOIRS.

From the little which leaks out of conference we learn certain conferees on the other side had but one complaint, and that was that this was unprecedented legislation; that it was a new kind of business. I do not know why that statement was made, or what was sought to be accomplished by it. For, as I have said before, though not so completely as I should have said it, the object is, first, to build reservoirs in the interest of navigation. The language is clear that reservoirs are to be constructed for the impounding of water in the interest of preventing the erosion of river banks and overflows and damage by flood in the rivers below. This language is in the amendment.

The amendment then goes on further to state that the waters may be used to replenish and enlarge the streams in low-water time. There is no uncertainty about any declaration in the amendment.

## IMPARTIAL SURVEY.

The next amendment provides for making certain surveys, and the language of the amendment which calls for surveys is as liberal, generous, manly, and fair as it is possible for language to make it.

We ask that there shall be at least one reservoir site examined, in a preliminary way, in each one of the arid and semiarid States. I will presently refer to the reason why we confine it to arid and semiarid States. Those who are to make the surveys will be Army engineers; they will not be in the special interest of irrigation, nor in the special interest of men of the West; not in the interest of any particular man or men, but in the broad, general way and interest in which every other project is examined. In this way we wish to have the Engineer Corps of the United States examine certain reservoir sites.

Let us consider for a moment as to whether that course is fair or not. I challenge any Senator present to tell me of a fairer way to weigh an engineering subject than to submit it to a regular United States Army officer who is an educated engineer and whose reputation is dearer to him than probably anything else in the world; an engineer who owes his employment not to men in the section of country where the surveys are to be made, but an engineer who holds an appointment for life; an engineer who can not be swayed one iota by men whom he meets or the cir-

cumstances which surround him; an engineer who is as impartial as it is possible for anyone to be.

There can be no standard fairer than that of taking a United States engineer, sending him out, and directing him to do what? What do we ask in this amendment? Do we ask to have him report favorably? Not at all. Do we ask to have him report whether that section of the country should have reservoirs for irrigation? Not at all. We ask him to report whether it is practicable, whether it is feasible, and what it will cost to construct such reservoirs as he may consider it practicable to construct in the interest of navigation, etc. That is all there is of the question. We are seeking an impartial jury, and want to try our case before a clean court at every stage in the proceeding.

## ONLY ASKED FAIR TREATMENT.

We inserted the amendments I am referring to, not with any expectation of demanding special attention or special concessions. We inserted them expecting that they would have the same careful consideration which other amendments have had.

I do not know a Senator in this body who stands by these amendments, desiring to have them adopted, who has not shown fairness on this floor, and who has not pocketed his disappointment time and again upon the results of conference committees, upon the results of a determination by the majority.

Mr. President, I have had in my own day more falls than winnings; I have had more losses than I have had gains; and I desire to say to the Senate, and I believe no one can say nay to it, that I have never used ten minutes of the time of the Senate in undertaking to carry a point which was denied me in a committee of conference, after a fair consideration, no matter what was the subject.

Mr. President, we are in a different position about this matter than the Senators to whom the Senator from Maine refers as being disappointed. He referred to his State suffering a disappointment and other States suffering disappointments. That is true, but we always meet and take our medicine, and generally look pleasant.

Mr. WILSON. We have to take it.

Mr. WARREN. And generally, as is so aptly said by my friend the Senator from Washington [Mr. WILSON], we have to take it.

But it seems here we have a matter that is considered so notoriously bad, so notoriously out of plumb, that the conferees from another body will not even take it up with a pitchfork. They refuse even to look at it; they refuse to consider it; they declare there will be no conference if that subject is to come up. So this appears in an entirely different aspect from that of other amendments.

I say again, Mr. President, that the proceedings which are sought to be had constitute an innovation. If we shall take this conference report and call it good and not contend against it, it is permitting something that we have never submitted to before; and I want to say that I hope no Senator on this floor, even if he may have a project to which I am opposed most bitterly, will ever accept such treatment without protest and a review of the subject before the measure is permitted to pass.

I do not know, Mr. President, that I am the Senate's keeper; I do not know that I should be any more alarmed about establishing this precedent than other Senators, but I know I shall be pardoned for saying that it is my duty, if it is anybody's duty, to assert the injustice of it on this occasion, because the amendment is one I introduced in the Senate.

## RESERVOIRS HERETOFORE BUILT.

Referring to the claims of this being a new thing, I have here the Annual Report of the Chief of Engineers of the Army, Part II, 1892, from which I have already quoted enough to prove that appropriations in river and harbor bills are not unusual.

## FORTY-ONE UNITED STATES RESERVOIRS.

Mr. President, calling attention of the Senate to the fact that there were forty-one reservoirs built by the orders of Congress for holding back the waters of the Mississippi River, I am led to ask Senators when it was that the Mississippi River became so sacred above other rivers, and while the Mississippi has been protected the Missouri is not to be considered so deserving?

Mr. FRYE. Does the Senator want to read that whole report?

Mr. WARREN. I do not want to read it all, but I want to read just enough to make my statement good that this precedent has been established. I do not know that the Senator from Maine heard me and I will have to reread some of it.

Mr. FRYE. No, no; not on my account. [Laughter.]

Mr. WARREN. Mr. President, with all due respect to the Senator, there seems to be a tremendous density of ignorance on the part of some people who ought to understand this reservoir business. Did the Senator know until now there have been forty-one reservoirs built on the Mississippi River, from 1869 to 1879, by act of Congress?

Mr. FRYE. I knew that some had been built, because I was very much opposed to them, for I believed they were built for no purpose except to drive logs.

Mr. WARREN. I will have to enlighten the Senator further, and I will have to go to another book and show what has been accomplished. I will show the Senator, according to the official reports of the United States, that these reservoirs have caused the Mississippi River to be navigable for larger boats at certain seasons of the year than ever before, by raising the water from 1 foot 2 inches to 1 foot 8 inches, right along through the various dry seasons of the year.

Mr. FRYE. How far down?

Mr. WARREN. Down to St. Paul.

Mr. FRYE. That is where they wanted the reservoir to be constructed for the logs.

Mr. WARREN. Now, we will see what these 41 reservoirs cost. There is an idea here that the tremendous cost of reservoirs is going to break up the United States. I hope I may have attention while I make this one point. We only asked in the second amendment here to have one survey made in each of the arid and semiarid States. There could not possibly be more than 17 reservoirs. So far as the expense is concerned, it cost less than \$1,000 apiece to make the surveys under Government order and guidance during the last year. Then comes this statement, that the building of these reservoirs is going to cost more than the Nicaragua Canal, etc.

The amendment under discussion calls for not to exceed 17 reservoirs, and these, if averaging the same as the 41 quoted, would cost but a trifle less than \$1,000,000 all told.

Mr. FRYE. Does the Senator know that they are applying now for the rebuilding of the dams at the head waters of the Mississippi; that they have all rotted out?

Mr. WARREN. I did not know that, because very little information from the committee, and perhaps properly so, was divulged. I am glad to know it, of course, if it is a fact. That simply leads to the supposition that either the engineers did not recommend the proper construction, or Congress failed to grant the proper appropriation, because such reservoirs should be built of masonry, which would last as long as the hills.

Mr. FRYE. You could not build them for \$1,000 apiece, then.

Mr. WARREN. It would not cost to exceed, if we had them one each in all the arid States, three or four million dollars upon any data we have got.

#### LOCATIONS FOR RESERVOIRS.

Referring directly to the matter of navigation, we have another report here, and I may refer to it soon, from a United States officer who has carefully examined the subject with reference to this inquiry, and he makes the statement that he has examined five reservoirs in the States of Wyoming and Colorado.

I will ask at this point to insert some official information on Wyoming and Colorado reservoir sites:

WAR DEPARTMENT,  
Washington, December 9, 1897.

SIR: I have the honor to transmit herewith a letter from the Chief of Engineers, dated December 6, 1897, together with copy of a report from Capt. Hiram M. Chittenden, Corps of Engineers, dated November 6, 1897, of a preliminary examination made by him, in compliance with the provisions of the river and harbor act of June 3, 1896, of certain reservoir sites in the States of Wyoming and Colorado.

In view of the importance of the subject under consideration and the interest manifested by those to be most deeply affected by the establishment of these reservoirs, if constructed, I heartily concur with the Chief of Engineers in expressing the hope that all the accompanying papers, including charts and maps, be printed.

Very respectfully,

R. A. ALGER,  
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS,  
UNITED STATES ARMY,  
Washington, D. C., December 6, 1897.

SIR: The river and harbor act of June 3, 1896, provides in section 8 for a number of preliminary examinations, among which is the following:

"For the examination of sites, and report upon the practicability and desirability of constructing reservoirs and other hydraulic works necessary for the storage and utilization of water, to prevent floods and overflows, erosion of river banks, and breaks of levees, and to reinforce the flow of streams during drought and low-water seasons, at least one site each in the States of Wyoming and Colorado."

The examination thus provided for has been made by Capt. Hiram M. Chittenden, Corps of Engineers, and I have now the honor to submit that officer's report of November 6, 1897, on the subject. Captain Chittenden entered upon this duty with zeal and with more than ordinary personal interest, and his very admirable report shows deep research and a close study of the subject in hand, involving the examination of a vast amount of data and of territory of wide extent. This paper is accompanied by 13 maps and diagrams and 26 photographs, and in view of the importance of the subject under consideration and the interest manifested by those to be most deeply affected by the establishment of these reservoirs, if constructed, I beg to recommend that all the accompanying papers be printed.

Captain Chittenden's report was transmitted to this office by Lieut. Col. Amos Stickney, Corps of Engineers, who has had large experience in connection with Western rivers, and attention is invited to his remarks touching the construction of these reservoirs.

Very respectfully, your obedient servant,

JOHN M. WILSON,  
Brig. Gen., Chief of Engineers, U. S. Army.

Hon. R. A. ALGER,  
Secretary of War.

#### LETTER OF LIEUT. COL. AMOS STICKNEY, CORPS OF ENGINEERS.

ST. LOUIS, MO., November 13, 1897.

GENERAL: I have the honor to submit the following report upon the examination of reservoir sites in Wyoming and Colorado, directed by act of Congress of June 3, 1896, and assigned to my charge by letter from your office of August 1, 1896, with the view of having it carried out by Capt. H. M. Chittenden, Corps of Engineers:

In conformity with the above Captain Chittenden was directed to make the examinations, and he has performed the duty as thoroughly as possible with the funds allotted for the purpose, viz, \$5,000 from the contingent appropriation. He has made many personal examinations and collected a large amount of valuable data from surveys and various sources.

His report, transmitted herewith, gives much information upon the subject investigated, and, it is hoped, furnishes the information contemplated by the act of Congress and instructions from your office. I concur generally in the conclusions reached by Captain Chittenden from the study and data set forth in his report. There are a few points to which I would invite attention. In the estimates of cost of work some of the units of price may have been taken too low, especially if work is contemplated under the laws and regulations governing hours of labor and manner of conducting Government work. The items for contingencies, in estimates based upon general examinations and limited preliminary surveys in a rough country, should be larger than what might be considered ample in localities where labor and supplies can be more quickly and easily obtained and the work of a character and extent to be closely estimated. Captain Chittenden believes his estimates to be ample, and reference is made to them only as a matter of caution.

Special attention is invited to the conclusions relating to the purposes to be served by the construction of reservoirs. First and far above other reasons for their construction is their adaptability and value for industrial purposes, for irrigation of land, furnishing power, and for water supply for cities, and in this way adding greatly to the material prosperity and progress of parts of the country which, without such assistance, would be almost valueless and might remain almost uninhabited. As to their effect upon the flood conditions and low-water navigation of the larger rivers, it may be said to be comparatively small, and only beneficial to any considerable degree by an enormous expansion of the system.

The question of the propriety of the National Government entering upon the work of reservoir construction in the arid regions is one of public policy, which, it is believed, should be left for the consideration of Congress upon the facts presented. The construction of any one reservoir would, of course, affect only a limited region of country, but the effect of a system of reservoirs built wherever the conditions were favorable might be far-reaching, and not only add largely to the welfare of communities in their immediate vicinity, but indirectly affect many others.

Very respectfully, your obedient servant,

AMOS STICKNEY,  
Lieutenant-Colonel of Engineers.

Brig. Gen. JOHN M. WILSON,  
Chief of Engineers, United States Army

#### LETTER OF CAPT. HIRAM M. CHITTENDEN, CORPS OF ENGINEERS.

ST. LOUIS, MO., November 6, 1897.

COLONEL: I have the honor to submit herewith a report upon the examination of reservoir sites in Wyoming and Colorado, directed by act of Congress of June 3, 1896.

Very respectfully, your obedient servant,

HIRAM M. CHITTENDEN,  
Captain of Engineers.

Lieut. Col. AMOS STICKNEY,  
Corps of Engineers, United States Army.

There were examined in all two reservoir systems in Colorado and three in Wyoming, while several others have received casual inspection or have been brought to my attention closely enough to indicate that they will in time become meritorious projects. In Wyoming the three sites are on the Laramie, Sweetwater, and Big Piney rivers, respectively, in the southern, central, and northern portions of the State. The first two were carefully surveyed by Mr. F. B. Maltby, United States assistant engineer, in May and June of the present year. The Big Piney system, which really comprehends three sites, has been surveyed by Mr. Fred Bond, of Buffalo, Wyo. The Colorado sites are located one on the South Fork of the South Platte River and the other near Loveland, Colo., between the Big Thompson and Chache à la Poudre rivers, in what are known as the Boyd Lakes. These sites were surveyed by Mr. Maltby in May, June, and July of the present year. The reports of Messrs. Maltby and Bond are submitted herewith. (Appendixes A and B.)

As my investigations have proceeded it has become evident that, as to a portion at least of the objects mentioned in the bill, the project of building reservoirs in the arid regions of this country is a practicable one, while from industrial and commercial considerations it is eminently desirable. The real matter in doubt seemed to be not so much the importance of these works in themselves as the advisability of their construction by the General Government. To this feature of the question I have given most careful consideration, with the earnest desire to present it in all its bearings, favorable as well as unfavorable. It is a new departure, and while the works themselves will be of great public utility, it may yet not be apparent that the Federal Government is the proper agency to undertake them. If my investigations have resulted more favorably than might have been expected to the policy of Government patronage of these great works, I trust that I have at every step supported my conclusions with substantial facts.

As my investigations have proceeded it has become evident that, as to a portion, at least, of the objects mentioned in the bill, the project of building reservoirs in the arid regions of this country is a practicable one, while from industrial and commercial considerations it is eminently desirable. The real matter in doubt seemed to be not so much the importance of these works in themselves as the advisability of their construction by the General Government. To this feature of the question I have given most careful consideration, with the earnest desire to present it in all its bearings, favorable as well as unfavorable. It is a new departure, and while the works themselves will be of great public utility, it may yet not be apparent that the Federal Government is the proper agency to undertake them. If my investigations have resulted more favorably than might have been expected to the policy of Government patronage of these great works, I trust that I have at every step supported my conclusions with substantial facts.

The report embraces—

(1) Some remarks upon the varieties of reservoir sites to be found in the arid regions and upon the various methods of dam construction practiced there.

(2) A description of the several sites examined and of the works proposed, together with special reports by the assistants who executed the work.

(3) A general discussion of the subject of reservoirs, with illustrations drawn from natural and artificial systems in various parts of the world.

(4) The influence of reservoirs upon floods, with an exhaustive monograph upon the floods of the Mississippi River and its tributaries, by Mr. James A. Seddon, United States assistant engineer.

(5) The uses of reservoirs for irrigation and other industrial purposes.

(6) The proper agency to construct reservoirs in the arid regions—private individuals, corporations, irrigation districts, the States, or the General Government.

(7) The magnitude and ultimate cost of a complete storage system for the streams of the arid regions.

(8) A condensed résumé of the whole subject.

For the reservoir sites herein considered masonry dams are proposed for the South Platte and Sweetwater sites, the first on the curved plan with no overflow, the second on the straight plan with heavy profile designed for an overflow dam.

Combined rock fill and earthen structures are proposed for the upper Piney site. No dams are required for the Laramie, the Lake De Smet, and Loveland sites.

#### VI.—THE PINEY CREEK SYSTEM.

The reservoir sites examined along this stream did not come to my attention until early in August of the present year, but I found them to possess so many advantages that I determined to consider them. For this purpose I engaged the services of Mr. Fred Bond, a civil engineer, of Buffalo, Wyo., who had already done some work on these sites, to make me as complete an examination of them as the limited means at my disposal would permit. This work Mr. Bond executed with great promptness and in considerable detail. The drawings of the three sites considered, with estimates of cost, were all prepared by him. His report, appended hereto, will be found of much interest.

Piney Creek is one of the most important streams in Wyoming, and is to that State very much what the Cache à la Poudre, to be described further on, is to Colorado. It is fed from the perennial drifts that accumulate in great magnitude in the chasms and on the slopes of the Big Horn Mountains, just to the north of Cloud Peak. It is a typical mountain torrent, subject to no violent variations in discharge, but a good, strong stream the year round. The absence of continuous gauge observations makes it impossible to state definitely what the mean annual discharge is; but a conservative estimate, based upon such measurements as have been taken, indicates a mean flow at the foot of the mountains of about 250 cubic feet per second, with a maximum of about 1,000 cubic feet per second and a minimum of about 100 cubic feet. From the report of Mr. Bond, as well as from personal conferences by myself with farmers in the Piney Valley, it appears that an unusually large percentage of the flow of Piney Creek will have to be stored in order that all may be utilized—probably 50 per cent.

Fortunately nature has provided excellent sites for this purpose. These sites are three in number, and are, commencing with the highest, the Cloud Peak site, the Piney site, and the Lake De Smet site.

#### CLOUD PEAK SITE.

This is a lake site and lies at the northern base of Cloud Peak, nearly 10,000 feet above sea level, and surrounded by dense mountain forests. It is about 1½ miles long and one-half mile wide. It covers 173 acres. The photographs convey a good idea of its present appearance. It is proposed to close the outlet by a dam 34 feet high and to construct outlet works so as to draw off the water 6 feet below the present surface. The available capacity is estimated at 256,000,000 cubic feet, or 6,800 acre-feet. The drainage area above this site is about 30 square miles, and the reservoir will fill every year.

Mr. Bond has presented a plan of dam which will give a satisfactory result. To permit some minor modifications, however, which might be deemed essential for increasing the thoroughness of the work, I have increased his estimate by 25 per cent, instead of 20 per cent as in the other estimates. A table of costs is given below.

#### THE PINEY SITE.

This is an open-valley site, formed by a natural park 1½ miles long by 1 mile wide. It is located 6 miles below Cloud Peak Lake, at an altitude of 8,800 feet. It is proposed to close the outlet of this park by a dam 54 feet high. This will give the reservoir an area of 263 acres and a capacity of 480,000,000 cubic feet, or 11,020 acre-feet. The form of dam proposed by Mr. Bond is well suited to the site. The estimate of cost is given below. The entire watershed above the dam is 65 square miles, and the reservoir will fill every year.

Both of the above sites were recently located and filed upon by an association of farmers in the valley below, under the style of the Rock Creek and Piney Reservoir and Ditch Company. There will be no difficulty in securing a relinquishment of their rights, which they have voluntarily proposed, as will be seen from an instrument in writing executed by them, a copy of which is appended hereto (Appendix D). In fact, these sites present no complications in regard to prior rights.

#### THE LAKE DE SMET SITE.

This is a depression site occupied by a natural lake without an outlet. The present lake is about 3 miles in extreme length and 1 in extreme breadth, and has an area of about 1,965 acres. The water is reported to be unfit for use, but I think this must be a mistake, as it is regularly used for the watering of animals.

The site lies well out from the base of the mountains, and its possible capacity is such as to store all the surplus of the Piney not stored in the two reservoirs just described. It forms, in fact, with those two, a complete system for the stream and makes as satisfactory an arrangement as could be desired.

The surface of the lake can be raised 30 feet before the natural basin is full, and to any required height thereafter by a simple embankment at the northern end. Thirty feet depth of storage will give a reservoir area when full of 2,400 acres, and a capacity of nearly 3,000,000,000 cubic feet, or 67,000 acre-feet. The present estimate considers only this amount of storage, but it could be increased if found desirable to the full needs of the stream.

To fill the reservoir will require a feeder 3½ miles long. The canal proposed by Mr. Bond has a slope of 4 feet to the mile, a depth of 7 feet, and will carry 727 cubic feet per second. Mr. Bond excludes four months of winter from the supply for this reservoir, but I see no conclusive reason why this should be done. It ought to be possible to overcome the difficulties arising from excessive cold weather so as not to lose this winter supply.

Outlets are provided at each end of the reservoir, that at the north end draining into the Piney and that at the south end into Box Elder Creek. Each outlet will discharge 425 cubic feet of water per second. The outlets are mainly in cut, but there is a length of 1,000 feet of tunnel at each end.

There are no private claims connected with this reservoir, but some of the land on the immediate borders of Lake de Smet and along the feeder will have to be condemned.

Following is Mr. Bond's estimate for the three sites. To each I have added 25 per cent to cover superintendence, contingencies, and such possible modifications of plan as might be developed in actual construction.

#### Cloud Peak Lake site.

25,015 cubic yards earth, at 50 cents.....	\$12,508.00
10,900 cubic yards loose rock, at 70 cents.....	7,630.00
300 cubic yards masonry, at \$10.....	3,000.00
300 cubic yards stone excavation, at \$3.....	900.00
3,446 pounds iron, at 16 cents.....	551.00
1 3-foot sluice gate.....	300.00
7 miles roadway, Piney to Cloud Peak Reservoir, at \$150.....	1,050.00

Total..... 21,839.00  
Add 25 per cent for superintendence and contingencies..... 5,459.75

Grand total..... 31,048.75  
The capacity of the reservoir being 6,800 acre-feet, the first cost is \$4.56 per acre-foot.

#### Piney site.

63,477 cubic yards of earth, at 40 cents.....	\$25,391.00
30,120 cubic yards of loose rock, at 80 cents.....	24,096.00
731 cubic yards of masonry, at \$3.....	3,448.00
1,878 pounds iron, at 15 cents.....	1,182.00
320 cubic yards stone excavation, at \$3.....	960.00
2 3-foot sluice gates, at \$240.....	480.00
7 miles road to reservoir site, at \$100.....	700.00

Total..... 56,177.00  
Add 25 per cent for superintendence and contingencies..... 14,049.25

Grand total..... 70,226.25  
The capacity of this reservoir being 11,020 acre-feet, the cost per acre-foot is \$6.27.

#### Lake De Smet site.

##### UPPER DISCHARGE CANAL.

123,209 yards earth, at 20 cents.....	\$25,041.00
3,550 yards earth in tunnel, at 50 cents.....	1,775.00
1,000 yards concrete, at \$6.....	6,000.00
1 sluice gate in place, 6-foot.....	300.00

##### LOWER DISCHARGE CANAL.

159,407 yards earth, at 20 cents.....	31,881.00
3,550 yards earth in tunnel, at 50 cents.....	1,775.00
1,000 yards concrete, at \$6.....	6,000.00
1 sluice gate in place, 6-foot.....	300.00

##### SUPPLY CANAL.

105,500 yards earth, at 12 cents.....	12,660.00
66 yards rubble masonry, at \$6.....	396.00
18 yards concrete, at \$6.....	108.00
2 6-foot iron brass-mounted gates.....	550.00

450 acres land submerged by reservoir, at \$5..... 2,250.00  
66 acres for right of way for supply canal, at \$30..... 1,980.00  
25 acres for right of way for discharge canals, at \$5..... 125.00  
1 wooden bridge at county road crossing..... 200.00

Total..... 90,688.00  
Add 25 per cent for superintendence and contingencies..... 22,672.00

Grand total..... 113,360.00  
The capacity of the reservoir being 67,628 acre-feet, the cost per acre-foot is \$1.67.

The cost of the whole system is as follows:

Site.	Acre-feet.	Cost.	Cost per acre.
Cloud Peak.....	6,800	\$31,048.75	\$4.56
Piney.....	11,020	70,226.25	6.37
Lake De Smet.....	67,628	113,360.00	1.67
Total.....	85,448	214,635.00	2.51

In no part of Wyoming has the water of streams been more fully used in irrigation than in the section of country along Clear and Piney creeks and their tributaries. The resources of these streams in their natural condition have been exhausted, yet there is abundance of land in their immediate valleys to utilize the flow which now goes to waste. The project for storing that percentage of the flow of Piney Creek which is necessary to render the whole available is therefore one of actual immediate importance. (See report of Mr. Fred Bond, Appendix B.)

Should the Government take active steps in accordance with the above recommendations, I should further recommend a first appropriation of \$100,000 for the Piney system and \$200,000 for the South Platte site. For the Piney system this would permit the construction of the Cloud Peak and Piney reservoirs, and the acquisition of the Lake De Smet site. For the South Platte site, the amount recommended would provide for the acquisition and clearing of the site, the construction of a road thereto, the assembling of the plant, the construction of the outlet works, and the building of the main part of the dam to the height of 40 or 50 feet.

The entire construction of both the Piney and Cloud Peak reservoirs should not take more than three years.

#### X.—THE FUNCTION OF RESERVOIRS.

The provision of the river and harbor act directing this investigation requires, among other things, a report upon the desirability of reservoir construction for certain general purposes. It is important, therefore, to examine into the nature of these purposes and to inquire what the true function of a reservoir is.

In no other portion of her works has nature left so much to be done by the engineer to supplement her deficiencies as in the modification of the natural flow of her streams, for in no other respect are her works so ill adapted to the uses of man. The ideal stream would be one in which the flow should be uniform from one year's end to the other, or, if not uniform, varying directly with the magnitude of the uses to which it is put. Nature presents no perfect example of this ideal, and in only one important instance does she closely approach it.

The flow of her streams is subject to the most radical variations, the maximum discharge of the larger ones often being as much as thirty times the minimum, while in the smaller streams the ratio is much greater. These

Irregularities of flow have no economical relation to commercial or other uses of the stream. In the autumn season, when crops are being moved and the demand for transportation facilities is at a maximum, the streams are in their lowest stage and their navigation subject to the most serious interruption of the entire year. In regions dependent upon the flow of the streams for agricultural development high water occurs at such times and in such magnitude that it can not nearly all be used. The result is, that millions of acres of fertile land remain in a desert condition where they might be made productive if only the waste water could be utilized. In fact, all enterprises dependent upon the use of running water are liable to interruptions and suspension for indefinite and irregular periods, and the benefits which come from uniform and continuous use are not to be expected from them.

The most formidable evils arising from this variable condition of natural streams is experienced in the deficiency period, but the period of excess has likewise great disadvantages. It not only comes at a time when ordinarily there is least need of it, but it not infrequently brings with it appalling disasters. Among the most calamitous of natural visitations, considering their frequency and general distribution, are great floods. They hold the record even above earthquakes and storms. They mark the history of nearly every stream, great or small, and the loss of life and property from this cause, in the history of the past, transcends calculation.

It is not surprising, therefore, that one of the chief concerns of the engineer is the amelioration or prevention of the evils of this unfortunate arrangement of nature. Millions of dollars are annually expended to make up for the deficiency of water in seasons of drought, and like sums to prevent or alleviate the evils of excessive flow. Singularly enough the measures generally adopted are put forward in disregard of one of the commonest rules of scientific practice. If an evil condition of things is to be corrected, the rational method of procedure is to remove the cause. In all river engineering, however, the measures adopted look only to the palliation of results, and leave the cause untouched. River channels are dredged out in low water, and levees are built to protect from floods in high water. Scarcely anywhere is the effort made to prevent the occurrence of either high or low water. It would naturally follow that, if great evils result from the variable flow of streams, the primary and fundamental object of the engineer who is called upon to correct them would be to make this flow uniform. Whether or not this object is possible of realization (and if it is, by what means) is therefore one of the first questions which should be settled in any comprehensive project for the regulation of the flow of streams.

Inasmuch as human agency can exercise no appreciable influence over those climatic conditions upon which variations of stream flow depend, such as the precipitation of moisture and the melting of snow, it is evident that the ultimate causes of the evil conditions just described must ever elude the efforts of man to control them. The sources of the streams are clearly destined to remain as variable in the future as in the past. The only possible method by which uniformity of flow can be secured must therefore be by storing the surplus waters in seasons of flood and releasing them in seasons of drought. The agencies employed for this purpose are called reservoirs (Latin *re-servare*, to keep back).

There is an additional motive for the use of reservoirs besides that of securing uniformity of flow. Over a large portion of the land area of the earth in civilized countries the climate of winter prevents any considerable use of the streams. Even if the flow were entirely uniform, that portion which takes place in the season of cold weather would mostly be lost. To derive any benefit from it, it must be stored and held over for the season of warm weather.

These two purposes, viz, the attainment of uniformity of stream flow and the transfer of the winter supply to the summer months cover the entire argument for reservoir construction. Even reservoirs built for city supply, milling purposes, and the like, which seem but little related to regularity of stream flow, are in reality caused directly by it, for if streams were uniform in flow the supply might as well be taken directly from them without the intervention of reservoirs.

At first thought it would seem that in storage reservoirs lies the whole solution of the river problem. To store the surplus in flood season and use it in the season of drought ought apparently to strike at the root of the whole difficulty, and to render unnecessary those palliative measures which alone have hitherto received the sanction of the hydraulic engineer. Why so obvious a remedy has never yet been extensively applied will appear in the course of this report.

In 1892 there occurred one of the most disastrous floods that ever took place in the region about the sources of the Missouri and Yellowstone rivers. The destruction along some of the streams was very great. Roads and railroads were washed away, bridges destroyed, and much other damage done. But the Yellowstone River below the lake rose only a few feet, and that so gradually as to give timely notice of any possible damage.

There are many thousands of other lakes scattered over the globe that act as regulators of the streams which drain them, their efficiency in this respect being proportional to the percentage which their areas bear to the tributary watersheds. Certain it is that the aggregate influence of these reservoirs is very great, and the striking difference often noted in the characteristics of the flow of streams with similar watersheds may largely be traced to this cause. Take, for example, the figures already quoted, giving the ratios between high and low water on the Ohio, Missouri, and Upper Mississippi rivers for 1883, and also the corresponding ratios for the mean of the six years 1880-85. These ratios are: For 1883, Ohio 22.2, Missouri 29, Mississippi 10.3; for 1881-85, Ohio 21.7, Missouri 18.4, Mississippi 9.3.

The Upper Mississippi watershed lies between those of the Ohio and the Missouri, and the climatic conditions which prevail there ought to partake somewhat of those which prevail on each side. At any rate, it is impossible to suppose any such pronounced difference as would account for the above difference in ratio. The high-water discharge in the Ohio and Missouri often amounts to nearly thirty times the low-water discharge, while the mean ratio for a series of years is about twenty. For the Upper Mississippi the figures are only 10.3 and 9.3. No explanation of this fact seems so reasonable as that which attributes it to the moderating influence of the great number of natural lakes upon the head waters of this stream.

#### XII.—ARTIFICIAL RESERVOIRS.

While it is impracticable, for reasons stated further on, to imitate nature on the scale of her own work in the construction of reservoirs, her example has nevertheless been followed very extensively on a smaller scale. In fact, works of this character have been built for a variety of purposes since the remotest antiquity. The storage of water for feeding canals is a prominent example. The greatest reservoir systems yet constructed have been designed to maintain the navigable condition of natural waterways. Many reservoirs have had as a prominent reason for their construction the prevention of floods in the valleys below them. In all these examples of reservoir construction the purpose has been to correct the inequalities of nature—to prevent the rapid and destructive flow of rivers at seasons when not needed and to augment and reinforce that flow when the need does exist.

One of the most extensive artificial systems ever built is to be found in Russia at the head waters of the Volga and Msta rivers. The extreme low water which is characteristic of the Volga and other Russian streams prevents navigation in their natural condition except in seasons of high water.

To ameliorate this condition, advantage was early taken of the exceptional reservoir facilities offered by the lakes referred to, and dams of a cheap character were constructed across their outlets. The reservoir system has now been developed to great perfection and effects an important improvement both in the Volga and the Msta, rendering them navigable for nearly three months longer than they would be without this aid.

These reservoirs store about 35,000,000,000 cubic feet of water in all, of which 20,000,000,000 can be used in the Volga and 20,000,000,000 can be turned in the other direction, there being apparently a storage of about five or six billions that can be used in either direction. The largest and most important of these reservoirs, and one of the largest in the world in point of capacity, although insignificant in depth and containing dam, is the Verkhnevoljsky Reservoir. So slight is the fall of the stream in this region that, although the dam produces a maximum elevation of water surface at its site of only about 17.5 feet, the water backs up a distance of about 60 miles and includes several lakes. The low-water season capacity of this reservoir is about 14,000,000,000 cubic feet, and the average season storage is much greater. Its effect upon the low-water flow of the river below the dam is to raise its normal surface 2.8 feet at Rief, 96 miles below; 1.4 feet at Tver, the mouth of the Tvertsa, 212 miles below, and 0.14 foot at 410 miles below. At the mouth of the Tvertsa the storage of the Zavodsky Reservoir comes in and helps out the navigation below. The total navigable distance on the Volga over which the beneficial influence of these reservoirs is felt is upward of 450 miles.

The system of reservoirs just described is certainly a great success, and upon it much of the prosperity of the surrounding country depends. It is probably the most complete example in the world of the joint results of flood prevention and the improvement of navigation produced by artificial reservoirs.

#### XIII.—RESERVOIRS AND FLOOD PREVENTION.

Every reservoir built along the course of a stream is, to some degree, a protection against floods in the valley below. The extent of this protection depends, of course, almost entirely on the ratio of its capacity to the flood discharge. A reservoir that can store the entire flow of a stream—as, for example, the proposed reservoir on the Sweetwater—is an absolute protection against floods for a considerable distance below. It is difficult to propose any general rule for the extent of this control, but, assuming a general similarity of watershed, it would seem not unreasonable to say that it ought to be decisive to at least such a distance below as will give an additional watershed to a stream equal to twice that above the reservoir. This is simply saying that, in the general case, the reduction of a flood wave by one-third of its volume will rob it of its destructive character.

But in a great many cases this control extends very much farther. For example, in the case of a flood caused by the rapid melting of snows in the mountains, reservoirs below which can impound this flood will protect the entire valley so far as its destructive influence would otherwise have reached. When it is remembered that the volume of a destructive flood is only a part—probably always less than half—of the total flow of a year, it will be admitted that a storage capacity equal to one-fourth of the run-off, well distributed throughout a watershed, will practically eliminate the evil effects of floods in its streams. This is the percentage shown farther on to be sufficient for purposes of irrigation. (See page 60.)

In only very few places has nature prepared sites where man can erect works which will create large bodies of water, and even if she had done so the gain from utilizing them would not equal the loss. The reservoir system of the Great Lakes involves the perpetual withdrawal from agriculture and industrial uses of an area nearly twice the size of the State of New York. Were these areas not covered with water, but occupied as the surrounding country now is, yet so fitted by nature that man, at slight expense, could convert them into great lakes, as at present, the utter impossibility of such a measure is evident at a glance. And so it will be found in general that the surface of the earth, where reservoirs could be built on an extensive scale, is liable to be of more value in its present condition than it ever could be if covered with water.

The construction of reservoirs for flood protection is not, therefore, to be expected, except where the reservoir is to serve some other purpose as well, and inasmuch as such purposes are not ordinarily extensive enough to develop systems of reservoirs, upon which, rather than upon isolated works, the control of great floods depends, this large control is hardly one of the possibilities of the future. The only probable exception is that of a reservoir system on the watershed of the Missouri River, treated of in the next section of this report.

On the Missouri River the case with regard to reservoirs is somewhat different. The annual flood of that stream, which is known as the "June rise," is essentially a head-water flood. The earlier floods are generally, although not always, from the lower river, and very rarely from the extreme upper sources. The June rise is the mountain flood, bringing down the snow water, and generally augmented by the spring rains both in the mountains and on the plains below. Not infrequently it meets with heavy contributions all the way down, and is the result of a general high water over all its drainage area. Ordinarily, however, as already stated, it is a head-water flood, and coming as it does while the banks are still soft and yielding from previous high water, it does its full share of the destructive work peculiar to the Missouri River.

That a complete system of reservoirs in the mountains and plains portion of the watershed of this stream, which should embrace its many tributaries and contain the waters from melting snows and spring rains, would materially reduce the magnitude of the June rise is highly probable. To take off the flood excesses at Sioux City, mentioned by Mr. Seddon in the first section of his memoir, would require a storage of, say, 48,400,000,000 cubic feet, corresponding to a reduction in stage of 2.8 feet. A storage of 100,000,000,000 would probably give the very material reduction of 6 feet. Allowing a reservoir efficiency of only 50 per cent, as elsewhere explained, and assuming that no one of the great floods of the Missouri has its origin in more than one-half of its watershed, it would seem that a reservoir system of 400,000,000,000 cubic feet, distributed over the watershed above Sioux City, would quite effectually control the floods of the river. This amount of storage is about the percentage of total flow required to be stored for irrigation, as hereafter explained, in order that the water of the arid region may be fully utilized.

Mr. President, I will say in passing that the States of Wyoming and Colorado, fortunately or unfortunately, are situated at a greater altitude than any other States in the Union. Colorado is first and Wyoming second. They both drain into the head waters, one into the extreme head waters, the other not far down, of the Missouri River. Therefore, when we ask that the reservoirs shall be built in the arid and semiarid region, it does not lie in the mouth of anyone to say that we do it alone because that country is arid, or that we seek it for irrigation alone. The place to impound the water is where you have water to impound. It is safe

to assume, if you want to use water for navigation, that the most valuable place to husband it for the benefit of streams is near the head of the streams, where the entire channel and length may get the benefit both of its retention at flood time and its liberation in drought time. It is safe to assume, if you want to prevent the overflow and erosion of banks, that the place to conserve the water is at the head waters of the streams. The same as to replenishing in low-water season.

So the matter of conserving this water in the arid region takes care of itself almost automatically. There is another point to this. We might go to the Ohio River Valley and east of the Mississippi River and undertake to reservoir water; but there is no certainty of such success there as in the Rocky Mountains. The floods there come haphazard, at any or all times of the year. At some times they are extreme and are almost too large to be impounded in any ordinary reservoirs, and in others for a great many months or a year the reservoirs would be empty, not having rains or floods.

But there is a country west where we can go and store the water on lines of regularity and certainty, where for from seven to ten months in the year there will be no water—but all is snowfall—in the mountains. We know that during the two or four remaining months the snow will melt and run down and overflow and carry away the banks, and wash debris, trees, and stumps into the river, unless diverted or held back.

I beg to again quote Engineer H. M. Chittenden:

We now come to the specific question of reservoir construction in the arid region west of the one hundredth meridian, as exemplified by the reservoir sites examined in Wyoming and Colorado. Are there direct and primary motives which would justify reservoir construction in this country apart from or in addition to those arising from their effect upon the regimen of the lower rivers? The answer must be that in no other part of the United States, nor anywhere else in the world, are there such potent and conclusive reasons, of a public as well as a private nature, for the construction of a comprehensive reservoir system as in the region here in question.

It is not intended in this report to enter at all into the subject of irrigation. That subject has been exhaustively treated for many years in public reports, and the mass of official literature relating to it is so great that anything further in that line would be superfluous. It will be referred to here only to show its supreme influence in the reservoir problem of the Far West. Of the very great importance of irrigation, not only to the West but to the country at large, there would seem to be no room for doubt. To one who has seen the changes wrought in the once desert regions of California, Arizona, Utah, Wyoming, and Colorado, in what used to be as forbidding regions as any still remaining in that country, there can be no doubt that the destiny of the arid section of America is more dependent upon the waters that flow from its mountains than upon the minerals that lie concealed within them. Already in the greatest mineral-producing States of the West, California and Colorado, irrigated agriculture yields a greater wealth of product than the mines. It is easy to point out many valleys in the arid regions, the future development of which, under irrigation, will sustain in each a population greater than that at present is to be found in the States where they are located. There can be scarcely a doubt that the ultimate extent of this development is limited only by the capacity of the streams, and the vital and controlling function of these streams in the future welfare of a vast extent of the national domain is a matter too obvious to require demonstration.

But to utilize fully this element of national growth something more must be done than to take these streams as nature has created them. Already in many sections the natural flow has been used as far as it is practicable to do so. The only resource left is to store that portion of the flow that runs away in nonirrigation seasons and the surplus in times of annual flood and sudden freshets and make these also available for use. Not until that is done can a stream be said to be really utilized to the fullest extent.

Here, then, is a definite reason of the highest validity for the construction of reservoirs. It is of itself a sufficient reason, without any reference to the incidental benefits to the streams below.

Another particular and definite reason is flood protection along the streams immediately below the reservoirs. The destructive power of mountain floods is sometimes very great, and damages of vast amount have been wrought by them. The damage from these mountain floods will, of course, increase with the settlement of the country. Well-built, capacious reservoirs are an almost complete protection against such floods, and their usefulness in this respect will be an important consideration in their favor.

While there are these clear and positive arguments in favor of the storage of the surplus flow of our Western streams, there are none of weight against it. It may be set down as a rule, to which there are very few exceptions, that every artificial body of water created in the West, by which the surplus water of its streams is held back, will be a positive benefit. There are some who go even so far as to think that the influence of these stored waters, which would cause the streams to return to vapor in the near locality of their origin instead of flowing down to the sea, would have a marked beneficial effect upon the rate of precipitation in the West.

The inevitable tendency of Western development is therefore to store the waters of the streams, and the limit of development in this direction seems certainly to be nothing less than the final utilization of all their flow. As reservoirs are indispensable aids to this end, it will be seen that their construction as an element of growth of the Western country is not merely "desirable"—it is absolutely necessary. The only question in this connection that admits of doubt or uncertainty is, What is the proper agency to do the work?

#### XVI.—RESERVOIR CONSTRUCTION IN THE ARID REGIONS.

How can it be best accomplished?—Reservoir construction in the West can be accomplished by any of five agencies, or by all together. Two of these are of a private nature, viz, private individuals and companies or corporations. The other three are of a public nature, and are irrigation districts, the States, and the General Government. Let these several agencies be considered in the above order.

*Private individuals.*—It is easy to see that reservoir construction can not be carried on single handed by individuals except upon a very limited scale. When a reservoir is built upon any site it is important that the capacity of the site and the stream be fully developed. But such works are ordinarily very expensive. Even if the financial resources of the individual would permit the construction, the use he could make of it afterwards would probably not require as large a reservoir as could be built, and he certainly could not be expected to build for the benefit of others. The result would be that very few works of magnitude would be commenced at all and those commenced would probably not be what the true capacity of the sites would call for.

Again, it is wholly improbable that works so built, looking only to immediate returns upon investments, would be of that permanent and enduring character which it is greatly to be desired that they should possess.

The same argument, in a less degree, applies to corporate management of these works. In the matter of financial requirement the problem could possibly be solved in this way. But no investment is feasible unless the investor can control the property of which it is made the subject.

Now, water is perhaps the most elusive of all forms of property. The owner must not only control the source of supply, but the place of application as well. If it be the supply of a city and a company has secured its monopoly, if it be a canal, or if it be a definite site for the development of water power, then the difficulties of the situation are reduced to a minimum. But when it comes to applying water to land the case is different. To insure a remunerative use of the water supply it is necessary to control the land where it is to be applied. There are several examples in the more limited valleys of the short coast streams of California where this has been done with some measure of success. But one has only to examine the history of these works, and consider the vast amount of financial failure which has accompanied them, and the interminable litigation to which they have given rise, to see that even in this favorable section the method has been far from an unqualified success. There are doubtless few people in California to-day who will not admit that it would have been better if these works could all have been constructed under some sort of public control. When it comes to other sections of the country the conditions would be still more unfavorable. In Wyoming the policy of small holdings is far better established than in California. Corporate control of large areas is more difficult, and the streams are of such length, and the benefits of the sources of supply reach so far, that it would be impossible to control them all.

The matter of private or corporate construction of these storage works is therefore seen to be one of very doubtful practicability from a financial view alone, while in neither case is it likely that reservoir sites would be developed to their full capacity, as they should be, but only to the extent that would be most advantageous to the investment itself. The result would be, from a public point of view, an incomplete and imperfect system.

There is another view of great public importance which also tends in the same direction. It is becoming more and more apparent in the course of irrigation development in the West that the waters of the streams should not be made the subject of private property, but that they should inhere in the land to which they are applied, and that purchase or sale of water as a commodity should not be allowed. Although in most States the contrary doctrine has hitherto prevailed, the disposition of the courts at present and the views of practical irrigators seem to incline more and more to the doctrine of the public character of all streams. In one State, Wyoming, this more enlightened doctrine has gained a secure foothold, and the entire administration of the water laws is based upon it. That State has profited by the mistakes of others, and although great pressure has been exerted in favor of the opposing doctrine, it has not yet yielded in a single point. It is clear that this principle can best be promoted, so far as stored waters are concerned, by having the storage works public property. Their construction by private agencies is hardly separable from the control and disposition of the water as a commodity.

A proper development of a storage system for the waters of Western streams, it is thus seen, can not be expected through private agencies. It must be accomplished through some form of public control.

*State or nation.*—There remain to be considered the States and the Federal Government as the only agencies qualified to create a comprehensive reservoir system in the West. In many respects the arguments which apply to Federal control of these works apply equally to State control. In each case the agency is in the broadest sense a public one, each being within its proper sphere the sovereign power of the people, deriving its revenues from general taxation without regard to the special purpose to which the revenue is applied. It will, therefore, only be necessary here to inquire which of the two will be most likely to produce effective results.

In the first place, the work is distinctly interstate in character, and is, therefore, less properly a State than a national enterprise. In scarcely any State except those on the Pacific coast are the streams confined to limits of the States. Wyoming, for example, is the fountain head of streams that flow to every point of the compass and traverse or border upon no fewer than twenty other States or Territories. The same is true in a less degree of Colorado. There is no reservoir that can be built in either of these States the influence of which will not cross its borders and be felt in other States. With a comprehensive system of reservoirs this matter would become one of great importance, and the continued settlement of the country and the progressive utilization of the streams will render it one of perpetual concern to the public. Already the interstate character of some of these streams is giving rise to troublesome questions, which only Federal authority can answer. Nebraska has complained of the monopoly of the waters of the South Platte by the State of Colorado. Irrigators in Wyoming have felt the drain on the river Laramie by Colorado parties, who have turned away into their own streams, just south of the border, a considerable percentage of its flow. There have been complaints in Utah over appropriation by the State of Wyoming of the waters of Bear River, already claimed by Utah irrigators. That more of these questions have not already arisen is only because the natural flow of the streams has not yet been all used up. So long as there is water enough, of course there will be no serious complaint.

In the case of reservoirs it not infrequently happens that some of the very best sites are to be found close to State lines, where the waters so stored will flow immediately into neighboring States. In these extreme cases the States where they are located could not, of course, be expected to construct reservoirs, and the States to be benefited would not be likely to go outside their own borders to do so. The function clearly pertains to that sovereignty which covers all the country and embraces the streams from their sources to the sea. It alone can store these waters and be sure that it is reaping the full benefit.

The policy of the Government in the matter of the preservation of the forests of the country is a case directly in point. There seems to be a well-nigh universal consensus of opinion that the preservation of the forests of the arid regions is distinctly a Government duty. Considerable appropriations have been made for the surveys of proposed reservations, and ways and means for their preservation are being considered. Now, one of the great arguments always advanced in favor of forest preservation is the influence which forests are supposed to have in conserving the flow of the streams. Inasmuch as the commercial value of these forests is practically insignificant, except for furnishing fuel and rough timber, the water question is really the more important one. If it is properly a Government function to preserve the forests in order to conserve the flow of the streams, surely it can not be less a Government function to execute works which will conserve that flow even more positively and directly. Granting all that can be said of forests in this connection, they certainly can never prevent the June rise, and it is precisely this waste flow which reservoirs will help to save. The forests ought unquestionably to be preserved, and the Government is the proper agency to do it, but the principal arguments therefor apply with accentuated force to the construction of reservoirs.

Another reason why the Government should have an interest in this work is that it is the largest landowner in the arid West. In Wyoming, over 90 per cent of the soil belongs to the Government, and its holdings throughout the West include millions of acres which can be reclaimed from their present desert condition and made productive lands. In this respect, Government assistance in providing water for irrigation is a simple business proposition for the enhancement of its own property.

In the matter of resources, we at once encounter an insuperable obstacle to extensive public works on the part of most of the States. Their revenues will not permit it. In some States taxation is limited by the constitution to certain percentage of valuation. The State in such a case, if without sufficient revenue, is absolutely forestalled from carrying on works which might enhance the value of property in the State and lead to increased revenue. There is no discoverable method by which adequate means can be obtained for State works of any magnitude at this stage of their development unless, as urged by some, it be through a gift to the States of the public lands within their borders. As this is a matter of vital importance, not only to the future development of the West, but to the particular question with which we are here concerned, a brief reference to it will be given.

In order to facilitate the development of the country under the rapidly changing industrial conditions of the West, and particularly to provide the States with an increased revenue, it is being strongly urged in various quarters that the public lands be ceded to the States. It is then proposed to use the nonirrigable lands, which are only fit for grazing, in connection with irrigable lands, so that the holder of irrigable land upon any stream may hold also a good extent of grazing land contiguous thereto, and that the grazing lands of the West may be so divided that every portion shall have access to water somewhere. The free-range industry is practically a thing of the past, and is, by its very nature, incompatible with the permanent settlement of the country. Since the latter is bound to come about sooner or later, a division of the grazing lands would seem to be a necessity of the near future, and the public-land laws will have to be modified to secure this end.

It is argued that if the lands are ceded to the States under proper restriction they can be leased at a small rental (1 cent per annum per acre has been suggested), and the States can thus derive enough revenue to enable them to undertake the works in question. Prof. Elwood Mead, State engineer of Wyoming, estimates that the revenue from this source in the State of Wyoming would be \$500,000. Of the soundness of this view as to the proper distribution of the public lands it is not essential to the purposes of this report to speak. The ends sought to be attained by it are undoubtedly necessary to the welfare of that section of the country, and it is greatly to be desired that the Government will assist in bringing them about. If it will not cede the lands to the States outright it could at least pass laws to facilitate their proper disposition under existing conditions, and it could aid in the construction of those public works of national importance which the deficient revenues of the States prevent them from undertaking.

In the course of my investigations I have found a well-nigh unanimous public sentiment in favor of Government aid in the construction of these important works. Such adverse opinions as I have encountered have been based almost entirely upon the assumption that the project contemplates Government control of irrigation works. This I do not understand to be the case at all. If it were it would certainly be a conclusive objection to the whole scheme. The time was, some fifteen or twenty years ago, when the inauguration of a comprehensive policy by the Government for the development of irrigation in the arid regions might have been productive of much good; but that opportunity has passed. The States have taken up the work and the whole system is now built up under State laws, interpreted by State courts, and administered by State officials. There is no reason to think that this is not the best possible arrangement. The States occupy the place in matters of this sort which, in foreign countries, as India, France, Canada, etc., is occupied by the Government.

A corps of trained engineers has grown up in the West, as fully qualified in every respect for their work as the profession affords. The works themselves are strictly local, confined to the people of the State, and only very rare instances concerning any others. So far as distributing systems, water rights, etc., are concerned it is in every way better, in fact indispensable, to have these matters entirely in the hands of the States. The results of my investigations have shown nothing else more clearly, and this report must not be construed as in any way indorsing the project of Government control of irrigation works. In only one case can there be any ground for asking Government aid in the construction of distributing systems. If it ever becomes advisable to attempt to turn the waters of the larger streams over great extents of country, involving the construction of canals perhaps hundreds of miles long and passing from one State to another, then the magnitude and interstate character of the work might give it a claim to consideration by the General Government.

In the matter of storage reservoirs the case is entirely different. Their purpose is simply to enlarge and reinforce the natural resources of the streams, leaving the use of their waters to be disposed of exactly as at present—unless indeed an occasional exercise of control were necessary in times of flood or other emergency. The works are not solely of local importance, but have an interstate character. The case is in every respect like that of the Government control and preservation of forests, to which attention has already been called.

Another objection to Government construction which I have met with is based upon the idea that no such work ought to be constructed unless it will clearly pay a good return upon its cost, and it is urged that in such a case private capital itself would take up the work. Two errors underlie this argument. In the first place, a work may be a justifiable and profitable one from a public point of view when it would not be so at all as a private investment. As already explained, the benefits which a reservoir may give rise to are generally not capable of such control as will give a revenue from them.

Judged, therefore, by the mere question of dollars and cents, a work may be entirely justifiable as a public enterprise which would be ruinous as a private investment.

The other error involves a fundamental misconception of the aim and purpose of public works. It should be remembered that the works herein proposed are of the most substantial and enduring character. River improvements, fortifications, public buildings, and the like are liable to destruction and decay, but a mass of earth or masonry properly placed in a great dam becomes as lasting as the hills which inclose it. Constructed to endure for all time, the benefits which flow from these works will be perpetual. It is not for the Government, therefore, with its lease of life altogether beyond that of an individual or company, to limit its expense as an individual would to the certainty of entire reimbursement within a few years. When it improves a site, it should improve it once for all to its full capacity with the most thorough and substantial workmanship, making the work final and complete, being certain that the heavy first expense will be ultimate economy.

The foregoing examination has led up to the following conclusions:  
First. A comprehensive reservoir system in the arid regions of the United States is absolutely essential to the future welfare of this portion of the national domain.

Second. It is not possible to secure the best development of such a system except through the agency of the General Government.

Thus far the question of the "practicability and desirability" of Government patronage of these works admits of a definite answer in the affirmative. As to the questions of public policy involved in such a step, it is assumed that their consideration was not intended to be embraced in this report.

#### XVII.—PRACTICAL WORKINGS.

Before entering upon any work of construction, the Government should acquire full title to the site of the reservoir and accessory works. It should secure cession by the State of jurisdiction to the site, so as to release the land from taxation and other regulations pertaining to the local government. It should also obtain a right to the streams for filling the reservoir, so far at least as to preclude others from interfering with the uses for which it is built. It should then construct the work itself, and not by subsidy or donation either to the State or private parties. It should hold and maintain the work after construction just as it does its other public works. The use of the waters so stored should be absolutely free to the people forever, just as the canals, harbors, and other public works are free for general use without toll or levy of any kind. The Government should have the right to close the reservoirs in times of flood, and to exercise any other control which might be deemed essential to the public welfare on the streams in the valleys below. Subject to these conditions, the waters of the reservoirs should be available for irrigation, municipal, or other industrial uses, and should be released upon requisition of the proper State officer (ordinarily the State engineer) in such quantities as may be required. The waters so released should be subject to the same local laws and regulations as pertain to the streams in their natural condition.

In this relation of nation and State there is no room for any clash of authority, and there need be none. The reservoir would always be under a control which would insure its efficient maintenance and the widest possible range of benefits, and at the same time it would not interfere in the least with local use. The only office of the Government in this work would be that of rendering available certain natural resources which now go to waste. Its province would end here, and the use and distribution of the resources so conserved would be governed wholly by local regulations. Should Government control and regulation of navigable streams be extended to include the storage of any portion of their surplus waters in the arid regions, such an extension will apparently cause an increase of only about one-seventh in the present expenditure, while it will tend to secure a more equitable distribution of that expenditure among all sections of the country.

A feature of great importance pertaining to the cost of public works of the character of this proposed reservoir construction merits particular attention in comparison with that of other public works of the Government. When a reservoir is once constructed, there will be no further occasion for expense except for maintenance, which, as before stated, will not exceed 1 per cent annually upon the original cost. With the present river and harbor works, and even with public buildings, this is not so. The growing requirements of business and the perishable nature of many kinds of work keep up an increasing demand for further appropriations. But a reservoir once built as it should be is a thing done. Its capacity, if sufficient at first, will be sufficient forever. No increase of business will make the run off from its watershed any greater or render it less adequate for the purpose for which it was designed. Its immunity from deterioration or decay will make it unnecessary ever to replace it. In fact, an expenditure of this sort possesses the almost unique merit of being one that the Government may know is final when once made.

#### XIX.—SUMMARY.

The substance of the foregoing report may be briefly summarized as follows:

- (1) All varieties of reservoir sites or of dam construction likely to be encountered in the arid section of the United States are exemplified in the sites considered in this report.
- (2) Five reservoir systems have been examined under the provisions of the act of June 3, 1896—three in Wyoming and two in Colorado.
- (3) The function of reservoirs will always be primarily the promotion of industrial ends; secondarily only, a possible amelioration of flood conditions in the rivers.
- (4) While it is perhaps physically practicable to build reservoirs of sufficient aggregate capacity on the watershed of any stream, even so large a stream as the Mississippi, as to exercise some influence in diminishing the height of floods, the great cost of such works, as compared with the results to be expected from them, will always prohibit their construction, unless it is called for by other and more direct causes.
- (5) A general system of reservoirs in the arid regions sufficient to contain the flow of the streams over what it is possible to draw from them directly in irrigation would, it is believed, cause some reduction in the flood height of the Missouri River during the June rise. The amount of this reduction would of course depend upon the distance of the section of river considered from the points of storage, and would diminish rapidly with an increase of this distance.
- (6) Reservoir construction in the arid regions of the West is an indispensable condition to the highest development of that section. It can properly be carried out only through public agencies. Private enterprise can never accomplish the work successfully. As between State and nation it falls more properly under the domain of the latter.
- (7) Reservoir construction by the General Government need not in any way involve Government control of irrigation works. These should be left in the hands of the States and of private individuals under State laws.
- (8) The Government should acquire full title and jurisdiction to any site which it might improve and full right to the water necessary to fill the reservoir. It should build, own, maintain, and operate the works itself. It should hold the stored waters absolutely free to public use under local regulations, subject only to the right to close the reservoir whenever flood protection or other emergency should require.
- (9) The total extent of a reservoir system in the arid regions which shall render available the entire flow of the streams will not exceed 1,161,600,000 cubic feet. If the construction of such a system were to consume a century in time, it would represent an annual storage of about 11,600,000,000 cubic feet, or 266,300 acre-feet. At \$5.37 per acre-foot this would cost \$1,430,081 per annum. This amount, distributed among the seventeen States and Territories of the arid section, gives an annual average expenditure in each of \$84,119. The annual value of the stored water would return the original cost and maintenance in an average period of three years.

Mr. CARTER. Will the Senator from Wyoming yield to me for the purpose of making a report from the Committee on Military Affairs?

Mr. WARREN. I shall be compelled to yield to my colleague.  
Mr. CARTER. I submit a report from the Committee on Military Affairs, and ask that the preliminary statement, which is very brief and descriptive of the general material embraced in the report, be read by the Secretary.

Mr. HOAR. Does that require unanimous consent while the other conference report is under consideration. If so, I object.

Mr. CARTER. I understand the Senator from Wyoming yielded. It will take only a moment.

Mr. HOAR. I object.

The VICE-PRESIDENT. The Chair understands that a conference report is before the Senate.

Mr. CARTER. This is not a conference report. It is a mere report from the Committee on Military Affairs.

Mr. WARREN. So far as I am concerned, while I do not wish to yield the floor for debate, because I am not through, I do not desire to block any business that is ready for consummation, like a conference report or any other advanced matter. I want to hurry along the business of the Senate. I desire to say right here that if any Senator thinks I am talking against time he is mistaken. I want to see the river and harbor bill pass, and I think it will pass if we can have an understanding.

Mr. HOAR. I am entirely in sympathy with the Senator from Wyoming as to his item. I think the wish of all those people for a moderate expenditure upon this experiment demands the assent of the Senate and of the Congress. I wish to stand by that. But, if I may be permitted, we must remember that under the Constitution of the United States it requires the assent of the two Houses to every measure. When a bill is made up of a hundred items—

Mr. WARREN. I have supposed that, too, but I find on the other side that we have nothing to say about it.

Mr. HOAR. They are the representatives of the House, and when a bill is composed of a hundred items which are separate and independent, in the end the body proposing an affirmative piece of legislation, which the other side does not agree to, must yield. There is no other way to get along with it. Otherwise you are forcing one body to yield its opinion, and to vote for a measure which it does not approve. I do not see very well how we can refuse to recognize the regular authorized agencies of that House, their representatives on the conference committee, as directly representing their opinion. That is what a conference committee is to get at—the opinion of the other body. So if the House puts an affirmative measure of legislation on one of these appropriation bills, made up of items, and the Senate objects to it, the House have to yield, because they have satisfied themselves that it ought to be done. The same thing applies to us. I can not undertake myself to unite in an attempt to compel the House to do what they do not want to do, or to defeat a bill which contains measures we all want. I will stand with the Senator here through thick and thin on his irrigation policy, but I can not follow him on this.

Mr. WARREN. I thank the Senator.

Mr. HOAR. The bill contains an affront put upon me personally and my State, so that I have as much feeling about it as he has, but I do not see that anything is to be gained by abandoning what is good.

The VICE-PRESIDENT. The Chair desires to say that the report can only be received by unanimous consent.

Mr. CARTER. I understand that the Senator from Massachusetts has objected to receiving the report at this time. I withhold the report, and will present it later. I yield the floor again to the Senator from Wyoming, and thank him for his courtesy.

Mr. WARREN. I desire to thank the honorable Senator from Massachusetts, and I give due heed to what he says. I think the Senator will admit it is hardly the thing for a conference committee to meet with an understanding on one side that there shall not be the slightest consideration or notice taken of some one item, no matter how important, and therefore no true conference thereon.

Mr. SHOUP. I ask the Senator from Wyoming to yield to me for the purpose of making a report from the Committee on Military Affairs, and if there is no objection, I ask that the accompanying bill may be acted upon at this time.

Mr. FRYE. I shall have to object.

Mr. SHOUP. It is only a few lines. It is a short bill.

Mr. HOAR. I call for the regular order.

Mr. WARREN. I was about to say to the Senator from Massachusetts when my attention was diverted that I agree with him perfectly as to the manner in which legislation ought to be conducted, but the proceedings here are an exception in that this bill has been in conference upon a basis like this: "We of the House conferees will take you by the throat. As to one or two items we will not confer; we will not report a disagreement; we will not give any chance to get a further expression from either this or the other House." These men have taken such methods and they do not deny it.

The VICE-PRESIDENT. The Senator from Wyoming will suspend, that the Senate may receive a message from the House of Representatives.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had dis-

agreed to the amendments of the Senate to the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. BARNEY, and Mr. LIVINGSTON managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 10771) for the relief of Eudora Hill; in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution to print 6,000 additional copies of the eulogies upon the late Nelson Dingley, a Representative from the State of Maine; in which it requested the concurrence of the Senate.

The message also announced that the House further insists upon its disagreement to the amendments of the Senate to the bill (H. R. 11083) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, upon which the committee of conference have been unable to agree, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. BINGHAM, and Mr. DOCKERY managers at the conference on the part of the House.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 11577) for the relief of B. F. Parlett, collector of internal revenue for the district of Maryland; and it was thereupon signed by the Vice-President.

#### DEFICIENCY APPROPRIATION BILL.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHANDLER. I move that the Senate insist upon its amendments and agree to the conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. ALLISON, and Mr. COCKRELL were appointed.

#### RIVER AND HARBOR BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

#### A MISTAKEN ESTIMATE.

Mr. WARREN. I was about to say to the Senator from Massachusetts, in explanation of this most extraordinary conduct and the feeling that has been exhibited by certain members in another part of this building, that they seem to be laboring under an entire misapprehension. They hold up their hands in holy horror, claiming to fear that this is the entering wedge to loot the Treasury of the United States entirely, and they talk about it costing not millions, and I use their language verbatim: "It will take billions of dollars if that amendment goes in and we follow the work up."

Mr. President, they have gone forward in all these years on the Mississippi River and its head waters, building dams at the cost rate of \$1,800,000 for 41 dams. We are asking to build one only, and to examine and report to us whether it is practicable and whether it is feasible to build not to exceed 17 others.

Now, the project is, laid out briefly and to the point, these 41 reservoirs were built to take the snow waters and the rains of winter and spring and early summer and hold them back, letting them down later so that the impounded flood waters may raise the water line during low tide. It seems that Congress in making these appropriations was willing to appropriate money for the one object—that of raising the water at certain times in a certain part of the Mississippi River on account of the needs of commerce. We, on the other hand, ask in our project of reservoirs the consummation which they hardly expected to reach, that of preventing the erosion of banks and preventing the washing of debris from the hillsides into and along down the streams.

#### INCIDENTAL PROTECTION.

I have listened to debates upon various subjects about incidental protection. While it may be true that there have been times when certain Senators here would say they were free traders, or that they believed in free trade, yet I believe that at the present time not a single Senator serving his country is willing to admit that he is so intense a free trader that he will not afford incidental

protection while providing for the collection of the revenue, etc. Here we have, and this seems to be where we offend, an incidental interest, that of irrigation, which can be subserved through use of this water for navigation purposes while en route from the reservoirs, where it has been retained, down to the streams where it will do its work in raising the water in times of drought.

Here is a project followed by Congress for a period of years which had simply one accomplishment in sight, and confessedly only one. We present a project which has that one, and another of equal and, I believe, greater importance, the second one being to prevent the overflow of streams and erosion of the banks; the third benefit, we modestly claim, is that incidentally we may receive some benefit to irrigation. Now, what has poor irrigation done that it should be so offensive to a body of enlightened men? Proposing to accomplish twice as much in building these reservoirs as those already built on the Mississippi, accomplishing two objects instead of one, why should this be ruled out on the ground that it may as a third benefit possibly help irrigation? What has been the offense of the arid States to raise the wrath, and the fury, almost, that seems to have existed at the other end of this Capitol?

#### ARID-LAND STATES.

I do not remember that any one of these arid-land States has outlawed itself in any manner in its connection with the Government of the United States. I do not understand that the States themselves, nor any of them, owe anything in money to the United States. I do understand, however, that in this spirit of intolerance which seems to exist somewhere against the arid States, certain arid-land States having great claims against the Government, of which they have been deprived of the principal and interest for long years—claims originated by their advancing money to the United States troops—have had to take their medicine to-day from the Senate and House Claims Committee of conference, which cut out their claims from the omnibus bill for no reason under God Almighty's heaven except that the House does not want the Government to spend the money.

#### DON'T PAY OUR DEBTS.

There are States nominated in the river and harbor bill, States that are honored with great appropriations for rivers and harbors in every measure of the kind that passes that have owed money to the United States for years and years, and they do not pay it. Here, on the other hand, are arid-land States that put up their good money to pay troops and other expenses to preserve this Union way back in the time of its civil war and Indian troubles, and they can not collect a dollar—three and four and five million dollars to a State due from Uncle Sam. Nobody claims on either side of the Capitol that the money is not due. They do not make any denial of the fact that the States furnished the money in good faith, and yet they get together in a conference and the demand on the House side is that we shall take out of our measures for settlement of debts all the claims of States. Why? Simply because they think they can force it. There is no reason in it.

They not only do that, but they likewise treat private claims which originated way back in the war, those of poor widows, living to-day upon charity, and whose land and other property the United States took away from them in the war. They have come before Congress all these years since with those claims. They are admittedly right, and yet the House side will not permit payment. I have in mind a case in which General Grant wrote a letter, as warm a one as I ever saw his name affixed to, in which he said, "This woman should have \$20,000 in cash for the property taken and destroyed. It is not near the value of the property we took from her. She was loyal. We took her property and used it during the war. She ought to have her money." She has been here repeatedly to Congress—again and again, and she finally got a bill through this body for how much? Ten thousand dollars. Any reasons given? Not at all. I had the honor to serve upon the committee before which the claim was pending, and I was confronted with the fact that the committee at a former time had cut it down to \$10,000.

I went to every man who was on the committee and asked why they cut it down. No reason on earth was given, only they said we could not get it through on the other side, and we will make it ten thousand; and so we go on. When the appropriation bill comes up and we ask for anything, they say, "Trust us, boys, until to-morrow, and we will then give you what you want, but a rattle-box or a sugarplum must suffice for to-night; just amuse yourselves as best you can with it." For instance, the honorable Senator who has charge of deficiency bills says, "These claims are all right; they ought to be paid; I will tell you what you will do.

"If you do not put them on this particular bill, which we are anxious to get through and we are afraid you naughty boys are going to lay us out of so we will not get it through before the hour of adjournment comes, we will give you an extra thousand dollars to hire some extra clerical assistance, and you bring in a bill with all these claims in a bunch—rake up all the claims that have heretofore passed through the Senate, and be sure you do not have anything that there can be any dispute about. Take such claims as have passed both Houses of Congress; take those that passed the Senate one term and the House another, or that

have passed the House; get them all, and put them in this omnibus gatherum, and we will pass it; we will see you through; and if you do not pass it in an omnibus bill then come to us on the deficiency bill and we will pass it then."

But, Mr. President, even to go back of that a little. A part of those claims not only passed this body singly repeatedly, but they passed both bodies at one session and went to one man who was bigger than both Houses of Congress, and he vetoed them. What did we do? Simply submitted to the cutting out of that two or three million dollars due from the Government to its creditors and passing the balance. Why? "It is too late to try it," they said. "We will do better the next time."

Now we come again and take the second thousand dollars for the extra expense of that same Claims Committee. The men toil all summer; the clerks have no vacation; they list up these different claims, State and individual; they again bring them in here as an omnibus bill, a bill containing nothing but claims that already had the sanction, each one upon its own merits, of at least one of the Houses of Congress and most of them of both.

What is the result? Mr. President, we get down to the end of the Congress, and again we have to submit, and again men who have no lack of nerve and backbone are compelled to say to House conferees: "We are at your mercy. Do what you will."

Now, Mr. President, those things are occurring all the time. States owing any amount of money to the United States do not pay any more attention to it than some of us individually do to bills that we can not pay. Yet these States come in here with their spoons every time and want large sums. Some, with streams that you can not find on the map, want great appropriations for them.

#### ARID-LAND STATES DO PAY.

In the arid country you can not mention to me a State in all that region which is indebted to the United States, but on the other hand they are your creditors. They come to Congress and time and time again appeal for the money they gave up for the civil and Indian wars; and coming down to this later war, what do we find? Simply that the different States and governors can not possibly get a settlement with the United States. We find the War Department, who have these things in charge, perfectly ready to pay, but lacking in legislation, and so we are again in debt for recent accounts, three or four million dollars to the States. Take these arid States. If we were out of the Union, if we had seceded or were seceding now, if we were talking against the policy of this Government, it would be different. But there is no section of the country, and I say it in the presence of those who know, that responded sooner to the country's call for troops. There is no part of this country that offered so many troops according to population as the States in this same arid region.

#### ARID REGION FURNISHES MANY TROOPS.

There is no part of this country that to-day on the field of battle has the same proportionate representation as the part of the country that is so neglected that it can not even get a hearing here, and can not get the benefit of a conference which will agree to report a disagreement.

Look over the forces that to-day are maintaining the dignity and honor of this country in the Philippines. Look and see who General Otis has under his command. You will find every one of these Western arid States represented. You will discover over there the First Washington, the Second Oregon, the First California, the First Nevada, the First Montana, the First Idaho, the First Wyoming, and also the First Wyoming Light Battery; you will also find a battery from Utah, the First Colorado, the First North Dakota, the First South Dakota, and others. You will find this entire country represented there, and, I maintain, most honorably represented. Pick up the list of dead and wounded as it appears from time to time in the daily newspapers. I venture the assertion that more than five-sixths of the dead and wounded in the Philippines have been from this same arid region.

Mr. THURSTON. I hope the Senator from Wyoming will not omit the First Nebraska.

Mr. WARREN. There is the First Nebraska and also a Kansas regiment. I thank the Senator for reminding me of it. I said these States are represented there, but I am in a hurry to get the bill passed and I do not want to stop to go into particulars.

Now, Mr. President, if there is any charge against that great country—great in acres, great in possibilities, great in honor, and great in the generosity of its people, though small in population—I ask that it may be made now and here.

#### ONE-MAN POWER.

How long, I ask, how long are we supposed to sit here, like a lot of dummies, and have it said to us that when we go into conference we even can not get a disagreement report back here, that we can not have another trial? It is not only unusual and unprecedented, but it is un-Democratic and un-Republican. There is no tyranny worse, if it has come to that. They talk about a one-man power in the House. Mr. President, if it was that one man who has exercised a power that is probably greater than that of the Czar of Russia, it would not be as bad indeed. But here we have one man who happens to be upon a certain conference committee

who stands alone and says, "No, sir, no conference shall be had in which you shall have your measures brought up and discussed; no conference at all until the proposition is settled that you shall not have a report of real consideration nor a disagreement."

Mr. ALLEN. Does the Senator know what reason that gentleman assigns for refusing this paragraph in the bill?

Mr. WARREN. Well, Mr. President, I do not think I could inform the Senator about that, because I have an idea that a man who acts this way does not have any reason for it, and can give none.

Mr. ALLEN. I suppose, like a grand juror, the Senator will be at liberty to give whatever opinion he might offer.

Mr. WARREN. My opinion is that it is simply his pride in having his own way. I know of nothing else. I think he has heard of men who swung the party lash, and swung it with effect. Perhaps he has seen the Senate bow sometimes to things it did not like, and permit the minority to rule the majority. Our friend over there wishes to be one of the men who are "bigger than old Grant." I suppose that is all.

#### MORE ABOUT RESERVOIRS.

Now, we will come back to the question of reservoirs. Both of these disputed amendments refer to reservoirs. Here is a report made in 1892, in which it seems these reservoirs are still going on. There has been a question here about the cost of those, and I have been reminded that possibly our reservoirs would cost more than these. I want to call attention particularly (and I know the chairman of the committee is very anxious to have all these facts) to how much capacity a small amount of money produces in the way of reservoirs. We have here in one of those 41 lakes that I speak of, which was completed in 1888 and 1884, 45,008,000,000 cubic feet. We have another, completed in 1884, which has a capacity of 30,000,000,000 cubic feet.

#### J. S. STEARNS LUMBER COMPANY.

Mr. CARTER. Will the Senator from Wyoming yield to me for a moment?

Mr. WARREN. I consented to yield to the honorable Senator from Wisconsin [Mr. SPOONER] for a moment, if my esteemed friend will wait.

Mr. CARTER. Willingly.

Mr. SPOONER. I ask for the present consideration of the bill (H. R. 7865) to pay the J. S. Stearns Lumber Company \$379. It is a House bill, and I think there will be no objection to it.

Mr. PETTUS. I ask for the regular order.

The PRESIDING OFFICER (Mr. BURROWS in the chair). Objection is made. The Senator from Wyoming will proceed.

Mr. CARTER. I ask the Senator from Wyoming to yield to me for one moment.

Mr. WARREN. Certainly.

#### REPORT ON ALASKA.

Mr. CARTER. Mr. President, in conformity with a resolution of the Senate passed on December 9, 1897, on behalf of the Committee on Military Affairs, I have prepared a report. On two pages a statement is presented disclosing the nature of the subject-matter and the character of the report. I ask the privilege of presenting the report at this time without reference to the Committee on Printing. I ask the Secretary to read, with the consent of the Senate, the two pages descriptive of the subject-matter contained in the report now presented.

The PRESIDING OFFICER. The Senator from Montana presents a report from the Committee on Military Affairs, which the Secretary will read.

The Secretary read as follows:

Mr. CARTER, from the Committee on Military Affairs, to whom was referred resolution No. 199, agreed to December 9, 1897, directing that "the Committee on Military Affairs be, and is hereby, directed to investigate and report to the Senate at the earliest practicable date, the extent to which the Territory of Alaska has been explored by the Army of the United States; and what, if any, aid the Army may be able to lend in opening, protecting, and maintaining regular lines of communication exclusively within the territory of the United States from tide water into the interior of said Territory, and what measures may with propriety be adopted to avert hostilities with and to secure the friendly cooperation of the native population of said Territory in developing the resources thereof," respectfully submits the following report:

The committee has deferred completion of its task under the command of the resolution until the present time for the purpose of securing and incorporating in its reports of military exploring expeditions which were sent to Alaska by the Secretary of War during the year 1898. Such reports have been but recently submitted. The report herewith presented will be found to embrace in narrative form an account of the expeditions of—

Raymond, 1899.  
Gen. O. O. Howard, 1875.  
Petrof, 1880.  
Schwaska, 1883.  
Ray, 1883.  
Abercrombie, 1884.  
Allen, 1885.  
Dr. Sheldon Jackson, 1897-98.  
E. Hazard Wells, 1897-98.  
Richardson, 1897-98.  
Ray, 1897-98.  
Glen, 1898.  
Abercrombie, 1898.

This material mainly consists of records of the several expeditions into Alaska under the direction and control of the military arm of the Government, beginning with that of Lieutenant Raymond in 1869 and closing with the expeditions of Glen and Abercrombie in 1898. The reports of these military explorations and reconnaissances of military explorers in Alaska are here for the first time presented in connected narrative form.

The committee cheerfully acknowledges its indebtedness to the War Department for invaluable assistance, freely given, in supplying and arranging the material for the report. It is confidently believed that the report will prove of general interest and historic value, in addition to its usefulness for reference in connection with contemplated legislation. The story of each member of the respective expeditions who has left a record is tersely told. It is believed that this report will prove to be the most comprehensive that has thus far been undertaken by the Government in reference to Alaska, and that it will do much to make accessible the sum of our present knowledge of this extensive portion of the public domain of the United States.

Mr. FRYE. I desire to ask the Senator if he proposes to request that the balance of the papers on his desk shall be read to-night?

Mr. CARTER. Mercifully considering the present situation of the Senate, I will desist from having any more of the report read at this time, although I am quite sure that the report would be as interesting as some of the speeches which are to follow.

Mr. FRYE. I agree with the Senator entirely.

The PRESIDING OFFICER. The Senator from Montana asks unanimous consent—

Mr. FRYE. I did not know certainly but that it was Senator QUAY's tariff speech.

Mr. PETTUS. I ask for the regular order.

The PRESIDING OFFICER. The Senator from Alabama objects.

Mr. CARTER. I ask that the report be referred to the Committee on Printing.

Mr. SPOONER. I understand that no objection is made to the reference of the report.

Mr. FRYE. There is no objection.

The PRESIDING OFFICER. The Senator from Montana asks the reference of the report to the Committee on Printing. The Chair hears no objection, and it is so referred.

#### YELLOWSTONE NATIONAL PARK.

The PRESIDING OFFICER. The Senator from Wyoming will proceed.

Mr. BUTLER. Will the Senator from Wyoming yield to me for a moment to offer a resolution?

Mr. WARREN. Certainly.

Mr. BUTLER. I offer a resolution, which I ask to have read.

The Secretary read the resolution, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to communicate to the Senate information as to whether any action has been taken or is contemplated by which the Yellowstone National Park Transportation Company is to receive the additional privilege of conducting a camping business in the Yellowstone National Park, and if so, what are the grounds therefor, and also as to whether or not there has been any modification in the original lease to said company prohibiting its control of stock by any railroad company or the officers thereof.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PETTUS. I object.

The PRESIDING OFFICER. The Senator from Alabama objects.

Mr. BUTLER. I desire to make no remarks whatever on the resolution.

The PRESIDING OFFICER. The Senator from Wyoming is entitled to the floor. The Senator from Alabama objects.

#### RIVER AND HARBOR BILL.

The Senate resumed the consideration of the report of the committee of conference on the river and harbor bill.

Mr. WARREN. I have some facts here which I have not got to yet, but I am reminded by my colleague who sits at my left [Mr. STEWART] that it would be more convenient for him to speak at the present time, so I will surrender the floor to him until I can get my papers together.

Mr. STEWART. Mr. President, I do not propose to make a speech at this late hour and under the circumstances, but I do feel called upon to emphasize the importance of legislation in aid of irrigation. I wish to remind the Senate that about three-fifths of the area of the United States can only be cultivated to advantage by artificial irrigation. It is a different condition of things from what exists in any other part of the country, and a large portion of that region is still public land. It is no place for homesteads.

No homesteads have been taken up. There is not a homestead in it that is taken up. It has been open to homestead settlement, and it has remained so for many years. When there is a piece of land opened anywhere in Indian Territory where settlers can go, you see what a rush there is, what a scramble to get hold of the land. All this land would be appropriated by settlers if it could be occupied, but it can not be occupied without artificial irrigation. Settlers can not perform the work; that is impossible. It requires capital, combination. The land laws are entirely inadequate to meet the situation.

The Government must either make a direct appropriation, such

as is called for by this bill in aid of irrigation, if the country is to be utilized, or it must donate the land in the arid regions to the States and let them deal with the problem. You have no laws that will deal with the problem. They will always remain a barren waste unless some aid is given. If the States had the lands in that region, I think they could deal with the problem very well.

There is no doubt, however, that this mode of relieving the Mississippi is a good one. I believe it is cheaper than to build levees. I believe you can make a series of lakes at the head waters of the Missouri which will relieve the Lower Mississippi better than your levees, and at the same time irrigate a vast region, for there is a vast region between the summit of the Rocky Mountains and the rain belt of the East. I suppose that belt will average 250 or 300 miles, most of it being valley lands, near the foothills, all along from British Columbia clear down to the Gulf, in Texas.

There is a vast area in that region, enough to make many States, if it could be reclaimed. I have been over that region and examined it with a committee, and I am perfectly well satisfied that by an appropriation of money you would do more good there for the Lower Mississippi, besides reclaiming a vast region.

This is not a subject to be laughed out of court as if it were something new and impracticable. It is entirely practicable and it is not new. All those who have examined it have come to the same conclusion.

I do not expect to get any relief at this time, but I believe it is a matter which must be seriously considered and action must be taken, because irrigated land is much better for habitation than land which is cultivated by rainfall. You have more certain crops, and the crops are larger and better. You always have the best crops where you irrigate every year. The water that comes down and is diverted upon the land for irrigating purposes fertilizes the land.

India has been cultivated from time immemorial by irrigation—we do not know how long—and the land is not exhausted; it remains fertile, and they still raise good crops there wherever they irrigate. If you have proper drainage and do not put on too much water, the silt which is brought down with the water will improve the land every year. It is a curious fact that at least three-fifths—and I do not know but four-fifths—of all the agriculture in the world has been on arid land.

The cultivation of land where rainfall supplies the moisture is of recent date. In northern Europe where the rainfall is sufficient, and in portions of northern Asia where they have rainfall, the land was not cultivated in ancient times at all. The land that was cultivated was about the Mediterranean and in Africa, where we find ruins showing that millions and millions of acres of land that are now desert were once cultivated. It is found that a large portion of the Sahara Desert was once in cultivation. The whole of the water of the great Euphrates was used in western Asia. The great mass of mankind have lived by irrigation.

There are no people on earth who are better qualified to meet this problem and make it successful than the people of the United States. But Congress must remember that it must be done by irrigation. While I will not occupy the time and endanger this bill or any other bill to-night, I simply want to make an appeal to the Senate that this is a subject of great importance. It embraces two-fifths of the whole area, and it is the best if it could be irrigated and water put upon it. It would be a better place to live than in the valleys. There is nothing like the mountains as a place in which to live. You have better development of animal life of all kinds in the mountains than you can have in the valleys.

There is where liberty always lives and where it dies last. It is in the mountains that the great races of men have been produced. We have an immense mountain region where we can produce everything that contributes to the happiness of man, all sorts of products and a great abundance, and where animal life is most vigorous. All we want is to have legislation that will enable the people to cultivate and occupy that land.

I do not propose to take any longer time. I simply wanted to take this occasion to emphasize the necessity of irrigation. I am very glad that the Senator from Wyoming has talked on this subject for the purpose of challenging attention; because if we kept our peace, nothing would be done, the East would never wake up to the situation. We believe that when they know the situation they will do what is just, but there must be some extraordinary effort made to reach the ears of the Eastern people and make them realize the importance of it. I know they would desire to do justice and to have that section of the country developed, because it is for their interest as much as it is for ours.

Their sons and daughters will go there. People go there from all sections of the country—from the East, the North, and the South. They want to go where they can become wealthy; where they can make fortunes. We have got a glorious country there, which we ought to be able to utilize, and I appeal to Senators who are here now to cooperate early in the next Congress to devise some plan whereby assistance may be given to the develop-

ment of that country. So important is it to the material interest of every section of our land that I have no doubt Senators will give it the attention which it deserves.

I shall not longer occupy the time of the Senate.

Mr. WILSON. Mr. President, of course, at this late hour, after what has been said by the honorable Senator from Wyoming [Mr. WARREN], it is hardly necessary that I should say a word upon this subject, but I can not resist the temptation for a few moments to state how keenly and how deeply I am interested, and how the people of our section are interested, in securing some legislation looking to the ultimate development of that section of the West known as the arid region.

Mr. President, in a not uneventful career of ten years in both branches of Congress I have at all times and under all circumstances given my vote to advance every interest of the people upon the eastern side of the Mississippi River.

Some years ago a distinguished general said that the tariff was a local question. I have learned to-night from some of the expressions which have been made here that the Constitution is a local question, that it is constitutional to build levees upon the Mississippi River to prevent the land from being overflowed, but that it is unconstitutional to irrigate by act of Congress the arid lands of the West.

The West, Mr. President, as was said by the honorable Senator from Wyoming, has contributed very much to the legislation of this country. An examination of its history in that respect will show that I am not mistaken. We have reached almost the limit of our development in some respects. Vast progress, it is true, has been made.

In 1870, if you will commence at the northeast corner of Dakota and trace an irregular line to the Gulf of Mexico, you will find that all of the region west to the Pacific Ocean had upon its tax duplicates but \$750,000,000 of taxable property. By the energy and industry of those people they had in 1890 \$8,500,000,000 of taxable property. In 1870 they had but one railroad. In 1890 they had constructed more railroads west of the Mississippi than all the country east of the Alleghany Mountains had in 1870. In 1890 that which is called the arid belt produced 600,000,000 bushels of cereals.

If you take, for illustration, California, lying upon the Pacific seaboard, it would stretch from Boston, Mass., to South Carolina. California has given to the world \$1,400,000,000 of gold in order to carry on your commerce and your business.

That State spoken of as the "rotten borough" of the West—Nevada—with its sparse population and its arid land, has poured into the Treasury of the United States five hundred millions of bullion—Nevada that came into the Union by a Caesarean operation in order that the fruits of Appomattox might be perpetuated.

Idaho, if laid down east of the Mississippi River, would stretch from Toronto upon the north to Cleveland upon the west. Idaho has given to the commerce and business and trade of the world over four hundred millions of gold and silver.

Montana produces every year over forty-five millions of the precious metals, not taking into consideration her flocks and herds.

The West is a great country, Mr. President. It has contributed much to the business and to the prosperity of mankind.

I stand here representing in part a State which has but little arid land, but we have, sir, in that State more lumber than the nine Southern States and Michigan, Wisconsin, Pennsylvania, New York, and Maine combined—lumber that William H. Seward said would make us the shipbuilders of the world. With our lumber, and our coal, and our hops, and our lead, and our silver, and our gold, and our civilization, and our patriotism, Washington stands guard upon the rock-bound coast of the Pacific.

A great country this Western country, Mr. President! Great history has been written there. It has been often said that that country was obtained by the Louisiana Purchase. I do not concede it. I do not think history has so written it. I think that her bold and brave and energetic men gave what is known as the great Oregon country to the Union of the States. I think much is due, if I may be permitted to say so, to George Abernethy, the first provisional governor of the Oregon Territory.

On that frontier at that time occurred one of the most remarkable patriotic incidents in this country's history. There was joint occupancy. The British and Americans becoming unsettled and dissatisfied, having a sparse population, assembled and said that they would erect an independent form of government. George Abernethy, one of those bold, brave frontiersmen, called the people together at the log schoolhouse at the Falls of Willamette, and he introduced, Mr. President, this patriotic resolution:

*Resolved*, That if the United States extend its jurisdiction over this country within four years, then it is not expedient to erect an independent form of government.

Upon that resolution he rose to speak. We have no record of that speech. We only know that it was earnest. He doubtless told those people of the trials, of the sufferings, of the hardships

to establish the great Federal Government; he doubtless told them of the midnight ride of Paul Revere; he doubtless told them of that ride of Marcus A. Whitman, who, when he heard the sentiment that was uttered in the Senate of the United States that the western frontier was the apex of the Rocky Mountains, started on that long, perilous journey across the continent in the dead of winter, and stood before Daniel Webster pleading that that country might be saved to the Union of the States.

When old George Abernethy had concluded, a wild hurrah arose. What was it? What did it mean? It meant that these patriotic resolutions had unanimously carried, and that Old Glory was to wave over all of that country.

It is a great country, Mr. President, it has a great future. There is a Pacific as well as an Atlantic seacoast. We are looking out upon that great oriental commerce and trade that is before us—at least we think it is. We are trying in a modest and in a becoming way to secure our fair, reasonable, modest share of appropriations upon these various bills, and we are met, as so often occurs, with disagreement in conference or rejection in conference.

I do not like to refer to it, but we have 1,900 miles of shore line upon Puget Sound. We asked for one insignificant light-house or fog signal at \$6,000. "Oh, yes;" "Oh, yes;" and they bowed low to us and said "it can go in." It went in, but it was stricken out in conference. It was promised last session. This session it went in as an amendment, and then it was stricken out in conference.

So it goes along, Mr. President. Day by day for ten years, upon every opportunity we are attempting to provide an adequate public building for at least one place in our State where there is a United States court, where there is a post-office with over \$100,000 of annual receipts, a land office, with 14 men in the customs office, with a signal corps, and everything that can be found in any other city of a governmental nature. Finally, after great perseverance, we secured through a conference committee \$75,000!

So it is, and the years will come along and my successors will take up the weary treadmill, and they will be told, "O, mañana," or, "In the sweet by and by," and we shall grow older and older, Mr. President, but we will learn one thing—and I shall not be disrespectful, or unkind, or ungenerous, or unjust in saying it, and that is the way many things are done in the Senate of the United States. I am reminded of the old lines that—

The old goose thinketh, thinketh, thinketh;  
The young goose blinketh, blinketh, blinketh.  
But the young goose never knows  
What the old goose thinketh.

[Laughter.]

Mr. WARREN. Mr. President, regarding the distinguished Senator who has preceded me [Mr. WILSON] in his remarks, we all know that he was not speaking loosely, but by the card. We know that when he makes a statement regarding a certain thing or a certain locality, he has the figures to back him up.

#### IMPORTANCE OF THE WEST.

When I listened to the remarks so eloquently made by the distinguished Senator from Washington, I could not help taking the country as he sees it and comparing it with the stinginess of vision with which legislation has seen it heretofore.

Mr. President, I am sometimes asked by my fellows of the size of the State from which I come, and when I tell them the truth about it and that Wyoming is large enough in area to cover the six New England States and New York besides and still have enough room left on which to locate several of the smaller States of Rhode Island size, they simply look at me with an air that betokens the soliloquy, "I am something of a liar myself" [laughter], and walk away. But such is the fact, nevertheless.

#### GROWTH OF THE EAST.

Mr. President, what would the city of New York amount to and what necessity would there be for widening and deepening the channel of the harbor into New York, if there was nothing west of it. What makes New York? Is it because she is on the sea, because she has a good harbor, and wants a better one? Not at all. New York grows as the country west of New York grows. City after city has sprung up, and each one depends for its growth on what is behind it, what is west of it; and I think I can say "behind it" when I mean "west," because they naturally hitch us of the West on behind in everything, and in some matters, like this bill, for instance, a long, long way behind.

Take the great city of Chicago. What would Chicago amount to if there were no country west of it? I recalled, while listening to the eloquent Senator who preceded me, the fact that only about fifty years ago the great orator Daniel Webster rose here in this Senate and in his majestic way, and with that great voice of his and that great manner and mannerism which have seldom been equaled in the world and never surpassed, objected to a pony mail route being established from the Missouri River to the great Northwest and the Pacific coast. He made an argument here—a convincing one from his standpoint—showing that all that country beyond the Missouri River was uninhabitable and of no value,

and that the Government was simply pouring its money into a rat hole when it expended it there in establishing a mail route. I do not quote his exact language, of course, but that was his meaning. He contended over and over again, and never did recognize the fact that there was a country west of the Missouri River worthy even of a pony mail route, where the cost was but a few ten-dollar cayuses or Indian ponies and two or three old saddles. In his estimate the country was not even worth that much.

#### THE WEST PAYS THE BILLS.

Senators have all heard what the Senator from Washington has truly said about a part of that great country. Where would you get your money to-day to build your dikes and levees or to deepen your harbors on the Atlantic coast and inland if it were not for the country west of you? Do you not want to join with that Western country and help the people there develop it?

Mr. President, it seems to me exceedingly shortsighted to reject these amendments when we simply ask the measly, small, paltry sum of \$100,000—a country which is nearly one-half of the United States in area, and that one the half of the United States from which the great development of the future is bound to come, if we shall develop and grow as a nation.

#### DANIEL WEBSTER MISTAKEN.

We may have some men somewhere who are too narrow to see beyond the Missouri, and I suppose such men take pride in pointing to Daniel Webster and his record, and to the statement he made here that he was bound to oppose an appropriation for a pony express because the whole country west of the Missouri was not worth it. Mr. President, an examination of the record will verify that what I say is true of Daniel Webster. Was he mistaken? Ask later history! We can hardly realize that the great Daniel Webster was so narrow that he would rise in his place and make such a statement unless he believed it. If Daniel Webster was mistaken, it is barely possible that some of the eminent gentlemen on the other side, and possibly some on our own side, on the conference committee, may undervalue us.

How much better it would have been, Mr. President, for Daniel Webster if some kind friend had at that time opened his vision just wide enough for him to take a peep fifty years into the future and let him see how exceedingly absurd would be that record, which every friend and admirer of his will have to meet for all time, every year making that record worse and worse. Is it possible for a man to have a worse judgment, judging it from the record?

#### WILD MEN OF THE WEST.

We pick up a volume of Washington Irving describing that section of country in about 1845, and he relates some very interesting stories. He relates the adventures of Captain Bonneville. What does Captain Bonneville say? He says:

Some new system of things, or rather some new modification, will succeed among the roving people of this vast wilderness; but just as opposite, perhaps, to the inhabitants of civilization. The great Chippewyan chain of mountains and the sandy and volcanic plains which extend on either side are represented as incapable of cultivation. The pasturage which prevails there during a certain portion of the year withers under the aridity of the atmosphere, and leaves nothing but dreary waste. An immense belt of rocky mountains and volcanic plains, several hundred miles in width, must forever remain an irreclaimable wilderness, intervening between the abodes of civilization, and affording a last refuge to the Indian. Here roving tribes of hunters living in tents or lodges, and following the migrations of the game, may lead a life of savage independence, where there is nothing to tempt the cupidity of the white man. The amalgamation of various tribes and of white men of every nation will in time produce hybrid races like the mountain Tartars of Caucasus. Possessed as they are of immense droves of horses, should they continue their present predatory and warlike habits, they may in time become a scourge to the civilized frontiers on either side of the mountains, as they are at present a terror to the traveler and trader.

That is a part of the history. That is Bonneville's idea, and that of Washington Irving, following close along in the track of Daniel Webster's peroration on this floor regarding the insignificance of the great West.

Mr. ALLISON. I ask the Senator from Wyoming to yield to me that I may present a conference report.

Mr. WARREN. I yield to the Senator for that purpose.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. ALLISON. I ask the Chair to lay before the Senate the conference report on the District of Columbia appropriation bill.

The PRESIDING OFFICER. The Chair lays before the Senate the action of the House of Representatives announcing its disagreement to the report of the committee of conference on the District of Columbia appropriation bill, still further insisting upon its disagreement to the Senate amendments, and asking for another conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I ask that the conference report may be read. The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 11093) making appropriations to provide for the expenses of the Government of the District of

Columbia for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have been unable to agree.

W. B. ALLISON,  
S. M. CULLOM,  
F. M. COCKRELL,  
*Managers on the part of the Senate.*  
WILLIAM W. GROUT,  
A. M. DOCKERY,  
*Managers on the part of the House.*

Mr. ALLISON. I move that the Senate still further insist upon its amendments, and agree to the further conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. ALLISON, Mr. CULLOM, and Mr. COCKRELL were appointed.

#### RIVER AND HARBOR BILL.

The Senate resumed the consideration of the report of the committee of conference disagreeing to the votes of the two Houses thereon on the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

#### UNHAPPY DANIEL WEBSTER.

Mr. WARREN. I do not want to get into the realm of romance or imagination, because I have undertaken to hew pretty close to the line of practical facts, but I want to suppose a case, or, at least, I want to ask this Senate what they think of Daniel Webster. If he were alive now and here on earth, what would he be willing to give or do if he could withdraw his action and argument and vote when he opposed a pony express which would extend from the Missouri to the Pacific—a little seven by nine arrangement that would cost about as much as an evening dinner given to Webster by his admiring friends on some of those great occasions? I want to ask you if you believe that Daniel Webster would take any pride or would be any happier for that opposition?

#### A WARNING.

I want to ask those members of the Senate who do not now seem to think there is anything in the West worth looking after and taking care of, if they want to leave to posterity and to history some action that may be as narrow and even narrower than that action of Webster's away back there, as it must be viewed in the light of recent events?

Mr. President, if the United States is to be a great country it is to be through the development of that newer region west of the Missouri River. I left my residence in a State on the Atlantic coast after the war was over, having served in a humble capacity in a regiment from that State, and I have been back there frequently since; and I know there has not been increased development in that State, and scarcely a dollar has gone into the State except what has gone in because of the growth of the country outside—the country west of it.

#### AGRICULTURE IS WEALTH.

The wealth of this nation is what is produced—brought into the world as new products—not what is gained through borrowing of and swapping with each other. It is taken from the soil, and agriculture is its true foundation. Now, we all know very well that the Eastern State that I originally came from, and a great many more like it, have really retrograded in past years in agriculture. The capacity for natural production is less to-day than it was a hundred years ago. The Eastern States do not produce the mineral wealth. It is not there. The States are not to blame. The fact is, when they delve beneath their surface they can not add a dollar to the wealth of this nation.

Go to the farmers, and they can not get as much per annum from their farms to-day as they could a hundred years ago. They would simply be in a paralyzed condition and would be retrograding altogether except for the production and exportation of articles from the Western country. They are not exporters of consequence, so far as the East is concerned; a few manufactured articles, that is all. We glory in the fact that we have arrived, as a nation, to a point where our exports exceed imports, and indeed there never has been a time before when we were nationally so prosperous.

#### THE WEST FURNISHES EXPORTS.

Mr. President, will you please state or ask some Senator to state, if he can, where those exports come from except from this undervalued West? Take the exports that make up the grand total. Look at the columns, up one side and down the other, and tell me how much comes from the Eastern and older country! Tell me where would be our exports to-day, where would be that great credit on the other side in gold coin which is ours to-day to bring over here or loan out at interest there! Deduct our wheat, beef and mutton, and our metals from the grand total, and then see where your exports are! We would not now be a creditor nation and the other side a debtor to us except for these Western products, which are grown in that country that the statesmen of former

times thought was unworthy of a pony express or a pony mail line.

Is it meet for us who are sent here in the full confidence of our constituents to represent more particularly our Western States to sit mute in this Chamber and submit day after day to bad treatment when such States are really the main source of the wealth of this country?

Is it not our duty, even though we may inconvenience some of our colleagues, to stand up and proclaim to the world the truth? Is it not necessary at this crisis to have this country know and to have them learn from men who know whereof they speak that there is a section of this country that has been pouring into the lap of the nation untold riches while it receives in return from the other branch of Congress little but kicks and curses?

#### OUR GOLD PRODUCT.

Where does the gold come from in this country? Ninety-five per cent of the gold in this country comes from the arid region, and the proposition now is to expend a hundred thousand dollars, all told, to inaugurate a system of water conservation, that means doubling perhaps the capacity of our mines, by giving aid and opportunity to raise heavy products of agriculture close to the mines, so that low-grade ore which can not be worked to-day can be worked on account of cheaper labor through cheaper price of board.

Mr. President, is the great gold-mining interest of this nation to be put aside upon the proposition that for it and for the silver mining and the agriculture of that country and the navigation, altogether, \$100,000 is too much?

#### OTHER METALS.

Take the silver product of the country, and we find that 99.9 per cent of all the silver that is mined in the United States comes from this arid region. We find that the percentage of copper is large, and that nearly half the copper product of the entire world comes from this region for which we ask this consideration.

#### PAYMENTS OF CERTAIN PENSIONS.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1055) to amend section 4795 of the Revised Statutes of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the bill of the House and agree to a new amendment, and that the House also agree to the same, as follows: Strike out all after the enacting clause and insert the following:

"That section 4795, Title LVII, of the Revised Statutes of the United States be, and the same is hereby, amended by adding thereto the following additional provisions and provisos, to wit: 'Provided further, That in case a resident pensioner of the United States shall, for a period of over six months, desert his lawful wife, she being a woman of good moral character and in necessitous circumstances, or, if he have no lawful wife, shall desert his legitimate minor child or children under 16 years of age, or his permanently helpless and dependent child, the Commissioner of Pensions is hereby directed, upon being satisfied by competent evidence of such desertion, to cause one-half of the pension due to or to become due said pensioner during the continuance of such desertion to be paid to the wife, or, in case there is no wife, to the legal guardian of the child or children: Provided further, That when a soldier or sailor enters into a State Home for soldiers or sailors as an inmate thereof one-half of his pension accruing during his residence therein shall be paid to his wife, she being a woman of good moral character and in necessitous circumstances, or, if there be no wife, then to his child or children under 16 years of age or his permanently helpless and dependent child, if any, unless such wife and children shall also be inmates of the same institution or of some home provided for the wives and children of soldiers and sailors: Provided further, That if any such pensioner is or shall become an inmate of a National Soldiers' Home one-half of the pension drawn in his behalf or to which he may become entitled during his residence therein shall be paid by the treasurer of that institution to such pensioner's wife, she being in necessitous circumstances and a woman of good moral character, or, if there be no wife, to the legal guardian of the minor child or children or the permanently dependent and helpless child or children of such pensioner, on the order of the Commissioner of Pensions: Provided further, That hereafter no pension under any law of the United States shall be granted, allowed, or paid to the widow of a soldier, sailor, officer, naval or military, marine, marine officer, or any other male person entitled to a pension under any law of the United States unless it shall be proved and established that the marriage of such widow to the soldier, sailor, officer, marine, or other person on account of whose service the pension is asked was duly and legally contracted and entered into prior to the passage of this act, or unless such wife shall have lived and cohabited with such soldier, sailor, officer, marine, marine officer, or other person continuously from the date of the marriage to the date of his death, or unless the marriage shall take place hereafter and prior to or during the military or naval service of the soldier, sailor, officer, marine, or other person on account of whose service the pension is asked or claimed. This proviso shall not apply to or affect the widow of any soldier, sailor, marine, officer, or marine officer serving or who has served in the war between the United States and the Kingdom of Spain.

"In all cases the questions of desertion, entrance into a Home, necessitous circumstances, and of good moral character shall be ascertained and determined by the Commissioner of Pensions, under such rules and regulations as he shall prescribe, and the treasurers and governors of the several Soldiers and Sailors' Homes shall be advised of such action from time to time."

J. H. GALLINGER,  
H. C. HANSBROUGH,  
*Managers on the part of the Senate.*  
GEORGE W. RAY,  
GEORGE W. STEELE,  
EDMUND H. DRIGGS,  
*Managers on the part of the House.*

The report was agreed to.

## EULOGIES ON THE LATE HON. NELSON DINGLEY.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring), That there be printed 6,000 additional copies of the eulogies upon the late Nelson Dingley, a Representative from the State of Maine, 4,000 for the use of the House of Representatives and 2,000 for the use of the Senate.*

Mr. LODGE subsequently reported the above resolution from the Committee on Printing; and it was considered by unanimous consent, and agreed to.

## FREE ENTRY OF CERTAIN ARTICLES.

Mr. BURROWS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7271) to allow the return free of duty of certain articles exported from the United States for exhibition purposes approved May 18, 1896, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same as follows: Line 11, after the word "act," insert: "Provided, however, That the provision of this amendment shall apply only in such cases as those of foreign-born animals taken abroad, and inventories of which are filed prior to their leaving the country with the collector of customs at the port of their departure."

The Senate recedes from its amendment numbered 2, which added a new section to the bill, as follows:

"That on and after the passage of this act wheat imported by actual farmers, residents of the United States, for use by them, respectively, as seed on their own lands in the United States, and not for sale, shall be free of customs duty, under special regulations to be prescribed by the Secretary of the Treasury: Provided, That no more than 500 bushels of seed wheat shall be imported under this act by any one person during any one year."

J. C. BURROWS,  
H. CHILTON,  
O. H. PLATT,  
*Managers on the part of the Senate.*  
SERENO E. PAYNE,  
J. P. DOLLIVER,  
*Managers on the part of the House.*

The report was agreed to.

## RIVER AND HARBOR BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from Wyoming [Mr. WARREN] is entitled to the floor.

Mr. MASON. Will the Senator from Wyoming yield to me for a moment?

Mr. WARREN. Certainly.

Mr. MASON. I desire for just a moment the attention of the Senate. Some weeks ago, upon the recommendation of the Committee on Printing, the Senate ordered printed the evidence of several witnesses in an investigation taken before the Secretary of the Treasury in relation to the Bureau of Engraving and Printing. I have withheld it for other matters, in order to present it when the Senator from Kentucky [Mr. LINDSAY] was in his seat. The Senator made a motion to reconsider, as I have stated before, the complaint being that only a part of the testimony of the witnesses was to be printed.

Now, I desire to have unanimous consent to print the testimony of all the witnesses or I desire to move to table his motion to reconsider. I have no desire to print a part of the evidence in the case without giving all of them an opportunity. I should like to have the Senator from Kentucky consent to withdraw his motion to reconsider. That is the first suggestion I have to make.

Mr. LINDSAY. Mr. President—

Mr. PETTUS. I call for the regular business.

The PRESIDING OFFICER. The regular order is the conference report on the river and harbor bill.

Mr. MASON. I have the floor.

The PRESIDING OFFICER. The regular order having been called for, it is the duty of the Chair to call the attention of the Senator from Wyoming to the fact—

Mr. MASON. I ask the Senator from Wyoming to yield to me.

Mr. WARREN. Certainly.

Mr. MASON. It is a very simple proposition. My resolution was passed asking for the printing of certain evidence. The type has been set. I was not in the Chamber when the motion to reconsider was entered, and I supposed the Senator from Kentucky would either withdraw his motion to lay upon the table or consent that all of the evidence may be printed. The Senator from Wyoming has yielded, and I should like to have the Senator from Kentucky consent.

Mr. LINDSAY. Mr. President—

Mr. PETTUS. I rise to a question of order.

The PRESIDING OFFICER. The Chair will have to rule that it is not in order, if objection is made. The regular order is insisted upon. The Senator from Wyoming is entitled to the floor.

Mr. MASON. The Senator from Wyoming has yielded the floor

to me to move to lay upon the table the motion entered by the Senator from Kentucky to reconsider the vote by which the resolution was passed.

The PRESIDING OFFICER. Objection having been made and the regular order being called for, the Chair can not entertain that motion. The conference report on the river and harbor bill is before the Senate, and the Senator from Wyoming [Mr. WARREN] is entitled to the floor.

Mr. MASON. Will the Senator from Wyoming yield to me a moment to make a statement in regard to the river and harbor bill?

Mr. WARREN. I am perfectly willing to accommodate the Senator from Illinois.

Mr. MASON. I have no special personal or political interest in the motion, but the resolution was introduced and submitted to the Committee on Printing, and the committee recommend that certain evidence be printed.

Mr. PETTUS. I have raised a question of order.

The PRESIDING OFFICER. The Senator from Illinois is entitled to the floor on the river and harbor bill and is discussing it. The Senator from Illinois will proceed.

Mr. MASON. I have waited for several days, being assured that I would have an opportunity to have the resolution recalled and amended or have it passed. The Committee on Printing examined this question. It was at the request of the Trade and Labor Council, the organized workmen of this country, that a full and fair investigation of the Bureau of Engraving and Printing be had. It does not take, and would not take, five minutes to have the resolution amended. The type has already been set, and if the Senator who objects is really afraid to have the evidence that has been duly and properly taken exposed to the view of the people of this country I can understand why he objects, and I can understand it in no other way.

The evidence has been taken. The resolution has been passed. The entering of the motion to reconsider simply defeats the object and postpones for eight or nine months a hearing before the people of this country upon the Bureau of Engraving and Printing. Charges have been made—I do not know whether truthfully or falsely. I do know that the Senate and the people have a right to have that evidence. It is now locked up. The Senate some days ago, upon my motion, and upon the direction and request of the chairman of the Committee on Printing, passed the resolution. If the gentleman objects, I shall be glad if he will give some reason why he wants to conceal the truth in this case; why he wants to keep back from the people of this country the result of the investigation which has been had in the Department that discloses the true condition in that Bureau.

I have made no personal or offensive fight against the superintendent of that Bureau. I have no occasion to. I do not know what the evidence contains, but men who are entitled to know, men who make the charges, ask that the Senators of the United States, before they come back in next December, shall have an opportunity to read the result of this investigation. I ask unanimous consent, in order to show that I do not wish to do anybody any injustice, to withdraw the resolution and have it passed, including the printing of all the depositions and all the testimony taken before that Department.

Mr. PETTUS. I do not consider that I ought to be called on to make objection all the time. I have made it, and I insist on the Chair enforcing it.

The PRESIDING OFFICER. The Senator from Alabama objects to any business being transacted other than the regular order, the consideration of the conference report on the river and harbor bill. The Senator from Wyoming is entitled to the floor.

Mr. MASON. Very well. I have the evidence. There are only five or six hundred pages of it. I will try to have it read and put into the RECORD.

Mr. CHANDLER. I desire to inquire whether this evidence is all in the possession of the Senate?

Mr. MASON. Surely. All the evidence taken by any Department is in the possession of the Senate.

Mr. CHANDLER. Not unless it has been called for. I want to ascertain the fact.

Mr. MASON. By a special resolution the Senate of the United States called for this evidence.

Mr. CHANDLER. And it has all been sent in?

Mr. MASON. Yes, sir.

Mr. CHANDLER. Now, is the Senator's present motion to print it all?

Mr. MASON. To print it all. The first resolution was to print certain parts of it, because it was deemed inadvisable to print all the evidence, inasmuch as much was immaterial. My only disposition is to economize. This is an age of economy. The Senator from Alabama usually joins us in the effort to economize and save the public Treasury. I should like to have in print the evidence, so that next December, when the Senators come back, they can see it.

I have stated frankly that I have no personal interest in it. I

have no objection to the gentleman in charge of the Bureau. I have never asked or received or been denied favors; but upon the recommendation of the chairman of the Committee on Printing the resolution was passed by the Senate, and during my absence a motion to reconsider was entered. I could then have moved to lay it on the table, but the distinguished Senator from Kentucky made the statement that if we printed a part of the evidence it ought all to be printed. I thought that was fair. Three days ago I presented it to the Senate, and was assured that at the proper time I would have an opportunity to have it all printed. If that is thought to be the best way to protect his friend in the Bureau of Printing and Engraving, it may be wise. He can pass upon that himself.

Mr. LODGE. Mr. President—

Mr. FRYE. I do not think I can submit to this disorder much longer. The river and harbor bill is the regular order, and I call for it.

Mr. MASON. I was speaking on the river and harbor bill when the Senator interrupted me.

The PRESIDING OFFICER. The Chair has ruled that no other business can be transacted, in view of the fact that the Senator from Alabama has made objection. But the Senator from Illinois is speaking to the pending question, as the Chair understands it.

Mr. FRYE. Did the Chair understand the Senator from Illinois to be speaking to the pending business?

Mr. MASON. He understood the Senator from Illinois to say he was.

The PRESIDING OFFICER. The Senator from Illinois so stated.

Mr. FRYE. That ought to be strong evidence.

Mr. MASON. Well, that is Pickwickian Senatorial courtesy. I am very much obliged to the Senator from Wyoming for his kindness in yielding to me. I shall ask him to give me further indulgence later in the morning or earlier in the evening.

Mr. MANTLE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Montana?

Mr. WARREN. Yes, sir.

Mr. MANTLE. Mr. President, this very interesting debate has now proceeded about four hours. Its effect, I think, must have been to emphasize in the minds of Senators here the absolute necessity of pursuing some policy which will reconcile the differences now existing. Considering the present condition of the public business, I think it is time to try to effect another compromise or to reach at least some conclusion which will compose the differences of opinion upon this matter. I ask the Senator from Wyoming at this point to yield, so that the Senator from Alabama [Mr. MORGAN] may introduce a joint resolution which, if it shall be adopted, will, I am certain, result in a unity of sentiment upon this proposition.

Mr. WARREN. I should like to ask the Senator from Montana whether I understand, that being a joint resolution, that it shall be adopted by both Houses?

Mr. MANTLE. Oh, of course; that follows.

Mr. MORGAN. Mr. President, soon after I arrived in this body the Senator from Missouri [Mr. COCKRELL] presented a bill or made an argument here—I think it was a bill—in which he proposed to grant the arid and semiarid lands in the different States in the West to the States themselves for the purposes of irrigation. I took up the idea and matured it in my own mind, and on an appropriation bill I offered an amendment of that sort some two or three years ago. On canvassing amongst the gentlemen to-night who are very much concerned in the matter of irrigation, and feel that it is of vital importance to their States, as they have for many years, they having advocated this ably and strenuously and in good faith for many years, I thought perhaps the passage of a joint resolution by unanimous consent to-night might satisfy those gentlemen and their constituents at least that we were determined to make a firm and we hope a successful effort to transfer those lands into the hands of the people to whom they rightfully belong.

Now, I have never believed, after the debts of the Revolution and the war of 1812 were settled, that the United States Government ought to make any claim upon the States for the lands within their borders, but that they ought to be the property of the States and be disposed of; and they will be developed if you will give them to those States, and developed in a way the United States Government never can hope to develop them, by a system of general irrigation or any other system that we may attempt to adopt here. It will cost the States of the American Union in the way of taxation large sums of money.

Mr. PETTUS. We are unable to hear a word that is said.

Mr. MORGAN. I thought I would to-night offer the joint resolution, if I can get unanimous consent for its consideration. Of course, otherwise it can not be done. I will read it:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all public lands that are claimed as*

arid or semiarid lands in the several States are hereby granted to the said States, respectively, and the net proceeds of said lands when the same are sold or leased shall be applied by the States respectively in which said lands are located to the purposes of irrigation.

If the Senate will give unanimous consent for the present consideration of the resolution, I am entirely satisfied that this controversy over which we have been laboring so long, and which is of such great importance to the public interest, will be quieted, and we will get this bill through and all the other bills through and be able to adjourn this session of Congress without the necessity of having an extra session.

I ask unanimous consent to present the joint resolution and put it upon its passage.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent for the present consideration of the joint resolution, which will be read for the information of the Senate.

The Secretary read as follows:

*Resolved, etc.* That all public lands that are claimed as arid or semiarid lands in the several States are hereby granted to the said States respectively, and the net proceeds of said lands, when the same are sold or leased, shall be applied by the States, respectively, in which said lands are located to the purposes of irrigation.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. TILLMAN. I object.

The PRESIDING OFFICER. The Senator from South Carolina objects. The Senator from Wyoming is entitled to the floor.

#### CONTINUATION OF SENATE COMMITTEES.

Mr. PLATT of Connecticut. Will the Senator from Wyoming yield to me for a moment to ask consideration for a resolution which interests all Senators? It is the customary resolution to be presented at the close of a session.

The PRESIDING OFFICER. The Senator from Connecticut asks unanimous consent for the present consideration of a resolution, which will be read.

The Secretary read the resolution, as follows:

*Resolved*, That the standing and select committees of the Senate as now constituted be, and they are hereby, continued until their successors are elected.

Mr. GORMAN. That, of course, I understand, is subject to any change.

Mr. PLATT of Connecticut. It is the customary resolution which is passed at the end of a session.

Mr. GORMAN. It would not affect any change which may be made between now and adjournment?

Mr. PLATT of Connecticut. Oh, no; not at all.

The resolution was agreed to.

Mr. GORMAN subsequently said: I ask the Senator to yield just a moment to correct an error in the resolution offered by the Senator from Connecticut in regard to committees. I ask that the vote by which the resolution was agreed to be reconsidered in order that an addition may be made to it.

The PRESIDING OFFICER. Without objection, the vote of the Senate whereby the resolution was adopted will be reconsidered and the resolution will be read as proposed to be amended.

The SECRETARY. After the word "constituted," in the second line, add "at the end of this session;" so as to read:

*Resolved*, That the standing and select committees of the Senate as constituted at the end of this session be, and they are hereby, continued until their successors are elected.

The amendment was agreed to.

The resolution as amended was agreed to.

#### EUDORA HILL.

Mr. PETTIGREW. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from South Dakota?

Mr. WARREN. I do.

Mr. PETTIGREW. I ask unanimous consent to consider House bill 10771, for the relief of Eudora Hill.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from South Dakota?

Mr. PETTIGREW. There are very few lines of it.

Mr. PETTUS. The Senator from South Dakota was not heard. The PRESIDING OFFICER. The Senator from South Dakota will restate his request.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of a House bill for the relief of Eudora Hill. There are only six or eight lines of it.

Mr. BERRY. The Senator from Alabama desires to have the bill read before he consents.

The PRESIDING OFFICER. The Senator from South Dakota asks unanimous consent for the present consideration of the bill (H. R. 10771) for the relief of Eudora Hill. The bill will be read for information.

Mr. PETTUS. I object.

The PRESIDING OFFICER. The Senator from Alabama objects.

Mr. PETTIGREW. Can not the bill be read for information?

Then if the Senator desires to object, he can do so. It seems to me he will not object if he hears the bill read.

The PRESIDING OFFICER. The bill can not be read in the face of objection. If the Senator from Alabama will withdraw the objection to having the bill read, it can then be read. The Senator from Wyoming will proceed.

#### RIVER AND HARBOR BILL.

The Senate resumed the consideration of the conference report on the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. WARREN. Mr. President, I was endeavoring to show to the Senate that the part of the country which is represented by these disputed amendments is not a pauper or a beggar. I had remarked that nearly half the gold of the world, and over 90 per cent of the gold of this country, comes from the arid region. I had remarked that 99.9 of the silver comes from it, and I had remarked that half of the copper of the world comes from it. If I am correctly informed, more than one-third of the lead comes from that same region.

#### BEEF, MUTTON, WOOL.

Going still further, we find that more than half of the mutton of this country comes from the arid region; that a good deal more than half of the wool comes from there; that a large proportion of the beef comes from there; that a large number of the horses come from there.

We are struggling in that region with some conditions that are hard to meet, and we have asked Congress in the most modest way possible and the Senate has responded in granting us a little money to inaugurate a system of inquiries, which inquiries were found to result in tenable propositions. We propose, in the first instance, to assist navigation, preserve what we have in the streams and obtain more if we can, and incidentally, through the use of this water on its way down for irrigation, to try and preserve our place on the map and preserve the property that we have been able to accumulate in long years of toil.

The chairman of the Committee on Commerce, the distinguished gentleman who is in charge of this bill, called my attention incidentally a few hours since to a notice in the Evening Star. He knew that the item would be of interest to me. He did not know, however, how much sadness it conveyed to me. The article, which I did not read in full, ran something like this:

During the late storms in Wyoming at least one-half of all the sheep have been lost for want of food.

Now, Mr. President, we are so situated there that we can endure the hardest winters if we can provide so that each flock of sheep may have hay enough somewhere within reach to last through any one storm. Sufficient irrigation will provide this, and reservoirs will greatly facilitate irrigation.

Mr. MASON. I ask the Senator from Wyoming to yield to me.

Mr. WARREN. Certainly.

Mr. MASON. Will the Senator pardon me just a moment?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Illinois?

Mr. WARREN. I do.

Mr. MASON. I ask him to yield to me a moment for a resolution to which there will be no objection. I have here the letter making the request that I offer it. I ask to have it read for the information of the Senate. If there is any objection, I will withdraw it.

Mr. TILLMAN. There is objection before it is read.

Mr. MASON. I do not think the Senator should say that. It is simply a resolution asking that we get some information in regard to the claims of letter carriers who have worked over eight hours.

Mr. TILLMAN. Mr. President, we might just as well understand that we are going to do business or not do business. I shall not allow another thing to be done as long as I can say that I object, until we dispose of the pending measure.

The PRESIDING OFFICER. Objection is made. The Senator from Wyoming will proceed.

Mr. WARREN. Mr. President, before yielding the floor to others I was undertaking to describe a certain and sure remedy for such losses as were reported in the Evening Star to-night, or rather last night, as it is morning now. The passage of this arid-region amendment, the demonstration of this problem, and the expenditure of a very small sum of money will absolutely insure not only that locality, but other States and all of that great country from any such catastrophes as were detailed in the newspaper referred to. All it requires is that in some way we get an association of interests or an association of capital sufficient to take water enough into certain portions of the country so that it may not be more than 10 to 20 miles from one water course to another, and to irrigate land enough to raise a few acres of alfalfa. Alfalfa hay properly put up is an insurance absolutely reliable, and out

of that comes the saving of all these millions of dollars that go out of the world the same as you snuff out a candle—nothing left, simply one great loss, where live stock dies on the range of starvation.

Now, here is a country that in producing capacity, so far as raw material is concerned, is absolutely capable of producing more than any other part of this country. I have made the statement, and I am sure it will not be gainsaid, that nearly all of this great American export trade, and its results, nearly all the material that has been sent out to bring us this great balance of trade, comes out of this Western country.

Now, we want some way to protect our great Western interests, and all we ask in return is the poor privilege of getting enough to eat and drink for ourselves and our families, and then depositing the balance of our profit and savings, with the balance of yours, here in the East, as we always have done.

Mr. PETTIGREW. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from South Dakota?

Mr. WARREN. The Senator from South Dakota is suffering with some physical illness and desires to speak early. While I have a few more remarks to make, I shall be glad to let him take the floor.

Mr. PETTIGREW. Mr. President, I do not care to detain the Senate for any length of time upon this subject. It seems to me that the controversy is this: The Government of the United States owns 500,000,000 acres of arid and semiarid land, and it also owns the streams and the lakes in the locality of its irrigable possessions. Those streams run to the seaboard, and their lower courses are navigable and carry an enormous commerce. During floods they overflow their banks and destroy temporarily or permanently large areas of fertile and cultivated land, together with the crops growing thereon. For the purpose of preventing this destruction, from the earliest day of the Government Congress has appropriated money for the construction of levees along the banks of these streams, under the theory that such work was for the benefit of commerce. We of the arid States now propose that the storm water which causes periodical floods shall be accumulated in reservoirs at or near the sources of the streams, and liberated as needed for irrigating purposes during the summer and fall months. This would prevent the overflow of the streams in their lower courses, and incidentally furnish water to refresh the valleys through which the streams flow.

It is estimated by the Government authorities that 72,000,000 acres of land can be thus reclaimed and made to produce crops sufficient to support 15,000,000 people. In the interest of commerce no more beneficial expenditure could be inaugurated than would be involved in an appropriation of one or two hundred million dollars for building such reservoirs and bringing about this result.

But we have started upon a career of conquest rather than one of internal improvement. Many of our people and the Administration believe that it is of great benefit to this country that we should annex 10,000,000 people in the Philippines—10,000,000 people who live in the Tropics, where the white man can not live, and where self-government, as understood by us and under our Constitution, can not exist. Instead of spending hundreds of millions in conquering the Philippines, would it not be better economy and better business judgment to spend it in reclaiming the arid lands of the West, covering them with our own race, a people capable of self-government, adding tenfold to the commerce of this country, than can possibly be secured by the acquisition of the tropical countries we are now trying to conquer and occupy?

A general policy of arid-land reclamation applied to the West would bring to the coffers of industry the proceeds of a vast volume of commerce. This would come from the producing people who would inhabit that region under its changed conditions and who would cause its revived soil to produce abundantly of the fruits of the earth.

And what is more, Mr. President, they would be a people capable of helping to maintain our Constitution and our form of government. I think it can be safely said that the ease with which man secures an existence in the Tropics makes it impossible for him to participate in the form of self-government under which we live; that a man adapted to our form of government can not be produced in latitudes where he never feels the tingling of the frost in his veins or where woollen clothing is unnecessary.

Mr. LODGE. If the Senator from South Dakota will allow me a moment, I should like to report a resolution from the Committee on Printing.

Mr. PETTIGREW. I yield to the Senator from Massachusetts. The PRESIDING OFFICER. The Senator from Massachusetts reports a resolution from the Committee on Printing and asks unanimous consent for its consideration.

Mr. TILLMAN. It had just as well be understood that I meant what I said when I gave notice that nothing shall be done until this bill is disposed of.

Mr. LODGE. Mr. President—

Mr. TILLMAN. I do not do that in any spirit of discourtesy to anybody. I do not do it for any purpose other than to have us go on and perfect the business we have here or have an extra session.

Mr. LODGE. If the Senator will yield one moment, I will state that the Committee on Printing is privileged to report at any time. He can object to the report after it is read.

Mr. TILLMAN. I object to the reading, because I do not want to have my sensitive feelings appealed to on any subject.

Mr. LODGE. The Senator can not object to the reading, because it is privileged to make a report from the Committee on Printing at any time, I think.

Mr. GORMAN. No.

Mr. TILLMAN. You can not consider it under the rules.

Mr. LODGE. I can not have it considered without unanimous consent. I ask the Senator to let it be read, and then if he desires to object, of course that is his privilege.

Mr. TILLMAN. I have said I would not do this, and I am not going to stand up and be made to eat my own words for anybody. The PRESIDING OFFICER. Objection is made.

Mr. TILLMAN. I would do it as quickly for the Senator from Massachusetts as any man in this House or anywhere else.

Mr. LODGE. I understand that. It is not a matter personal to myself, I beg to say; it is a resolution to print additional copies of the proceedings in memory of the late Senator Morrill.

Mr. TILLMAN. I would yield to that as quickly as anything I ever did yield to; but I will not yield to anything.

The PRESIDING OFFICER. Objection is made. The Senator from South Dakota will proceed.

Mr. PETTIGREW. Mr. President, this question has been before Congress for the last ten years. It becomes more urgent and more pressing each year. The people who inhabit the far Western States are determined that some proper, economical, and beneficial use shall be made of their arid lands and of the waters which drain their vast area. These lands are not adapted for homesteads; they can only be used after irrigation; and the Congress of the United States must expect that we will continue this controversy until one of two courses is pursued, that either the Government of the United States shall enter upon a policy which shall reclaim our arid lands and utilize the water flowing over them, or else the Government of the United States shall relinquish its title thereto to the States themselves. To-day these vast areas are roamed over by millions of head of cattle, owned by immense and wealthy companies, who enjoy the profits of free pasturage.

If the arid lands in the State in which I live were conveyed to the State we could rent those lands to the cattlemen. We could receive for those lands 10 cents an acre.

We insist upon it that the Government make some use of this idle property, that the 500,000,000 acres of arid lands and their waters shall be put to some useful purpose. Under existing conditions, as I said before, these are not homestead lands, though homesteaders are acquiring gradually the water fronts along the streams, and as they get title to it they control the lands beyond and engage in cattle raising, securing pasturage for which they pay nothing. The Government is an improvident owner. No country can prosper so long as the title to the lands remains in the Government, and for this reason: From such lands we receive no revenue; we can not tax them. And yet the Government is the greatest landed proprietor of the State in which I live.

There are 20,000,000 acres of Government lands within the State. They would rent for \$2,000,000 a year. This revenue would build reservoirs that would utilize every drop of water in the State, and reclaim every acre susceptible of reclamation. It would afford means for the creation of artesian wells, and these applied to lands unfit for agricultural uses would transform them into rich grazing grounds, and the prosperity of the State would be enormously enhanced.

So it is with all the arid States. Each would receive in revenue from cattlemen millions of dollars, and the States could then build reservoirs and reclaim lands, and thereby add enormously to our national wealth.

It is the condition I have outlined, Mr. President, that causes the protests before this body every year that brings us to the floor insisting on something being done. Our demands will continue, gathering volume and force, until Congress is compelled to make appropriations to build reservoirs and reclaim arid western land or else turn the property over to the States in which it is located.

For my part, I would prefer to have Congress turn over its arid and semiarid land to the State of South Dakota, because I believe the problem would be practically and honestly worked out to the great advantage of the State. I believe we could then develop and improve that country and bring vast areas under cultivation, and thus secure a revenue to help support our Government and contribute to the welfare of the whole.

The same is true of Idaho, of Montana, of Wyoming, of Colo-

rado, of Nevada, of Utah, New Mexico, Arizona, western Kansas, western Nebraska, and North Dakota. I do not believe that the nation can afford longer to neglect this great opportunity for material advancement. I consider it of fully as much importance, if not of more importance, to the future greatness and prosperity of this country than the clearing out of harbors along the small streams of the coast, or even the development of the great harbors themselves.

The internal commerce of this country is the important factor. Our foreign commerce amounts to 5 per cent of all our commerce; and the internal condition and prosperity of this country is therefore of vastly more concern than the commerce that goes across the seas. Business with our own people, business with a kindred race, the exchange of products among ourselves, is of greater commercial value than any exchange we can secure with the other nations of the world.

The proposition that ownership of arid and semiarid land should be transferred from the General Government to the several States within which such land is located is one that may not, at first glance, strongly impress the public. It is a new proposition. Yet I have faith to believe that study, investigation, and reflection along utilitarian lines will induce a large proportion of those who legislate for the people to coincide with my present views.

Primarily, the State should own the land, because the State can regulate its use and secure revenue therefrom, whereas it is now a burden upon the State, for the reason that necessary governmental functions in connection with such nonproductive areas must be maintained at the expense of those taxpayers who operate within the arable sections of the State. These arid and semiarid tracts are peopled by an alien class who move hither and thither with their herds as the seasons advance and decline, so timing their migrations as to generally avoid contact with an assessor. Theirs is a vocation which demands the strongest protection of law. Thus, while they receive much, they contribute little to the cost of such protection, and the difference must be made up by those who have no share in the lucrative business of the ranges.

Under governmental ownership the land not occupied for agricultural purposes now affords free pasturage to all who choose to place their herds upon it. Under State ownership a price per acre per year would be exacted from those who raise and fatten cattle for their own pecuniary profit. The revenue thus secured could be invested by the State in irrigation methods and through this process a large proportion of the arid land would be fitted for agricultural uses.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, still further insists upon its disagreement to the amendments of the Senate numbered 4, 21, 22, 23, 24, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56, upon which the committee had been unable to agree, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BOUTELLE of Maine, Mr. HILBORN, and Mr. CUMMINGS managers at the conference on the part of the House.

The message further announced that the House still further insisted upon its disagreement to certain amendments of the Senate to the bill (H. R. 11083) making appropriation to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, upon which the committee of conference had been unable to agree, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. BINGHAM, and Mr. DICKERY managers at the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, upon which the committee had been unable to agree, still further insists upon its disagreement to the amendments of the Senate numbered 2, 3, 4, 6, 8, 10, 23, 140, 145, 158, 161, 163, and 164, and agrees to the amendment numbered 10 with an amendment; in which it requested the concurrence of the Senate.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 12184) to distinctively designate parcels of land in the District of Columbia for the purpose of

assessment and taxation, and for other purposes; and it was thereupon signed by the Vice-President.

#### NAVAL APPROPRIATION BILL.

Mr. GORMAN. I ask that the message from the House on the naval appropriation bill may be laid before the Senate.

The PRESIDING OFFICER (Mr. GALLINGER) laid before the Senate the action of the House of Representatives disagreeing to certain amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TILLMAN. Mr. President—

Mr. GORMAN. I only want to ask that a conference be appointed on this bill, that is all.

Mr. TILLMAN. I object.

The PRESIDING OFFICER. The Chair can not entertain the objection under the rules of the Senate.

Mr. TILLMAN. Well, I am going to object to everything I have a right to object to.

Mr. GORMAN. I move that the Senate further insist on its amendments and agree to the further conference asked by the House.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. QUAY, and Mr. GORMAN were appointed.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 11063) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have been unable to agree.

W. B. ALLISON,

S. M. CULLOM,

Managers on the part of the Senate.

WM. W. GROUT,

ALEX. M. DOCKERY,

Managers on the part of the House.

#### RIVER AND HARBOR BILL.

The Senate resumed the consideration of the conference report on the river and harbor bill.

The PRESIDING OFFICER. The Senator from South Dakota will proceed.

Mr. PETTIGREW. I would favor, Mr. President, an arrangement whereby the General Government would convey to the several States a limited title to their arid and semiarid land—a title which would not convey the power of alienation, but would fix ownership in perpetuity upon the State, with authority to lease, improve, and reclaim. This would give the State continuous and increasing revenue. As the land was improved by irrigation its annual value would enhance and in time it might become sufficient to lift the burden of taxation from the citizen.

There are in the West two sources of successful irrigation. There are surface streams and subterranean waters. The streams could be so trained as to discharge their annual flood volume into storage reservoirs, and the underground accumulation, wherever it exists, can be released through artesian wells and conveyed to the soil. During the period of melting snow in the mountains the great rivers of the West flow down their slopes in resistless torrents, gathering magnitude and force as they traverse the continent, and finally, along their lower stretches, inundating the adjacent country, carrying destruction to life and property.

These experiences are repeated year after year, the Government, with large purpose and small results, attempting to meet the rush of waters with feeble walls of soluble alluvium, when it might go to the source of the trouble and there restrain and retain the dangerous element and harness it for the use of the agricultural producers of the West. With the arid land transferred to the custody of the States of the West, they would in time be able to perform this great task from their own resources. It would be but fair to assist them in the beginning, as the project contemplates in its maturity the saving of enormous annual expenditures by the General Government upon the lower rivers.

The problem of irrigation would more rapidly approach its solution in the hands of the States than under the auspices of the General Government. The law makers of the nation have no personal interest in matters local in their character and are lacking in the requisite knowledge that practical contact inspires. The people of a State depending to a considerable extent upon irrigation as a means of development would give to the subject the intelligent and earnest attention that would rapidly reclaim all nonproductive tracts relegated to their custody.

These conclusions receive support in the experiences of Colorado, which leads all the irrigable States in effective legislation upon this branch of Western industry. Colorado has pioneered the

way and contiguous States are profiting by its developments in legislation, acquired and crystallized in the school of experimental effort. It is vain to expect that a national legislature will descend to the details of such comprehensive enactments as have rescued the deserts of Colorado from the domain of the wilderness and caused their fields, gardens, and orchards to contribute to the wealth of the world's commerce.

In my own State the opportunities for irrigation by means of artesian wells are unusual. Almost anywhere in the middle half of the State the artesian basin can be tapped at depths varying from 300 to 2,000 feet, each well releasing a flow almost marvelous in quantity. Many of these wells exhibit a pressure strong enough to drive heavy machinery, and from most of them water can be elevated 30 or 40 feet into reservoirs by the force of the head behind the artesian supply. Nature has thus made provision for irrigation on an extended scale in South Dakota, and all that is needed is the money with which to provide for the distribution of the water.

There are also large rivers in South Dakota. The Missouri cuts the State in twain, flowing southward through its central valley. Tributaries go down to it from the east, the west, and the north, and they are generally streams of large proportions. In the flood season these rivers are filled beyond the confines of their banks. If even a comparatively small proportion of this surplus water could be stored for the later growing months of the year and then distributed over the productive area of the State, South Dakota would respond with food for millions of mouths. All that is required is sufficient money with which to build storage reservoirs and connecting channels for the movement of the water.

The possibilities of irrigation applied to the rich and exhaustless soil of the far West are beyond computation. H. H. Wilson, in his reports to the United States Geological Survey, gives an idea of attainable results when he cites a few facts in connection with irrigation in India. In one district, named Punjab, where no crops had ever grown, an investment of \$31,000,000 was made in irrigation works. Two-thirds of this vast sum was returned from the first year's crops. Examples like this abound in Mr. Wilson's reports. He says:

Irrigation by wells is common in all parts of India. In Sind 230,000 acres are covered with water obtained from wells; in the central provinces, 120,000; in Madras, 2,000,000 acres; in Coimbatore, 300,000; in the northwest provinces, 400,000. It is estimated, indeed, that in the various provinces of this great empire water is drawn for irrigation purposes from not less than a million wells.

There exists in South Dakota, and, in fact, in most of the States of the far West, a soil equal to that of the richest lands of India; a soil capable of the largest returns. All that is there lacking is moisture sufficient to grow and mature the crops. This provided, and it will maintain a population of 250 to the square mile as readily as that proportion is maintained in India. I have shown the possibilities of artesian irrigation and the possibilities of water-storage irrigation. All that is needed is to apply the forces at hand.

Mr. WARREN. Mr. President, there is always an accuracy about official reports made by disinterested parties that not only appeals to one's reason, but to one's credulity. Of course we are compelled to accept as true what some trusted officer of the Government records in his official report.

#### OFFICIAL RESERVOIR INFORMATION.

While I have only read a small portion of a report here showing that reservoirs have been built, there are many other reservoirs that have been built not recorded in this work. And there are many places in this work that speak of others; but I have established my point that the United States Congress has on various occasions appropriated money for the purpose of building reservoirs in the interest of navigation and to raise the water in streams so that they may be navigable, and this is precisely what we propose to do. I show, so far as the expense is concerned, that with 41 of those reservoirs the cost is still less than \$2,000,000.

Now, Mr. President, we have the evidence here before us from a United States engineering officer in which he has calculated the subject of the prevention of floods in the Missouri River.

A search through the RECORDS will discover a speech made not more than two years ago by the honorable and eloquent Senator from Missouri [Mr. Vest] in which, in speaking of the Missouri River, he states that it gives its color to the Mississippi; that it is really the Mississippi; and that the waters of the Missouri are those which create nearly all the damage and all the trouble, or words to that effect.

This United States officer proves by actual measurements and figures, going back as he does over all the times of great floods, that it requires the storage of a certain number of acre-feet of water to prevent such floods. By an acre-foot I mean a body of water a foot deep and an acre in length and breadth.

Mr. MANTLE. Mr. President—

The PRESIDING OFFICER (Mr. BURROWS in the chair). Does the Senator from Wyoming yield to the Senator from Montana?

Mr. WARREN. I do.

Mr. MANTLE. I do not think it is quite fair that, considering the magnitude of the question under discussion, the Senator from Wyoming should be compelled to address empty seats. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Deboe,	McLaurin,	Sewell,
Allison,	Elkins,	McMillan,	Shoup,
Bacon,	Fairbanks,	Mantle,	Simon,
Bate,	Foraker,	Martin,	Spooner,
Berry,	Frye,	Mason,	Stewart,
Burrows,	Gallinger,	Money,	Teller,
Butler,	Hanna,	Morgan,	Thurston,
Caffery,	Hansbrough,	Nelson,	Tillman,
Carter,	Hawley,	Pasco,	Turley,
Chandler,	Heitfeld,	Parkins,	Turner,
Clark,	Jones, Nev.	Pottus,	Warren,
Clay,	Kenney,	Platt, Conn.	Wellington,
Cockrell,	Lindsay,	Platt, N. Y.	Wilson.
Callom,	Lodge,	Pritchard,	
Daniel,	McBride,	Rawlins,	
Davis,	McEnery,	Roach,	

The PRESIDING OFFICER. Sixty-one Senators have responded to their names. A quorum of the Senate is present.

Mr. MANTLE. Will the Senator from Wyoming yield to me for a moment again?

Mr. WARREN. I yield to the Senator.

Mr. MANTLE. In the interest of harmony, Mr. President, I desire to compromise this amendment, if it is possible. I again renew my motion that the report be recommitted to the committee of conference. I am satisfied that if any immediate results are to flow from this discussion and out of this situation they will come most speedily through that process.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana to recommit the report to the conference committee.

The motion was not agreed to.

Mr. WARREN. Mr. President, noting the result of the last vote, it may as well be understood that I can not be satisfied until this bill again goes to conference and another and fuller trial is made to secure acceptance of certain Senate amendments. And I can not without further protest permit the bill to pass, so I must continue until I can convince our friends of the necessity for further conference and further effort on the part of the Senate conferees.

When interrupted by the Senator from Montana [Mr. MANTLE], I was going on to say that the engineers had made a calculation, taking the Missouri at flood time, of just how much reservoir capacity it would take to overcome, first, all the floods for all time in the Missouri River above Sioux City. Then another calculation of how much it would take in reservoir capacity to impound water enough to prevent all floods down as far as St. Charles, which would cover almost the entire Missouri River.

Having established the fact that the five reservoirs that he had surveyed in Colorado and Wyoming would cost less than \$2,000,000, he goes on to show that three times that capacity in reservoirs would absolutely impound water enough in the five reservoirs to prevent for all time floods as far down as Sioux City.

He then states, without figuring closely and getting down to decimals, that it would take a little more than twice the amount already given to impound water enough to insure us against any floods in that river from its head all the way down to St. Charles. I am condensing rather than reading from the report, so as to make it short. I shall be compelled to read a little, however, later on, because it is put so much better in the report than I can put it as to what these reservoirs will accomplish.

The preliminary survey was authorized by the Congress, and the report happens to be made by Mr. H. M. Chittenden, then a captain, now, I believe, a major in the United States Army and in the Corps of Engineers. A most competent engineer and gentleman, as everyone knows.

Connected with this report are a very large number of expensive plates and diagrams, which, I venture to say, have not been thoroughly examined by the conference committee, as they could be in a very few moments if they would see fit to go into session again.

You will observe, Mr. President, upon examination, how complete this report is, and how well the work has been done by this distinguished engineer, who was trusted with this work, and who went into it exactly as any other engineer necessarily would, without prejudice, bound to respond to his superior officer, and through other superior officers to the Senate, with an unbiased and unprejudiced report. So it seems that he has carefully examined all the rivers that flow into the Mississippi, so that we may understand the effect of reservoirs at the head of the Mississippi or the Missouri or the Ohio.

I have explained, in a brief way it is true, some of the reasons why those waters stored upon the streams west of the Mississippi River count so much more effectually than if stored on the eastern side. There is another feature of it—in fact there are many

interesting features, and I regret that want of time will prevent me referring to a great many of them. For instance, in the impounding of water where you use it incidentally for irrigation we are securing much greater capacity and results than where the water is not used for the purposes of irrigation. Why? Because when you impound a given amount of water in a reservoir and take it out and spread it over the land for irrigation, you can empty your full reservoir and spread the water out upon the hungry and thirsty soil, and it will there be absorbed. It will not find the stream at once, and you will fill your reservoirs again, and then you have got two reservoirs full of water instead of one held back in the time of high water and flood. Then you will again empty and spread upon the soil, and so on again and again.

Thus you go on from slope to slope until you have got as many reservoirs full of water practically retained as you have got stretches of land below where water can be spread over and used. The water having served its purpose once and gone back to the stream, it can be again taken out and again and again spread over the soil, and still again find the stream, and finally reach its destination in the rivers below and on to the sea.

That is another one of the reasons why I ask that reservoirs in the interest of navigation may be constructed in the arid region, because, I state again and maintain it, that every reservoir in the arid region is worth for the purpose of storing water several times as much as a reservoir of the same size would be in a humid country; and, indeed, the reservoir that is the most valuable is a reservoir that you can locate nearest to the clouds, nearest to the heavens.

If you can get up near or above timber line and there have your reservoir so much the better, for you can use the water over and over again, so that a few million dollars will eventually, when used for irrigation reservoirs in the arid country, entirely overcome all overflows from mountain tops to the sea.

If the 41 reservoirs which have been built in the humid regions, and which cost about \$1,800,000, had been built high up in the arid region, you would have had more than twenty-five times as much value to the Lower Mississippi as now, and you would have the benefit of the same all the way down the whole length of the Missouri River, and in the Mississippi River from the junction of the Missouri to the Gulf of Mexico.

Mr. President, I want to make the point sufficiently plain that, in the unfortunate use of the word "irrigation," which seems to be so offensive to certain parties, we mean no harm; that we are working for reservoirs to retain water, and that we are getting the cheapest and most useful reservoirs known to man by using the water for irrigation.

It is true that about 15 per cent of the water used in irrigation may evaporate and that 85 per cent will find the streams; but you can see that even the evaporation is water retained at the time when you wish it retained, and the remaining 85 per cent is kept back when you have too much water, and is at your command later on to renew the streams when you have too little water.

The water evaporated through irrigation brings forth plant life and eventually more rainfall, and thus nature renews herself.

Mr. President, if all the laws we have passed in the last four years were at stake upon one hand and the matter of the acceptance of this reservoir amendment was at stake upon the other, I would, if I had my choice, take this as in preference to all else. Can I say more to show my earnestness in this matter?

It seems to me, Mr. President, the ignorance regarding this subject is so dense as to excuse any length of time in argument and explanation taken here on the part of those who would like to make plain their support of this policy, which is of such transcendent importance to the great West.

Mr. FRYE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Maine?

Mr. WARREN. Certainly.

Mr. FRYE. I dislike exceedingly to take any action in relation to this bill other than that which we are now pursuing, but I am willing to try once more to see whether or not any agreement can be obtained touching this matter. My own judgment is that there can not be, but I am willing to make the trial.

Mr. WARREN. I really trust the Senator will try to add to his hopefulness a little, and not go into the conference prejudiced with the mournful feeling that he can not succeed. I know he will do his best.

Mr. FRYE. The Senator has not been through what I have on this matter in the last two or three days, but I am willing to make the trial.

Mr. WARREN. I feel sure the Senator is willing to make another struggle, and that he will do the best he can. I believe that if he goes into the conference heartily he will succeed, for I feel that justice must prevail.

Mr. PETTIGREW. Mr. President, it seems to me if the House understands that the hour of 12 o'clock will arrive and this bill not become a law, inasmuch as they have such a vast sum at stake, they will surrender. All we need to do, it seems to me, is to give

them the ultimatum; and that is what we ought to do. They are constantly doing it to us, and I would do it at once to them.

Mr. FRYE. If the ultimatum is to be given, I am not going to consent to a recommittal—not by any manner of means.

Mr. PASCO. I wish to say a word on that motion, Mr. President. I hope if this matter goes back to conference that it will be understood that a faithful effort is also to be made with reference to the other projects which some of us regard as of even greater importance than those which have occasioned such a lengthy discussion here this evening. I hope the bill will go back to conference with the full understanding that all these matters will be taken up and a faithful effort made all along the line, so that some of the Southern projects which have been excluded by the committee of conference on account of the opposition which comes from another direction, and not from the conferees on the part of the Senate, will be restored.

If that is the understanding, I shall make no objection to the bill going back to conference; but I do not think it ought to go back to conference simply because a big fight has been made by the friends of one particular measure in order that an effort may be made to change the report to please the gentlemen who have been struggling so hard to carry out their own views in reference to their particular projects.

Mr. CHILTON. Mr. President, I want to second the observations of the Senator from Florida [Mr. Pasco], especially with reference to certain improvements in Texas. There has been a very important improvement in our State, one upon which the hearts of the senior Senator and the junior Senator from Texas have been set; and it has been thrown out by this conference report. It is of very great importance that there should be consideration given to that matter and that the improvement which the Senate originally provided for as a part of the river and harbor bill should be in some way preserved.

I for one desire to protest against the idea that any particular clause of the bill as it passed the Senate which has been amended out by the conference should now be taken up to the exclusion of other desirable features of the bill as it passed the Senate.

Mr. MANTLE. Mr. President, I want to express the feeling I entertain that the Senate conferees will do their very best to secure recognition for all sections and all interests.

I again renew my motion to recommit the conference report to the committee of conference.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana to recommit the report to the committee of conference.

The motion was agreed to.

Mr. CAFFERY. Mr. President, I wish to add my views to those of the Senator from Florida and the Senator from Texas in regard to the subjects-matter about which the committee of conference ought to confer upon the recommittal of this bill.

Mr. President, I have said nothing in regard to what I consider to be the treatment, somewhat invidious, that is shown toward a most necessary improvement in my State. That improvement not only affects the State of Louisiana, but it affects the whole valley of the Mississippi. The improvements given to deepen the harbors of the Northern cities are for harbors already in existence. The improvements are for deepening from 30 to 35 and from 35 to 40 feet in the harbors of New York, Philadelphia, Boston, and Baltimore. The harbor at New Orleans is hourly threatened with destruction, for the outlet of the Mississippi is hourly threatened with destruction. We ask but a paltry sum, a million six hundred thousand dollars, in order to open up the deep channel at the mouth of the Mississippi River, through which the vast exports of grain now coming down that river may go to Europe at the cheapest possible rate.

This was granted by the Committee on Commerce in the Senate. In conference this small appropriation was stricken out. This appropriation given to open the Southwest Pass of the Mississippi River was stricken out, and the appropriation that came over in the river and harbor bill from the House for improving the outlet of the Mississippi River, without any continuing contract, without specifying what pass is to be improved, was retained. Mr. President, I protest against that. While I shall make no opposition to this bill of a purely factitious character, I do insist that when the bill goes back to the committee the matter of the improvement of the Southwest Pass of the Mississippi River be taken into consideration as well as the matter of reservoirs for the arid districts in the Northwest.

#### EULOGIES ON THE LATE SENATOR MORRILL.

Mr. LODGE, from the Committee on Printing, reported the following concurrent resolution; which, on motion of Mr. PROCTOR, was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring). That there be printed 6,000 additional copies of the proceedings in memory of the late Senator Justin S. Morrill, 4,000 copies for the use of the House and 2,000 copies for the use of the Senate.*

#### J. S. STEARNS LUMBER COMPANY.

Mr. SPOONER. I ask unanimous consent for the present consideration of the bill (H. R. 7865) to pay to the J. S. Stearns Lumber Company \$379.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to the J. S. Stearns Lumber Company, of Odanah, Ashland County, Wis., \$379.03, the amount of a certain judgment recovered by the United States against the said J. S. Stearns Lumber Company for the value of timber cut from certain lands in Ashland County, Wis., claimed by the United States, and which lands were subsequently determined by the Supreme Court to be owned by the railroad company, and from which the timber was removed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. CHANDLER. I move that the Senate proceed to the consideration of executive business.

Mr. STEWART. I ask the Senator to give way that I may call up a small bill for the relief of the heirs of Neil McEnery, of Johnstown, Pa.

Mr. CHANDLER. The executive session will take but a few moments.

The PRESIDING OFFICER. The Senator from New Hampshire insists on his motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and fifteen minutes spent in executive session the doors were reopened.

#### RIVER AND HARBOR BILL.

Mr. FRYE. I submit the report of the committee of conference on the river and harbor bill. The report has been read. I ask unanimous consent that its reading may be dispensed with. I simply desire to state that we have again met, had a conference, and no change has been made in the report.

The PRESIDING OFFICER (Mr. PASCO in the chair). The report is before the Senate. Is the Senate ready for the question? The question is on the adoption of the report.

Mr. WARREN. Mr. President, I have not a word to take back in what I have said concerning the outrageous conduct of one branch of Congress toward another. I have not a sentence to recall from all that I have uttered in support of the measure which was so imperiously and arrogantly stricken from the bill by the conference committee. I have been appealed to by very many dear friends here in the Senate who have issues at stake in this bill which they claim are large, and they feel that I am doing them personal damage and their States damage by longer delaying the river and harbor bill through further discussion, although the need of more light on this subject is admitted.

But I will put it upon a higher ground. I am appealed to by those who have in charge the great annual appropriation bills, and I am confronted with the statement from the chairman of the Committee on Appropriations that it is impossible to complete the sundry civil bill and one or two other bills equally important or nearly so unless this river and harbor bill is now acted upon in this body. So far as I am concerned, if my associates feel as I do about it, I am willing to do what the section of country I come from always does—yield to the best good of the country at large—though our interests locally may be overridden for the time being, through the selfishness and machinations of a few men temporarily in power at another place in this building.

Now, Mr. President, I hope to see a change some time—yes, and soon—whereby the United States may practically as well as theoretically extend far enough to take in all of the people who have to pay tribute and pay taxes in the several States.

Mr. President, the strongest appeal that I have made here tonight was for the honor of the Senate. The strongest feeling I have had was that it was an infamous imposition upon the Senate for certain conferees from elsewhere to insist that they should neither report a disagreement nor review their work upon the request of the Senate.

The Senate, whether impressed by my argument or by expediency, has reconsidered its action and has sent the bill back to the committee of conference again. The conference committee now come here and report that after due consideration and reconsideration it is impossible to secure any change. Of course we know that the committee from the Senate has done from first to last all it could. Having established that one point to the honor of the Senate and the credit of this body, I am willing to submit this one time, under duress and protest, to the other features of the imposition, as I term it, and the arrogance of the House.

The PRESIDING OFFICER. The question is on the adoption of the report.

The report was agreed to.

BENJAMIN F. VENNUM.

Mr. CARTER. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 718) for the relief of Benjamin F. Vennum, of Wheeling, Ohio County, W. Va., to report it without amendment. The Senator from West Virginia [Mr. ELKINS] desires the present consideration of the bill. It is very brief.

Mr. ELKINS. It is just five lines.

The PRESIDING OFFICER. The bill will be read at length. The Secretary read the bill; and by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that Benjamin F. Vennum, of Wheeling, Ohio County, W. Va., who served under the name of Franklin Vennum in Company D of the Third Regiment of Ohio Volunteer Infantry in the Mexican war, shall be held and considered to have been honorably discharged from that regiment on the 17th day of August, 1846, and that the Secretary of War be, and is hereby, authorized and directed to issue to him a certificate of honorable discharge as of said date.

Mr. BUTLER. Mr. President, just one word. Does the bill have the effect of giving the beneficiary a pension or anything?

Mr. ELKINS. Nothing in the world.

Mr. BUTLER. Let the usual sentence be put at the end.

Mr. ELKINS. Do not amend it. It would have to go back to the House for action there. The amendment is not necessary. The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## WASHINGTON PUBLIC LIBRARY.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11712) to provide a site for a building for the Washington Public Library, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

JAMES McMILLAN,  
J. H. GALLINGER,  
*Managers on the part of the Senate.*  
DAVID H. MERCER,  
CHARLES W. GILLET,  
J. H. BANKHEAD,  
*Managers on the part of the House.*

Mr. BUTLER. I ask the Secretary to read the report again.

Mr. McMILLAN. The Senate conferees receded from the amendment of the Senate.

Mr. BUTLER. It disagrees to the purchase of a site?

Mr. PLATT of Connecticut. It gives the Mount Vernon Square as a site.

Mr. CHANDLER. And appropriates no money.

Mr. BUTLER. The effect of the report is to accept the House bill?

Mr. McMILLAN. Exactly. It leaves that just as it is now. The report was agreed to.

SOPHIA W. BUXTON.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 1206) granting an increase of pension to Sophia W. Buxton, to report it without amendment. The senior Senator from Colorado [Mr. TELLER] is very anxious that the bill shall pass. I ask unanimous consent for its consideration. It will take but a moment.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Sophia W. Buxton, widow of Charles Buxton, late major Eleventh Vermont Volunteers, and to pay her a pension at the rate of \$30 per month in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third, and passed.

## WASHINGTON AND GETTYSBURG RAILWAY.

Mr. GORMAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company of Maryland to extend its lines of road into and within the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, and 5, and agree to the same.

JAMES McMILLAN,  
A. P. GORMAN,  
*Managers on the part of the Senate.*  
J. W. BABCOCK,  
G. M. CURTIS,  
JAMES D. RICHARDSON,  
*Managers on the part of the House.*

The report was agreed to.

## COMMITTEE SERVICE.

Mr. GORMAN. I was requested to ask the consent of the Senate that the Senator from Indiana [Mr. TURPIE] and the Senator

from Texas [Mr. MILLS] be excused from further service upon the Committee on Foreign Relations, and that the Senator from Georgia [Mr. BACON] and the Senator from Mississippi [Mr. MONEY] be appointed in their stead. The Senator from California [Mr. WHITE] also requests that he be excused from service upon the Committee on Commerce, and that the Senator from Washington [Mr. TURNER] be appointed in his place.

The PRESIDING OFFICER. The statement will be read at the desk.

The Secretary read as follows:

That Senators TURPIE and MILLS be excused from the Committee on Foreign Relations, and that Senators BACON and MONEY be appointed, respectively, in their stead; that Senator WHITE be excused from the Committee on Commerce, and that Senator TURNER be substituted in his place.

The PRESIDING OFFICER. The changes in committee service will be made as requested, in the absence of objection.

## NAVAL APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 22, 23, and 24.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lines 7 and 8 of said amendment strike out the words "the four dry docks named in said provision" and insert in lieu thereof the following: "One of the four dry docks named in said provision in addition to that at Boston;" and the Senate agree to the same.

On the amendments of the Senate numbered 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 the committee of conference have been unable to agree.

EUGENE HALE,  
M. S. QUAY,  
A. P. GORMAN,  
*Managers on the part of the Senate.*  
C. A. BOUTELLE,  
S. G. HILBORN,  
AMOS J. CUMMINGS,  
*Managers on the part of the House.*

The PRESIDING OFFICER. The question is on the adoption of the conference report.

Mr. HALE. Mr. President, the conferees on the part of the two Houses on the naval appropriation bill have had a careful conference, the second conference, and have closed up the bill with the exception of the provisions relating to the number of ships, both battle ships, cruisers, armored cruisers and protected cruisers, and the other amendments which follow in reference to their construction, and the Senate amendments relating to armor plate and the establishment of a Government armor factory. The Senate conferees found that the House of Representatives would not yield in this respect. The armor plate and armor establishment were the subjects of debate in the House and a yea-and-nay vote was taken.

Mr. PLATT of Connecticut. The Senator means a vote on the conference report?

Mr. HALE. On the conference report; and the House by a majority of about 50—eighty-odd to thirty-odd—sustained the House conferees. Under those conditions we could not get the House conferees to yield. The whole subject now, and a most serious one it is at this late hour, is for the action of the Senate. It was the understanding that the situation should be stated to the Senate and that a vote should be asked upon a motion to recede from the Senate amendments.

The operation of the Senate armor-plate amendments not only covers the ships authorized in this bill, but it suspends the work upon the ships authorized at the last session of Congress and subjects them to the \$300 limit. So that if the Senate provisions are insisted upon, not only the vessels authorized by this act, but the ships authorized by the last act, will be hung up, unless a contract for \$300 can be made. It is a very serious situation.

Mr. STEWART. Let me inquire of the Senator if they would accept it if we modified it so as to permit contracts under the former law for the ships already ordered?

Mr. HALE. The trouble is that there have been no contracts. If there had been contracts, that would end it and we could not interfere. But the Secretary did not make any contracts, and all of the ships provided for in the last act are hung up by this provision unless we can get a \$300 contract.

Mr. STEWART. Suppose we should exempt those contracts from the operation of this act; would not the House yield then?

Mr. HALE. No; I do not think the House would yield.

Mr. STEWART. I would be in favor of exempting those.

Mr. CHANDLER. Did the Senate conferees try to exempt from the operations of the Senate provision the three ships, the *Maine*, the *Missouri*, and the *Ohio*, so that their armor could be provided at \$400?

Mr. HALE. That was talked about, and there was talk about striking out all of the provisions, leaving everything as it was under the act of last year, but they were not ready to accept that at present. As I have said, the understanding is that a vote shall be taken in the Senate on the proposition of receding from the Senate amendments.

Mr. STEWART. Would it not be in order first to move to amend the proposition in the Senate before a motion is made to recede?

Mr. HALE. I know that can not be done. Of course the report must be taken or rejected, and the report is a disagreement.

Mr. STEWART. Can we make the offer to them?

Mr. HALE. Senators can indicate. That is the opportunity we have.

Mr. STEWART. I should be in favor of exempting those three ships.

Mr. CHANDLER. Will the Senator yield to me? I should like the Senator, before discussing this part of the bill, to state what, if any, provision is made in reference to docks—changing the docks from wood to granite. I see there is a special provision.

Mr. HALE. There are three docks that are still hung up, no contract made, and one of them is to be of granite. The others remain under the provision of last year.

Mr. CHANDLER. Wood?

Mr. HALE. Timber.

Mr. CHANDLER. Timber.

Mr. TILLMAN. Which one?

Mr. HALE. The Secretary decides.

Mr. CHANDLER. The Secretary decides which is of wood and which is of granite.

Mr. HALE. Yes, sir.

Mr. TILLMAN. Will the Senator tell me whether the Boston dock is to be wood or granite?

Mr. HALE. That has already been decided. The contract has been made.

Mr. TILLMAN. That is granite?

Mr. HALE. That is granite. The provision is that one more is to be granite and two timber.

Mr. BUTLER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from North Carolina?

Mr. HALE. Yes, sir.

Mr. BUTLER. As I understand the situation, a year ago we authorized the purchase of armor for the *Maine*, *Missouri*, and *Ohio* at \$400 a ton. We were told then that the armor would be needed very soon; that it was an emergency order; and being in the midst of war, the Senate receded from the position it had taken twice deliberately before and authorized the purchase of armor at \$400 a ton for those three vessels, which, we were told, were nearing completion and which were to be used in the Spanish war. Now we are informed that no contract has been made for the armor for those three vessels; and the Senator, in making the report from the conference committee, states that unless we recede from the amendments adopted we will hang up those three vessels for which we authorized the armor a year ago.

Mr. HALE. I do not say unless we recede. I say that if the Senate amendment is taken absolutely as it passed, it will hang those up unless they can get a contract at \$300; but I do not say that if some adjustment is made between the two Houses, some compromise is reached, leaving the act of last year or \$445 in force, it will hang it up.

Mr. BUTLER. A year ago, as I have stated, we authorized a contract for the armor for these three battle ships at \$400 a ton. We did it in the midst of war, and because we were told that those vessels might be got ready for use in that war.

Mr. HALE. Oh, no. These were the new ships that were authorized. There was no expectation that they would be got ready for use in the war. They are the new ships authorized in the same act.

Mr. BUTLER. They were authorized in the act. I will accept the Senator's amendment, and will not controvert that point. But it was the act which we had under consideration at the time when so much stress was laid upon the fact that we were in the midst of war and should pay any price; be held up and deliver, no matter what was charged, because we were in the midst of war. But the armor trust did not see fit to avail itself of that opportunity to get \$400 a ton for armor, because they had conceived a new design. They had got up a bogus secret, so-called process, that they were to ask us to pay them \$545 a ton for, and thinking, I suppose, that they could get it through this Congress, they were not anxious to make the contracts, and our vessels have waited for us to authorize them to get \$145 a ton more than we authorized then—war prices.

I am willing for one, though I am not disposed to allow a man to take advantage of his own wrong, to allow them \$400 a ton for the armor for those three vessels, the *Maine*, *Missouri*, and *Ohio*, authorized a year ago, rather than to be told and have the country understand that we are holding up three vessels which are ready for armor, rather than to have claims for damages for not having the armor ready, a contract for the hulls having been authorized. But I am not in favor of going further. Therefore I ask the Chair if it is in order now to move to instruct the conferees

to yield to that extent, that we will provide in this bill with the conferees of the House for a contract for the armor for the *Maine*, *Missouri*, and *Ohio* at the price named in the act of last session, and insist as to the amendment of \$300 a ton or the alternative of an armor factory, if they do not make the contract for the vessels authorized in this act? I desire to make that motion. I ask the Chair if it is in order?

The PRESIDING OFFICER. The first question before the Senate is on the adoption of the conference report.

Mr. HALE. Of course there can be no instructing of conferees, for it would cease then to be a free conference. I may state to the Senate that the understanding of the committee was that this should be brought into the Senate and the situation stated and then develop the feeling of the Senate, because there must be another conference, and that can be tested by a motion that the Senate recede from its amendment, which I propose to make. If the Senate declines to recede, then the conferees will come back. There will be another meeting, and then perhaps something in the line of what the Senator suggests may be agreed to by both conferees, and that will again be submitted to the Senate. But this is rather in the process of developing the expression of the Senate. I enter the motion.

Mr. BUTLER. Do I understand that the Senator from Maine intends to move that the Senate recede from its amendments? I must earnestly oppose that motion, and I oppose it for the reason I have just stated. I trust the Senate will promptly vote down that motion, and vote it down for the purpose of having a further conference and a compromise along the lines I have suggested; a compromise that is fair, a compromise that covers all that concerns the interests of our Government and the ships that are now being built and manned for completion; that is that we yield, so far as the three vessels which are already authorized are concerned, and pay \$400 as provided a year ago, but we will ask the conferees to insist upon the amendment already adopted by the Senate with reference to the vessels authorized in this act.

I submit that that is a fair compromise between the two bodies. It is all that the interests of this Government in the midst of war demanded, and it is more than justice on the part of taxpayers and the Treasury of the United States. Therefore, I trust the Senate will promptly vote down the motion which the Senator from Maine will make, in order that we may have a conference with a view to getting an agreement on the lines I have indicated.

Mr. HALE. Mr. President—

Mr. CHANDLER. What is the question before the Senate?

Mr. HALE. My motion—

The PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

Mr. HALE. My motion is to recede from Senate amendment numbered 55, as to armor. I bring that up first.

Mr. CHANDLER. Is that vote to be taken before the question is put on the adoption of the conference report?

Mr. HALE. It has to be.

Mr. CHANDLER. Before the conference report is adopted?

Mr. HALE. No, I beg pardon; it does not have to be. The conference report leaves these things outside. I think what the Senator has in mind is correct. The conference report should be adopted first.

The PRESIDING OFFICER. The pending question is on the conference report.

Mr. CHANDLER. I should like to have the Senator state what has been done with the other amendments which have been disposed of that were in controversy before the committee made its report. The report states some dozen amendments, some where the House receded and some where the Senate receded. State in a general way what disposition has been made of them.

Mr. HALE. Let the Clerk read the amendments.

The SECRETARY. Upon amendments numbered 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 the committee of conference have been unable to agree.

Mr. HALE. The Senator wants those which have been agreed to.

Mr. CHANDLER. Those which have been agreed to.

The Secretary read as follows:

That the Senate recede from its amendments numbered 4, 22, 23, and 24.

Mr. HALE. Those are in relation to sites for new dry docks.

The Secretary read as follows:

That the House recede from its disagreement of the amendment of the Senate numbered 21, with an amendment as follows—

Mr. HALE. That I have already explained.

The Secretary read as follows:

On the amendments of the Senate numbered 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 the committee of conference have been unable to agree.

Mr. TILLMAN. Mr. President, at this late hour I will only—

Mr. BUTLER. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Carolina?

Mr. TILLMAN. Certainly.

Mr. BUTLER. The adoption of the conference report simply

covers the points which have been agreed on, and not the amendments numbered 45 to 55, inclusive.

Mr. HALE. It only covers those where there has been an agreement.

Mr. CHANDLER. I suggest to the Senator to let the report be agreed to.

Mr. BUTLER. I make the same suggestion. That is my point.

The PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

The PRESIDING OFFICER. Does the Senator from Maine now make his motion?

Mr. HALE. I make the motion, on which the discussion will proceed, that the Senate recede from its amendment numbered 55.

Mr. TILLMAN. Mr. President—

Mr. BUTLER. The Senator from South Carolina will pardon me. I should like to ask the Senator from Maine if he intends to ask any instruction from the Senate on the amendments numbered 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55?

Mr. HALE. I propose to take that up after this amendment has been disposed of.

Mr. BUTLER. May I be allowed to ask the Senator why he does not take them up in order?

Mr. HALE. Because it largely depends upon the action in reference to the armor plate as to what shall be done with the other ships. It is not a very material subject as to how many ships we shall authorize, if none of them are going to be built, if the provisions are such that no contracts can be made.

Mr. BUTLER. I do not see why the Senator says that the provisions are such that none of them can be built. I agree with him if we simply adopt the provision of \$300 a ton and do not have the provision for an armor factory none will be built, because the amendment for \$300 a ton is not worth the paper on which it is written unless we retain the amendment for an armor factory. Suppose we keep in one. I suppose if we keep one we will keep both, for I trust the Senate, at this late hour, after four years' discussion, will not give it up. We will surely build these ships if we keep these amendments in. Now, it seems to me the question whether we shall have two battle ships or three battle ships is important enough to be disposed of.

Mr. HALE. I differ with the Senator in that regard, and it is for the reason I have stated that I move that the Senate recede from its amendment numbered 55.

The PRESIDING OFFICER. That is the pending motion, on which the Senator from South Carolina has the floor.

Mr. BUTLER. The Senator from South Carolina, of course, wishes to discuss that motion, and I desire to discuss it before the vote. I also wish to say that however that question may be decided, it seems to me that these other amendments, which the Senator has passed over pro forma, are also in order, and they deserve some discussion. I will have something to say in respect to them.

Mr. HALE. Undoubtedly they deserve discussion, and I shall make a motion in respect to them when this is disposed of, no matter how it is disposed of.

Mr. TILLMAN. Mr. President, at this late hour, fatigued as the Senate is, I shall intrude on its patience to the smallest degree possible. The amendment numbered 55 is the one which I, in connection with the Senator from North Carolina [Mr. BUTLER], offered as an alternative proposition to the limitation of \$300 a ton by which the Navy Department will be prohibited from giving more than that; and then, if they can make no contracts, they shall proceed immediately, under the appropriation made, to erect an armor factory for the Government in which we will be able to manufacture our own armor.

If the Senate recedes, the first thing that happens is that we will go back to the House price of \$445 a ton. We have Captain O'Neil's own statement, in the letters which were read here by me day before yesterday, that the price of \$445 will not get you the Krupp armor. It will not get the "best" armor, and it will not get any better armor than that which we now get at \$400. Therefore I am sure the Senate under no consideration would ever agree that we should go to the House figures of \$445 a ton, when our own expert at the Navy Department tells us that that will not get the best Krupp armor and that we are now getting the same at \$400 that we would get at \$445.

Mr. CHANDLER. Will the Senator allow me a word right there?

Mr. TILLMAN. With pleasure.

Mr. CHANDLER. I should like to ask a question of the chairman of the committee. What does the expectation of the House appear to be about the effect of the price of \$445? We can get the harveyized armor for \$100, because the manufacturers now say they can make that at a profit. They say they will not manufacture the other armor for less than \$545. What kind of armor does the House expect we are to get at \$445?

Mr. HALE. That must depend, of course, upon the bidding by these contracting firms.

Mr. TILLMAN. In the communication which you had printed as chairman, sent you by the Secretary of the Navy, appear letters from these firms in which they say they will not make Krupp armor for less than \$545 a ton.

Mr. HALE. They have also before in the controversy, as the Senator knows, declared that they would not furnish armor for \$425 or \$400.

Mr. TILLMAN. Yes; and they always lied, if you will excuse me for using such a harsh term. We have to use such terms when we trade with such people in order to force them to give us decent consideration.

Mr. HALE. I was only trying to answer the Senator from New Hampshire, who asked me what I believed the House conferees expected to accomplish if the \$445 rate should be agreed to.

Now, if the Senator will allow me, I will say that that must depend upon the bidding of these contract firms; and although they have said they would not furnish this armor, this new process armor, this secret process armor, the Krupp process, at less than \$545, they have heretofore, in controversies we have had with them, stated that they would not furnish armor for \$400 or \$425, and afterwards they furnished it.

I do not know, I can not tell, and nobody can tell, whether these companies will come down to \$445 a ton. I have no doubt that if they were confronted with the fact that Congress did fix upon a fair rate, on what might be considered a fair compromise, they would come down; but how far they would come I do not know. My impression is that they would come down to \$445 for Krupp armor, but I do not know. I think so, particularly if they were threatened with a Government plant.

Mr. STEWART. I want the threat carried out.

Mr. TILLMAN. I will not take the trouble to read from Captain O'Neil's letter, because it is in the RECORD, and any Senators who feel so disposed can look at it. I will state that the substance of it is that Captain O'Neil himself says that these people will not, according to their own letters, which are also published in the RECORD, furnish Krupp armor for less than \$545 a ton. They have in the past yielded to pressure when forced to let go some of their anticipated gains, and they came from \$550 a ton down to \$400, after having paltered with us for two years at \$450 a ton and then at \$425, only giving in at last when the war came on, and we had to let them have these contracts after we had held out for two years at \$300 a ton, and finally accepted the armor at \$400 a ton, which at the time they said they could not manufacture it for.

In these very same letters sent in last week they say they prefer to make Harvey armor at \$400 a ton than to make the other at \$545 a ton. For these reasons, I say, we ought not to have anything to do with men whose ideas of decency and honesty and regard for the consideration which they owe to this Government lead them to dicker with us in such a Jewish spirit. What they propose to do ought not to have any weight here. The question is, What is it our duty to do and how are we to protect this Government from further robbery on the part of these two corporations which have been formed into a trust?

Now, I want to call attention to some facts upon which I base the belief that this proposal to sell us Krupp armor at this increased price is simply a scheme by which, under some slight variations of the material, 1 per cent, I believe it is, of chromium being added, or some little trifle—

Mr. HALE. From 1 to 2 per cent.

Mr. TILLMAN. Practically, with some slight variations in the process of manufacture, they will give us the very same armor we now get at \$400, and which we believe, after the most thorough investigation, can be made in a Government plant for less than \$300 a ton. This is simply, I will say a scheme—I will repeat that word for the lack of any better—to bamboozle us to yield again to the situation, which is, that we are at their mercy, that there are no other armor factories in this country, that we can not buy anywhere else, and so they simply say to us, "Buy our armor or build no ships."

What do I base that belief on? On the 8th of February, 1898, Mr. HALE presented Senate Document No. 127, in which there is a report of a hearing made by the Senate Naval Committee, when Secretary Long and Captain O'Neil, the two officers responsible for contracting for ships and armor, appeared before the committee; and here is what the chairman asked Captain O'Neil:

The CHAIRMAN. From what you have been able to learn of this new armor, is there anything about it that would justify us in waiting for any new process to make the armor for these ships?

That was as to the three ships we then had on the stocks.

Captain O'NEIL. I am sure there would not.

Lower down the chairman asked Secretary Long:

The CHAIRMAN. Mr. Secretary, in view of what has been said about this new process, which may have the merit of being superior, and which foreign governments have acted upon and made contracts upon, and the right to make which has been secured by these contractors in this country, would you, if the matter was left by Congress in your hands, consider this new

process or wait for its development, or would you go on and make contracts for the armor under the old processes, which may not be as good as the new?

Secretary LONG. I should go on and make contracts for the armor under the old process, because the new is not sufficiently developed, nor is there reason to believe that it will be in a sufficiently reasonable time so that I should be justified in waiting on it.

The CHAIRMAN. In other words, you say that there is not enough in this new process to justify your waiting?

Secretary LONG. I do not think so.

Last night the Senator from Massachusetts [Mr. LODGE]—who I am happy to see is attending to his duties to-night and sitting up with the rest of us to get this bill and others through, though he did not remain last night to hear the discussion which he precipitated—presented the claim or the argument that if we did not contract for armor to put on these battle ships we would be liable to damages to these parties for the delay.

Mr. LODGE. I did not say that.

Mr. TILLMAN. You said that in effect.

Mr. LODGE. I said nothing about damages.

Mr. TILLMAN. I beg your pardon. You said there would be a claim presented, as I understood you.

Mr. LODGE. I did not. That must have been said by another Senator.

Mr. TILLMAN. There is no use for me to get into any controversy as to veracity; but it is a mere opinion of mine that you did say so, and I think the RECORD will prove it.

Mr. LODGE. I did not.

Mr. TILLMAN. But whether you did or not, I know that idea prevailed here, and that Senators are led to believe, and some Senator has stated, that if we did not contract for the armor and get it ready by the time the contractors who are building the ships want the armor, we will be liable to have these parties come forward with a claim that they are damaged by the delay.

Here is what occurred at that same hearing—

Mr. LODGE. Here is what I said. [Exhibiting a copy of the CONGRESSIONAL RECORD.] The Senator may read it.

Mr. TILLMAN. You read it, please.

Mr. LODGE. Will the Senator point out anything that I said about a claim or liability for damages?

Mr. TILLMAN. If I am mistaken, Mr. President, I certainly have no purpose of misquoting the Senator. I simply had that impression. I will pass on and leave my friend from New Hampshire [Mr. CHANDLER] to examine your remarks to see if there is anything bearing on that; otherwise it will be understood that I got that idea, not from the Senator from Massachusetts, but from some other Senator who discussed this question.

Mr. LODGE. The Senator did not get it from me.

Mr. TILLMAN. Well, here is the situation in regard to that: The chairman asked a question of Chief Constructor Hichborn, who has the making of these plans for battle ships and who is the superintendent of their construction, as follows:

The CHAIRMAN. Supposing nothing is done at this session of Congress. The Secretary is not able to make a contract with these parties, and of course no Government plant can be put in readiness as soon as that. What would you do with these ships eight, nine, or twelve months from now, when they were ready for armor?

Here is Mr. Hichborn's reply:

The work is so arranged that the ships can go on to completion, lacking a small amount of work, except putting on the armor. The vessels can be delivered at the navy-yard and the armor put on by the Government.

So any argument that we would be liable to claims for damages by reason of delay has no foundation in fact, as I said before, because the contract now made by the Government with those who build these ships is to the effect that no delay occasioned by the failure to furnish armor shall give any right to damages.

Mr. President, I presented last night what I suppose was rather a caustic criticism of the delay of the Navy Department in not making the contracts for the armor for battle ships ordered last July in the naval appropriation bill and in bringing the question on us in the last three weeks of this session.

Mr. HALE. Let me say here, in justice to the Navy Department, that I have made some inquiries. I had the impression that something came from the Department before this, and I thought I had it. I had a letter from the Secretary inclosing a copy of a communication made after the hearing, in which he says that under the circumstances he does not think it advisable to go on and make contracts for the three ships. So the Department should be relieved from the charge of having waited and not notified us in any way until the present time.

Mr. CHANDLER. When was that?

Mr. HALE. Some time in December.

Mr. LODGE. December 12.

Mr. CHANDLER. Last December?

Mr. LODGE. Yes.

Mr. TILLMAN. Nothing is said about it in the last annual report of the Secretary.

Mr. BUTLER. I wish to inquire if that letter has been published?

Mr. TILLMAN. No; it never has been published; it has never come before the Naval Committee; it has not seen the light of day

as an official document for the information of the Senate committee or of the Senate until to-night.

Mr. BUTLER. I want to say that I have tried hard to do my duty as a Senator and as a member of the Naval Committee in regard to this whole matter. I have sought every particle of information that could be got from any source, and was always glad to get it. All I wanted was the truth. Now, here is presented what is claimed to be an important piece of information from the Navy Department, and in all the committee meetings we have had and all the discussions which have been had in committee and here in the Senate the communication has not been presented until this very hour.

Mr. President, I submit that that is not the proper way to deal with important questions of the kind. The communication has not been published as a document, it has not been furnished to us as members of the committee. I regret that it is my duty to call attention sharply to this fact, but if there is any information of this kind in possession of the chairman of the committee, then the committee and every member of it was entitled to it, especially when it was known that we were very much interested in this question, that we were giving a great deal of attention to it, and that we were trying to arrive at the facts.

Mr. CHANDLER. I should like to repeat what I said yesterday, that it was only within two weeks that it came to my knowledge in the Senate that the contracts for the armor for the three battle ships authorized a year ago had not been made. I may have been dull and negligent, but, as a matter of fact, I did not know of it, and it was a surprise when it came to me within the last fortnight.

Mr. TILLMAN. Mr. President, there is nothing in the last annual report of the Secretary of the Navy even hinting at any such thing.

Mr. CHANDLER. I do not know as to that.

Mr. TILLMAN. I have examined it, and have tried to see if there is the slightest hint that he had not contracted for armor because he knew that there was better armor obtainable and was waiting to ask authority of Congress to get it. There is nothing in it—simply a statement that the contract had not been made.

Mr. HALE. If the Senator will allow me, I do not think it is very material, because it does not touch the real merits of the case. It may be somewhat my fault.

Mr. TILLMAN. No, sir; the chairman of the committee has never dealt unfairly or in any underhanded way with his colleagues, but has always given us everything promptly which came to him, and I do not want him to take any blame which does not belong to him.

Mr. HALE. The Senator is very kind to me, as he always is. I am glad to say our relations are of the most friendly character in everything, and he is the most valuable member on the committee; but still, if this letter was sent to me as well as the chairman of the House committee, as quite likely it was—

Mr. TILLMAN. I will ask the Senator directly, Does he have any recollection of it?

Mr. HALE. I was about to say that for some cause or other, in the multiplicity of matters and communications with which I have had to deal, it never made any lodgment in my mind. Whether I was away—for I have been away several times this winter—whether I was away at that time I do not know. I can say that if anybody had asked me regarding it until within the last day or two, I should have said that nothing of that kind had come; but it seems to me that the letter was sent. So if the blame is upon anybody, if it is a material thing, it should rest upon me rather than upon the Secretary of the Navy.

I do not, however, think that it was very material, because we had our hearings, and we did nothing on this subject until we took up the naval appropriation bill. So if a few weeks have elapsed without the matter being brought to the attention of the committee, I do not think it is very important; but if there is any fault, it is not with the Secretary of the Navy, but it is my fault that I did not read the letter and communicate it to the committee when we first took up the subject.

Mr. TILLMAN. After that explanation of the chairman of the Naval Committee, I will give him my surmise as to what happened. Knowing that the naval appropriation bill would originate in the other end of the Capitol, the communication was sent to the chairman of the House committee and not to the chairman of the committee at this end of the Capitol, so we have never heard on this side anything about this matter until the naval appropriation bill was printed with the price of armor at \$345 a ton, and nothing more came to us officially until the letter sent to us ten days ago.

Mr. HALE. I think it is quite probable that the Secretary of the Navy, as is the custom in writing a letter of the Department to the chairman of the committee of one House, also wrote to the chairman of the committee of the other House. I thought I had the letter this morning, but it was while I was in charge of another matter, and I must have misplaced it.

Mr. TILLMAN. I am not making any strictures upon the Secretary of the Navy. I again bear testimony that in my belief there is nothing wrong in this thing with John D. Long; and I do not insinuate that there is anything wrong about any man in the Navy Department connected with this affair. I only say it is unfortunate that the conditions are such that suspicion will rest in the mind of those of us who have been so often confronted by the armor trust that there is an attempt to cheat us again.

Mr. HALE. What is the date of that hearing from which the Senator was reading?

Mr. TILLMAN. February 8 of last year.

Mr. HALE. The hearing in which Secretary Long appeared?

Mr. TILLMAN. Yes; but the last memorandum was no hearing at all. It was merely a communication.

Mr. HALE. In which the Secretary said there was nothing obligatory about it?

Mr. TILLMAN. That was in February.

Mr. HALE. A year ago.

Mr. BUTLER. If the Senator from South Carolina will pardon me, I wish to state, as a member of the Naval Committee, that the relations between the chairman of the committee and the members of the committee have always been most pleasant, and certainly with myself I have always felt they were such, and I hope they will continue as such.

The statement made by the chairman is entirely satisfactory; but if the chairman will pardon me, we are still not in possession of the letter to which he refers; and if he has no objection, I think it important to have it read before the Senate at this time.

Mr. HALE. Undoubtedly it is a copy of a letter I have here.

Mr. BUTLER and Mr. CHANDLER. What letter?

Mr. HALE. The letter to the chairman of the House Naval Committee.

Mr. CHANDLER. That was February 20.

Mr. BUTLER. I should like to hear the letter read.

Mr. CHANDLER. The Senator from Maine states that it was in December—

Mr. HALE. December 12.

Mr. CHANDLER. I have not seen any such letter to anybody as that of December 12.

Mr. BUTLER. Nor have I seen any such letter.

Mr. HALE. Mr. President—

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from South Carolina is entitled to the floor.

Mr. HALE. He inclosed a communication from the head of the Bureau of Ordnance of that date covering this point.

Mr. BUTLER. Let us have the letter read. It has been referred to here, and I have never seen or heard it.

Mr. TILLMAN. No; it is too long. I do not think the reading of it is necessary to get an understanding of this matter. I will give the substance of it. It is dated December 12, and is signed "Charles O'Neil, Chief of the Bureau of Ordnance," and addressed to the Secretary of the Navy. That is all there is in the letter.

Mr. BUTLER. The Senator from South Carolina, I am sure, while quite a genius, can hardly tell the contents of a letter which has not been read.

Mr. TILLMAN. I will simply say that I take the statement of the chairman of our committee as to the contents of the letter in perfectly good faith, because I am sure he would not deceive us in any way. I ask that it may go into the RECORD, so that we may all examine it to-morrow.

Mr. HALE. The Senator need not use that letter. Here is the letter I received in which the Secretary says, and it is proper he should have the benefit of this—

Mr. CHANDLER. What is the date of it?

Mr. HALE. Washington, March 3, 1899. It is as follows:

NAVY DEPARTMENT, Washington, March 3, 1899.

SIR: Referring to certain remarks made by Senator CHANDLER before the Senate last night, and quoted in the CONGRESSIONAL RECORD on page 2806, implying that the Department has been derelict in not furnishing Congress with information as to the status of armor, I have the honor to forward herewith a letter from the Chief of the Bureau of Ordnance of this date, from which it will be seen that full information with regard to the recent development of armor was furnished—

As I thought—

to the chairman of the Senate and House Naval Committees—

To both—

on December 12, 1898.

I also inclose a copy of the letter from the Chief of the Bureau of Ordnance of December 12, 1898, which gives this information.

Very respectfully,

JOHN D. LONG, Secretary.

Hon. EUGENE HALE,

Chairman Committee on Naval Affairs, United States Senate.

And he incloses that which is the same as the Senator has just used. I can only say that for some reason or other this matter never made any impression upon me. Whether I read the letter or whether it came in my absence I do not know. But there is no fault, clearly, on the part of the Secretary as to not transmitting this information. All he could do was to send the information to

the chairmen of the two committees, and if there is any fault in this matter it is my fault and not his.

Mr. CHANDLER. Will the Senator allow me right there?

Mr. HALE. I do not think that is very material. I am not sensitive about it at all.

Mr. CHANDLER. There is no fault attributable to the Senator from Maine, who has always made accessible to every member of the committee any document which he received, but it remains a fact that can not but influence the members of the committee that they were first within a fortnight confronted with the idea that this price was to be paid for armor. I first knew within ten days that the armor had not been contracted for at \$400 a ton for the *Maine*, *Missouri*, and *Ohio*. I first knew it when I saw the letter of Captain O'Neil, that is in Document No. 141, dated February 24. When I saw it, I went to the Senator from Maine, who was then in the room of the Committee on Appropriations, and asked him if he was aware of the fact that the contracts had not been made for the armor of those three ships at \$400 a ton, and I think he told me that he was not aware of it.

Mr. HALE. I have no doubt of it at all.

Mr. CHANDLER. I want to say, because I am earnest about this matter, that the Senator from Maine has always been fair with the committee, and, I also want to say, always patient and courteous in the debates that arise in connection with these appropriation bills. I do not blame the Senator from Maine; but under the circumstances I am obliged to admit that the Secretary did, on the 12th day of December, say that they had not made the contract for the armor for these battle ships.

The point is, that as each individual Senator in this body and each member of the Naval Committee must answer for his own conduct in a question of this great importance, several of us are dealing with this question now of paying \$145 more for armor as a subject that we have taken on our minds within the last fortnight.

As bearing upon the present motion of the Senator to recede, which has no relation whatever to the price of armor, I will read the last paragraph of the communication from Captain O'Neil, dated December 12:

Hence it might be well to insert a proviso in the appropriation bill to the effect that if the Secretary of the Navy is unable to make satisfactory terms as to the cost of armor, he is authorized to proceed at once with the establishment of a Government armor factory, and the necessary funds are made available for this purpose.

Now, if the Senator from South Carolina will allow me right here—

Mr. TILLMAN. With pleasure. I am always glad to hear the Senator, because he can speak with much more ability than I.

Mr. CHANDLER. If the Senator from Maine will listen to me, I should like to ask him whether he was aware of the fact that Captain O'Neil in this very communication insists, whatever price we fix for armor, upon having a Government armor plant provided for, in order that if the armor is not furnished at those prices the Government may be able to go on with its ships.

Mr. HALE. I do not know that the Chief of the Bureau exactly insists upon it. He suggests it in case the manufacturers would not agree to the price.

Mr. CHANDLER. Secretary Herbert recommended it irrespective of the price of armor. The present motion of the Senator from Maine ought not to prevail.

Mr. HALE. Let these letters be printed as a part of my remarks.

Mr. BUTLER. That is, the letter of December 12, 1898.

Mr. HALE. Yes; as a part of my remarks.

The letters referred to are as follows:

DECEMBER 12, 1898.

SIR: 1. Recent improvements in the manufacture of armor have developed a product superior in quality to that heretofore used.

2. Up to the present time experimental plates only have been manufactured in this country, but their endurance at the proving ground has been such as to leave no doubt of the superiority of such armor over that at present or heretofore manufactured for service use.

3. The American armor-making companies state that they are prepared to undertake the commercial manufacture of the new-process armor, and to submit it to ballistic tests for acceptance 25 per cent more severe than those now applied to the present service armor. They further state that the price of such armor would probably be \$545 per ton; that they were obliged to pay a large sum of money to acquire the process and will have to pay a royalty of \$50 per ton on such as they may manufacture.

4. It is impossible for the Bureau to state whether the price named is excessive or not, as the process of manufacture is kept secret; but enough is known to lead the Bureau to suppose that the cost of making armor by the new process is not \$100 per ton greater than by the present process, as the principal difference lies in the composition of the metal and in the process of carburization prior to tempering. The same machinery is necessary for handling, forging, bending, and machine finishing in either case; while in the new process one expensive feature is omitted, namely, re-forging after carburization. On the other hand, it may be stated that one of the indirect causes which would justify an increased cost is the reduction in output, which would follow unless increased facilities are provided. Again, it must be admitted that it is due to the enterprise of the armor manufacturers in this country that they have acquired the process of improving armor.

5. The plea brought forward by the armor manufacturers for an advanced price is that if \$400 a ton is a proper price for the present quality of armor, 25 per cent more money is a fair price for armor 25 per cent better in quality, and that as the Government now agrees to pay the royalty for the use of the Harvey process, it should pay the royalty on the new process.

6. The armor manufacturers state that they would prefer to continue to make armor as at present, at present prices, than the new-process armor at the price named.

7. From such information as the Bureau has been able to obtain, it learns that about \$112 per ton (\$54.32 per ton) is being paid by other nations for the new-process armor, except for plates of difficult shape, when more is expected.

8. The advantages to be derived from the use of such armor are obvious and need not be enlarged upon. It being sufficient to state that a 12-inch plate of the new-process armor would be equivalent to a 15-inch plate of the quality now being used, thus affording equal protection on 25 per cent less weight, or 25 per cent greater protection with present weights.

9. As only a limited weight can be assigned for armor for hull and gun protection (23 per cent of the displacement in the *Maine* class of vessels), it will readily be understood how essential it is that the best and most resisting armor obtainable should be procured, in order that the greatest possible area of the vessel may be well protected, especially the water-line, machinery space, and gun emplacements, within the limit of weight allowable for such purposes.

10. The maximum thickness of the side belt-armor on the *Alabama* class is 16 inches, whereas on the *Maine* class (the latest battle ships authorized) it is proposed to have a maximum thickness of 12 inches for the same armor, thus obtaining the same protection on about 25 per cent less weight, and to utilize the weight thus saved by increasing the thickness of the casemate armor, which protects the 6-inch guns, to 7 inches, as against 5½ inches on the *Alabama* class, thus greatly improving the vessels of the *Maine* class as regards the distribution of armor—this being upon the assumption that the new-process armor will be supplied to the latter vessels.

11. The Russian battle ship of 12,700 tons displacement now being built at Cramp's shipyard is to carry the new-process armor, one half being supplied by the Carnegie and the other half by the Bethlehem Company, and these companies state that the price they are to receive for this armor is greater than that they would ask of this Government—that is, more than \$545 per ton.

12. At the present time there are four battle ships being built for the British Government in England, namely, *Vengeance*, *Canopus*, *Albion*, and *Glory*; also four battle ships for the Japanese Government, and four armored cruisers for the British Government and three for Japan. In addition to the above vessels, all of which it is understood are to be supplied with the new-process armor, the British Admiralty has asked for tenders for four battle ships and two large armored cruisers, all of which will have armor similar to that to be provided for the other ships referred to above.

13. The special features which characterize the new-process armor are its depth of hard face, extreme toughness of back, and its ability to resist numerous impacts at high velocity, without perforation or cracks, to a marked degree as compared with the present service armor.

14. As the Department is aware, no contracts have yet been made for armor for battle ships *Maine*, *Missouri*, and *Ohio*, or for harbor-defense monitors *Arkansas*, *Connecticut*, *Florida*, and *Wyoming*.

15. The above-named vessels have been contracted for, and it is essential that contracts for their armor should be made immediately after the beginning of the fiscal year commencing July 1, 1899, which will be about seven or eight months after the date of contracts for their hulls and machinery.

16. It will be remembered that in the case of the *Illinois*, *Alabama*, and *Wisconsin* contracts for their armor were not made until one year and nine months had elapsed after the vessels were contracted for, thus greatly embarrassing the Department and the shipbuilders and rendering it impossible to complete the vessels as soon as might otherwise have been the case.

17. It is estimated that 2,697 tons of armor will be required for each of the three vessels of the *Maine* class, and 545 tons for each of the four harbor-defense monitors, or a total of 10,271 tons for the seven vessels. At the present price of \$411.30 per ton (including royalty), 10,271 tons of armor would cost \$4,223,435.30, and at \$545 per ton the cost would be \$5,597,005, or \$1,374,259.80 more for the new-process armor than for the old; but the vessels will receive 25 per cent better protection.

18. Under date of December 2, 1896, the Midvale Steel Company, of Philadelphia, addressed a letter to the Department, stating that it desired to be put on record as offering to furnish armor equal to that now being furnished, or equal to that furnished by any new process, at a price less than that which the Department is now paying. Up to this date the Midvale Steel Company has not manufactured any armor plate and has not the necessary facilities for so doing, nor is it probable that the company has the requisite practical experience and knowledge to enable it to at once enter upon the successful manufacture of armor on a large scale. Much preliminary and experimental work is necessary to such an end, and should this company at once proceed to enlarge its facilities by ordering the necessary machinery, erecting buildings, etc., it is more than doubtful if it could get ready to commence work on the manufacture of armor in time to be in a position to bid on contracts for the vessels now under construction, unless, perhaps, for a comparatively small quantity of the lighter class of plates. Hence the Bureau is of the opinion that most of the armor required will have to be ordered from the same sources as heretofore.

19. The Bureau ventures to express the opinion that it is not expedient to fix by law the price which may be paid for armor, but that it may safely be left to the Department to guard the interests of the Government in this as in the purchase of other material.

20. The new-process armor is referred to as the "improved Harvey," and sometimes as that made by the "Krupp process."

21. The Bureau respectfully recommends that in the next appropriation bill providing funds for the increase of the Navy no restriction be placed upon the cost of armor, but that the matter be left to the Department to make the best terms it can. If this is not done there is danger that a serious delay will be caused, which is likely to result in much embarrassment to the Department, and out of which complications and claims for damages for delays on the part of the shipbuilders will arise and the completion of the vessels be retarded.

22. The Department can take but one attitude in this matter, which is that the vessels of the United States Navy must be the equals of any in the world in all respects; that they must carry the best armor that can be procured, regardless of cost, in order that their prestige and efficiency may not be impaired, and that they shall not suffer by comparison with the latest vessels of other powers.

23. While the armor manufacturers have intimated that the cost of the new-process armor would be \$545 per ton, it is by no means certain that they will specify that sum in their bids, especially if they have reason to believe that there will be any competition, or if they know that the Department can, if it chooses, establish an armor factory. The sum named by them is undoubtedly the maximum price they expect to ask. Hence it might be well to insert a proviso in the appropriation bill to the effect that if the Secretary of the Navy is unable to make satisfactory terms as to the cost of armor, he is authorized to proceed at once with the establishment of a Government armor factory, and the necessary funds are made available for this purpose.

Respectfully,

CHARLES O'NEIL,  
Chief of Bureau of Ordnance.

THE SECRETARY OF THE NAVY.

[Inclosure.]

DEPARTMENT OF THE NAVY, BUREAU OF ORDNANCE,  
Washington, D. C., March 3, 1899.

SIR: I respectfully call your attention to certain paragraphs in the CONGRESSIONAL RECORD of March 2, 1899, which imply that the Department has been derelict in not informing Congress as to the status of armor.

2. Senator CHANDLER, in his remarks before the Senate last night (March 2), is quoted in the CONGRESSIONAL RECORD as saying, on page 2906, at bottom of right-hand column, with reference to Krupp armor: "Should not these facts have been presented to Congress on the first Monday in December?" "Should not the Navy Department and the makers of this armor have come here more than sixty days ago?" etc. "I say, Mr. President, in all candor, that no attempt ought to have been made to ignore the Senate in that way."

3. The facts of the case are that on December 12, 1898, a letter from this Bureau addressed to the Department was sent by you to the chairmen of the Senate and House Naval Committees, setting forth the whole subject, and in paragraph 14 stating that the armor had not been contracted for for the three battle ships of the *Maine* class and for the four harbor-defense monitors, and that by next July it was essential that these contracts should be made. A copy of this letter is forwarded herewith.

4. The reason why the armor for the above-named vessels was not contracted for is that it is not the practice of the Department to make its armor contracts until several months after the vessels themselves have been contracted for, because the shipbuilder has to prepare the detail plan for each plate, with its dimensions and weight, upon which the Department makes the schedules, classifying the armor into groups and specifying the order of delivery. The ships referred to were only contracted for last fall, and the keel of the first battle ship, namely, the *Maine*, was only laid two weeks ago; therefore there was no necessity to contract for the armor, and the schedules are not yet ready.

5. Moreover, the armor makers have all the work they can attend to until January next, having the armor for the *Alabama* class and that for a Russian battle ship and armored cruiser to make, and therefore none could be made for the *Maine* class until after January 1 next.

Respectfully,

CHARLES O'NEIL,  
Chief of Bureau of Ordnance.

THE SECRETARY OF THE NAVY.

MR. PETTIGREW. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from South Dakota?

MR. TILLMAN. Certainly.

MR. PETTIGREW. I wish to ask a question. How far along are we with the ships that we authorized to be built last July? How long will it be before it will be necessary to have armor for them in so far as it has not been furnished?

MR. TILLMAN. I will state for the benefit of the Senator that the Secretary's report, which I have in my hand, gives these dates: The *Illinois*, *Alabama*, and *Wisconsin* will be completed, respectively, in April, 1900, September 24, 1899, and September 1, 1899. Those are the three ships ordered three years ago. The three battle ships, the *Maine*, *Missouri*, and *Ohio*, ordered last July will be completed in June, 1901, and we have Commodore Hichborn's statement here that they can be finished, with their machinery put in and everything except the armor, and then go to a Government navy-yard and have the armor put on at the Government's leisure, without any additional cost or claim for damages.

MR. PETTIGREW. I wish to make this remark simply—

MR. CHANDLER. If the Senator will allow me—

MR. PETTIGREW. We seem to have got into a practice here of all talking at once and never addressing the Chair.

MR. CHANDLER. That is the custom.

MR. PETTIGREW. And when I address the Chair I am shut out by three trying to talk at the same time. We ought to have some system.

MR. CHANDLER. I want to answer the Senator's question.

MR. PETTIGREW. The Senator from South Carolina has the floor and yielded to me for a question.

MR. CHANDLER. I wish to call attention to something that he has not stated.

MR. PETTIGREW. I shall insist on the Senator from New Hampshire addressing the Chair and getting permission.

THE PRESIDING OFFICER. To whom does the Senator from South Carolina yield?

MR. TILLMAN. I yield to the Senator from South Dakota.

THE PRESIDING OFFICER. The Senator from South Dakota will proceed.

MR. PETTIGREW. I wish to make a brief statement. It has been argued that we have not time to build an armor factory. These facts disclose the truth that we have abundant time to do it now. The ships ordered last July will not be completed until about three years from that time, and the ships ordered now will not be completed until three years from this time. Therefore there is abundant time to build the armor-plate factory if we build it now, and I think it is the duty of the Senate to insist upon this alternative. If the Government can not buy the plate at a reasonable price, an honest price, it should not be held up by a trust and the Treasury plundered with our eyes open with regard to it. We ought to provide for building an armor factory and do it now. Next year Senators will come in here and say, "We have not time to build it."

MR. TILLMAN. If the Senator from South Dakota will allow me, I will state that the last appropriation act gave the Secretary of the Navy authority to do this very thing, to proceed with the building of an armor factory, if those people would not contract at a fair price.

Mr. BUTLER. No; the Senator from South Carolina is mistaken about that.

Mr. TILLMAN. It provided that he could do it after the armor board which was to take the whole subject up and make estimates and plans, which have just come in, had made their report.

Mr. BUTLER. No; the Senator is mistaken. It authorized him to make report to Congress, and then Congress was to act after the report was made, and we have the report here.

Mr. TILLMAN. I knew we had made this instruction to prepare for the establishment of an armor factory as a means of preventing the Government from being robbed continuously and perpetually by this trust, and I thought that we had accomplished it.

Mr. BUTLER. I will say to the Senator—

The PRESIDING OFFICER. Senators will please address the Chair and get permission. The Senator from South Dakota is entitled to the floor.

Mr. PETTIGREW. I have not yielded the floor.

Mr. BUTLER. The Senator from South Dakota will pardon me; I thought the Senator from South Carolina had the floor.

The PRESIDING OFFICER. The Senator from South Carolina had the floor and yielded to the Senator from South Dakota.

Mr. PETTIGREW. I will not yield to the Senator from North Carolina until he puts himself in order in the proper way, by addressing the Chair and obtaining permission.

Mr. BUTLER. Mr. President, I desire to know if the Senator from South Dakota will be kind enough to yield to me for a moment?

Mr. PETTIGREW. Mr. President, I am in possession of the floor by the sufferance of the Senator from South Carolina, and I yield the floor to him.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Carolina.

Mr. TILLMAN. With pleasure.

Mr. BUTLER. Harmony is restored.

Mr. WARREN. What did the gentleman from North Carolina say to the gentleman from South Carolina? [Laughter.]

Mr. BUTLER. "It is a long time between" yesterday and today. [Laughter.]

Mr. TILLMAN. Not quite as dry as it is out in your country, if we may judge by the way the Senator from Wyoming begged for "water" last night. [Laughter.]

Mr. WARREN. It would have better results than in your country.

The PRESIDING OFFICER. Senators will be in order. The Senator from North Carolina will proceed.

Mr. BUTLER. Mr. President, I want to call the attention of the Senator from South Carolina to the fact that exactly two years ago the amendment we have now placed in this appropriation bill, and which the Senator from Maine has asked us to recede from, was proposed by me, was discussed for a part of two days in the Senate, and just as we were about to take the vote—and I believe now and I believed then a majority was for it—one or two Senators who favored the proposition approached me, and I think the Senator from South Carolina and the Senator from Massachusetts held a little conference around the place where the Senator from New Hampshire now sits, and suggested that I withdraw that proposition and modify it and provide for a board to investigate the whole question and let us have the full facts, the specifications and plans, before providing for an armor plant.

At their solicitation I modified the amendment. The amendment was promptly adopted. The board was appointed and plans and specifications were drawn. The reports are in the possession of the Senate and of Congress, full and complete. They show that the armor factory can be built anywhere from \$700,000 to a million and a half, the highest estimate being a million and a half and the lowest \$700,000, or a little more, with all the plans and specifications furnished.

A year ago this whole question would have come up and the very proposition that we have now would have been debated and a vote asked, but we were in the midst of war. That being the case, we did not press the amendment. We are now asking the Senate to adopt two years later what it was ready to adopt, in my opinion, two years ago, when it authorized this board to be appointed. We have all the information. We have simply wasted two years' time, and now, with all the information, we are asking the Senate to provide for what? That if this armor is not furnished at \$300 a ton, which the Senate has three times fixed as the limit, then what shall be done? That an armor factory shall be built according to the plans and specifications already prepared under the direction of Congress; and Captain O'Neil, Chief of the Bureau of Ordnance, under date of December 12, 1898, says:

The sum named by them—

The armor manufacturers—

is undoubtedly the maximum price they expect to ask. Hence, it might be well to insert a proviso in the appropriation bill—

This appropriation bill—

to the effect that if the Secretary of the Navy is unable to make satisfactory

terms as to the cost of armor, he is authorized to proceed at once with the establishment of a Government armor factory, and the necessary funds are made available for this purpose.

Here is the recommendation and the last official utterance we have from the Navy Department that, as the Senator from New Hampshire says, regardless of the price we fix, in the event the manufacturers will not agree to that price, the Secretary of the Navy should be authorized and the money be appropriated to proceed to build the plant. That is precisely what this amendment provides for and which the chairman of the committee has seen fit, I am sorry to say, to ask us to recede from.

Mr. HALE. Mr. President, I am simply taking the sense of the Senate. It has to be done in that way, and it will be a matter of some instruction to the conferees.

Mr. CHANDLER rose.

Mr. TILLMAN. With the consent of my various interlocutors, unless my amiable friend from New Hampshire wants to be heard—

Mr. CHANDLER. It is a practical suggestion I would make. If there were Senators enough here to make a full vote, I should be willing to have a vote taken immediately on the question of reducing the price of armor; in other words, on the motion to recede from the Senate amendment.

Mr. HALE. I suppose there is a quorum here.

Mr. LODGE. There is a quorum here.

Mr. HALE. Senators are about the building, I suppose. I have not any doubt what the vote will be, but the House has taken a vote, and the House conferees asked us to have a vote taken.

Mr. LODGE. Let us vote.

Mr. HALE. The conferees then—

Mr. TILLMAN. I want to make one or two other statements of fact. I am sorry I have intruded on the Senate as long as I have done.

Mr. BUTLER. Before the Senator proceeds, if we are asked to vote, as many Senators are out, I think we ought to have them in before the Senator concludes his remarks, because it is important for Senators who are to decide this important question to know what they vote on when they come in.

Mr. FRYE. Oh, we know.

Mr. LODGE. We know.

Mr. TILLMAN. I wish to call attention to the fact that Russia has a Government armor factory. I make that statement on the authority of Mr. DALZELL of the House, who represents a district in Pennsylvania, and who has taken a keen interest in protecting Bethlehem and Carnegie in this monopoly. Then I will state, further, that the French Government has an armor factory of its own, and here is a letter of Jules Bœufve, chancellor of the embassy here, to the Hon. JOHN W. GAINES, a member of Congress from Tennessee, dated January 24, 1898, a year ago when this debate was up, making this statement:

EMBAISSE DE FRANCE, AUX ETATS UNIS,

Washington, D. C., January 25, 1898.

DEAR SIR: My inability to confer before this with the military attaché of this embassy prevented me, to my regret, from replying any sooner to your favor of the 13th instant. France builds a part of her men-of-war, armor plate, and artillery in government establishments. The rest is constructed by private industries. This mode is followed so as to allow the Government to be independent of private industries in time of peace. On the other hand, in case of war, the Government needs the assistance of private industries, and it would be too late to improvise them in cases of emergencies. For these reasons recourse is had to both sources of production.

Very truly, yours,

JULES BŒUFVE, Chancellor.

HON. JOHN W. GAINES, M. C.,  
Washington, D. C.

Then follows a similar letter from Count Vinci, of the Italian embassy, of a like tenor, showing that all the leading governments of Europe find it necessary for their protection to have government armor factories, so as to prevent monopolies from robbing them as well as to get the benefit of private assistance in case of war.

Now, we simply occupy the position of being bound hand and foot and tied, helpless, in the grasp of this monopoly, and they have time and again held us up and demanded an increase in price, which we have by our thorough investigation proven to be too much.

With that statement of fact—I could add more—and the Senator from New Hampshire has a great many facts bearing on the subject, I will leave the question to the Senate. I have done, I believe, my full duty in exposing the frauds that have been perpetrated and which it is proposed to continue, and I leave it to the Senate to determine whether this trust shall continue to rob the Government or not.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine that the Senate recede from amendment numbered 55. [Putting the question.] The yeas have it.

So the Senate refused to recede from its amendment.

Mr. TILLMAN. Does the Senator want a yea-and-nay vote? I should like to see just how many vote "nay."

Mr. CHANDLER. No; we want another conference.

Mr. TILLMAN. If it is nemine contradicente, it is all right.

Mr. HALE. It was not that; but it showed the feeling of the Senate. I want to be entirely frank with the Senate. What the Senate conferees want is an expression of the Senate upon the subject after the situation had been laid before them, as it has been. The only good that there would be in taking the vote by yeas and nays would be to demonstrate what is evidently the feeling of the Senate not to recede from its amendment. I do not think it is essential to take up the time by calling for the yeas and nays.

Mr. TILLMAN. I do not insist at all. I have no desire to protract the proceeding.

Mr. CHANDLER. I am afraid that it might develop the lack of a quorum at this hour in the morning. There is not any doubt at all that whatever price may be fixed for armor, there is an overwhelming majority in the Senate in favor of obtaining a Government armor plant, especially as it is now recommended by the Navy Department, by Captain O'Neill.

Mr. BUTLER. I wish to say that I was talking when the vote was taken, and I did not vote. I wish to add my vote to the strong chorus of votes opposed to receding from this amendment.

Mr. HALE. I move that the Senate further insist upon its amendments not agreed to and ask for a further conference with the House of Representatives.

The PRESIDING OFFICER. The Senator from Maine moves that the Senate further insist on its amendments not agreed to and ask a further conference with the House of Representatives.

Mr. BUTLER. Before the motion is put, I desire to inquire whether that includes amendments numbered 45 to 55?

Mr. HALE. All of them.

Mr. TILLMAN. All of them.

Mr. BUTLER. The chairman of the committee came in to get the expression of the Senate. As one member of the Senate I wish to say, before he goes to meet the conferees of the House, that I should be glad to see him, in order to make any compromise that may be necessary with the House, recede from amendments 45, 46, and possibly others, and I will not say 47, because I do not believe our protected cruisers have proven a success, and I do not want to see any more of them built. The ships that have proven to be most valuable by the late war are our battle ships and our armored cruisers. I have been and am now ready to vote for any number of battle ships and armored cruisers that the Navy Department may recommend or that it can be shown can possibly be built before another appropriation bill is passed or put under way.

I am in favor of a big Navy. I am in favor of authorizing the building of as many ships as we can do with dispatch and success. The House authorized three battle ships and three armored cruisers. I would personally be glad to see that many authorized by the bill, and as a member of the Senate and a member of the Naval Committee I want to go on record as saying and making this suggestion to the conferees of the Senate, that if it is necessary to make more concessions to the House further than the concession already mentioned by me, I trust they will yield on those two amendments and agree to the building of three battle ships and three armored cruisers.

Mr. CHANDLER. Only a word more. The Senator from Maine will understand how it happened that the Senate amendment limiting the price to \$300 is applicable to the three ships of last year. It was made applicable because the House had provided \$445 for the ships last year, and the Department wanted to give \$545. So, of course, when the Senate substituted \$300 for \$445 it was applicable to last year's ships as well as to the ships contained in this bill. Yet it has been understood here by every one who investigated the subject that it would be advisable to allow the Department to go on and make contracts for the *Maine*, *Missouri*, and *Ohio* at \$400 a ton.

Mr. BUTLER. I will put the suggestion I made in the form of a motion, if the chairman of the committee does not object to it.

Mr. TILLMAN. I suggest to the Senator from North Carolina that he had better let the conferees go out without suggestion and see if they can not come to some agreement that we can all stand by. Let us end this war on armor at every session of the Senate. Let us get through with it.

Mr. HALE. That is what I am trying to do.

Mr. BUTLER. Then I repeat the suggestion. I trust—and I for one am ready to yield that—that the Senate conferees will yield as to the three battle ships, the *Maine*, *Missouri*, and *Ohio*, the price mentioned a year ago, \$400 a ton, but insist on the Senate provision as to the vessels authorized in this bill. That is a fair compromise.

Mr. HALE. My motion is pending.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. QUAY, and Mr. GORMAN were appointed.

#### FUNERAL OF THE LATE LORD HERSCHELL.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of State; which was read, as follows:

DEPARTMENT OF STATE, Washington, March 3, 1899.

SIR: I have the honor to advise you, for the information of the Senate, that it has been arranged to hold a funeral service for the late Lord Herschell at St. John's Church at 5.15 p. m. on Saturday, the 4th instant. At the request of his excellency the British ambassador, the attendance of the members of the Senate is respectfully invited.

Very respectfully, yours,

JOHN HAY.

HON. GARRET A. HOBART.

Vice-President of the United States, United States Senate.

#### PROPOSED EXECUTIVE SESSION.

Mr. HANSBROUGH. I move that the Senate proceed to the consideration of executive business.

Mr. CHANDLER. On that I ask for a division.

Mr. HANSBROUGH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Daniel,	McBride,	Platt, N. Y.
Bate,	Davis,	McEnery,	Pritchard,
Berry,	Fairbanks,	McMillan,	Quay,
Burrows,	Prye,	Mallory,	Roach,
Butler,	Gallinger,	Martin,	Sewell,
Caffery,	Hale,	Money,	Shoup,
Carter,	Hansbrough,	Morgan,	Spooner,
Chandler,	Hawley,	Nelson,	Teller,
Chilton,	Jones, Nev.	Pasco,	Tillman,
Clark,	Kenney,	Perkins,	Turley,
Clay,	Kyle,	Pettigrew,	Warren,
Cockrell,	Lindsay,	Pettus,	Wolcott.
Cullom,	Lodge,	Platt, Conn.	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present. The Senator from North Dakota moves that the Senate proceed to the consideration of executive business, upon which the Senator from New Hampshire calls for a division.

Mr. ALLISON. I hope the Senator from North Dakota will withdraw the motion that I may submit a conference report on the sundry civil bill.

Mr. HANSBROUGH. I withdraw the motion temporarily.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 24, 75, 77, and 88. That the House recede from its disagreement to the amendments of the Senate numbered 21, 22, and 76, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For custom-house and post-office at Newport News, Va.: For purchase of site and commencement of building under present limit, \$55; and the Secretary of the Treasury is hereby authorized to enter into a contract for the completion of said building within its present limit of cost."

And the Senate agree to the same.

On amendments numbered 2, 3, 4, 6, 8, 10, 23, 140, 145, 146, 150, 161, 163, and 164 the committee of conference have been unable to agree.

W. B. ALLISON,  
EUGENE HALE,

A. P. GORMAN,

Managers on the part of the Senate.

J. G. CANNON,

W. H. MOODY,

THOS. C. McRAE,

Managers on the part of the House.

Mr. ALLISON. I can explain amendment No. 10 without its being read at the desk. The conferees found difficulty in the amendment disagreed to at the prior conference as respects the public-building bills, insisting, as they heretofore insisted, that no appropriation for a public building should be included except those that had passed both Houses of Congress and practically met the approval of the President. They were willing to agree to amendment No. 10 providing we would allow to be struck from that amendment Nashua, N. H., and Deadwood, S. Dak., Nashua, N. H., being also included in another separate amendment to this bill, Deadwood, S. Dak., having no place in the bill except in amendment No. 10.

The conferees on the part of the Senate refused to modify amendment 10 so as to exclude Nashua and Deadwood. Thereupon the House insisted that No. 10 should go into disagreement unless we could consent to the modification I have spoken of. Therefore, in making up the report, the Senate receded from certain amendments and the House receded from certain others, and amendment No. 10 was included in the disagreement. When this bill went back to the House, the House of Representatives agreed to No. 10 with an amendment providing for all the bills that had passed

both Houses substantially as we had agreed upon it before, excluding Deadwood and Nashua. They have added that amendment or substituted an amendment—in other words, an amendment to our amendment No. 10, excluding Deadwood and Nashua. We, on the part of the Senate, endeavored to persuade them that those bills and amendments covering these various public buildings stood practically upon the same basis as those included in No. 10; that while technically they had not passed both Houses, they had been agreed to here in substantially the same manner as all the bills included in No. 10 had been agreed to and disposed of in this body.

Mr. GALLINGER. Will the Senator permit me? Upon what hypothesis, if I may be permitted to ask concerning a matter which occurred in conference, was the proposition made that the two buildings, one in New Hampshire and one in South Dakota, should be excluded and other bills which were in precisely the same status should be included?

Mr. ALLISON. There is no other having the same status included. They exclude from amendment No. 10 Nashua and Deadwood, and also exclude those separate amendments for public buildings at Salem, Evanston, and one or two others.

Mr. GALLINGER. I understand now.

Mr. ALLISON. Those were separate amendments.

Mr. GALLINGER. The Nashua and Deadwood bills were in the amendment which the Senator from Iowa offered, making appropriations at 50 per cent?

Mr. ALLISON. Yes, sir.

Mr. GALLINGER. I understand.

Mr. ALLISON. The others were offered as Senate amendments and were not included in No. 10.

Mr. GALLINGER. I understand it now.

Mr. ALLISON. So the House conferees said they were willing to agree to amendment numbered 10, which is embraced in the great body of public-building bills which passed both Houses. They insisted that we should exclude those two buildings, which were also embraced in amendment numbered 10, because they were bills that had not passed both Houses. We were not able to convince the House conferees that any bills should be included which had not received separate consideration in both Houses, and they invoked the rule—which has often been followed, and just as often violated as followed, in the consideration of these bills—that they would not include any public-building bills which had not received the sanction of the two Houses in separate measures.

The House conferees also declined to agree to the addition to the public building at Hartford, Conn., which was a separate amendment.

They also excluded from the agreement the public building at Cheyenne, Wyo., being amendment numbered 3, on the ground that the public building at Cheyenne was authorized in a separate act with a limit of \$250,000; that that limit could not be enlarged in an appropriation bill, but that there must be a separate statute authorizing the enlargement of the limit, thus placing it practically on the same ground as the new public buildings.

Mr. WARREN. Will the Senator allow me to ask him a question?

Mr. ALLISON. Certainly.

Mr. WARREN. I want to ask if the matter was fully weighed by the conferees? I wish to say that this amendment was not in the way of getting a larger and better building. It was simply to provide for what might naturally be termed an accident and extra expenditures coming from something unforeseen. It does not grow out of a desire on the part of the people to have a better or more expensive building; but sometimes accidents occur which put the Government in the dilemma of having a building partly up, and being in the position of having expended \$25,000 extra on the lower part of a building and then be unable to properly complete the upper part unless the extra amount is granted. In this case quicksand and a general shaky condition of the ground caused over \$28,000 extra expense in putting in a safe foundation.

Mr. ALLISON. The Senate conferees urged that, and we had read the report made upon the subject by the Committee on Public Buildings and Grounds in this Chamber, setting forth clearly and distinctly the facts in the case.

Mr. WARREN. The building at Cheyenne is in a different position from any of the others.

Mr. ALLISON. Yes, we made that contention; but the House conferees said it was legislation increasing the limit fixed by law, and that an appropriation could not be made until that limit had been extended by law.

Mr. WARREN. If the Senator will permit me another question, I observe in another place in the bill an amendment which I believe has been agreed to, but I want to ask a question about it, as it is a matter in which I am interested. I refer to the appropriation of \$50,000 for a military post at Sheridan. I observe that the amendment was divided; that one-half of the amendment provided for \$50,000 to be expended on a post in Kansas, and the other part provided \$50,000 to be expended on a post in Wyoming. The

Kansas amendment was accepted, and the other has been rejected. I do not quite understand that. I do not know that there was a law heretofore passed for expending \$50,000 in Kansas any more than that there was a law expending \$50,000 for a post in Wyoming—not that I wish to make any complaint against Kansas in getting \$50,000 for its post.

Mr. ALLISON. Has the Senator the page where that amendment comes in?

Mr. WARREN. I am sorry that I do not have it before me.

Mr. ALLISON. The difference between Leavenworth, Kans., and Sheridan, Wyo., consisted in the fact that the body of the amendment was for the construction and enlargement of military posts, \$650,000, of which, of course, Leavenworth, Kans., is one; and the amendment which was adopted by the Senate provided that of this total appropriation of \$650,000, \$50,000 might be used in a particular place. In other words, it was a designation of an appropriation providing generally for all army posts assigning \$50,000 to this particular post. So that was in the line of the requirements in regard to the Sheridan post, except that the House conferees contended—I suppose rightfully; I do not know—that there was no law establishing a military post at Sheridan, and until there was a law providing for a military post at Sheridan, we could not use any portion of the appropriation made for military posts at points where there were no military posts established by law. That was the contention of the House conferees.

Mr. WARREN. The Senator is very kind, as he always is; but I want to state, in the first place, that there is a post to all intents and purposes at Sheridan. Troops are ordered there; it is necessary to support them there, and the Government is expending money there, so that the difference is simply this: The post at Leavenworth, Kans., is not being used to any great extent, because there are no officers for the school of instruction, etc., and it is a vacated place. There are no troops there of consequence, but there are quarters there many times as large as needed, while, on the other hand, at Sheridan there is a necessity for troops and there are not quarters enough for them. So that, as between the two, it seems to me the appropriation should have gone to Sheridan.

I have in mind another point. I am informed that there has been a post established in the State of Vermont, a large post, which is being occupied continually, and I have looked in vain to find any law anywhere on our statute books authorizing the establishment of that post, except that from time to time we have appropriated money for military posts, and slices have been cut off and a post established.

I do not blame the Senator who has charge of the bill. I presume these matters were not brought to his attention, but I think I am stating facts. It will be rather hard for me to explain to the people who are interested in the preservation of peace and order in Wyoming why, when the Government feels it necessary to establish a post and put troops in that Indian country, there can not be any money appropriated to provide quarters enough to accommodate them, but that troops must be put in tents, while other posts are being enlarged to which no troops are going, and there are still other posts being built out of "whole cloth" on authority and money granted in appropriation bills only, and by these cut off from the general lump sum.

Mr. ALLISON. As respects the military post in Vermont, that was authorized by law and a large appropriation—much larger than it ought to have been, I think—was made for the purchase of land at that post.

The contention of the House conferees, whether rightfully or wrongfully, was that there was no military post at Sheridan authorized by law, and that if the Secretary of War or if the Army had buildings or barracks there, they were in the nature of a temporary occupation and that Sheridan could not be designated as a military post.

If the Senator will turn to the appropriation, he will see that under that construction we were not able to find any authority of law for the establishment of a military post at Sheridan. The bill as it passed the House read in this way:

For the construction of buildings at, and the enlargement of, such military posts as in the judgment of the Secretary of War may be necessary, and for the erection of barracks and quarters for the artillery in connection with the adopted project for seacoast defense, \$670,000; and of this sum \$100,000, or so much thereof as may be necessary, may be used for the purchase of suitable building sites.

That was the text of the bill as it came to the Senate. We amended it by providing that—

The sum of \$50,000 shall be used for the erection of barracks, quarters, gun sheds, and stables for one battery of light artillery at Fort Leavenworth, Kans.

Which is an established military post by law. Then we added an amendment providing also that the sum of \$50,000 might be used—

Toward the construction of a military post at or near the town of Sheridan, Wyo., on lands now owned by the United States for the said purpose; cost of the same not to exceed \$200,000.

The contention of the House conferees was that by this method

we were not only authorizing a post to be constructed at Sheridan, but we were also establishing a limit of the cost of construction of that post; that it was virtually a law inserted in this appropriation bill authorizing the establishment of a military post at Fort Sheridan. Therefore it was that we were constrained to recede from our amendment. That, however, has already been done, and it is not involved in this report.

Mr. WARREN. It is already done, I understand. However, may I ask whether there was any limit of that character in the last sundry civil appropriation bill in regard to the post in South Dakota?

Mr. ALLISON. At Fort Meade?

Mr. WARREN. Yes. Was there any limit of cost there?

Mr. ALLISON. There was no such limit there. There was an appropriation of \$30,000 for Fort Meade, which, I believe, is one of the oldest posts in the Northwest. I am, however, not certain about that.

Mr. PETTIGREW. The appropriation was for repairs and construction of new buildings, owing to the injury of the old buildings.

Mr. WARREN. I think I saw it in some print.

Now, we will drop that matter, for that is not in issue. But I understand that amendment No. 3, as to the Cheyenne building, has not been determined upon?

Mr. ALLISON. It is in disagreement.

Mr. WARREN. I ask, then, that the honorable Senator from Iowa will note as he goes along the rather unfortunate position in which Wyoming is placed in these three appropriations. One is already out, and the other two are in limbo. I hope there may be an effort made to save at least the color, so that we may sprout something the next time for that State.

Mr. ALLISON. Mr. President, I have stated the status of the amendments as to the public buildings. All those that are not embodied in amendment numbered 10 as amended by the House of Representatives are still in controversy and contest; and unless the Senate shall adopt the House amendment to the amendment of the Senate numbered 10, all of the public buildings which have been authorized by law at this session will be still in controversy.

I do not believe there is any Senator on this floor who can characterize more strongly than I can and do the injustice and wrong which I believe is involved on the part of the House in rejecting these four or five or six buildings, which have merit certainly far beyond the merit of a great many buildings which are provided for in amendment No. 10, and which stand, in my belief, upon as strong a footing and foundation in reality as do the buildings provided for by amendment No. 10; but the conferees of the House of Representatives insist that because these separate buildings—five or six of them—have not passed the crucible of separate, independent consideration in the House of Representatives, they are new projects, for which we can not appropriate under the rules which prevail between the two Houses respecting legislation on appropriation bills.

So far as I am concerned, I intend, and I think so far as the Senate conferees are concerned, we intend, after expressing the views to which I have given utterance, to leave this question to the Senate for further consideration.

I should state that amendment No. 140 is an appropriation for Yaquina Bay. The House conferees refused to assent to the amendment adopted in the Senate making an appropriation for continuing the improvement there. They did so on the ground that the river and harbor bill, which is in conference, provides for a suspension practically of work at Yaquina Bay and a re-examination of that bay, the work to proceed in case a favorable report is made by the engineer.

Mr. FRYE. It also provides that no contract shall be made for the work.

Mr. ALLISON. It also, as stated by the Senator from Maine [Mr. FRYE], provides that no contract shall be made for the work there. There is now in the Treasury to the credit of that public work \$25,000. The contention of the House conferees being that, inasmuch as a board of engineers is to make a report on that work and that no contract can be made until the report is made to the Secretary of War, that \$25,000 will suffice until we meet next December. So they refused to agree to that amendment, and that is still open.

There is also an amendment appropriating \$100,000 for the Missouri River. I will not go into the details of that, but the House conferees placed their objections to that amendment upon the same grounds as to the other, that there was no legislation authorizing it.

Mr. FRYE. I think we appropriated for that in the river and harbor bill.

Mr. ALLISON. One hundred thousand dollars.

Mr. FRYE. I think so.

Mr. ALLISON. It would have relieved the conferees of a great deal of trouble if we had known that.

Mr. FRYE. I have stated my impression.

Mr. PETTUS. Mr. President, would it not be well, just for the

purpose of maintaining the dignity of the Senate, to say to these gentlemen that their public-building amendments will not be consented to by the Senate unless they consent to consider the public-building amendments the Senate has put in the bill? In other words, the suggestion I make is—I do not care to debate it—would it not be well to just state to these conferees that the Senate, under the present circumstances, will not recede from its action?

Mr. ALLISON. We have substantially told them that, because the amendments as to nearly every public building provided for in this bill are in disagreement; certainly all of those which recently passed are in disagreement, and are subject now to the control of the Senate, either to reject the amendment proposed by the House conferees and throw the matter into conference, if we think that is a wise thing to do, or agree to it.

In addition to the public buildings I have mentioned, there was an appropriation adopted in the Senate for a sanitarium for old soldiers at Hot Springs, S. Dak. This the House conferees refused to agree to.

There was also an amendment placed on the bill providing for the construction by the Government of the United States of a cable from some point on the Pacific coast to Honolulu, Hawaii. This the House conferees totally disagreed to, on the ground that there is no particular and distinct statute which authorizes the construction of a cable, and that, inasmuch as the House of Representatives have not considered that question independently, they can not consent to its incorporation in this bill.

So, Mr. President, we are confronted as to these amendments with a statement made by the House conferees, after many and long conferences upon all these topics and subjects, that they have agreed to our amendments as far as they can agree to them, and I now submit this report for the consideration of the Senate to do what seems to it wisest and best.

Mr. PETTUS. I desire to ask the Senator another question, and that is, What does he advise the Senate to do?

Mr. ALLISON. That is an absolutely pertinent question, and I will answer as frankly as I can. This is a bill embracing a great many items covering necessary expenses of the Government respecting its public works and its administration in this city and elsewhere. My own conviction is that if we proceed further in the contention regarding the amendments in disagreement the result will be that the bill will not pass at this session. That is my belief. We can take just such course as we choose on that matter. My own judgment is that we are compelled to recede from these amendments; but I give no advice to others. I want every Senator to take his own responsibility and to act upon his own judgment respecting the matter.

Mr. STEWART. I inquire of the Senator whether, if the amendments in relation to public buildings were all left out of the bill—and they certainly can wait—it would be possible to get a cable, if we narrowed the difference down to that? The cable is very important.

Mr. ALLISON. I will give the Senator my best judgment on that question, which is, that if all the public-building provisions were agreed to, or all were eliminated from the bill, the cable provision would not pass the House of Representatives at this session.

Mr. STEWART. Then I would let the bill go.

Mr. FRYE. Did any of the House conferees suggest as a substitute the provision for a cable which was reported by the Committee on Foreign Relations?

Mr. ALLISON. They made no suggestion upon the subject, save the one that the cable provision was inserted as new matter in the Senate, that the House had had no opportunity of considering it as an independent measure, and therefore they could not consent that the cable provision should be inserted in the sundry civil bill.

Mr. STEWART. That would seem to be a denial of any right on the part of the Senate to make amendments, and it seems to me we have got to a point where that question ought to be determined.

There is no doubt that the public buildings might wait, but the cable can not wait without great loss to this Government. It will cost more to send ships across the Pacific Ocean and to get information and to send men and supplies to and from those points in the next two years than it would cost to build the cable. Everybody understands that it costs considerable to send a ship so far off.

Mr. WOLCOTT. Do I understand that it will cost two and a half million dollars in two years to send ships to Honolulu to get information?

Mr. STEWART. It will cost two and a half million dollars—

Mr. WOLCOTT. Merely for the expense of sending ships to get information?

Mr. STEWART. Not only by sending ships, but by the delay that will be occasioned if we have to send them there every time we want to carry on operations. That will occasion delay and expenditure which will be equivalent to more than \$2,000,000. It has been exceedingly costly already in the mere sending of ships

and keeping them there; and it will be costly and most troublesome when we have a large army on our hands and can not receive information or communicate with it as quickly as we should be able to do. It does not take very long to eat up \$2,000,000 when you can not send communications to your army by any swifter means than by vessels.

Mr. BUTLER. I will say to the Senator that \$2,000,000 is the estimate of the cost of the cable from the Pacific coast to Honolulu.

Mr. STEWART. The cable seems to me to be a necessity. I think the public buildings could wait for the next two years without any great harm coming to the country. I should let them all go if it was necessary to secure an agreement to have the cable constructed and laid. Let us take the responsibility, because the question must be decided some time. If the House deny to us the right to make amendments, a new order of things is being inaugurated. They reject our amendments because they say they are new things. Of course when we make amendments we put in new things.

Mr. ALLISON. The House does not deny to the Senate the right to make amendments.

Mr. STEWART. Of course they do deny our right when they say we can not put on new things, and that they will not consider our amendments because they are new. Our amendments must be new, because were they otherwise they would amount to nothing. We have a right to make amendments. The only question is whether they are proper amendments or not. If they will not consider proper amendments, we had better let the bill go and let the House take the responsibility of its defeat. Let us at least do what is right, and let the bill go, if necessary.

Mr. GALLINGER. Mr. President, I do not know that it will do any good to further discuss this matter, yet I can not refrain from calling the attention of the Senate once more to the status of this question.

The public-building bill in which I am interested, if I remember correctly—and I am sure I do—passed the Senate in the Fifty-third, Fifty-fourth, and Fifty-fifth Congresses. It received a favorable report in the House in the Fifty-fourth Congress, but no public-building bills were passed in that Congress, and of course it failed with the rest. In the present Congress it was reported favorably by the House committee, but did not get quite far enough up on the list to get consideration.

While the House was considering those bills a very large number of House bills came here and were promptly passed. Any one Senator could have stopped the passage of one or all of them; but we permitted them by unanimous consent to pass. Then we added to the list a few public-building bills—four, five, or six—which had received the sanction of the Senate and the sanction of the House, so far as a favorable report was concerned, and the proposition is to let all the House bills that we passed remain in the bill and drop out those which we added by way of amendment.

Now, Mr. President, it seems to me the height of impertinence for the other branch of Congress to say that the Senate had not a legal or constitutional right to put those items on this bill, and that they can in an arbitrary way send us an ultimatum saying that they shall be stricken from the bill. If I were representing the Senate in this conference I should give a counter ultimatum, and that would be that they should all remain or all be eliminated.

I think it is the duty of our conferees to at least make one more effort to reach the agreement that either the few bills the Senate added shall remain or that the large number of bills the House sent here, and which we in our good nature passed without any special consideration, should likewise be dropped from the bill, and that no appropriation whatever for public buildings should be made in this Congress.

It seems to me that the House fails to practice reciprocity with the Senate. We pass almost every bill that comes from the House. Practically every bill that has come to the committee of which I am chairman this year has been reported upon and passed. But if you go to the House Calendar you will find that the Senate has not been treated with that consideration; and while I do not especially complain about that, I do complain when the House arbitrarily and dogmatically says to the Senate that these amendments which we made to this bill can not under any circumstances receive the sanction of the House conferees or of the House itself.

Mr. PETTUS. That they can not be considered.

Mr. GALLINGER. That they, as the Senator from Alabama suggests, can not be considered. The Senator from Nevada was right when he said that the House is establishing the doctrine that the Senate has not the right to amend a House bill, and that the House can, by some sort of fiction, insist that amendments put upon the bill by the Senate are obnoxious to some rule that is not written, and that we know nothing about here.

Now, Mr. President, I trust that we will remand this appropriation bill once more to conference, and that we will in some way give expression to the sense of the Senate that it is desirable and proper that either all the public-building bills shall remain or that they shall all be eliminated. I do not care particularly which

course is taken, but I shall feel that the Senate has been wronged, grossly wronged, if the four or five little items which we placed upon the bill are stricken from it and all the House items are allowed to remain.

Mr. CHILTON. Mr. President, this amendment, No. 10, contains a great many public-building bills which originated in the Senate, and after long delay and great endeavor consideration was secured in the House, and they were passed. Probably I am influenced very largely by the fact that two of these public buildings are in my State. They are Senate bills finally amended in the House and agreed to in the Senate.

Mr. President, while I concur with the Senator from New Hampshire and the Senator from Nevada in large degree in their complaints and would gladly vote to put their public buildings on this bill, when we are assured by the Senator from Iowa that any further insistence on our part will, in his judgment, result in losing this bill, it seems to me that it would hardly be right to compel those of us who have bills which have passed both Houses by separate laws to sacrifice our public buildings simply in a fruitless attempt to obtain public buildings for the other members of the Senate whose bills have not passed both Houses.

I understand that the House of Representatives propose to abide by a certain rule. If any public building bill has passed both Houses in a separate measure, no matter from what State it comes, it proposes to allow it to go upon this bill. Having established that rule, if they live up to it, it appears to me that it is the part of discretion, so far as the Senate is concerned, to accept the amendment which they propose and adopt amendment numbered 10.

Mr. CLARK. May I ask the Senator a question?

Mr. CHILTON. Certainly.

Mr. CLARK. Does the Senator believe in the general doctrine of the House of Representatives establishing rules for this body? Then if not a general rule, why in this special particular?

Mr. CHILTON. Here is my proposition: Of course, I do not believe in the House of Representatives establishing rules for this body; but what I say is that if certain meritorious measures can be put through on this bill under a rule which the House of Representatives is willing to adopt, it is not fair that all those measures shall be sacrificed in order to sustain other gentlemen whom we would gladly sustain, so far as we were able to do it.

Mr. CLARK. Then the Senator inclines to yield to an ultimatum and agrees that a rule established by the House of Representatives in any particular case shall bind this body in all cases.

Mr. CHILTON. Oh, no, Mr. President; that is not the point at all. So far as I am concerned, I do not think their rules have any binding force here; but I treat this question as a practical one. I would be perfectly willing to send this bill to conference again if it were not for the statement of the Senator from Iowa that he believes that would result in the defeat of the bill; that it would result not only in the defeat of the public-building amendments on the bill, but in all the multiplied clauses of the sundry civil bill. If that is the alternative presented to the members of the Senate, I for one do not feel that any such sacrifice ought to be made simply for the purpose of passing public-building bills which have not had the separate indorsement of both Houses.

While I would gladly stand by the Senator from Wyoming and other gentlemen similarly situated if it were not for the peril which is presented, according to the opinion of the Senator from Iowa, I do not feel that it is fair to call upon Senators situated like I am, for instance, where public-building bills originating in the Senate have been sent to the House a long time ago and have waited there until finally, by stress of weather, we have secured the adoption of those public-building bills on the part of the House, that after we have thus waited until now, when it is proposed to make an appropriation to carry out those laws, we should be required to share the fate of other gentlemen who have not been so fortunate as to secure consideration of their bills in both Houses.

Mr. WOLCOTT. Does the Senator move to recede?

Mr. CHILTON. I understand that the Senator from Iowa proposes to make that motion.

Mr. PETTIGREW obtained the floor.

Mr. ALLISON. I wish to say only one word.

The PRESIDING OFFICER. The Senator from Iowa asks the Senator from South Dakota to yield for a moment.

Mr. PETTIGREW. I shall be very glad to yield to the Senator from Iowa.

Mr. ALLISON. The first motion is to agree to the report, which does bring the Houses nearer together, because we have agreed to the two amendments.

Mr. CHILTON. I understand.

Mr. ALLISON. Then it seems to me the next motion will be either to agree or disagree to amendment numbered 10 as passed by the House; and if that motion is agreed to, all the buildings embraced in the original amendment numbered 10, covering the bills that passed both Houses, will be assented to by the Senate; and

if we do not wish to agree to the public-building bills which have passed both Houses, we will vote down the amendment of the House to amendment numbered 10.

Mr. PETTIGREW. Mr. President, the speech of the Senator from Texas [Mr. CHILTON] reminds me of a story that was told of an old member of this body shortly after he left it. He said it was a body where no one cared what happened so it did not happen to him. The meritorious measures which the House have placed in this bill, which it is so desirous that we shall pass and make appropriations for, are well illustrated by the reports which I hold in my hand. The first is Blair, Nebr.:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 10909) providing for the purchase of a site and the erection of a public building thereon at Blair, Nebr., have considered the same and make the following report:

Blair, Nebr., is the county seat of Washington County, one of the richest agricultural counties in Nebraska. It is a railroad center of fair proportions, being the junction of the Northwestern system, running from Chicago to the Black Hills country, and the Chicago, St. Paul, Minneapolis and Omaha Railroad, running from Omaha to Minneapolis.

Both roads are the same. They cross at this point. The names are a little different, but they are controlled by the same company. A great railroad center!

The post-office facilities in Blair are very poor, and do not accommodate the growing business of that enterprising city.

It has a population of 2,500 people at the outside.

For some time complaints have been made by the citizens generally because of the poor post-office accommodations, and the Government could not make a better investment than by securing a site and constructing a public building thereon for post-office purposes.

For no other purpose. I do not know what rent they are paying, but my own experience in the West convinces me that they are not paying over \$300 a year, and no statement is made as to the post-office receipts.

After a thorough investigation of the evidence produced favoring the purchase of a site and construction of a Government building thereon, your committee is of the opinion that the sum of \$43,000 is adequate for such a purpose and that such an expenditure will accommodate the business of this city for a great many years.

There is no doubt about it, Mr. President. That little post-office will undoubtedly accommodate the business of the city for a great many years. In other words, the committee in the House do not expect Blair will grow, and nobody else does who knows anything about it.

Your committee therefore report the bill back in amended form, with the recommendation that the bill do pass, amended as follows:

That is—

In line 6, page 1, after the word "building," insert the following words: "with fireproof vaults thereon."

That is very important!

Mr. GALLINGER. What is the population?

Mr. PETTIGREW. Not to exceed 2,500. I have been there, and I am a fair judge of the size of Western towns. I think, if we count every one of them of all ages, there are not 1,900.

Mr. BUTLER. What State?

Mr. PETTIGREW. Nebraska.

Mr. BUTLER. And what county?

Mr. PETTIGREW. Washington County. The report goes on:

In line 11, page 1, strike out the word "fifty" and insert the word "forty three" in lieu thereof.

They asked for \$50,000 and got \$43,000.

In line 5, page 2, strike out the word "fifty" and insert the word "forty three" in lieu thereof.

In line 5, page 1, strike out the words "cause to be erected thereon a" and insert in lieu thereof the words "to contract for the erection and completion thereon of a."

On page 2 strike out all after the word "alleys" in line 9.

Now, there is no United States court, nothing in the world but a post-office at a little country village; and this is one of the meritorious bills we are hastening to put in here so that the public business shall not be impeded!

Mr. GALLINGER. There is nothing said about the postal revenue?

Mr. PETTIGREW. Not a word is said about the postal revenue or the population of the town, but there is simply a statement that "it is a railroad center of fair proportions and that the Northwestern has two lines which cross each other," and that is all there is to it. That is one of the bills in this amendment numbered 10.

Let us see how it compares with Deadwood, that they propose to strike out. They have taken amendment No. 10 back to the House and struck out the city of Deadwood. The city of Deadwood is in South Dakota, in the mining region. The Senate have passed a bill to erect a building at Deadwood every Congress since 1890. There is a United States court, where we rent a building for \$3,000 a year. There is a post-office which has a net revenue of over \$8,000 a year, and there is an assay office for which we pay \$1,200 a year rent, and there is an internal-revenue office. In all we pay \$6,000 a year rent.

It is the seat of the United States court for half of the State of

South Dakota. The valuable records are kept there. This bill passed the Senate in the extra session nearly two years ago. The House reported it for \$100,000. After they had passed this mass of bills, and among them the bill for this important emporium of Blair, they had plenty of time, since we put this amendment in the bill, to pass the Deadwood bill, and they would not do it. Do they consider measures upon their merits? Not only that, Mr. President, but here are 19 bills [exhibiting].

Mr. GALLINGER. All House bills.

Mr. PETTIGREW. House bills for towns of from 3,000 to 10,000 people.

Mr. CLARK. From two thousand.

Mr. PETTIGREW. And there are only one or two United States courts. They are post-office bills. The appropriations run from \$43,000 to \$100,000. There is no indication that there is any rent paid to exceed a thousand dollars. I have not been over all of them, but it would be interesting to read these reports. Now, we are given the ultimatum. We are getting used to ultimatums. In the case of pretty nearly every appropriation bill that comes over here to our conferees an ultimatum has been given.

Mr. FAIRBANKS. Will the Senator from South Dakota permit an interruption? I should like to ask the Senator what proportion of these bills are Senate bills and what proportion are House bills, if he can give us the information.

Mr. PETTIGREW. I have not examined that question. The bill for Blair was a House bill.

Mr. FAIRBANKS. That I am aware of.

Mr. CHANDLER. Have you any more cases like that?

Mr. PETTIGREW. The Senator from New Hampshire asks if I have any more cases like the Blair case? Not so Blairing, but very bad. One at Janesville, Wis., a town of 10,000 people. The report says 13,000, but there are only 10,000.

Mr. SPOONER. What place is that?

Mr. PETTIGREW. Janesville, Wis.

Mr. CLARK. How about Carrollton?

Mr. PETTIGREW. I have not had time to read all these reports. There is one at Bristol, which purports to be a very great city. The population in 1890 was 9,500.

Bristol is the commercial metropolis of eastern Tennessee, its trade extending over southern and southeastern Kentucky, West Virginia, southwest Virginia, eastern Tennessee, and western North Carolina.

It is well spread out. It is a manufacturing center. It has no United States court. It has 5 miles of sidewalk. It has 7 miles of street railway; it does not say whether electric or horse railway.

It has two electric-light plants in full operation, and one gas plant.

The gas plant must have written this report. These are the meritorious cases that we must hasten to hurry through, while towns where the Government is paying \$6,000 a year rent, with valuable records and valuable business, are excluded, and the ultimatum comes from the House.

It seems to me every single public building should go out of the bill or all of them stay in. The House have had time to pass every bill we passed since the conference was first appointed, and our conferees should give an ultimatum. I would like to see a little of that on the other side. Every bill that comes in here with a conference report has an ultimatum. Our conferees tell us that in their opinion the bill will fail. Let the responsibility go where it belongs. It is about time the Senate asserted its power and its right and did not abandon its power and right and functions and duty.

The Senator from New Hampshire has the other reports, but the 19 that I picked out of the 49 buildings in amendment numbered 10 are these village post-offices. I think there is only one where there is a United States court.

Mr. GALLINGER. I will say that in several of these reports I notice the population is not given.

Mr. PETTIGREW. Oh, no.

Mr. GALLINGER. And nothing whatever is said about the postal revenues.

Mr. PETTIGREW. Here is a bill that went over there in 1890 and again in 1893, 1894, 1896, and 1898, and they report it and recite the facts about it that I have stated. Yet they say that we have no right to put a bill on here unless it has passed both Houses.

Mr. President, this comes with a reminder of strange facts that the Senate is not to be allowed to place any bill that has not passed both Houses on an appropriation bill; that new enterprises are not to be inaugurated or initiated on an appropriation bill. I say it reminds us of strange facts.

Two years ago the House of Representatives placed upon the sundry civil bill a provision to build a Soldiers' Home at Danville, Ill., the home of the chairman of the Committee on Appropriations in that body. There was no recommendation for it from the governors of the Soldiers' Homes or from any department of the Government. It was simply inaugurated and put on the bill anyhow. And now the House conferees, composed

of the same persons, tell us that it is contrary to their most devoted principles to inaugurate anything new on an appropriation bill, and that the Senate shall not do it, and that is the ultimatum.

Now, at every session of Congress since, the sundry civil bill has carried hundreds of thousands of dollars for this Danville Home. Five hundred thousand dollars are appropriated in this bill; and yet the great principle is involved over which so many scruples are wasted, and the ultimatum is given to us that they can not violate those dear principles, that no new measure shall be inaugurated on an appropriation bill.

The bill for a soldiers' home at Hot Springs, S. Dak., was twice passed by the Senate as a separate bill. It never has been reported in the other body at all from the committee. It has been placed upon the sundry civil appropriation bill by the Senate and passed three times; and yet this great principle is invoked that no measure must be inaugurated on an appropriation bill, while Danville, towering higher and higher, with hundreds of thousands of dollars each session, becomes more and more a monument to the hypocrisy and falsity of the claim.

Mr. SPOONER. Will the Senator from South Dakota allow me a moment?

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Wisconsin?

Mr. PETTIGREW. Certainly.

Mr. SPOONER. There is no question whatever that there should be an appropriation for a building at Deadwood. It is, as the Senator says, a United States court city, and the reasons for the appropriation are abundant. A bill has passed, and the item is in this appropriation bill, for a public building at Eau Claire. That is a place of over 20,000 inhabitants, as my friend knows. It is a United States court city. United States courts have been held there for ten years.

Mr. PETTIGREW. That is not in my list of nineteen.

Mr. SPOONER. But I want to ask my friend a question. That is a fair bill; it is a proper bill; it has passed both Houses. Does he think that it ought to be stricken out of this bill because the conferees on the part of the House will not consent to the passage in this bill of the Deadwood item?

Mr. PETTIGREW. I will state what I think.

Mr. SPOONER. Is that a fair theory of legislation?

Mr. PETTIGREW. I am ready to answer the Senator's question at once. What I think is this. There is no doubt about it. These items will all remain in, if the responsibility is placed upon the House as to whether they shall stay in or not. They have in 49 of these public buildings; we put in 5 more; and I say they will all stay in if the responsibility is placed on them of killing this appropriation bill or not; and that is where it ought to go, because this practice has become too frequent. We met the same thing at the last session of Congress—ultimatums. We were told that about three or four of the great bills.

It is six hours until this Congress ends. Why, if you should read in detail these interesting reports on these village post-offices it would take the six hours without any trouble at all, independent of the discussion of armor plate and the numerous other questions. This session has been allowed to waste out, because we are dictated to by ultimatums. For my part I am not ready nor willing to submit to it.

Mr. SPOONER. I ask the Senator the question, because of his statement, whether these bills ought to stay in or all go out?

Mr. PETTIGREW. I think the Senate should take that position, and thereby assert its right to do the just and proper thing, for there is not one, I think, of the bills put on by the Senate that is subject to the criticism which lies at the door of the nineteen of these bills that the House is going to agree to.

Mr. FAIRBANKS. Mr. President, I do not justify in any manner the attitude assumed by the House, nor do I agree with the position that has been taken by my honorable friend on my right. It seems to me that the distinguished Senator from Texas [Mr. CHILTON] stated a practical question. The question is whether we shall secure a part or lose all of the legislation we desire with respect to public buildings in the sundry civil bill.

The Senator from South Dakota has directed the attention of the Senate to 19 reports upon public buildings. If his contention is insisted upon and the House does not recede from its position, as the distinguished Senator [Mr. ALLISON] in charge of the conference report believes it will not, then the bills to which the Senator from South Dakota has referred, and all others of like character, fall to the ground.

Mr. SPOONER. And the sundry civil bill.

Mr. FAIRBANKS. And, as suggested by the distinguished Senator from Wisconsin, the sundry civil bill also. If these 19 bills fail, Mr. President, the blow is not alone struck at the House, but at the Senate also. "An absurdity," says the honorable Senator from North Carolina. Let us see whether that is true or not. How many of the 19 bills originated in the House, I ask the Senator from North Carolina?

Mr. BUTLER. A large majority of those bills came from the House. They were passed by the Senate pro forma, and any Senator could have called them down, as the Senator from New Hampshire so well said. We passed them. We did not consider them. It is a burlesque to say that we considered them at all. We did not. We accepted the House bills, and, simply to put them in in order, passed them, and we passed them and railroaded them through by the wholesale.

I sat and saw it done; while for three terms I had passed a bill for Durham, N. C., and I have seen it go on and die in the maw. It is a town that to-day has \$16,000 receipts from the post-office, \$2,000,000 receipts from internal revenue, 15,000 population; and over half of the bills passed by the House are for towns that will not come within 50 per cent of it. I passed it three times, and it has gone over there to die and sleep.

Here came these bills, for little towns and villages, and I sat silent in my seat, when I could have held them up. Can you say that because we passed them, because we had the justice or the courtesy, whatever you may call it, to recognize the House bills and pass them, that shall be thrown in our teeth? And to say that towns that deserved to have public buildings before those towns were out of their swaddling clothes shall be put in the background is arrant nonsense and absurdity compounded.

Mr. FAIRBANKS. The Senator from North Carolina has not answered the question I propounded, and it is immaterial whether he does so or not. Of the 19 bills mentioned by the Senator from South Dakota, 11 originated in the Senate. More than one-half of them originated here and passed the Senate. Shall they fail? Shall we undo the work already done? What proportion of the residue of the 49 public-building bills are Senate bills I do not know. But I am led to believe that more than one-half of them originated here. I so understand from the Senator in charge of the conference report.

Mr. PETTIGREW. Allow me for a moment. The House took up the least meritorious bills that we had passed and discarded the most meritorious and added to the number a lot of bills less meritorious and put them in the bill.

Mr. FAIRBANKS. I will ask the Senator from South Dakota how many of the 49 public-building bills included in the sundry civil bill originated in the Senate?

Mr. PETTIGREW. I am sure I do not know.

Mr. FAIRBANKS. Do not know? Then does the Senator know whether the House has dealt fairly with the Senate?

Mr. PETTUS. I should like to ask the Senator from Indiana a question. I desire to know from the Senator what is his opinion of the action of the House as reported by the Senator in charge of the bill?

Mr. FAIRBANKS. I said I did not approve of it. That, however, does not warrant us in rejecting what we have a reasonable prospect of securing.

Mr. President, there remain but a few hours more, and this Congress is at an end. Shall we jeopardize the sundry civil bill? Shall we jeopardize the Senate public-building bills to which the Senator from South Dakota has specifically referred?

No, Mr. President, I sympathize with the Senators from New Hampshire, South Dakota, and Wyoming, and with any others who have failed to obtain just recognition. In good time they will secure what they desire and what they deserve. I beg of them to be generous and just enough to yield their present prejudices and objections, and permit us to secure the enactment of many of these measures for public buildings, which are quite as urgent, at least, as theirs.

Some of these measures are of the very highest importance. The provision in this bill for the construction of a building at Indianapolis is of the most urgent necessity. This is conceded by everyone. No one questions it. For many years we have been earnestly attempting to secure the construction of a building. The House has stood in the way, and shall we now, because full justice has not been done to our friends in some of their cities, utterly abandon the construction of a public building at Indianapolis? I think they would not ask so much. Longer delay can not be justified. The public interest demands that we should act, now that the opportunity is here.

I am impressed, as others no doubt are, with the opinion of the Senator in charge of the conference report. If, in his good judgment, further insistence upon our disagreement with the House amendment will endanger the sundry civil bill, I would suggest to our friends that they do not further press their opposition, and that they allow the adoption of the conference report. They should not involve us all in common ruin.

Mr. CLARK. Mr. President, the Senator from Indiana [Mr. FAIRBANKS] expresses sympathy for certain States of this Union in regard to their position under the sundry civil bill. Speaking only for the State of Wyoming, I will say that she asks no sympathy from any State in the Union. She does ask, she believes she is entitled to, just treatment upon this bill, and I would be

recreant to the trust I hold at the hands of my people if I sat idly by and saw a gross injustice done, even though it might by being done benefit the city of Indianapolis.

There is no danger of the sundry civil bill failing. So far as my recollection or knowledge of the proceedings of the Houses of Congress is concerned, no sundry civil bill has ever failed. The question is whether or not the Senate of the United States shall become as utterly powerless as is the House of Lords of England, the most useless legislative body in the world, simply sitting in the capital of England to record the will of the House of Commons.

The Senator from Indiana says this is a practical question. It is a practical question, I will answer the Senator, to the State of Wyoming, and I am speaking only in regard to that State. Not a single one of these great appropriation bills has passed but that the Senate in its wisdom has seen fit to place upon it some little appropriation for something that has been needed in the State of Wyoming. Not a single appropriation that has been put upon any one of these bills would be retained in conference if this amendment should fail. I say to the Senator from Indiana it is a practical question with us. I live in a town not large—

Mr. FAIRBANKS. I simply say to the Senator that I wish he would not misunderstand me. I am in entire accord with him, so far as his purpose is concerned; and if I felt it was possible to secure this building, I certainly would favor any measure looking to that end.

Mr. CLARK. I thank the Senator.

Mr. GALLINGER. The Senator will permit me. How will we ever know whether it is possible or not until our conferees make their ultimatum?

Mr. CLARK. There is no question on the face of the earth—

Mr. FAIRBANKS. The Senator from New Hampshire heard the statement made by the chairman in charge of the bill?

Mr. GALLINGER. Precisely.

Mr. CLARK. With due respect to the Senator in charge of this bill, and no one has a higher regard for his judgment than I, I have no question on the face of the earth that if our conferees will go back and say one or all of these bills must go in or go out, they would stay in. I do not believe there is any doubt on the face of the earth about that.

The Senator from Indiana says we are assured that the House will not recede. I have heard within the last two days with my own ears an ultimatum delivered at the first sitting of a conference of these two bodies in the cloakroom just beyond, and the very first words uttered by the conferees on the part of the House were, "We will do so and so, and that is all we will do; and unless you agree to it, the bill will fail." No fair conference; an ultimatum from the start. We are facing them; we have faced them on every bill; we are facing them on the sundry civil bill.

Mr. President, I believe that the public building in which I am interested ought to go upon this bill. I believe it is a just claim. The city of Indianapolis, although large, has no more offices—the seat of the United States court, the seat of the land offices, which do not there exist, and the other public offices. It has a right upon this bill. Under the rules of the Senate it is upon this bill, and I believe it is the duty of the Senate of the United States to maintain the integrity of its rule and see that exact and even-handed justice is dealt out between all these claimants for public buildings.

Mr. PETTUS. Mr. President, I invoke the advice of the Senator from Iowa in charge of this bill. I have great faith in his wisdom, and I want his advice. I was very much pleased at the words he used in denouncing this attempt to establish a House of Commons at one end of this Capitol and a House of Lords at the other. Senators, we ought to think about that matter. We ought to think about it most seriously.

My attention has been called, since I have been here, to the fact that the Senate has abdicated—yes, it has abandoned—its right to inaugurate appropriation bills. Where do you get the idea that an appropriation bill must come from the House? You get it from that overweening despotism that we see exercised in the other end of the Capitol.

Mr. GALLINGER. And for no other reason in the world.

Mr. PETTUS. Congress is a body of two Houses. It is true that the House has a right to originate bills raising revenue. That right is given by the Constitution to the House, and therefore is prohibited to us. But there is no reason in the world why the Senate should not originate appropriation bills as well as the House. I implore Senators, if they would not be a House of Lords, to vindicate their rights to an equal participation in the making of the laws for this country.

Mr. President, we destroy the symmetry of the legislative body organized by our ancestors if we submit to this despotism any longer. We are here, and the Senator from Iowa has given us probably wise advice; at least I have great faith in his wisdom. If that Senator had in any degree sanctioned the conduct of the House of Representatives toward this body, if he had in the slight-

est degree sanctioned it, then I never would have asked for his advice in the world.

But we are here at this late hour of the session, and although I am in the same situation as some other Senators are in reference to these bills, I propose to submit for the moment, but never again—never. I do not propose to be converted into a lord without any power of any sort when it comes to legislation, for I do not remember the number of years, but it is a great number of years, since the House of Lords have dared to dissent from the House of Commons except in one case.

I do not want to consume more time. I am going to follow the advice of the Senator in charge of the bill.

Mr. HAWLEY. Mr. President, I am inclined to repeat that remark. In the language of a gentleman who will commend himself to those on the other side—I quote from the distinguished Mr. Cleveland—"a condition confronts us and not a theory." I have not partaken much of the general run of the talk which has been going on, although I think I have suffered on this bill more than any other man. The post-office in Hartford was insufficient from the time it was opened in 1882. It was seven years building.

Now, we have a city that has grown with such unexpected rapidity, and some forms of business which add revenue to the post-office have so grown that in the last fiscal year the post-office at Hartford has netted to the Federal Government a hundred and eighty-eight thousand dollars. The postmaster has inclosed a part of the lobby that belonged to the public. He has thrown out conveniences that were desirable because they took up more room than other devices he could put in. He has branch offices out in the suburbs to help him out. It does not answer. There is not room for the men to do the business, and the Post-Office Department says that the enlargement of that office is absolutely indispensable to the discharge of its duties. That is thrown.

What we can do I do not stop to discuss. I do not think there is a better case here. I am not disposed to grumble about it. I am disposed to submit and make sure that the appropriation bills are passed, and although it may be that they are far from what I would prefer, I follow the advice of the Senator from Iowa.

Mr. CLARK. Do I understand the Senator from Connecticut to do what he was never known to do before on the face of the earth—surrender everything?

Mr. HAWLEY. I am not surrendering everything.

Mr. CLARK. We have many things, I call the attention of the Senator, besides the post-office—

Mr. HAWLEY. I sympathize with the gentlemen from the West.

Mr. CLARK. The gentlemen of the West! Our people have many other things than a post-office. They are all included in the ultimatum.

Mr. HAWLEY. I know it is an unhappy situation, but I am disposed to surrender something.

Mr. McBRIDE. Mr. President, although it is late and although I do not wish to delay the transaction of important business, I have a duty to perform in justice to the people whom I have the honor to represent in part in this Chamber. Amendments providing appropriation for continuing the improvement authorized by the act of Congress of 1896 at Yaquina Bay have been twice inserted in appropriation bills and as often rejected upon the advice of the chairman of the Committee on Appropriations upon a conference report.

On the 30th day of last June the Senator from Iowa in charge of the bill, the senior Senator from Maine, a member of the committee of conference at that time; the senior Senator from Maryland, also a member of the committee of conference at that time, in advising the Senate to strike out from the bill and yield to the House conferees an appropriation of \$100,000 for this improvement indicated that the appropriation ought then to be made, and I confidently expected that it would be made this session of Congress.

I can look upon the proposition to deprive the people of the State of Oregon of the benefit of this improvement as little short of an outrage upon my State. The improvement of Yaquina Bay was authorized in the river and harbor act of 1896. The limit of cost was placed at \$1,025,000. But since that time proposals by the Secretary of War have been advertised for, and a contract has been accepted and signed by the contractors for the completion of the work at a total cost of \$511,000, less than half the limit fixed in the act of 1896.

Now, I ask for a moment the attention of the Senator from Iowa in charge of this bill. It is proposed now to strike out this provision from the bill as a similar provision was stricken from a similar bill a year ago, upon the pretext that, an examination having been ordered in the river and harbor bill, the money will not be required until another appropriation bill shall have been passed. That I understand to be the suggestion.

Mr. ALLISON. I make no suggestion with reference to these amendments. I only state what I believe to be the facts. I am sure the Senator from Oregon, when he is confronted with another committee of this body, acting in concert about a very important

bill, having tied up the Yaquina project until a thorough examination is made as respects its character, and the other House insists that until that examination is made no further appropriation shall be made, will say it is no part of our duty to say that unless it is made this bill shall not pass. That is the question.

Mr. McBRIDE. The Senator from Iowa will remember that a similar appropriation was yielded under similar circumstances in June, 1898. I wish simply now to suggest to the Senator from Iowa that the examination provided for in the river and harbor bill can be completed easily within three months from this time, and the work can then go on if the money is appropriated in this bill, as it ought to be, in accordance with the estimate of the Chief of Engineers. I ask the Senator from Iowa and the conferees on the part of the Senate and the Senate to stand by that appropriation and to see that it is not stricken from the bill.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on agreeing to the report of the committee of conference.

The report was agreed to.

Mr. ALLISON. I move that the Senate agree to amendment No. 10, as amended by the House.

The PRESIDING OFFICER. The Senator from Iowa moves that the Senate concur in the amendment of the House to the amendment of the Senate numbered 10.

The motion was agreed to.

Mr. ALLISON. I feel it to be my duty, under the circumstances, desiring that this bill become a law, to move that the Senate recede from its amendments numbered 2, 3, 4, 6, 8, 23, 140, 145, 146, 158, 161, 163, and 164.

Mr. BERRY. Do those amendments include the public buildings and also the Hawaiian cable, I will ask the chairman?

Mr. ALLISON. They include everything in the bill not agreed to.

Mr. BERRY. Those items not agreed to are for buildings and for the cable?

Mr. ALLISON. That is correct.

The PRESIDING OFFICER. The Senator from Iowa moves that the Senate recede from its amendments numbered 2, 3, 4, 6, 8, 23, 140, 145, 146, 158, 161, 163, and 164.

Mr. BUTLER. Mr. President, I for one do not like, with all due respect to one of the oldest members of the Senate and a Senator who holds the highest position in this body, to be told by our conferees that this bill will fail if we do not get down and surrender and humble ourselves before the other House of Congress after we have gracefully agreed to all of their bills. We have stopped the consideration of appropriation bills and conference reports and everything else at the request of the House and passed by the wholesale their public-building bills. Every Senator remembers the spectacle we had here for days. The Senate could have refused to pass any of them.

Now, for the House to come and tell us after we have agreed to their bills, which they railroaded through by wholesale, that those bills shall have prior right, shall stand higher, and shall pass to the discredit, detriment, and defeat of bills which the Senate has passed time and time again on their merits is cheek concentrated and gall compounded.

Mr. President, it is almost an insult to this body to have a co-ordinate branch of this Government send us such a message after the generous treatment we have given their bills—not consideration, for we gave them no consideration in any proper sense, but simply concurred in their bills as a matter of courtesy. It is untrue to say that the House bills occupy a different position because they have been considered in a legislative sense by the Senate, for they have not been.

The public-building bills that the House has passed have been accepted by the Senate without question. Are those bills to have a higher right to consideration in this appropriation bill than Senate bills, simply because the House has refused to consider our bills or even to pass them as a matter of courtesy as we have passed theirs? It is outrageous for the House to set up that claim; and did I not have such great respect for the conferees of the Senate, I would say it was outrageous for them to transmit such a claim here and father it, as they have done, and say to us that we should surrender and give up because the House says that its public buildings for little village towns of two or three thousand inhabitants have had the legislative indorsement and consideration of both Houses. It is not true.

I can understand how the House might put up such a false plea as an offset to be traded on in conference, but I can not understand how the conference committee of this body can accept it and seriously come and ask us to take it and act on it, and to recede from the bills for towns that are big enough to take half a dozen of these little villages inside of them and have room enough to spare, and ask us to surrender, to give up bills for towns that pay enough internal-revenue taxes in one year to pay the running expenses of half a dozen of these towns for five years.

Mr. President, it is known to every member of the conference

committee and to every Senator here that if the Senate will simply be firm enough to stand by the four or five bills which have been discriminated against, every one of them will go into this bill, and the bill will not fail. Would the House ever surrender 50 bills for public buildings for little one-horse towns because, forsooth, they had been struck with such a streak of economy that they could not vote to add five bills for towns that had almost as large population as all the other towns combined?

Can any sane man tell me that the House would defeat this bill, with these items amounting to hundreds of millions of dollars, to say nothing of the public buildings that they have got, simply because we insist upon four or five public buildings, every one of them more meritorious than the majority of the bills which they have added?

Mr. President, I have great respect for the opinion of the Senator from Alabama [Mr. PETTUS]. He is ripe in knowledge and ripe in experience as a lawyer, but if he were more familiar with this body and its ways of doing business I do not think he would have surrendered so easily as he did. He says, however, that he will never do it any more; but if he does he will find himself a year from now—two years, three years, four years, five years from now—in the same position he is now in.

I have been here but four years, and I have waked up each year with the same bitter experience I had when I surrendered in my first freshman year as the Senator from Alabama has just surrendered.

I regret, Mr. President, that the veteran chairman of the Committee on Military Affairs has seen fit to surrender. I do not know what consideration moved him.

Mr. HAWLEY. I will tell the Senator presently, if he will allow me.

Mr. BUTLER. I should be very glad to know.

Mr. HAWLEY. Respect for the good character of the Senate, love of my country, the desire to do orderly business, the desire to submit to the majority of the Senate. In view of the fact that this session ends at 12 o'clock to-day and every man's mind is made up, why not, in the name of mercy, humanity, justice, and political wisdom, stop this everlasting useless talk and vote? That is what I mean.

Mr. BUTLER. Does the Senator from Connecticut admit that he is whipped? Does he surrender and retreat?

Mr. HAWLEY. I never said such a thing. Do not make me say such a thing.

Mr. BUTLER. If the Senator is not whipped, why is he running before he gets whipped?

Mr. HAWLEY. I am not whipped and I am not running. Those are offensive phrases. I am submitting to what seems to me, as undoubtedly it is, a very considerable injustice, and taking my share of that injustice, but my common sense has not deserted me. I say we have got to submit to the will of the majority in this Senate, that that will is made up, and that the Senator is running the risk of an extra session, by the failure of important bills, owing to this everlasting succession of words.

Mr. CHANDLER. Will the Senator allow me to say a word?

Mr. BUTLER. As the Senator from New Hampshire stated this morning, there are some things worse than an extra session.

Mr. CHANDLER. Will the Senator allow me to repeat that?

Mr. BUTLER. Certainly.

Mr. CHANDLER. Mr. President, I will call attention to the fact that no one of these bills is necessary for the public service until the 30th day of June next. It is not necessary that next week, or the week after, or next month, or the month after that, all these bills should become laws. The Congress of the United States has until the 30th day of June, if it chooses to meet in extra session, to deal with these questions.

Mr. President, for one I am tired of having all the great appropriation bills of this Government crowded into the last two weeks of the short session of Congress. The Senate has passed at this session a proposition for a constitutional amendment by which the term of the short session of Congress can be lengthened until the 4th of May, and the House of Representatives pays no attention to it.

I have been here a great many years, and I have been here at six of these closing sessions on the 4th of March, and I never have been so much impressed as I have been this year with the utter unwisdom of the management of the business of Congress during the short session.

Mr. President, these controversies arise, and they come in here within the last week. They ought to be settled according to their merits, and they would be settled according to their merits, but at the last minute we have clubs thrown at us and fists shaken at us; and we are told that if we do not submit to this or if we do not submit to that and do not go without this or do not go without that, there will be an extra session of Congress. Suppose there should be.

Mr. WOLCOTT. May I ask the Senator a question?

The PRESIDING OFFICER (Mr. CARTER in the chair). Does

the Senator from New Hampshire yield to the Senator from Colorado?

Mr. CHANDLER. Yes.

Mr. WOLCOTT. I ask the Senator if he does not think that our conferees are not just as busy throwing clubs and shaking fists at the other fellows as they are at us? [Laughter.]

Mr. CHANDLER. I suppose they are. This is a free fight all around, and it is sure never to be bigger than when the Senator from Colorado [Mr. WOLCOTT] takes a hand. [Laughter.]

What is Congress for? Mr. President, you draw \$5,000 a year for attending to the business of the Government in this body, and by what rule you are to go off and shirk the business that should be attended to and expect to earn your one year's salary in three months' work I do not understand. I think I might just as well say everything there is in my mind now, if the Senator from North Carolina will allow me.

Mr. BUTLER. Go ahead. You are doing well.

Mr. SPOONER. How long will it take the Senator to do it?

Mr. CHANDLER. If Senators will let me alone and not interrupt me, it will not take a great while.

The PRESIDING OFFICER. The Chair will protect the Senator.

Mr. CHANDLER. I know the Chair will. [Laughter.]

I am of the opinion, decidedly of the opinion, at this moment, that rather than submit to the propositions that are being crowded down our throats and relinquish the things that are desirable to be done between now and the 30th day of June next, there had better be an extra session of Congress; and for one I advocate it and shall vote accordingly until 12 o'clock at noon to-day.

I do not know whether the Committee on Appropriations will let us adjourn then, but they will some time before Sunday noon, and I propose to vote here and now, and from this time on, to bring about an extra session of Congress, at which we can consider the business of this Government, which we are paid to consider and perform according to our judgment, until we can go and do it as we ought to do it, and not be rammed and crowded in the way we have been for the last day or two. We ought to do our duty.

Mr. WOLCOTT. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. BUTLER. The Senator from Colorado has my permission to ask the Senator from New Hampshire a question.

Mr. WOLCOTT. I supposed the Senator from New Hampshire [Mr. CHANDLER] had the floor.

The Senator from New Hampshire referred to our remuneration from the Government and said that we are sent here for the purpose of doing our duty. I ask the Senator if part of our duty is not in finishing up our business in order that we may adjourn within the period which the Constitution prescribes and not throw upon the country the enormous expense and trouble of an extra session in order that we may build a public building up in Nashua? [Laughter.]

Mr. CHANDLER. Mr. President, I think that is a fair question, except the latter part of it.

Mr. WOLCOTT. I do not mean to refer to any individual State, but I mean any public building.

Mr. CHANDLER. As to the intimation regarding the public building at Nashua, I am willing to surrender the public building at Nashua if it will end this session.

In reply to the Senator, I will say yes; it is our duty to come here and get through by the 4th of March if we can, and do all the business that we can practically do by that time, but it is not our duty to undertake to do as much work as we have been undertaking to do for the last fortnight, and to attack as much public business as we have been compelled to attack during the last fortnight. If the session is only three months, it is the duty of the House of Representatives to expedite its business more than it does expedite it, and it is the duty of the great committees of this body to so bring in the bills that we are to pass upon that we can deal with them without being crowded into the night in the closing hours of the 4th of March.

Mr. WOLCOTT. May I ask the Senator from New Hampshire, with the permission of the Senator from North Carolina, one other question?

Mr. CHANDLER. Yes.

Mr. WOLCOTT. How can the great committees of the Senate deal with these appropriation bills until the House sends them over here?

Mr. CHANDLER. They can not, and the House is delinquent in not sending them over here at an earlier date; and when they come here, they are allowed to drag. There is no doubt about that; and the Senator from Colorado can not alter the fact that it is not carrying on the business of the Government correctly nor in an orderly and appropriate and dignified manner to go on as we have been going on here for the last twenty-four hours.

Mr. PETTIGREW. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from South Dakota?

Mr. BUTLER. I do.

Mr. PETTIGREW. I wish simply to say in this connection that the fortifications bill, the deficiency bill, and the Army appropriation bill, carrying more than \$100,000,000, were never considered by the Committee on Appropriations of this body at all. They came here in the closing hours of the session, having been only considered and reported by the subcommittees to the Senate; and we have run through them in such a way that I do not suppose there is a member of this body who has ever read all of them through. If that is consideration, when we expend one hundred and odd million dollars, it seems to me it is such consideration as the American people hardly ought to tolerate and we ought not to endure. Yet these bills were held back week by week until the last forty-eight hours of the session, and we are going over them in this same manner.

Mr. BUTLER. Mr. President, it is not a question whether five public buildings will defeat this bill or cause an extra session. It is a question whether or not those who insist upon having appropriations for public buildings at every country crossroads town and at the same time discriminate against places that deserve public buildings tenfold more than they do will force an extra session or succeed in this raid on the Treasury for buildings less meritorious than those left out of the bill.

Since I have been a member of this body I have been in Washington over two-thirds of the time. There is probably not a member of this body whose private business has been more neglected for the last four years than mine. There is probably not a member who is more anxious personally to get away from Washington and to give his personal and private business attention than I am, but I was not elected Senator by the legislature of North Carolina to give my chief attention to my private business. I was elected to give my whole attention to the public business, and I am ready to do it, if it needed it, and I am not to be lectured even by the oldest Senator in this body and told to stop this everlasting talk in order to give him or anybody else who has got what he wants in this bill or other bills a chance to get off and attend to his private business.

Mr. President, I have on a dozen occasions refrained from discussing important measures as fully as I desired and contented myself with a brief statement or with putting into the RECORD, without discussion, facts and data that I have been weeks and months preparing, in response to the appeals of Senators to hasten business and prevent an extra session.

Mr. President, I have not taken as much time as I might legitimately have taken, and was entitled to take, on many matters of importance to my State and to the country. I have done all I could to facilitate business. Therefore, Mr. President, I resent the suggestion from the youngest or the oldest member of this body that I have in any measure been guilty of delaying business or of indulging in "everlasting talk," or of any other kind of talk that was not pertinent and proper to the questions under consideration.

There is no one personally more anxious than I am for Congress to reach a proper and decent conclusion of its labors by noon on March 4; but I do not want to be humbugged. I do resent what looks like trifling with or an attempt to bulldoze the Senate, and I resent demands from another body which are unreasonable. I do not charge bad faith to our conferees; but I do want to say that, in my humble opinion, if they had pursued a different course, if they had laid down ultimatums, instead of having ultimatums laid down to them on all occasions, justice would have been done the Senate in the matter now under controversy and the bill would have been passed before now.

I regret that I have felt that the interests of my State in this matter compelled me to take any of the time of the Senate at this late hour. But, as the Senator from Alabama said if our conference committee dump us now, after all that has been said, I will for the present submit, but I serve notice that I will be with the Senator from Alabama a year from now and will not then surrender, even if it forces an extra session.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa [Mr. ALLISON], that the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 10.

The motion was agreed to.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 11083) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 91, 94, 132, 157, 158, 159, and 160;

That the House recede from its disagreement to the amendments of the

Senate numbered 57, 92, 148, 149, 150, 151, 153, 154, 155, 156, 161, 162, 163, 164, 165, 166, 167, and 168, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Provided further, That the Commissioners of the District of Columbia are hereby authorized to grant permits for the repair, enlargement, and extension, under proper regulations, of existing electric lighting conduits; and in every conduit constructed or to be constructed under the provisions of this paragraph three ducts shall be reserved for the use of the United States and the District of Columbia, and as a condition for the right to use conduits heretofore built or to be built under the provisions of this act the electric lighting companies shall be required at all times to furnish to the public and to private consumers in all parts of the District of Columbia standard arc lights of not less than 1,000 actual candlepower at a rate not exceeding \$72 per annum for each arc light; and on and after the 1st day of June, 1900, the maximum price of electric current sold or furnished to any consumer in the District of Columbia shall be reduced from the present maximum of 15 cents per kilowatt hour to not exceeding 10 cents per kilowatt hour. That if consumers other than the Government shall not pay monthly electric bills within ten days after the same shall have been presented, said companies may charge and collect from said consumer so failing to pay said bill as aforesaid 11 cents per kilowatt hour for the electric current furnished to said consumer during said month: And provided further, The right to amend, modify, or repeal the privileges herein granted, and to further limit the prices herein specified, is hereby expressly reserved. Any company charging or collecting an amount in excess of the rates herein prescribed shall be deemed guilty of a misdemeanor, and shall pay to the District of Columbia the sum of \$50 for each and every offense, to be collected as other fines are now collected in the District of Columbia."

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the number proposed insert "25;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$22,490;" and the Senate agree to the same.

W. B. ALLISON,  
S. M. CULLOM,  
*Managers on the part of the Senate.*  
WILLIAM W. GROUT,  
ALEX. M. DOCKERY,  
*Managers on the part of the House.*

The report was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company of Maryland to extend its line of road into and within the District of Columbia; and

A bill (H. R. 11712) to provide a site for a building for the Washington Public Library.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12123) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, still further insists upon its disagreements to the amendments of the Senate numbered 45 to 55, inclusive, upon which the committee have been unable to agree, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BOUTELLE of Maine, Mr. HILBORN, and Mr. CUMMINGS managers at the conference on the part of the House.

The message further announced that the House had agreed to the concurrent resolution of the Senate to print 6,000 copies of the eulogies delivered in Congress upon the Hon. Justin S. Morrill, late a Senator from the State of Vermont.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 718) for the relief of Benjamin F. Vennum, of Wheeling, Ohio County, W. Va.;

A bill (H. R. 1055) to amend section 4766 of the Revised Statutes of the United States;

A bill (H. R. 7271) amending the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896;

A bill (H. R. 7665) to pay the J. S. Stearns Lumber Company \$379;

A bill (H. R. 11712) to provide for a building for the Washington Public Library; and

A bill (H. R. 12106) making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1900.

#### CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. I have four remaining pension bills from the Committee on Pensions which I now desire to report, in which four Senators are greatly interested, and I ask unanimous consent for their present consideration. They are House bills in each case.

The PRESIDING OFFICER (Mr. CARTER in the chair). Is

there objection to the request of the Senator from New Hampshire that the bills now reported by him may be considered? The Chair hears none.

STEPHEN P. CHOATE.

The bill (H. R. 4905) granting an increase of pension to Stephen P. Choate was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Stephen P. Choate, late of Company K, Twenty-seventh Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of the pension now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SMITH JEWELL.

The bill (H. R. 11834) granting an increase of pension to Smith Jewell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Smith Jewell, late private in Company H, Fifteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STEPHEN A. KNOWLAN.

The bill (H. R. 4501) granting an increase of pension to Stephen A. Knowlan was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Stephen A. Knowlan, late a recruit of Denman's detachment, United States Mounted Riflemen, Mexican war, and to pay him a pension of \$30 per month, in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACKSON NEACE.

The bill (H. R. 4498) granting an increase of pension to Jackson Neace, late a member of Company H, Twenty-seventh Regiment Illinois Volunteers, in the war of the rebellion, was considered as in Committee of the Whole. It proposes to increase the pension of Jackson Neace, late a member of Company H, Twenty-seventh Regiment Illinois Volunteers, in the war of the rebellion, to \$50 per month, in lieu of the pension he is now drawing.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EUDORA HILL.

Mr. QUAY. I move that the Senate proceed to the consideration of executive business.

Mr. PETTIGREW. Will not the Senator allow the passage of a House bill which I am very desirous to get through? It does not contain more than a dozen lines.

Mr. QUAY. I withdraw the motion.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of House bill 10771.

Mr. WOLCOTT. Let the bill be read for information, Mr. President.

The PRESIDING OFFICER. The bill will be read.

The bill (H. R. 10771) for the relief of Eudora Hill was read; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes Eudora Hill, a member of the Wyandotte tribe, to whom was allotted the east half of the northwest quarter of section 19, in township 27 north, of range 24 east of the Indian meridian, in the Indian Territory, as a part of her allotment, to sell, mortgage, transfer, or convey all her right, title, and interest in and to the land to whomsoever she may desire.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. QUAY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and four minutes spent in executive session the doors were reopened.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the following bills:

A bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

A bill (H. R. 11083) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes;

A bill (H. R. 12123) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes; and

A bill (H. R. 12308) making appropriations to supply deficiencies

in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 1206) granting an increase of pension to Sophia W. Buxton;

A bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia;

A bill (H. R. 8571) to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said district;

A bill (H. R. 10771) for the relief of Eudora Hill; and

A bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

#### NATIONAL CONGRESS OF MOTHERS.

Mr. HANSBROUGH. I ask unanimous consent for the present consideration of a short bill.

Mr. TILLMAN. I shall be obliged to object.

Mr. HANSBROUGH. I call the attention of the Senator from South Carolina to the fact that this is a bill relating to the National Congress of Mothers of the District of Columbia. The Senator ought to be very kind to them.

Mr. GALLINGER. Is it a House bill?

Mr. HANSBROUGH. It is a House bill.

Mr. TILLMAN. Will the Senator stop then?

Mr. HANSBROUGH. Yes.

Mr. TILLMAN. All right.

Mr. HANSBROUGH. I understand that the Senator from South Carolina withdraws his objection?

Mr. ALLISON. Does not the Senator think that it is a little too late to call up a bill?

Mr. HANSBROUGH. It will not lead to any debate, I will say to the Senator from Iowa. It is a House bill.

The PRESIDING OFFICER (Mr. CARTER in the chair). The bill will be read for information.

The Secretary proceeded to read the bill (H. R. 10341) to incorporate the National Congress of Mothers of the District of Columbia.

Mr. HAWLEY. Mr. President, I object to the consideration of the bill. I object on general principles.

The PRESIDING OFFICER. Objection is made to the present consideration of the bill.

#### DEFICIENCY APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12235) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 12, 14, 18, 30, 32, 39, 40, 47, 53, 58, 59, 63, 70, 72, and 112.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 7, 8, 9, 10, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 35, 36, 37, 41, 42, 45, 46, 48, 50, 52, 54, 55, 56, 57, 60, 61, 62, 64, 65, 66, 67, 68, 69, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, and 111, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "That the Secretary of the Treasury be, and he is hereby, authorized and required to examine and adjust the accounts of the Cape Smythe Whaling and Trading Company for supplies furnished and services rendered in rescuing, housing, feeding, clothing, and caring for shipwrecked whalers in the arctic seas in 1897 and 1898 until they were taken in charge by officers of the Revenue-Cutter Service, and report the result of such adjustment to Congress with such recommendation as he may deem proper;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Treasury be, and he is, authorized and directed to investigate, ascertain, and report to Congress the amounts assessed by the Commissioner of Internal Revenue and collected in the district of Utah in 1877, 1878, and 1879 from persons, firms, and corporations as a tax of 10 per cent on alleged notes used for circulation and paid out, and which have not been refunded to such persons, firms, or corporations, and of a similar class of claims which have been refunded under decision of the Supreme Court of the United States."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the words "twelve months from the passage of this act" and insert in lieu thereof the words "until October 1, 1899;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: After the matter inserted by said amendment insert the following:

"Monument to Sergt. Charles Floyd: To enable the Secretary of War, in co-operation with the Floyd Memorial Association, to cause to be erected over the remains of Sergt. Charles Floyd, a member of the Lewis and Clark expedition, who died and was buried August 30, 1804, near the present site of Sioux City, Iowa, a fitting monument commemorative of that expedition and of the first soldier to lay down his life within the Louisiana purchase, \$5,000: Provided, That the total cost and expense to the United States of erecting said monument shall not exceed \$5,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In line 3 of said amendment strike out the words "authorized by law;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In line 9 of said amendment strike out the word "thirty" and insert in lieu thereof the word "fifteen;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In line 1 of said amendment strike out the word "as" and insert in lieu thereof the words "minor children;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Provided further, That in the case of the appropriation for the judgment in favor of Anthony F. Navarro and others, as set out in No. 17306 of Senate Document No. 153, the Secretary of the Interior is directed to withhold from distribution among the said Indians so much of any moneys due them by reason of said judgment as he may find to be just and reasonable for attorneys' fees for services rendered said claimants and for advances in said litigation, and to pay the same on account of the prosecution and recovery of the moneys aforesaid to the attorney of record in said cause, as required by the decree of the court;" and the Senate agree to the same.

EUGENE HALE,

F. M. COCKRELL,

Managers on the part of the Senate.

J. G. CANNON,

S. S. BARNEY,

L. F. LIVINGSTON,

Managers on the part of the House.

The report was agreed to.

#### ESTATE OF NEIL M'ENENY.

Mr. STEWART. There is a little lost-bond bill that I think ought to be passed. It is a House bill. The bond was lost in the Johnstown flood. The member from that district is very anxious to have it pass the Senate.

Mr. ALLISON. Let it be read for information.

Mr. TILLMAN. It is so late in the session to legislate now, I have about made up my mind that I will—

Mr. STEWART. Will not the Senator make an exception in this case?

Mr. TILLMAN. No, sir; I can not. I made an exception in one case, and that did not get through. I do not want to be discourteous, but I must object.

The PRESIDING OFFICER. The Senator from Nevada asks unanimous consent for the present consideration of a bill.

Mr. PETTUS. What is the bill?

Mr. STEWART. It is a bill for the relief of the heirs of Neil McEneny, of Johnstown, Pa.

Mr. ALLISON. What is the amount involved?

Mr. STEWART. It is only a small amount. We have reported six or seven like it from the committee, and all have gone through except this one.

Mr. TILLMAN. If we can have an understanding among ourselves that this is to be the last bill that is to go through this Congress besides appropriation bills and necessary measures, I will yield to my friend from Nevada.

Mr. ALLISON. I hope unanimous consent will be given, and that it is not to interfere with bills from the Appropriations Committee.

Mr. STEWART. Certainly.

The PRESIDING OFFICER. The Senator from Nevada asks unanimous consent for the present consideration of a bill the title of which will be read.

The SECRETARY. A bill (H. R. 8623) for the relief of the heirs of Neil McEneny, of Johnstown, Pa.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to issue to the heirs of Neil McEneny, Johnstown, Pa., a duplicate in lieu of United States 4 per cent coupon bond issued under the acts of July 14, 1870, and January 20, 1871, for \$500, with interest coupons attached dated October 1, 1888, and subsequently the bond and interest coupons having been destroyed by the Johnstown flood May 31, 1889.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### NAVAL APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other

purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 43, 46, 47, 49, 50, 51, and 55.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and not more than two of the seagoing battle ships and not more than two of the armored cruisers herein provided for and not more than two of the protected cruisers herein provided for shall be built in one yard or by one contracting party;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 52, 53, and 54, and agree to the same with amendments as follows: Strike out the matter inserted by said Senate amendments, and strike out, on page 58 of the bill, in line 17, after the word "dollars," all down to and including the word "Government," at the end of the amended paragraph, and insert in lieu thereof the following: "Provided, That in procuring armor for the seagoing coast-line battle ships and the harbor-defense vessels of the monitor type authorized by the act making appropriations for the naval service for the fiscal year ending June 30, 1899, and for other purposes, approved May 4, 1898, the Secretary of the Navy may contract for suitable armor for said vessels under the limitations as to price for the same as fixed by said act: And provided further, That no contracts for the armor for any vessels authorized by this act shall be made at an average rate exceeding \$300 per ton of 2,240 pounds, including royalties, and in no case shall a contract be made for the construction of the hull of any vessel authorized by this act until a contract has been made for the armor of such vessel;" and the Senate agree to the same.

EUGENE HALE,  
M. S. QUAY,  
*Managers on the part of the Senate.*  
C. A. BOUTELLE,  
S. G. HILBOEN,  
AMOS J. CUMMINGS,  
*Managers on the part of the House.*

**THE PRESIDING OFFICER.** The question is on agreeing to the report.

**Mr. TILLMAN.** I will ask for a little time to examine the report before the question is put.

**Mr. CHANDLER.** I think I comprehend the effect of the report, but I should like to have the Senator from Maine state briefly to us exactly what it does.

**Mr. HALE.** I think perhaps there has been no appropriation bill where the action of the conferees has been beset with more difficulties than in this measure. The difference between the two Houses has been radical, and it has been enforced by votes in each House. The provisions as to the number of ships, upon which we could agree without much difficulty; the provision as to the price of armor plate, a very difficult question, and the provision of the Senate for a new armor plant were subjects upon which when we first approached them in conference it seemed almost impossible to arrive at any result. I felt so myself. I felt depressed. I could not see my way. The Senate had put in a provision for a limitation in the purchase of armor to \$300 a ton, which not only applied, under the provisions of the amendment, to the ships authorized by this act, but to those of last year, and hung them up, depending upon that strife. How to get at that was another difficulty.

In one conference and another the conferees eliminated all the other items, and in this conference they struck out the Gathmann gun, which the Senate had put in, and came to this agreement about the vexed questions, the best we could do on the armor plant. I myself am free to say that as I look at the future, if we are going to build a large navy, I am more and more impressed that at a near day both Houses have got to consent to an armor plant, so that the Government may have that hold over the combinations for furnishing armor by private establishments.

But I may say that we found in this matter that the House would not for one moment accept it. Two votes were taken in the House, and the proportion of votes was larger on the second than the first. We found the House conferees upon that subject, although courteous, obdurate, and they would not agree to any proposition at the present time which involved such an establishment. That being the case, we had to do the best we could with the other important items, and this is what we have arrived at. We have fixed the number of ships as the House fixed it—battle ships, armored cruisers, and protected cruisers—and we provide—

**Mr. BUTLER.** Will the Senator state the number? Are three of each provided for?

**Mr. HALE.** Three of each and six small ships.

**Mr. BUTLER.** Six protected cruisers?

**Mr. HALE.** Yes; six protected cruisers.

**Mr. PERKINS.** And the same provision was restored as to where they shall be built?

**Mr. HALE.** All those provisions are in the bill as they have been in the laws for years. We fixed for these as a basis for the future the Senate proposition of \$300 per ton. The Secretary of the Navy is forbidden to make any contract for any armor for these ships at a rate higher than \$300 per ton. The House also agreed to the proposition of the Senate that no contracts should be made for the hulls of these vessels until a contract was made for armor.

**Mr. FRYE.** They do not contemplate building any.

**Mr. HALE.** That is a practical question. Undoubtedly none of these ships will be authorized or nothing more than the plans and specifications will be drawn between now and December.

**Mr. PLATT** of Connecticut. Would those now being built be finished?

**Mr. HALE.** I will come to that. The six cruisers will be built, because they are not armored. That is the way we left that provision. The House conferees conceded that point reluctantly, but finally conceded it.

Now, as to the ships authorized year before last, we go back and provide that all of the vessels authorized by the act of March 4, 1898, shall be subject to the limitations as to the cost and price of the provisions of that act, which fix the rate at \$400 per ton. We leave those ships as they would have been left if there had been no legislation this year.

Now, Senators, that is the substance, the meat of this whole proposition. It leaves out the armor plant, because we could get no recognition of that now. It adopts the price of the Senate, \$300 per ton, for all the battle ships authorized by this act, and for those authorized in 1898 we leave them just as the law left them, without interfering in any way.

**Mr. FRYE.** Did we get any armor at four hundred?

**Mr. HALE.** Yes.

**Mr. FRYE.** So the probabilities are that those ships will be completed?

**Mr. HALE.** We have been paying \$400 for armor lately. That is all there is of the report. It does not suit anybody very well. It does not suit me very well.

**Mr. BUTLER.** Mr. President—

**THE PRESIDING OFFICER** (Mr. GALLINGER in the chair). Does the Senator from Maine yield to the Senator from North Carolina?

**Mr. HALE.** Certainly.

**Mr. BUTLER.** As I understand the situation, we are to build 3 battle ships, 3 armored cruisers, and 6 protected cruisers, as authorized by the House; we have yielded to the House on the point of the armor plant by striking the paragraph entirely out of the bill; we have yielded away three ships authorized by the last act, and we will pay for the armor exactly what was contracted for under the former act. As to this bill we simply reduce the price to \$300 per ton, and stop there.

**Mr. HALE.** And provide that no contract shall be made for a greater price in the case of the vessels authorized by the bill.

**Mr. CHANDLER.** And the hulls shall go with the armor.

**Mr. HALE.** We provide that the hulls shall go with the armor. That is to prevent any possible claim which might be had by the builders of the hulls if they went on and hurried up their work and claimed damages for the delay.

**Mr. BUTLER.** May I ask the Senator in charge of the bill if this is a final report?

**Mr. HALE.** It is a final report.

**Mr. BUTLER.** Now, I should like to ask the Senator in charge of the bill, inasmuch as it is a final report, whether he thinks that under the terms of the agreement with the House conferees we will build any ships next year, whether we will get any contract for any ships, or any contract for armor?

**Mr. HALE.** No; I do not think that under this bill anything more will be done than to get out the specifications and plans and to decide upon some questions which are in doubt about turrets and barbettes work, and have them all ready for any action which Congress may take next December. That was the best we could do. If we build an armor plant, we can not build it in certainly less than a year, if we authorize one hereafter. I am by no means certain that I should not vote for an armor plant at the proper time. As I said, we had to meet the situation.

**Mr. BUTLER.** We could get an armor plant in operation, if we authorized it now, three months after we passed the next appropriation bill. We would have the armor plant at work in that time if we provided for it in this bill.

**Mr. HALE.** That, of course, is true; but, as I said, we were confronted with this situation. We ran right up against that wall. Both sides had to yield something.

**Mr. TILLMAN.** But if the Senator from Maine will allow me, it seems to me we yielded everything and they yielded nothing.

**Mr. BUTLER.** I was about to ask what we got for all of this yielding. I have not been able to see it. I want to be fair to our distinguished chairman.

**Mr. TILLMAN.** The only thing we get out of it is that the ships we order can not be contracted for until we can get armor at \$300 a ton.

**Mr. BUTLER.** I do not consider that to be a gain.

**Mr. TILLMAN.** I do not consider that anything is, because we have had this thing hanging over those people twice before by majorities in this body which ought to have shown the House that the Senate was in earnest. Yet, as soon as an exigency arose or some condition favorable to the demands of these people, they came here and under stress of circumstances which we all felt we

could not withstand they got us to go back up to the same \$400 price. A year from this time the work will begin to slack in the shipyards, and the pressure will be to have the ships constructed which we have authorized.

The armor manufacturers, with their monopoly, will be safe from competition because twelve months from this time it would take us then fifteen months further on to get an armor factory ready, and that will put us over into 1901, when we would absolutely be without anything on the stocks. We would have to go over this whole fight and confront this monopoly again and have it over. Why not settle it now?

Mr. HALE. Well, because we can not settle it now.

Mr. TILLMAN. We can settle it one way. We can let the House take the responsibility of having an extra session.

Mr. HALE. It will not be the responsibility of the House. The responsibility will be on us as well as upon that body. I have not the least sympathy with these concerns for the building of armor.

Mr. TILLMAN. But why should we lose a year?

Mr. HALE. I have not the least sympathy with them. I think this controversy has risen largely from this plan of theirs of leaping out a hundred and forty-odd dollars in price upon the claim that they have a greatly superior process. I do not know anything about that, really, and yet I am impressed with it as a man of some affairs and some experience and some judgment is impressed with things that he has not accurate knowledge of. The more I think of it the more I believe that there is not in that process as much actually as is claimed for it. I think that that is a forced performance on the part of those concerns, and I have no sympathy with them.

Now, I have not any fear of any influence that they will have as monopolists over any legislation. The feeling in this branch of Congress has grown in favor of a Government armor plant. It will grow in the House. The next House will be in better condition to consider the subject than the present House.

Mr. TILLMAN. Will the Senator allow me to ask him why we should lose a year before we order the armor plant to be built, supposing that next winter this feeling will have grown?

Mr. HALE. We should not lose that year if we could help it. But I am dealing with conditions as we find them; and I do not look upon it as hopeless, for at a near day in the future, being in a condition where we can control these men and hold them to reason, we will make our armor. But we can not do it now.

Mr. TILLMAN. Let me analyze, if you please, just the condition we are in. We have three battle ships and four monitors authorized, which will take at least 15,000 tons of armor. They will not need that armor until year after next, according to the report of our own Secretary. Then they will be in the condition of completion necessary to get it and put it on them. We have time to build our factory and make that armor ourselves. But in order to give these people \$1,500,000, for that is the difference between \$300 and \$400 a ton, we defer action in ordering an armor plant. We give them enough money in this contract to build one, and at the end of the time we are at their mercy still or we have got to go over this whole fight again.

Mr. BUTLER. If the Senator will pardon me, the armor contractors will make enough profit out of the contract to buy not only the site for a public library in the city of Washington, but four or five library buildings as well as the site.

Mr. STEWART. Will the Senator from Maine allow me just one word?

Mr. HALE. Certainly.

Mr. STEWART. I will tell you what will be the result. The feeling against building a navy at all is growing in the country. If we have got to build it under the control and dictation of this monopoly and we can not get away from it, there will be a strong feeling in favor of stopping the building of the Navy at all, because if we get into any trouble we do not know what they may do. They have done so badly and made so many threats, they have changed their position so often, and they have charged so much, that the people are beginning to feel that they have got us in their power and we are not a free government. I think the building of the armor plant will cost \$2,000,000 or \$3,000,000. If we never use it at all, if we had it there so that we could control the prices and make the people feel that we had an honest deal, there would be great satisfaction.

Mr. HALE. I agree with the Senator. My mind is coming to that conclusion. But, as I have said, we can not get it at the present time. Now, as to these monopolists. The provisions we put in the bill do not suit them by any means. They are not suited by it—

Mr. TILLMAN. But will my friend—

The PRESIDING OFFICER. The Senator from South Carolina will address the Chair and get permission.

Mr. HALE. But I have some hope that leaving the vessels that we provided for in 1898 with the Secretary under that act, that he will be able to make contracts for a part of them, or all of them, as we have left the provision so that work may go

on. I think he would have made contracts if it had not been for the scheme, we have sat down upon so hard, of exaggerating the price away up to \$545, because of that process. If that had not been sprung upon Congress, I think the Secretary would have made contracts under the act of 1898 for the ships provided for in that act.

Mr. TILLMAN. There have been certainly eight or nine months since the Secretary had authority, and the war was on, which should have pressed him forward to make the contracts for the armor. He did not do it. Why, I do not know. We have had that discussed, and I shall not repeat what I have said.

Mr. HALE. I think I can see how it was, for Secretaries as well as contractors take monition from the acts of Congress and the debates in Congress, and the feeling they find in Congress. This debate has done good. Whatever comes out of it, it has done great good. It will work well in the Departments; it will work well with these contractors. I think they came with an idea that we were going to put the \$545 proposition right through. The Committee on Naval Affairs in the House reported it, and I think the contractors expected it. This discussion and the act of the Senate now fixing \$300 as the limit of the price of armor for the other ships will certainly be a very strong reminder to these people that they have no influence here in Congress, and it will do them good.

Mr. TILLMAN. They seem to be omnipotent in the other House; and we are giving away to other people, losing a year, under the coercion of this armor trust, in the construction of a plant.

Mr. HALE. I do not think the Senator ought to say that the acts of anybody in Congress are under coercion, because Congress is composed of honorable men in both branches. We disagreed, and it was no easy matter, I will say to the Senator, to get the House to the point of \$300. That was looked upon, when first struck, as the abomination of desolation, as being about the worst thing that could happen, as an outrage, and the conferees felt that it was so different—\$245 less than they had reported—that it was very difficult to bring them to the acceptance of it.

But they had to yield something, as we had to yield something. We have done the best we could, and practically, so far as the new vessels are concerned, we get them authorized and ready for the action of Congress when it will have more time for deliberation at the next session. Then the authorization is out of the way; that is done. We are to have them as an addition to the Navy, and then, with the specifications and the new light the Department has, and the new light that has forced itself into the minds and eyes of these contractors, we shall take up this subject and deal with it as it should be dealt with; while if we do not do it in this way now, we are confronted with losing the bill.

As I have said, the provision does not suit me. I wish we had a result out of it that went further. But I believe that, all things considered, we have done the wisest thing we could do. We submit it not to the prejudice of anyone, not to what any Senator would like if he could write out his programme, but to the good judgment of Senators under the present conditions. With three hours between now and the time when the gavel falls, can we do better than to leave it in this way? With the chance of the ships already authorized in the last year being built, with the authorization of the new ships this year and with all we have on the stocks, it is no great harm if we put the matter over until next winter, when we can take the subject up and when we will not be pushed and crowded and driven by the menace of the hour that is so near when the Congress expires.

On those considerations the six gentlemen composing the conference have presented this result to the Senate. It is the best we could do, Senators.

Mr. TILLMAN. Mr. President, as I said a little while ago, we yield to those people the manufacture of 15,000 tons, which will give them a profit, at a hundred dollars a ton, of \$1,500,000. Contracts are to be let for the three battle ships and four monitors. We lose a year's time, in which we could have our plant constructed and be in readiness to manufacture the armor for the new ships here authorized.

It appears to me an anomalous proposition that the Senate, feeling and believing that the only protection to this Government lies in erecting its own armor factory, so as to give us a club with which to hammer these people into decency, should turn around and make them a present of a million and a half dollars in the contracts that are hereby authorized, and defer the day when we will give the Government protection by getting our own plant.

These are my feelings, and I never was so strongly tempted in my life just simply to say this thing can not become a law; but I have every assurance from gentlemen on the other side that they will next winter insist on putting this matter straight and correcting the villainous wrong that has been going on for ten years, yes, twelve or fourteen, I think, ever since the new Navy was begun, during which we have contributed to the coffers of this monopoly not less than \$12,000,000 of excess price far beyond

any decent profit on the cost of the plant, and have given them their plant.

Mr. HALE. There is another thing, and what the Senator now says recalls it to my mind. For one, I propose to say to the Secretary of the Navy that one of the things he must do—and he will be glad to do it on the suggestion of myself and other Senators, between now and December—is to collect information and facts in reference to the building of an armor-plate establishment.

Mr. TILLMAN. Why must he? Here is this volume of 500 pages, and all the plans and specifications and every detail, and estimates of the factory and steel plant, with the machinery needed, and we could be ready to begin to-morrow if you would authorize it to-day.

Mr. HALE. No; if we were to authorize it to-day, we could not go ahead to-morrow. Time has changed a good many things.

Mr. TILLMAN. It has not changed, except that you put in 1 per cent of chromium. Everything else, according to Captain O'Neill, is identical with the Harvey process.

Mr. HALE. We would not build the same armor plant that we would have built five years ago, or anything like it. The Secretary of the Navy, if he is a good man, a wise man, a good public servant, will, with his subordinates, collect the information and facts, which he will be able to give us with reference to this very question next December; and I for one shall take it upon myself to make that adjuration to him, that he do that, and that will help us.

Mr. BUTLER. I should like to ask the Senator in charge of the bill his opinion. I will follow the plan adopted by the Senator from Alabama in asking the Senator from Iowa for information. In his opinion will it be to the best interest of this Government now, deliberately, to pursue a policy which will mean that we will not build a single ship or contract for the building of one or begin the building of one until next year?

Mr. HALE. To begin with, I do not think that under any conditions much will be done about the building of the ships between now and next December. The yards are full. The contractors are not anxious to take on these ships. I doubt, if there was no controversy here, whether there would be any perceptible progress, in fact, any actual, material progress, whether the sound of a hammer, the laying of the keel, the building of the structure, would take place between now and December under any circumstances. The smaller cruisers, which are not armored, can be built.

Mr. TILLMAN. There are only three shipyards, if the Senator will allow me, which can build battle ships.

Mr. HALE. I think the Senator is probably right about that. One or two other yards think they have developed and will be in competition with the other yards, but there are only three yards that are fully equipped and which have shown a capacity to build. So I do not think we change that materially by this proposition.

Mr. BUTLER. Therefore the result of the bill is this, and it is worth the attention of Senators: A year ago we provided for the building of three battle ships and the furnishing of the armor at \$400 a ton. That is the law now unless this bill repeals it. What does the naval bill do in addition to that? Absolutely nothing. I ask the chairman if I am not correct when I say, providing this bill does not repeal existing law—the appropriation bill which we passed last year—that then, as far as concerns the increase of the Navy or the increase of equipment, or any vessel ordered, or the contract for any vessel authorized, it does absolutely nothing.

Mr. HALE. I keep saying, in reply to that question, that the six smallest ships, which are very useful, can be proceeded with. They can be built outside of the big yards referred to. There have been years when we had no other programme, when we had no battle ships. We are not badly off in battle ships. With those that are now being finished we have a very formidable force of battle ships.

Mr. BUTLER. Our protected cruisers are the most worthless vessels we have in the Navy to-day. The late war has proved that the most valuable fighting vessels are the battle ships and the armored cruisers like the *New York* and the *Brooklyn* and the torpedo boats. The protected cruisers were almost absolute failures. So if we have learned anything from the war, it seems to me we have learned not to waste any more money on that class of ships as fighting machines.

Mr. HALE. So far from that being true, the war and any other war that has taken place within the last dozen years has not demonstrated either the great usefulness or the value of big ships or big guns. It has been the reverse. Almost all of the shots that riddled and sunk the vessels of the Spaniards at Santiago came from the 6 and 8 inch guns. The picturesque battle in Manila Bay, where the Spanish fleet was annihilated by our fleet, was all done with 6 and 8 inch guns, and there was not a ship in the fleet, including the Admiral's flagship, that was anything but a protected cruiser or of a rank and type lower than the protected cruiser. The *Olympia* alone, after getting into Manila Bay, could have destroyed the whole Spanish fleet without the assistance of another ship. She is nothing but a protected cruiser.

Mr. BUTLER. Suppose she herself had been struck? It is a fairly good fighting machine if it is not hit by the enemy. Then it is almost defenseless.

Mr. HALE. There were no battle ships at Yalu. The nearest approach were the smaller ships of the Chinese, with light armor upon them, and they were defeated. There was not a battle ship in the line of the Japanese navy.

Mr. TILLMAN. Mr. President—

Mr. BUTLER. I yield to the Senator from South Carolina to ask a question of the Senator from Maine.

Mr. TILLMAN. I wish to ask the Senator from Maine if he does not believe that the *Oregon* can whip a dozen ships like the *Olympia* and sink them all?

Mr. HALE. I think if the Senator were to post the *Oregon* at sea as you would a chessman, and place the fleet of the enemy to suit us, she would easily destroy every one of the Spanish battle ships. I have no doubt about that; but there are infirmities about big ships and big guns, both.

I doubt whether the world will be making the most enormous of these battle ships five years from now. It is very certain that it will not arm them with big guns. They have all passed into desuetude. I would not, if I had my way, put a gun on one of our ships over 10 inches. There will not be any over 12 inches. The big guns so much talked about and about which so much pride was felt are disappearing from the navies of the world, and the big battle ships have very decided infirmities.

If you want to be a commercial nation, a nation that runs around the world and carries the flag with the sun, we want a large number of these cruisers. In nine cases out of ten they will do everything that a battle ship or a protected cruiser would do in time of peace, and you can maintain four of them for what it would cost to maintain one of the battle ships.

Mr. BUTLER. All the officers of the Navy with whom I have had the opportunity of talking do not have that opinion.

Mr. HALE. Some of them do not and some of them do, I know. Of course officers of the Navy like to have big battle ships and big cruisers. It is nice to command them, and all that; but the others are needed.

Mr. BUTLER. Does not the Senator think that the objection—

Mr. ALLEN. I should like to hear what is going on.

The PRESIDING OFFICER. Senators will speak louder. They can not be heard.

Mr. ALLEN. I am deeply interested in the question being discussed by the two Senators, and I should like to have an opportunity to hear it.

Mr. HALE. It is a very interesting conversation.

Mr. ALLEN. I am satisfied it is. Knowing the Senators and their capacity to converse, I am anxious to hear the conversation going on.

Mr. BUTLER. I bow to the Senator from Nebraska, and will proceed. However, I do not promise to be so interesting as I have been.

Mr. CHANDLER. Will the Senator from North Carolina allow me a word before he goes on?

Mr. BUTLER. If the Senator from New Hampshire will not be so bright as to make my remarks tame in comparison with his.

Mr. CHANDLER. This bill ought to go to the House pretty quickly. I have been interested in the conversation of the trio of Senators. I have refrained from joining them and thus making it a quartet.

Mr. BUTLER. I admire the Senator from New Hampshire—

Mr. CHANDLER. I do hope if he yields to anybody he will yield to me, whether I am on my feet or not at the time. I want to say a few words.

Mr. BUTLER. I do not think the American people will look upon the passage of this bill with favor if they realize that in the shape in which it now passes it means that it does not add a single vessel to the American Navy for the next year. That is the net result. We are not representing American sentiment when we pass the naval appropriation bill with that blank in it.

It is true that the bill nominally provides for the contracting for certain war vessels—three battle ships, three armored cruisers, and six protected cruisers, and so on with the smaller vessels, I think—but the chairman of the committee has just told us in open Senate that the net result, by the adoption of the amendment of the Senator from South Carolina, will be that a year will roll round without a single one of these ships being contracted for, and the net result will be the same as if there was not a line in the bill authorizing the Secretary of the Navy to build or contract for or begin to build more battle ships or cruisers or any other kind of war vessels.

Mr. President, I regret exceedingly that the efforts of the Senator from South Carolina, the Senator from New Hampshire, and the small part I have played therein, put forth to relieve this Government from the grasp of a most unconscionable trust—laudable efforts I, think, with the best of intentions, with motives

not conspiring against the building up of the American Navy, but with motives to make it easy and cheaper to build up a better and bigger navy—will result in building no navy at all. Mr. President, I regret exceedingly that whatever I may have put forward has resulted in accomplishing just the opposite result to that I desired to accomplish.

Mr. TILLMAN. If the Senator will allow me, we want more ships. We are willing to take all these ships. All we ask is that the Government be prepared to put the armor on them. Instead of that we do not build any ships. We wait a year. We give these people in the meantime enough money to build a factory, and twelve months hence we will have to start over again on the ships and the factory, because if we are to get the factory we have got to educate the next House of Representatives out of its friendliness, if that word is euphonistic enough for my friend the Senator from New Hampshire, to this combination.

Mr. BUTLER. Mr. President, the Senator from South Carolina must realize that whenever the House says so and so and lays down an ultimatum, that is the end of it; and whenever the armor trust lays down an ultimatum and says it will not do so and so, that ends it, and this Government must not move till it gets the permission of the trust. Congress has the power to free the Government from such domination and robbery. Will it refuse to do it? Last year we offered \$400 a ton in the midst of war, but they wanted more. They claim now that they have a new and improved process for making better armor, which is, in my opinion, a mere pretense to try to induce us to pay them \$545 a ton for armor that can be made for \$225 a ton. They tell us we must pay their price, or get no armor.

The Senator from South Carolina must not be surprised at that. He has been here four years, and he has seen it happen every year. He has seen Congress three times reduce the price of armor, and he has seen each time that it has not amounted to the paper on which it was written. Why? Because the Congress did not provide for the building of an armor plant by the Government if the trust refused to furnish armor at a fair price. The first thing the conference report does is to strike out that provision from this bill. Therefore the reduction of the price of armor is simply playing to the galleries, while in fact we surrender to the trust, and will get no armor and will build no ships for the next year, and never again till we either build an armor plant, or surrender completely to the trust.

Mr. President, I do not care to discuss this question any further, because it does no good; but I do want to repeat, and I state it with emphasis, that I do regret exceedingly that any effort of mine to reduce the price of armor and to provide for an armor plant to give us better armor and cheaper armor should result in contracting the American Navy and stop the building of new battle ships. I had no such purpose, and it is against my every desire and wish, and such would not be the result if we would keep in this bill the provision for an armor plant. The responsibility is on those who oppose providing for building the armor plant. If we keep that provision in, we will get the armor at the price named.

When the Senate committee voted to reduce the number of battle ships, I doubted its wisdom; but we were told that we had authorized all that could be built, adding 2 battle ships, 2 armored cruisers, and 3 protected cruisers. I thought there was no use adding a vain thing, if that is all we could build in the next year. There was no use authorizing any more, although I would cheerfully have voted for the whole number offered by the House. Every fight we will have in the future will be a naval battle, and when the United States is mistress of the sea she will be mistress of the world, as far as defense is concerned. I hope we will never become an offensive nation, seeking to attack and destroy other governments without provocation.

Mr. President, we will stand in a position where all the powers would not dare to attack us when we have a navy such as we shall have. I should be glad if we had it now, and I trust we will have it soon. We need no big army. Without a single soldier enlisted in the Regular Army, we can put more volunteers on the frontier than every other nation in the world can muster and land on our shores to fight our volunteers on land. I should be glad to see this bill provide for the building of more war ships, and for the sure means of speedily completing them.

I should like to ask the Senator from Maine, the chairman of the committee, if he thinks we could add materially to our Navy by submitting to the trust for the next year, and agreeing to pay their price for the armor we want for three battleships and three armored cruisers. I am so much in favor of building them, and can see how they can be vitally useful to this Government, that I say to you frankly, if we are at their mercy and the House refuses to open its eyes I am almost ready to get down and vote for any price you name. Does the Senator think if we were to submit to them lock, stock, and barrel, and pay any price, that we could materially add to the force of our Navy?

Mr. HALE. As I have stated before, if there were no contro-

versy here, I do not think anything could be done in the next nine months to amount to anything. If we were giving them all they ask, I do not think they would be making any armor for the ships we authorize here.

Mr. TILLMAN. May I ask the Senator from Maine a question?

Mr. HALE. Yes, sir.

Mr. TILLMAN. Could he not take the conference report and go into conference and have the Secretary of the Navy authorized to construct one of the small ships at the Kittery Yard or in New York or elsewhere, just to demonstrate whether the Government can not make it cost as little as the contract price that we pay for the other ships?

Mr. HALE. We know that already. Nothing has been demonstrated so plainly as that.

Mr. LODGE. It takes them longer and costs more.

Mr. HALE. Every ship that has been built in the navy-yard—I have the figures—has cost from 30 to 60 per cent more than the corresponding ship built in private yards. It has taken a longer time, and when she goes out she is not so good a ship.

Mr. TILLMAN. If that is true, why do we make our own guns?

Mr. HALE. That is another question.

Mr. TILLMAN. No; the same question must govern in this matter, simply because if we can make guns cheaper than we can buy them, then we can build ships as cheaply as we can buy them.

Mr. HALE. I have very considerable doubt about whether they are cheap, but a part of the guns are now made in private factories. They are assembled, finished in the navy-yards. We do not make the guns.

Mr. BUTLER. How could the Cramps take a contract and sublet it to the Government and make a profit of from fifteen to twenty thousand dollars on small jobs? That is the testimony we had before the Committee on Naval Affairs.

Mr. HALE. I do not know of any instance of that kind. There may be an exceptional case. It is not done to any extent. I did not know it was done at all.

Mr. BUTLER. We had the testimony before the Naval Affairs Committee, and there is also the case of the contract with an English firm, which was sublet to the American Government.

Mr. President, I have said all I care to say. I wish to go on record as expressing my regret that any effort of mine in what I have considered to be a proper, laudable, and necessary endeavor toward securing necessary action in this body should result in contracting and doing damage to the American Navy. I would submit to the trust for a reasonable amount to add to the Navy if it is necessary and right to do it.

Mr. LINDSAY. Mr. President, I merely wish to make one remark. The same statements came before the Committee on Education and Labor in regard to the Cramps subletting work to the Government and some English firm subletting work to the Government, and we investigated the matter and found that there was no foundation at all for either one of the reports.

Mr. BUTLER. I can not make any reply to that, because Government employees gave testimony and we did not investigate it.

Mr. LINDSAY. We did.

Mr. BUTLER. If the Senator's committee investigated it, undoubtedly he knows of what he speaks.

Mr. HALE. Of course they could not sublet to any navy-yard. That is impossible.

Mr. CHANDLER. Mr. President, I have to say to my friend the Senator from North Carolina and my friend the Senator from South Carolina that this compromise is not wholly a concession by the Senate to the House of Representatives. That some compromise was necessary is very evident unless there was to be an extra session of Congress. I have already expressed myself as willing to have such an extra session, but such is not the judgment of the Senate or of the members of the House of Representatives, I think; and if there is not to be an extra session, this conference report should be adopted within the next ten minutes and should go to the House of Representatives, where it has to be engrossed before 12 o'clock. So, Mr. President, I only wish to say a brief word.

The practical effect of the bill undoubtedly is to delay the building of the battle ships and the armored cruisers, but I repeat what I have already said in this debate, that we now stand with eight battle ships likely to be constructed and put into commission within one, two, or three years and four harbor-defense vessels. That is a very large addition to our Navy, and that addition reconciles me to the fact that we shall have to wait six months or eight months or a year longer for the ships that are authorized by this act than is desirable.

Mr. President, the three battle ships authorized a year ago and the harbor-defense vessels are to have the armor put upon them at \$400 a ton, and we now have the statement of the manufacturers that they can put the Harvey armor upon those ships at that price and make a profit; and I want to say right here that I have not yet been convinced that the Krupp armor is any better than the Harvey armor. That is to be demonstrated to me. I was not

informed of it in any formal shape until a fortnight ago, and I am not yet convinced.

We shall get these ships. The Senate has succeeded in defeating this combination to compel us to pay \$545 for armor. We have held the price of armor down to \$300, so far as statute law is concerned, so far as we authorize new armored battle ships and armored ships in this bill.

Mr. FRYE. We will not get any ships.

Mr. CHANDLER. We shall not get the battle ships or the armored cruisers within the next year, but we have got, as I said before the junior Senator from Maine came in, eight battle ships approaching completion now, and those will do for the present. There is no need of becoming quite so insatiate on the subject of large battle ships and armored cruisers as some Senators are.

Now, Mr. President, under those circumstances I think it would be unwise to contend longer. I believe that the Senate and House of Representatives in the next Congress will be able to deal with the question of armor, to find out what should be the composition of armor, and what is a fair price for it, and accomplish what we certainly have hitherto failed in accomplishing—a solution of this much vexed question of armor. Therefore I hope there will be a unanimous vote in favor of the adoption of the conference report.

The VICE-PRESIDENT. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

#### RECESS.

Mr. PETTUS. I move that the Senate take a recess for an hour. That will be until half past 10 o'clock.

Mr. MASON. I hope the Senator from Alabama will withdraw his motion until I can get some printing done. I trust there will be no objection to that.

Mr. PETTUS. I can not do so. I have been here all night.

Mr. MASON. So have I been here all night, and I have waited for an opportunity to get before the Senate and before the public a report made by a Department to this Senate, and if the Senator—

Mr. PETTUS. There will be plenty of time to do that.

Mr. MASON. I ask, Mr. President, that the Senate will not take a recess, but will give me an opportunity to have printed the investigation in regard to the Bureau of Engraving and Printing. There seems to be a determination to shield somebody by keeping the result of the investigation locked in a vault, I judge, from the way the Senator objects.

Mr. BUTLER. I rise to a question of order, Mr. President.

Mr. PETTUS. I made the motion for a recess; and I insist on the motion being put.

Mr. MASON. Will the Senator not yield, that I may have passed a resolution calling for information from one of the Departments on another subject?

Mr. PETTUS. I can not do so.

Mr. MASON. That is exceedingly kind.

The VICE-PRESIDENT. The question is on the motion of the Senator from Alabama, that the Senate take a recess until half past 10 o'clock.

Mr. MASON. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 26, nays 21; as follows:

YEAS—26.			
Allison,	Daniel,	Martin,	Simon,
Berry,	Davis,	Pasco,	Spooner,
Butler,	Fairbanks,	Pettigrew,	Stewart,
Caffery,	Hawley,	Pettus,	Turley,
Chilton,	Helfeld,	Platt, Conn.	Warren.
Cockrell,	Lodge,	Rawlins,	
Cullom,	McBride,	Sewell,	
NAYS—21.			
Allen,	Hansbrough,	Perkins,	Thurston,
Chandler,	Harris,	Platt, N. Y.	Tillman,
Clark,	Lindsay,	Quay,	Wellington.
Frye,	Mason,	Ross,	
Gallinger,	Money,	Shoup,	
Hanna,	Nelson,	Teller,	
NOT VOTING—43.			
Aldrich,	Foraker,	McLaurin,	Roach,
Bacon,	Gear,	McMillan,	Smith,
Baker,	Gorman,	Mallory,	Sullivan,
Bate,	Gray,	Mantlo,	Turner,
Burrows,	Hale,	Mills,	Turpie,
Cannon,	Hoar,	Mitchell,	Vest,
Carter,	Jones, Ark.	Morgan,	Wetmore,
Clay,	Jones, Nev.	Murphy,	White,
Deboe,	Kenney,	Penrose,	Wilson,
Elkins,	Kyle,	Pritchard,	Wolcott.
Faulkner,	McEnery,	Proctor,	

So the motion was agreed to; and the Senate took a recess until 10.30 o'clock a. m. (Saturday, March 4, 1889). At the expiration of the recess the Senate reassembled.

The VICE-PRESIDENT. The Senate will be in order.

#### BUREAU OF ENGRAVING AND PRINTING INVESTIGATION.

Mr. MASON. I desire to call the attention of the Senator from Kentucky [Mr. LINDSAY] to my request to print all the evidence

taken before the commission of investigation in regard to the Bureau of Engraving and Printing. I have made my statement repeatedly, but the Senator from Kentucky has not had an opportunity to look into the matter, and I feel that it is due now that either the evidence be printed or that some good reason be given why it should not be printed. The type has been set up, I am informed, in the Printing Office, but only a part of the evidence would have been printed under the resolution I formerly offered. The part that was printed was the evidence of the Director of the Bureau, the assistant director, the paymaster, the paymaster's clerk, the chief of the bindery, and the foreman in the plate-printing division.

The Senator from Kentucky felt that all the evidence ought to be printed. I have no objection to that. What I want is that the Senate may have an opportunity to know the facts in this case, and I ask unanimous consent that all the evidence taken in that investigation may be printed as a public document.

The VICE-PRESIDENT. Is there objection to the request?

Mr. LINDSAY. Mr. President, several days since a resolution to print a portion of the evidence taken by this investigating commission was introduced and referred to the Committee on Printing, reported back, and adopted. My attention was called to it the next day, when I entered a motion to reconsider the vote by which the resolution was adopted. That motion is still pending.

This investigation was not a Congressional investigation. The Secretary of the Treasury, when he assumed control of the Treasury Department, selected a commission to investigate the various divisions and bureaus of the Department, and among others he investigated the Bureau of Engraving and Printing. The commission reported to the Secretary of the Treasury, and he took such action on that report as he deemed proper, and that seemed to be the end of the investigation.

Some time since, upon the motion of some one the Senate printed the report of the investigating commission, printed the response of the superintendent of the Bureau, and the rejoinder of the commission. So the matter seemed to end. Now it is proposed to print, at the expense of the Government, the evidence taken by the commission.

I do not know what this evidence proves or tends to prove. I never have read a word of it, and I think I may assume that the Senator from Illinois does not know what it proves or tends to prove, and that he has never read a word of it.

Mr. MASON. That is true. The Senator is right.

Mr. LINDSAY. Now, we have the question whether or not the Senate shall print the testimony taken by a commission of one of the Departments in which the Senate has no interest, the character of the testimony being utterly unknown to every member of the Senate, merely to gratify some persons who fancy they have an interest in this testimony.

It is manifestly unjust to print only selected portions of the testimony. If any portion of it be printed, all of it ought to be printed, in order that all the testimony read by the Secretary of the Treasury shall go to those people who desire to review his action in this matter, which is purely confined to his Department.

I can see no good reason why the Government shall go to the expense of printing this testimony, but if the Senate shall think it ought to be printed, then I insist that no matter how much of it there may be, or how much it may cost the Government, all of it shall be printed, so that whoever reads the testimony shall be able to see and understand all the testimony that was taken in the case.

I am not protecting anybody; I am not desiring to shield anybody. It is merely a question of policy whether the Senate is going to enter upon the business of publishing not only the reports made in cases like this, but all the testimony taken by the Departments in all the investigations they may see proper to order. That is all I have to say about the matter.

Mr. MASON. Mr. President, in view of the statement made by the Senator from Kentucky, in order that there may be absolute fair play and no complaint made by anyone, I will move that all the evidence in the case be printed. The type for more than half of it is already set. I can see the justice of the statement made by the Senator from Kentucky that a part of the evidence ought not to be printed if anyone interested wants it all printed.

The Senator has not sought to delay me. It was not the Senator from Kentucky who did that. He made no objection to my having a hearing, but the trade and labor unions have been engaged in a controversy with the superintendent of the Bureau, and they have asked to have this evidence printed in the way I presented it.

Now, I move that the testimony of all the witnesses who appeared before that commission may be printed.

The VICE-PRESIDENT. The question is on the motion of the Senator from Illinois.

Mr. LINDSAY. Unless the resolution which has been already adopted be reconsidered, I do not very well see how that can be done.

The VICE-PRESIDENT. The Chair understands this is a different motion. The original motion was to print a portion of the report. The pending motion is that all of the report be printed.

Mr. LINDSAY. It is for the Senate to say whether it desires to print the evidence or not. If it desires to do so, I shall have no objection.

The VICE-PRESIDENT. The question is on the motion of the Senator from Illinois to print the report referred to by him.

The motion was agreed to.

#### EXTENSION OF ANTI-CONTRACT LABOR LAWS TO HAWAII.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of the bill (H. R. 11247) to extend the anticontract-labor laws of the United States to Hawaii.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. ALLEN. I desire to object to that bill.

The VICE-PRESIDENT. Objection is made.

Mr. FAIRBANKS. Then I move that the Senate proceed to the consideration of the bill.

Mr. ALLEN. Mr. President, that motion is debatable. I am led to object to the consideration of the bill not for any capitious reason. I object to it because there is an intention, as I understand, when the bill is taken up, to put an amendment on it carrying the national banking laws over into the Hawaiian Islands.

Mr. FAIRBANKS. There is no such purpose on the part of the committee. The committee will object to any amendment to this bill.

Mr. ALLEN. If there is no intention of that kind, and if that is not to be done, I have no objection to extending the anticontract labor laws to the Hawaiian Islands.

Mr. FAIRBANKS. I shall, on behalf of the Committee on Immigration, object to any amendment being put on the bill.

Mr. ALLEN. I believe in the bill itself, but I do not believe in the proposed amendments.

Mr. PETTUS. I ask that the bill be read for information.

The VICE-PRESIDENT. The bill will be read for information. The Secretary read the bill.

Mr. PETTUS. My colleague [Mr. MORGAN] made an objection to this bill yesterday or the day before. He is temporarily absent from the Senate, and I therefore object to the consideration of the bill until he comes into the Chamber.

Mr. PETTIGREW. I should like to make a few brief remarks with regard to the subject, and perhaps the Senator from Alabama will have returned by the time I shall have finished.

Mr. FAIRBANKS. I move, Mr. President, that the Senate proceed to the consideration of the bill.

The VICE-PRESIDENT. The question is on the motion of the Senator from Indiana.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PETTIGREW. Mr. President, we annexed the Hawaiian Islands on the 12th of last August and made them a part of the United States. In the debate which then occurred the opponents of annexation stated that the climate was a tropical climate, and therefore that it would not be peopled by Americans or races of our blood; that the population would remain a tropical population; that the population would be such as to be incapable of maintaining self-government under our Constitution.

I do not now wish to discuss the question, but I wish to put in the RECORD certain facts with regard to the immigration to Hawaii since annexation. On the 23d of December, 1898, there were 14,397 Japanese and Chinese contract laborers or slave laborers employed upon the Hawaiian sugar plantations, and there were 7,601 day laborers so employed.

Since our flag went up in Hawaii, from August 12, 1898, to the 6th day of January, 1899, there have been imported 7,630 contract laborers. Since the 6th of January and up to the 2d of February of this year there have been 2,782 contract laborers brought to the Hawaiian Islands, or a total to February 2, 1899, of 10,412. This labor is slave labor. The laborers are under contract for a term of service. They are liable to be whipped and imprisoned. To-day Europeans, shipped there under contract since our flag went up, are working on the streets with all sorts of criminals because they refuse to subject themselves to the punishment of their taskmasters.

I ask to have printed in the RECORD a list of the importations of those laborers, giving the ships on which they came and their numbers.

The VICE-PRESIDENT. Is there any objection to the request? The Chair hears none, and that order is made.

The papers referred to are as follows:

#### ONE YEAR'S ASIATIC ARRIVALS.

The following figures, obtained from the records of the board of health, show the number of Asiatics who have been attended to in Honolulu's quar-

antine station during the past year. It is a handsome increase of good "American citizens" for annexation year:

Arrival.	Per steamship—	Japanese.	Chinese.	Total.
Jan. 9, 1898.	Peru	275	17	292
Jan. 17, 1898.	Coptic	9	41	49
Jan. 20, 1898.	Riojun Maru	505		505
Jan. 30, 1898.	Mogul	445		445
Feb. 6, 1898.	Gaelic	118		118
Feb. 15, 1898.	Peking	6	4	10
Mar. 6, 1898.	China	638	1	639
Mar. 13, 1898.	Belgie	186	75	261
Apr. 13, 1898.	Braemar	574		574
Do	Rio Janeiro	402	75	477
Apr. 22, 1898.	Gaelic	232	23	255
Apr. 25, 1898.	Mogul	643		643
May 1, 1898.	Peking	141	41	182
May 9, 1898.	Doric	11	191	202
May 20, 1898.	China	13	57	70
May 23, 1898.	Argyle	278		278
May 31, 1898.	Belgie	13	131	144
June 17, 1898.	Peru	10	93	103
June 18, 1898.	Coptic	6	45	51
June 28, 1898.	Rio Janeiro	151	44	195
July 8, 1898.	Gaelic	157	148	305
Aug. 1898.	Kee Lung	546		546
Do	Belgie	270		270
Sept. 3, 1898.	Coptic	234	150	420
Sept. 22, 1898.	Gaelic	654		654
Oct. 5, 1898.	Aztec	713		713
Oct. 6, 1898.	Mogul	561		561
Oct. 10, 1898.	Doric	503	196	701
Nov. 1, 1898.	Belgie	507	151	658
Nov. 14, 1898.	Coptic	481	208	689
Dec. 4, 1898.	Peking	105	30	135
Dec. 13, 1898.	Gaelic	114	69	173
Dec. 20, 1898.	China		36	36
Dec. 29, 1898.	Doric	626	91	717
Dec. 31, 1898.	Konoura Maru	683		683
Total		10,823	1,915	12,738

Since August 12, 1898, the date of annexation, there arrived 6,007 Japanese and 620 Chinese, or a total of 6,627.

Since writing to you early in January, the arrivals of Japanese plantation laborers have been as follows:

Date of arrival.	Per steamship—	Number of laborers.
Jan. 6, 1899.	Nippon Maru	483
Jan. 13, 1899.	Rio de Janeiro	370
Do	Lennox	775
Jan. 24, 1899.	Aztec	147
Jan. 26, 1899.	Coptic	445
Feb. 2, 1899.	American Maru	562
Total		2,782

In connection with Mr. Shingle's interview in the San Francisco Call, giving the sugar planters 40,000 contract Chinese and Japanese laborers, the following official figures may be of interest. They are made up to October 1.

Laborers.	Chinese.	Japanese.	Total.
Contract	5,609	9,245	14,854
Day	1,062	5,152	7,144
Total	7,601	14,397	21,998

Of whom 14,854 are contract laborers and 7,144 are day laborers. So much for the "confidential" agents' veracity and the Call's love of accuracy. To be generous we will add another 1,000 Japanese arrived since then—December 23, 1898.

Mr. PETTIGREW. On the 25th of August last, thirteen days after annexation, the Odd Fellows of Hawaii issued the following circular to the people of the United States:

#### A WARNING FROM HONOLULU.

HONOLULU, HAWAIIAN ISLANDS, August 25, 1898.

To all Odd Fellows, greeting:

The annexation of these islands by the United States has caused many of brethren to project attempts to better their condition or to find employment in what they consider a new country.

Such we consider it our duty to warn and to speak to in plain terms.

The social and business communities of these islands were old and well established before the rush to California.

This is in no sense a new country.

The only opportunity here is for the man of large capital.

There is no employment here for mechanics of any kind or for unskilled labor. Many men of ability, of good habits, and first-class recommendations are now here practically stranded. There were idle men in Honolulu before the American flag replaced the Hawaiian flag.

All lines of small business are fully filled and in most cases overcrowded. Do not come here unless you have the assurance in advance of steady employment, or have the capital to engage in land-development enterprises requiring large means.

We spread this positive advice because we wish to save brethren disappointment and distress. We state the facts as in more than honor bound, and trust sincerely that this circular will accomplish its mission.

This circular is issued by Excelsior Lodge, No. 1, Independent Order of Odd Fellows, Honolulu, Hawaiian Islands

The Masonic body of Hawaii have issued a similar circular, which I will ask to have printed without reading. In that circular they make this statement, among other things:

For clerical work, bookkeepers, shopmen, stenographers, typewriters, etc., both male and female, the supply for the past two years has been greatly in excess of the demand, and for unskilled labor neither climate or pay is adapted to the white man.

Here is our contention, Mr. President. We contended that the climate and the wages paid for labor were not adapted to the white man and that he would not go there.

Outside of Honolulu and Hilo there are really no towns or villages, unless plantation camps may be classed as such.

I now ask that the entire circular may be printed in the RECORD as part of my remarks.

The VICE-PRESIDENT. That order will be made, in the absence of objection.

The circular referred to is as follows:

To our Masonic brethren, greeting:

In view of the fact that the recent annexation of the Hawaiian Islands by the United States has drawn the attention of the public, more especially the people of the Pacific coast, to this group, and in view also of the fact that many people know but little of Hawaii, except the information gleaned from sensational newspaper articles, it is reasonable to suppose that large numbers of the unemployed will desire to rush to what they believe to be a new country, with a fine climate, a rich soil, a sparse civilized population, and large tracts of land lying idle and only awaiting ownership by possession of the first newcomer.

The influx of strangers has already begun, and while, no doubt, the experience of many disappointed seekers of employment will find expression in the newspapers of the coast and elsewhere at an early day, and perhaps deter some intended emigrants from "making the leap in the dark," still the several fraternal societies of Honolulu deem it a duty to sound a note of warning to their brethren in the hope that much suffering and disappointment may be averted.

To that end Hawaiian Lodge No. 21, Ancient Free and Accepted Masons, have appointed the undersigned as a committee to communicate with the Masonic grand lodges, respectfully petitioning them to advise the brethren of their jurisdiction through their local lodges of the present state of affairs at the islands, and warn them that there is little or no opportunity for those who, being unemployed, are seeking a livelihood. For mechanics who are skilled workmen there is occasional demand. But there is no certainty of continual work, as the resident master workmen as a rule are equal to all requirements.

For clerical work, bookkeepers, shopmen, stenographers, typewriters, etc., both male and female, the supply for the past two years has been greatly in excess of the demand, and for unskilled labor neither climate or pay is adapted to the white man. Outside of Honolulu and Hilo there are really no towns or villages, unless plantation camps may be classed as such.

In the professions—medical, dental, and law—we have been more than overcrowded for several months before annexation took place, and dozens have come here only to meet with disappointment, and some with distress, and happy when assisted to their homes.

This fraternal warning is by no means intended to dissuade the brethren from visiting the islands and settling here should they find the opportunity. The mechanic, the merchant, and the professional man who has the means and the leisure will find much to interest him, and perhaps in due time the opportunity to engage in his calling, and settle here, and will be cordially welcome. The hotels are good, the cost of living not much more than in San Francisco, upon which we depend for most of our food luxuries and many of our ordinary food supplies.

But we are separated from the nearest Pacific coast port by over 2,100 miles of deep-sea water, and the man coming to our port without means and unable to obtain employment would soon find himself stranded in a country from which he could not return on foot, a distressed stranger in a strange land.

J. A. HASSINGER, P. M.  
M. E. CROSSMAN, P. M.  
ALEX. MACKINTOSH, P. M.

HONOLULU, September 13, 1898.

Mr. PETTIGREW. I offered an amendment to the resolution annexing Hawaii embodying the repeal the contract-labor law. That amendment was voted down in this Senate. We have waited eight months, and here is the first effort to repeal the contract-labor law. We have tried to pass this bill for days, but its consideration has been objected to by one of the commissioners who went to Hawaii to frame laws for the government of that unfortunate and unhappy country.

We find, then, this situation: The contract laborer is filling the place of the day laborer; the sugar planters are bringing in their help at the rate of 3,000 a month; and now it is proposed that they shall be permitted to continue to import slaves until Congress meets again.

No American free laborers have gone there since annexation, and those who had gone there before have been unable to find employment, while 10,400 Asiatics have been brought in, and yet the Administration, representing the Republican party, the party that owes its being to its protest against slavery, is responsible for this condition of affairs, and has refused to furnish legislation for the government of that Territory.

They have refused to repeal the slave-labor laws of Hawaii. What would Abraham Lincoln, Lloyd Garrison, Wendell Phillips, or Charles Sumner say if they were asked to indorse this policy? Yet this is the Republicanism of to-day. If living, would they be Republicans? And the commissioners sent there have blocked this legislation in the interest of the sugar planters, who want to secure slave labor to work their plantations, while they are selling their sugar to the American people and paying no duty upon it, resulting in a profit to them in remitted duties alone of \$10,000,000 a year.

Are the agents of the sugar planters in this body? Does not the constant and earnest effort of the Senator from Alabama [Mr. MORGAN] to prevent the passage of this bill indicate that they are?

Mr. PERKINS. Mr. President, early in January I introduced a bill similar to the one now pending. It was referred to the Committee on Immigration, who took it up and duly considered it. A short time subsequently a like bill was introduced into the House of Representatives, passed that body, came to the Senate, and was referred to the Committee on Education and Labor, of which I have the honor to be a member. It was duly considered by that committee, and referred to the Committee on Immigration. That committee took the House bill, amended it, and it has been upon our Calendar for several weeks.

I really feel greatly disappointed and I believe it will be against the best interests of the people of this country if this bill should fail to become a law. There is no reason why the people of any Territory of the United States or any State in the Union should be exempt from the provisions of the law which provides that no contract laborer can come into the United States. As a matter of fact, the people of Hawaii are to-day importing into those islands thousands and thousands of Japanese peons and other servile laborers, for whose labor they are contracting for one-half, aye, for one-third, of what the beet-sugar raisers of California and Nebraska and the cane-sugar raisers of Louisiana are paying for their labor.

Early in January I addressed a communication to Mr. Powderly, Commissioner-General of Immigration, and I send that communication to the desk and ask that it may be read, for the information of the Senate.

I trust when this question is considered, even in this closing hour of this Fifty-fifth Congress, that we shall act upon it, and that the bill may yet become a law.

The VICE-PRESIDENT. The Secretary will read as requested. The Secretary read as follows:

TREASURY DEPARTMENT,  
OFFICE OF COMMISSIONER-GENERAL OF IMMIGRATION,  
Washington, D. C., January 12, 1899.

SIR: I have the honor to inclose herewith, for your information, copy of a report from William M. Rice, commissioner, in regard to the efforts being made to anticipate the extension of our immigration laws to the Hawaiian Islands.

In addition to the facts stated therein, the Bureau has recently received information of a confidential nature to the effect that 250 Italians have been engaged to perform agricultural labor in said islands.

Respectfully, yours,

T. V. POWDERLY,  
Commissioner-General.

Hon. GEORGE C. PERKINS,  
United States Senate.

YOKOHAMA, JAPAN, December 19, 1898.

SIR: I beg to inform you that during a few hours' stay at Honolulu I had an interview with Mr. Taylor, the Hawaiian commissioner of immigration, and learned from him that the board under which he acts has approved order for 6,000 Japanese coolies for the current year, which are being filled by the several Japanese immigration companies. I am informed here at the consulate that in view of the probable application of the immigration laws of the United States to Hawaii contract laborers are being rushed to the islands as fast as they can be secured.

In view of my understanding that it is expected that this jurisdiction of the United States over the islands would be completed by July 1, 1899, it occurred to me that this information might be interesting to you.

Respectfully, yours,

W. M. RICE, Commissioner.

COMMISSIONER-GENERAL OF IMMIGRATION,  
Washington, D. C.

Mr. CHANDLER. This bill was objected to in order that the senior Senator from Alabama might come to the Senate before it was taken up. I ask the Senator if he will not waive his objection and let the bill pass?

Mr. MORGAN. How did the bill get before the Senate?

Mr. CHANDLER. It was taken up on motion.

The VICE-PRESIDENT. It was taken up on motion of the Senator from Indiana [Mr. FAIRBANKS].

Mr. MORGAN. Has it been voted up?

The VICE-PRESIDENT. It has been voted up. The Senate voted to proceed to the consideration of the bill after objection was made.

#### EXECUTIVE SESSION.

Mr. MORGAN. I move that the Senate proceed to the consideration of executive business.

Mr. FAIRBANKS. What is the Senator's motion? It could not be heard.

The VICE-PRESIDENT. The Senator from Alabama moves that the Senate proceed to the consideration of executive business. [Putting the question.] The motion appears to be lost.

Mr. MORGAN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOAR. The motion is not debatable, but I wish to be permitted to say that there are the nominations of one or two judges that ought to be considered by the Senate, if possible, before we adjourn. I hope the motion will prevail for a few moments at any rate.

Mr. PETTIGREW. They will not be acted on if we have an executive session.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the motion of the Senator from Alabama.

The Secretary proceeded to call the roll.

Mr. PROCTOR (when his name was called). I am paired with the junior Senator from Florida [Mr. MALLORY].

Mr. SULLIVAN (when his name was called). I desire to state that I am paired with the Senator from Illinois [Mr. MASON].

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON]. As he is absent, I shall have to withhold my vote. I will vote anyway, I believe. I vote "nay."

The roll call was concluded.

Mr. PASCO. I am paired with the Senator from Washington [Mr. WILSON]. In his absence I withhold my vote.

Mr. LODGE (after having voted in the affirmative). I have a general pair with the junior Senator from Georgia [Mr. CLAY], and the senior Senator from Georgia [Mr. BACON] has a pair with the junior Senator from Rhode Island [Mr. WETMORE]. The junior Senator from Rhode Island will stand paired with the junior Senator from Georgia, and the votes of the senior Senator from Georgia and myself can stand.

The result was announced—yeas 32, nays 22; as follows:

#### YEAS—32.

Allison,	Gallinger,	Kyle,	Platt, Conn.
Clark,	Gear,	Lindsay,	Pritchard,
Cockrell,	Gorman,	Lodge,	Rawlins,
Cullom,	Gray,	McBride,	Sewell,
Deboe,	Hanna,	McMillan,	Shoup,
Elkins,	Hansbrough,	Morgan,	Spooner,
Foraker,	Harris,	Nelson,	Vest,
Frye,	Hoar,	Pettus,	Wellington.

#### NAYS—22.

Allen,	Hittfeld,	Perkins,	Turley,
Bacon,	Kenney,	Pettigrew,	Turner,
Butler,	Mantle,	Platt, N. Y.	Warren,
Caffery,	Mills,	Stewart,	Wilson.
Chandler,	Money,	Teller,	
Fairbanks,	Murphy,	Tillman,	

#### NOT VOTING—33.

Aldrich,	Daniel,	Mallory,	Ross,
Baker,	Davis,	Martin,	Simon,
Bate,	Faulkner,	Mason,	Smith,
Berry,	Hale,	Mitchell,	Sullivan,
Burrows,	Hawley,	Pasco,	Thurston,
Cannon,	Jones, Ark.	Penrose,	Turpie,
Carter,	Jones, Nev.	Proctor,	Wetmore,
Chilton,	McEnery,	Quay,	White,
Clay,	McLaurin,	Roach,	Wolcott.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty-five minutes spent in executive session the doors were reopened.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had appointed Mr. DALZELL, Mr. REEVES, and Mr. LANHAM a committee on the part of the House to join such committee as had been appointed by the Senate to wait upon the President of the United States and to inform him that Congress, having finished its business, was ready to close its session by adjournment.

The message also announced that the House had passed a joint resolution (H. Res. 384) authorizing the acceptance of the cession by the Commonwealth of Massachusetts to the United States of certain tract of land in Boston Harbor; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 11083) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes;

A bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes;

A bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes;

A bill (H. R. 4905) granting an increase of pension to Stephen P. Choate;

A bill (H. R. 4501) granting an increase of pension to Stephen A. Knowlan; and

A bill (H. R. 4498) granting an increase of pension to Jackson Neace, late a member of Company H, Twenty-seventh Regiment Illinois Volunteers, in the war of the rebellion.

#### NOTIFICATION TO THE PRESIDENT.

The VICE-PRESIDENT laid before the Senate the following resolution from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, March 3, 1899.

*Resolved*, That a committee of three members be appointed by the Chair to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn, unless the President has some other communication to make to them.

The Chair announced the appointment of Mr. DALZELL, Mr. REEVES, and Mr. LANHAM as members of said committee.

Mr. HOAR submitted the following resolution; which was considered, by unanimous consent, and agreed to:

*Resolved*, That a committee of two Senators be appointed by the Chair to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn, unless he may have some other communication to make to them.

By unanimous consent, the Vice-President was authorized to appoint the committee on the part of the Senate; and Mr. HOAR and Mr. GORMAN were appointed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following acts:

S. 1114. An act for the establishment of a light and fog signal on or near Sabine Bank, Texas; and

S. 4852. An act to ratify agreements with the Indians of the Lower Brule and Rosebud reservations, in South Dakota, and making an appropriation to carry the same into effect.

#### THANKS TO THE VICE-PRESIDENT.

Mr. COCKRELL. Mr. President, it gives me very great pleasure to present the resolution which I send to the desk, and for which I ask immediate consideration.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The resolution will be read.

The resolution was read, as follows:

*Resolved*, That the thanks of the Senate are hereby tendered to Hon. GARRET A. HOAR, Vice-President, for the dignified, impartial, and courteous manner with which he has presided over its deliberations during the present session.

The PRESIDING OFFICER. The Senator from Missouri asks for the immediate consideration of the resolution. Is there objection?

The resolution was considered by unanimous consent, and unanimously agreed to.

#### THANKS TO THE PRESIDENT PRO TEMPORE.

Mr. VEST. Mr. President, I offer with pleasure a resolution which I send to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read the resolution, as follows:

*Resolved*, That the thanks of the Senate are hereby tendered to Hon. WILLIAM F. FRYE, President pro tempore of the Senate, for the courteous, dignified, and able manner with which he has presided over its deliberations during the present session.

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent for the present consideration of the resolution. Is there objection?

The resolution was considered by unanimous consent, and unanimously agreed to.

#### CESSION OF LAND IN BOSTON HARBOR.

Mr. HALE. I ask for the passage of the joint resolution (H. Res. 384) authorizing the acceptance of the cession by the Commonwealth of Massachusetts to the United States of a certain tract of land in Boston Harbor.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It accepts the cession to the United States by the Commonwealth of Massachusetts of the tract of land described in the act of the legislature of that Commonwealth approved February 7, 1899, entitled "An act to cede certain lands in Boston Harbor and jurisdiction over the same to the United States for the purpose of extending the present limits of the United States navy-yard."

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### NOTIFICATION TO THE PRESIDENT.

At 11 o'clock and 55 minutes a. m. Mr. HOAR and Mr. GORMAN appeared at the bar, and

Mr. HOAR said: Mr. President, the committee appointed by the Senate to act with a similar committee appointed by the House to inform the President that the two Houses have completed their business and are ready to adjourn unless he have some further communication to make have performed that duty; and they are instructed by the President to say that he has disposed of the public business which has been laid before him by the two Houses and that he has no further communication to make, that the two

Houses have met and faced the duties of a very laborious and important session, and that he wishes them a safe return to their homes.

#### ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. Res. 384) authorizing the acceptance of the cession by the Commonwealth of Massachusetts to the United States of a certain tract of land in Boston Harbor; and it was thereupon signed by the Vice-President.

#### FINAL ADJOURNMENT.

The VICE-PRESIDENT (at 12 o'clock m., Saturday, March 4). Senators, in a few moments the Fifty-fifth Congress will pass into history. It has been a Congress distinguished beyond most other Congresses for remarkable achievements. During its life, unlike any other session in the history of our country, this Congress has witnessed the inception, prosecution, and conclusion of a war with a foreign power, undertaken in the interest of humanity and conspicuous for the brilliant deeds of the Army and the Navy, by whose valor an imperial domain has been added to our possessions and millions of people to our population.

But not only has this Congress been a war Congress; it will always be memorable as a Congress of peace, and in securing it this body has exercised its constitutional function as a part of the treaty and peace making power in a way to command the approval of the country.

These facts alone would have made this Congress eminent in the long line of our National Legislatures; but for other acts and results, not to be enumerated at this time, the Fifty-fifth Congress has likewise been notable, and now, its constitutional life ended, it becomes a part of our national history and leaves to its successors for settlement many problems that will be perplexing, important, and of the very highest concern to our people.

We feel assured, however, and the American people may well feel assured, that future Congresses will meet these grave questions with wisdom and patriotism, and solve them soundly and righteously. To doubt it is to doubt the true American spirit and to lack confidence in the strength of our political institutions. I have faith in both.

The hour of adjournment is now at hand. For the unfailing courtesy and unvarying cordiality which have characterized the attitude of the Senate toward me as its presiding officer I am profoundly grateful, and I can not let this opportunity pass without this public expression of my deep appreciation of kindness received at the hands of each member of the body, and particularly I can not close the Senate without recognition of the efficient services of the officers and reporters of this body, whose efforts have been so faithful and whose duties have been so courteously and diligently performed.

For the Senators who remain and for the Senators who retire from this body I desire to convey my thanks for the kindly sentiments so often expressed, and it only remains for me now, in the exercise of the duty devolving upon me, to declare that the Senate stands adjourned without day.

#### NOMINATIONS.

*Executive nominations received by the Senate March 3, 1899.*

##### APPOINTMENT BY BREVET IN THE ARMY.

*To be major-general by brevet, to rank from February 4, 1899.*

Brig. Gen. Elwell S. Otis, United States Army, for military skill and most distinguished service in the Philippine Islands.

##### ADMIRAL IN THE NAVY.

Rear-Admiral George Dewey, to be Admiral in the Navy from the 2d day of March, 1899, in accordance with the provision of an act approved March 2, 1899, creating the grade of Admiral in the Navy.

##### FOR APPOINTMENT IN THE MARINE CORPS.

*To be brigadier-general, commandant.*

Col. Commandant Charles Heywood.

*To be colonels.*

Lieut. Col. Percival C. Pope.

Lieut. Col. Robert L. Meade.

Maj. Charles F. Williams.

*To be lieutenant-colonels.*

Maj. Henry C. Cochran.

Maj. William S. Muse.

Maj. Francis H. Harrington.

Capt. Mancil C. Goodrell.

Capt. Carlile P. Porter.

*To be majors.*

Capt. George F. Elliott.

Capt. Allan C. Kelton.

Capt. Richard Wallach.  
Capt. Benjamin R. Russell.  
Capt. Otway C. Berryman.  
Capt. William F. Spicer.  
Capt. Paul St. C. Murphy.  
Capt. Leroy C. Webster.  
Capt. William P. Biddle.  
Capt. Randolph Dickins.

#### *To be captains.*

First Lieut. Franklin J. Moses.  
First Lieut. James E. Mahoney.  
First Lieut. Con M. Perkins.  
First Lieut. Joseph H. Pendleton.  
First Lieut. Herbert L. Draper.  
First Lieut. John A. Lejeune.  
First Lieut. Clarence L. A. Ingate.  
First Lieut. Eli K. Cole.  
First Lieut. Theodore P. Kane.  
First Lieut. Lewis C. Lucas.  
First Lieut. Bertram S. Neumann.  
First Lieut. Charles G. Long.  
First Lieut. Ben H. Fuller.  
First Lieut. Robert McM. Dutton.  
First Lieut. Edward R. Lowndes.  
First Lieut. Albertus W. Catlin.  
First Lieut. Laurence H. Moses.  
First Lieut. Wendell C. Neville.  
First Lieut. Cyrus S. Radford.  
First Lieut. Thomas C. Treadwell.  
First Lieut. Dion Williams.  
First Lieut. Rufus H. Lane.  
First Lieut. Albert S. McLemore.  
First Lieut. George Richards.  
First Lieut. William N. McKelvy.  
First Lieut. William C. Dawson.  
First Lieut. Austin R. Davis.  
First Lieut. John H. Russell.  
Second Lieut. Thomas S. Borden.  
Second Lieut. Theodore H. Low.  
Second Lieut. John T. Myers.  
Second Lieut. Louis J. Magill.  
Second Lieut. Melville J. Shaw.  
Second Lieut. Philip M. Bannon.  
Second Lieut. Newt H. Hall.  
Second Lieut. Ralph E. Walker.  
Second Lieut. Henry O. Bisset.

*To be adjutant and inspector with the rank of colonel.*  
Major and Adjutant and Inspector George C. Reid.

*To be quartermaster with the rank of colonel.*  
Maj. and Q. M. Frank L. Denny.

*To be paymaster with the rank of colonel.*  
Maj. and Paymaster Green C. Goodloe.

*To be assistant quartermasters with the rank of major.*  
Capt. and Asst. Q. M. Thomas C. Prince.  
Capt. and Asst. Q. M. Charles L. McCawley.

#### FOR APPOINTMENT IN THE NAVY.

*To be rear-admirals in the Navy.*

Commodore George C. Remy.  
Commodore Norman H. Farquhar.  
Commodore John C. Watson.  
Commodore Henry B. Robeson.  
Commodore Winfield S. Schley.  
Commodore Silas Casey.  
Commodore William T. Sampson.  
Commodore Bartlett J. Cromwell.  
Commodore John W. Philip.  
Commodore Francis J. Higginson.  
Commodore Henry F. Picking.  
Commodore Frederick Rodgers.  
Capt. Louis Kempff.  
Capt. George W. Sumner.

*To be captains in the Navy.*

Chief Engineer William G. Buehler.  
Chief Engineer Louis J. Allen.  
Chief Engineer George W. Melville.  
Chief Engineer Joseph Trille.  
Chief Engineer Peter A. Rearick.  
Chief Engineer Cipriano Andrade.  
Chief Engineer John Lowe.  
Chief Engineer Lewis W. Robinson.  
Commander Bowman H. McCalla.  
Chief Engineer William H. Harris.

Chief Engineer James Entwistle.  
 Chief Engineer Ralph Aston.  
 Commander George W. Pigman.  
 Commander John McGowan.  
 Commander James G. Green.  
 Commander Charles H. Rockwell.  
 Commander James M. Forsyth.  
 Commander George A. Converse.  
 Commander Royal B. Bradford.  
 Commander Joseph E. Craig.  
 Commander Charles M. Thomas.  
 Commander Albert S. Snow.  
 Commander George C. Reiter.  
 Commander Willard H. Brownson.  
 Commander Henry E. Nichols.  
 Commander William W. Mead.  
 Commander Edwin S. Houston.  
 Commander Edwin Longnecker.

*To be commanders in the Navy.*

Chief Engineer William A. Windsor.  
 Chief Engineer Henry S. Ross.  
 Chief Engineer Charles R. Roelker.  
 Chief Engineer John D. Ford.  
 Chief Engineer John L. Hannum.  
 Chief Engineer John A. B. Smith.  
 Chief Engineer Alexander B. Bates.  
 Chief Engineer Robert W. Milligan.  
 Chief Engineer George W. Baird.  
 Chief Engineer Richard Inch.  
 Chief Engineer Harrie Webster.  
 Lieut. Commander Royal R. Ingersoll.  
 Lieut. Commander Adolph Marix.  
 Lieut. Commander Duncan Kennedy.  
 Lieut. Commander James D. J. Kelley.  
 Lieut. Commander Jefferson F. Moser.  
 Lieut. Commander Raymond P. Rodgers.  
 Lieut. Commander Robert T. Jasper.  
 Lieut. Commander Seaton Schroeder.  
 Lieut. Commander Franklin J. Drake.  
 Lieut. Commander Thomas C. McLean.  
 Lieut. Commander William J. Barnette.  
 Lieut. Commander Francis H. Delano.  
 Lieut. Commander Charles T. Forse.  
 Lieut. Commander Edwin K. Moore.  
 Lieut. Commander Albion V. Wadhams.  
 Lieut. Commander James D. Adams.  
 Lieut. Commander Richard Wainwright.  
 Lieut. Commander James R. Selfridge.  
 Lieut. Commander William H. Everett.  
 Lieut. Commander John M. Hawley.  
 Lieut. Commander John A. Rodgers.  
 Lieut. Commander James W. Carlin.  
 Lieut. Commander Gottfried Blockinger.  
 Lieut. Commander Perry Garst.  
 Lieut. Commander James K. Cogswell.  
 Lieut. Commander Frederic Singer.  
 Lieut. Commander Arthur B. Speyers.  
 Lieut. Commander Ebenezer S. Prime.  
 Lieut. Commander Nathan E. Niles.  
 Lieut. Commander Thomas H. Stevens.  
 Chief Engineer Holland N. Stevenson.  
 Chief Engineer Charles W. Rae.

*To be lieutenant-commanders in the Navy.*

Chief Engineer George H. Kearny.  
 Chief Engineer William S. Moore.  
 Chief Engineer Julien S. Ogden.  
 Chief Engineer George Cowie.  
 Chief Engineer Charles P. Howell.  
 Chief Engineer James H. Perry.  
 Chief Engineer Warner B. Bayley.  
 Chief Engineer Albert F. Dixon.  
 Chief Engineer Joseph P. Mickley.  
 Lieut. Edward M. Hughes.  
 Lieut. Herman F. Fickbohm.  
 Lieut. Joseph B. Murdock.  
 Lieut. Hugo Osterhaus.  
 Lieut. John B. Collins.  
 Lieut. Charles E. Vreeland.  
 Lieut. Corwin P. Rees.  
 Lieut. Albert C. Dillingham.  
 Lieut. George F. W. Holman.  
 Lieut. Nathan Sargent.  
 Lieut. Lazarus L. Reamey.  
 Lieut. James H. Bull.  
 Lieut. Greenleaf A. Merriam.  
 Lieut. John B. Milton.

Lieut. William Kilburn.  
 Chief Engineer William H. Nauman.  
 Lieut. Jacob J. Hunker.  
 Lieut. George W. Mentz.  
 Lieut. Sidney A. Staunton.  
 Lieut. Aaron Ward.  
 Lieut. Charles W. Bartlett.  
 Lieut. Chauncey Thomas.  
 Lieut. William A. Marshall.  
 Lieut. William M. Irwin.  
 Lieut. Gustavus C. Hanus.  
 Lieut. John E. Roller.  
 Lieut. Francis E. Greene.  
 Lieut. Carlos G. Calkins.  
 Lieut. William P. Elliott.  
 Lieut. Henry H. Barroll.  
 Lieut. William E. Sewell.  
 Lieut. Henry McCrea.  
 Lieut. Edward F. Qualtrough.  
 Lieut. James C. Cresap.  
 Lieut. Asher C. Baker.  
 Lieut. William H. H. Southerland.  
 Lieut. Lucien Young.  
 Lieut. Jesse M. Roper.  
 Lieut. Charles E. Fox.  
 Lieut. John C. Fremont.  
 Lieut. Albert Mertz.  
 Lieut. Rogers H. Galt.  
 Lieut. Vincendon L. Cottman.  
 Lieut. Frank E. Sawyer.  
 Lieut. William H. Schuetze.  
 Lieut. Thomas B. Howard.  
 Lieut. Walter C. Cowles.  
 Lieut. Austin M. Knight.  
 Lieut. Charles J. Badger.  
 Lieut. Samuel W. B. Diehl.  
 Lieut. Reginald F. Nicholson.  
 Lieut. Samuel C. Lemly.  
 Lieut. Edmund B. Underwood.  
 Lieut. William F. Halsey.  
 Lieut. Frank A. Wilner.  
 Lieut. Henry Morrell.  
 Lieut. William Winder.  
 Lieut. Charles T. B. Moore.  
 Lieut. Ten Eyck D. W. Veeder.  
 Lieut. Alfred Reynolds.  
 Lieut. John M. Robinson.  
 Chief Engineer John K. Barton.  
 Chief Engineer Robert G. Denig.  
 Lieut. George H. Peters.  
 Lieut. Bradley A. Fiske.  
 Lieut. Frank H. Holmes.  
 Lieut. John F. Parker.  
 Lieut. Hamilton Hutchins.  
 Lieut. John M. Bowyer.  
 Lieut. John C. Colwell.  
 Lieut. William R. A. Rooney.  
 Lieut. Edward J. Dorn.  
 Lieut. Bernard O. Scott.  
 Chief Engineer George B. Ransom.  
 Chief Engineer William C. Eaton.  
 Chief Engineer Alfred B. Canaga.  
 Chief Engineer Abraham V. Zane.  
 Chief Engineer John R. Edwards.  
 Chief Engineer Stacy Potts.  
 Chief Engineer Henry T. Cleaver.  
 Chief Engineer Albert B. Willits.  
 Chief Engineer James P. S. Lawrance.  
 Chief Engineer Isaac S. K. Reeves.  
 Lieut. York Noel.  
 Lieut. Albon C. Hodgson.  
 Lieut. James M. Helm.  
 Lieut. William G. Cutler.  
 Lieut. Cameron McR. Winslow.  
 Lieut. Charles Laird.  
 Lieut. Nathaniel R. Usher.  
 Lieut. Walter S. Hughes.  
 Lieut. Fidelio S. Carter.  
 Lieut. Frank F. Fletcher.  
 Lieut. Alexander Sharp, jr.  
 Lieut. Harry H. Hosley.  
 Lieut. Frank E. Beatty.  
 Lieut. Moses L. Wood.  
 Lieut. John A. Shearman.  
 Lieut. Robert M. Doyle.  
 Lieut. George M. Stoney.  
 Lieut. Frederick W. Coffin.

Chief Engineer Wythe M. Parks.  
 Lieut. Harry M. Hodges.  
 Lieut. William B. Caperton.  
 Lieut. James T. Smith.  
 Chief Engineer Frank H. Bailey.  
 Chief Engineer George S. Willits.  
 Chief Engineer Walter F. Worthington.  
 Chief Engineer William N. Little.  
 Chief Engineer Edward R. Freeman.  
 Chief Engineer Theodore F. Burgdorff.  
 Chief Engineer Frank H. Eldridge.  
 Chief Engineer Edgar T. Warburton.  
 Lieut. Henry C. Gearing.  
 Lieut. Templin M. Potts.  
 Lieut. William H. Allen.  
 Lieut. Burns T. Walling.

*To be lieutenants in the Navy.*

Chief Engineer Robert I. Reid.  
 Chief Engineer Reynold T. Hall.  
 Chief Engineer Franklin J. Schell.  
 Chief Engineer Robert S. Griffin.  
 Chief Engineer George W. McElroy.  
 Chief Engineer Frank W. Bartlett.  
 Chief Engineer Frederick C. Bieg.  
 Chief Engineer Howard Gage.  
 Chief Engineer John L. Gow.  
 Chief Engineer George E. Burd.  
 Chief Engineer Walter M. McFarland.  
 Chief Engineer Benjamin C. Bryan.  
 P. A. Engineer Clarence A. Carr.  
 P. A. Engineer Harold P. Norton.  
 P. A. Engineer Edward H. Scribner.  
 P. A. Engineer Frank M. Bennett.  
 P. A. Engineer Martin Bevington.  
 P. A. Engineer Thomas F. Carter.  
 P. A. Engineer James M. Pickrell.  
 P. A. Engineer Frederic C. Bowers.  
 P. A. Engineer George R. Salisbury.  
 P. A. Engineer Samuel H. Leonard, jr.  
 P. A. Engineer Leo D. Miner.  
 P. A. Engineer Harry Hall.  
 P. A. Engineer Thomas W. Kinkaid.  
 P. A. Engineer William H. Allderdice.  
 P. A. Engineer Charles A. E. King.  
 P. A. Engineer William S. Smith.  
 P. A. Engineer Gustav Kaemmerling.  
 P. A. Engineer Kenneth McAlpine.  
 P. A. Engineer Clarence H. Mathews.  
 P. A. Engineer De Witt C. Redgrave.  
 P. A. Engineer William W. White.  
 P. A. Engineer Bias C. Sampson.  
 P. A. Engineer Solon Arnold.  
 P. A. Engineer Martin A. Anderson.  
 P. A. Engineer Albert Moritz.  
 P. A. Engineer Emil Theiss.  
 P. A. Engineer William H. Chambers.  
 P. A. Engineer Charles E. Rommel.  
 P. A. Engineer Harry G. Leopold.  
 P. A. Engineer Robert B. Higgins.  
 P. A. Engineer John C. Leonard.  
 P. A. Engineer Ward P. Winchell.  
 P. A. Engineer Charles W. Dyson.  
 P. A. Engineer William C. Herbert.  
 P. A. Engineer Alexander S. Halstead.  
 Lieut. (Junior Grade) George R. Slocum.  
 Lieut. (Junior Grade) William G. Miller.  
 Lieut. (Junior Grade) George W. Kline.  
 Lieut. (Junior Grade) John P. McGuinness.  
 Lieut. (Junior Grade) Joseph Strauss.  
 Lieut. (Junior Grade) Charles S. Stanworth.  
 Lieut. (Junior Grade) Robert L. Russell.  
 Lieut. (Junior Grade) Harrison A. Bispham.  
 Lieut. (Junior Grade) Armistead Rust.  
 Lieut. (Junior Grade) George R. Evans.  
 Lieut. (Junior Grade) Edward W. Eberle.  
 Lieut. (Junior Grade) Charles M. McCormick.  
 Lieut. (Junior Grade) Glennie Tarbox.  
 Lieut. (Junior Grade) William W. Gilmer.  
 Lieut. (Junior Grade) Robert E. Coontz.  
 Lieut. (Junior Grade) William H. G. Bullard.  
 Lieut. (Junior Grade) Webster A. Edgar.  
 Lieut. (Junior Grade) Joseph W. Oman.  
 Lieut. (Junior Grade) Philip Andrews.  
 Lieut. (Junior Grade) William H. Faust.  
 Lieut. (Junior Grade) Harold K. Hines.  
 Lieut. (Junior Grade) Ryland D. Tisdale.

Lieut. (Junior Grade) Samuel M. Strite.  
 Lieut. (Junior Grade) George F. Cooper.  
 Lieut. (Junior Grade) Edward T. Witherspoon.  
 Lieut. (Junior Grade) Benton C. Decker.  
 Lieut. (Junior Grade) Mark L. Bristol.  
 Lieut. (Junior Grade) Benjamin W. Wells, jr.  
 Lieut. (Junior Grade) Newton A. McCully.  
 Lieut. (Junior Grade) Levi C. Bertollette.  
 Lieut. (Junior Grade) George W. Logan.  
 Lieut. (Junior Grade) Edward Moale, jr.  
 Lieut. (Junior Grade) Henry F. Bryan.  
 Lieut. (Junior Grade) Andrew T. Long.  
 Lieut. (Junior Grade) Edward H. Durell.  
 Lieut. (Junior Grade) Archibald H. Scales.  
 Lieut. (Junior Grade) Ford H. Brown.  
 Lieut. (Junior Grade) Clarence M. Stone.  
 Lieut. (Junior Grade) Thomas Washington.  
 Lieut. (Junior Grade) Francis Boughter.  
 Lieut. (Junior Grade) Archibald H. Davis.  
 Lieut. (Junior Grade) Guy H. Burrage.  
 Lieut. (Junior Grade) Victor Blue.  
 Lieut. (Junior Grade) Frank M. Russell.  
 P. A. Engineer James E. Palmer.  
 P. A. Engineer Josiah S. McKean.  
 P. A. Engineer Charles H. Hayes.  
 P. A. Engineer Horace W. Jones.  
 P. A. Engineer William W. Bush.  
 Lieut. (Junior Grade) Frank Marble.  
 Lieut. (Junior Grade) Ashley H. Robertson.  
 Lieut. (Junior Grade) Carlo B. Brittain.  
 Lieut. (Junior Grade) Casey B. Morgan.  
 Lieut. (Junior Grade) William M. Crosse.  
 Lieut. (Junior Grade) John F. Hubbard.  
 Lieut. (Junior Grade) Marcus L. Miller.  
 Lieut. (Junior Grade) Lloyd H. Chandler.  
 P. A. Engineer Oscar W. Koester.  
 Lieut. (Junior Grade) George N. Hayward.  
 Lieut. (Junior Grade) Samuel S. Robison.  
 Lieut. (Junior Grade) Henry K. Benham.  
 Lieut. (Junior Grade) Charles F. Hughes.  
 Lieut. (Junior Grade) Albert L. Norton.  
 Lieut. (Junior Grade) James H. Reid.  
 P. A. Engineer Edward L. Beach.  
 P. A. Engineer Herman O. Stickney.  
 Lieut. (Junior Grade) Henry A. Wiley.  
 Lieut. (Junior Grade) Frederic B. Bassett.  
 Lieut. (Junior Grade) Herbert G. Gates.  
 Lieut. (Junior Grade) Richard H. Jackson.  
 Lieut. (Junior Grade) Arthur B. Hoff.  
 Lieut. (Junior Grade) Nathan C. Twining.  
 Lieut. (Junior Grade) Benjamin F. Hutchison.  
 Lieut. (Junior Grade) Sumner E. W. Kittelle.  
 Lieut. (Junior Grade) William V. Pratt.  
 P. A. Engineer Louis M. Nulton.  
 Lieut. (Junior Grade) George R. Marvell.  
 P. A. Engineer John B. Patton.  
 Lieut. (Junior Grade) Thomas P. Magruder.  
 Lieut. (Junior Grade) William D. MacDougall.  
 Lieut. (Junior Grade) George B. Bradshaw.  
 P. A. Engineer George W. Danforth.  
 Lieut. (Junior Grade) Louis R. de Steigner.  
 Lieut. (Junior Grade) William W. Phelps.  
 Lieut. (Junior Grade) Louis A. Kaiser.  
 Lieut. (Junior Grade) William C. Cole.  
 P. A. Engineer Cleland N. Offley.  
 Ensign Charles A. Brand.  
 Ensign Philip Williams.  
 Ensign Warren J. Terhune.  
 Ensign George G. Mitchell.  
 Ensign William K. Harrison.  
 Ensign Frank H. Schofield.  
 P. A. Engineer Urban T. Holmes.  
 Ensign Jehu V. Chase.  
 Ensign Henry J. Ziegemeier.  
 Ensign Cleland Davis.  
 Ensign Matt H. Signor.

*To be lieutenants (junior grade).*

Ensign William H. Buck.  
 Ensign George W. Williams.  
 Ensign Noah T. Coleman.  
 P. A. Engineer Claude B. Price.  
 Ensign Montgomery M. Taylor.  
 Ensign Henry S. Ritter.  
 Ensign Franklin D. Sullivan.  
 Ensign Charles T. Vogelgesang.  
 Ensign Charles B. McVay, jr.

Ensign Lay H. Everhart.  
 Ensign Claude Bailey.  
 Ensign John H. Dayton.  
 Ensign Lucius A. Bostwick.  
 Ensign William A. Moffett.  
 Ensign Julian L. Latimer.  
 P. A. Engineer Doctor E. Dismukes.  
 Ensign John R. Edie.  
 Ensign Reginald R. Belknap.  
 Ensign DeWitt Blamer.  
 P. A. Engineer John K. Robison.  
 Ensign Arthur L. Willard.  
 Ensign Edwin T. Pollock.  
 Ensign Clark D. Stearns.  
 Ensign Henry C. Kuenzli.  
 P. A. Engineer John H. Rowen.  
 Ensign Henry H. Hough.  
 P. A. Engineer Milton E. Reed.  
 Ensign Harley H. Christy.  
 Ensign Noble E. Irwin.  
 Ensign Waldo Evans.  
 P. A. Engineer Charles R. Emrich.  
 Ensign Harry H. Caldwell.  
 Ensign Thomas J. Senn.  
 Ensign Jay H. Sypher.  
 Ensign Bion B. Bierer.  
 P. A. Engineer William H. McGrann.  
 Ensign Horace G. Macfarland.  
 Ensign Charles F. Preston.  
 Ensign Richard H. Leigh.  
 Ensign Adelbert Althouse.  
 Ensign William D. Brotherton.  
 Ensign James F. Carter.  
 Ensign Harry E. Smith.  
 P. A. Engineer George W. Laws.  
 P. A. Engineer Armin Hartrath.  
 Ensign George C. Day.  
 Ensign Luke McNamee.  
 Ensign Frederick L. Sawyer.  
 Ensign Charles L. Hussey.  
 Ensign John R. Y. Blakely.  
 Ensign Charles T. Jewell.  
 Ensign Gregory C. Davison.  
 Ensign Leon S. Thompson.  
 Ensign Frederick A. Trant.  
 Ensign John F. Hines.  
 Ensign Fred R. Payne.  
 P. A. Engineer Robert K. Crank.  
 P. A. Engineer Stanford E. Moses.  
 Ensign Powers Symington.  
 Ensign Yates Stirling, jr.  
 P. A. Engineer Raymond D. Hasbrouck.  
 Ensign George Mallison.  
 P. A. Engineer Walter Ball.  
 Ensign Joel R. P. Pringle.  
 Ensign Benjamin B. McCormick.  
 P. A. Engineer Edward S. Kellogg.  
 P. A. Engineer David Van H. Allen.  
 Ensign Wilfrid V. Powelson.  
 Ensign William S. Montgomery.  
 Ensign Frank H. Clark, jr.  
 Ensign Henry H. Ward.  
 Ensign Eugene L. Bisset.  
 Ensign Edward H. Campbell.  
 Ensign Charles J. Lang.  
 P. A. Engineer Henry B. Price.  
 Ensign Walter S. Croseley.  
 P. A. Engineer Martin E. Trench.  
 Ensign William K. Gise.  
 Ensign Thomas S. Wilson.  
 Ensign Henry A. Pearson.  
 Ensign Orton P. Jackson.  
 Asst. Engineer Frank D. Read.  
 Ensign Frank L. Chadwick.  
 Ensign John S. Doddridge.  
 Ensign Percy N. Olmsted.  
 Asst. Engineer John R. Brady.  
 Asst. Engineer Allen M. Cook.  
 Ensign Christopher C. Fewel.  
 Ensign Frank B. Upham.  
 Ensign John L. Sticht.  
 Ensign Richard S. Douglas.  
 Ensign Alfred A. McKethan.  
 Ensign Alfred A. Pratt.  
 Asst. Engineer Emmet R. Pollock.  
 Asst. Engineer André M. Procter.

*To be ensigns in the Navy.*

Asst. Engineer John P. J. Ryan.  
 Asst. Engineer John R. Morris.  
 Asst. Engineer Chester Wells.  
 Asst. Engineer John M. Hudgins.  
 Asst. Engineer Boling K. McMorris.  
 Asst. Engineer Alfred W. Hinds.  
 Asst. Engineer Roscoe C. Moody.  
 Asst. Engineer Leland F. James.  
 Asst. Engineer Ralph H. Chappell.  
 Asst. Engineer Joseph M. Reeves.  
 Asst. Engineer Ignatius T. Cooper.  
 Asst. Engineer Henry T. Baker.  
 Asst. Engineer Frank Lyon.  
 Asst. Engineer Hutch I. Cone.  
 Asst. Engineer Emory Winship.  
 Asst. Engineer Edwin H. De Lany.  
 Asst. Engineer Thomas M. Dick.  
 Asst. Engineer Charles K. Mallory.  
 Asst. Engineer Newton Mansfield.  
 Asst. Engineer James P. Morton.  
 Asst. Engineer Daniel M. Garrison.  
 Asst. Engineer Franklin D. Karns.  
 Asst. Engineer Frederic N. Freeman.  
 Asst. Engineer John F. Marshall, jr.  
 Asst. Engineer Ernest F. Eckhardt.  
 Asst. Engineer Edward H. Dunn.  
 Asst. Engineer Thomas D. Parker.  
 Asst. Engineer Charles L. Leiper.  
 Asst. Engineer Gatewood S. Lincoln.  
 Asst. Engineer Edward T. Fitzgerald.  
 Asst. Engineer Albert W. Marshall.  
 Asst. Engineer Charles P. Burt.  
 Asst. Engineer Kenneth G. Castleman.  
 Asst. Engineer William L. Littlefield.  
 Asst. Engineer Pope Washington.  
 Asst. Engineer George B. Rice.  
 Asst. Engineer James B. Henry, jr.  
 Asst. Engineer Arthur Crenshaw.

WARRANT OFFICERS OF THE NAVY.

*To be chief boatswains.*

Boatswain Charles Miller.  
 Boatswain John B. F. Langton.  
 Boatswain Josiah B. Aiken.  
 Boatswain William A. Cooper.  
 Boatswain John S. Sinclair.  
 Boatswain Alexander McCone.  
 Boatswain Charles E. Hawkins.  
 Boatswain Peter H. Smith.  
 Boatswain William Manning.  
 Boatswain Francis A. Dran.  
 Boatswain John J. Killin.  
 Boatswain Patrick Haley.  
 Boatswain Timothy Sheean.  
 Boatswain William L. Hill.  
 Boatswain John McLaughlin.  
 Boatswain William Anderson.  
 Boatswain John Sutton.  
 Boatswain Stephen McCarthy (subject to the examinations required by law).  
 Boatswain John Costello (subject to the examinations required by law).

*To be chief gunners.*

Gunner Cornelius Dugan.  
 Gunner John R. Grainger.  
 Gunner George Fouse.  
 Gunner Charles B. Magruder.  
 Gunner William Halford.  
 Gunner John J. Walsh.  
 Gunner Charles H. Venable.  
 Gunner Robert Sommers.  
 Gunner Arthur A. Phelps.  
 Gunner Patrick Lynch.  
 Gunner William Walsh.  
 Gunner Thomas M. Johnston (subject to the examinations required by law).  
 Gunner Frank C. Messenger (subject to the examinations required by law).  
 Gunner Joel C. Evans (subject to the examinations required by law).

*To be chief carpenters.*

Carpenter Peter T. Ward.  
 Carpenter Luther L. Martin.  
 Carpenter William A. Barry.  
 Carpenter James Burke.

Carpenter Philip T. Mager.  
 Carpenter John S. Waltemeyer.  
 Carpenter Edward H. Hay.  
 Carpenter John G. Tilden.  
 Carpenter Alonzo C. Burroughs.  
 Carpenter Josiah E. Keen.  
 Carpenter Henry Rigby.  
 Carpenter Milton F. Roberts.  
 Carpenter John W. Burnham.  
 Carpenter Benjamin F. Markham.  
 Carpenter Charles H. Bogan.  
 Carpenter Ellis W. Craig.  
 Carpenter Joseph B. Fletcher (subject to the examinations required by law).  
 Carpenter Osgood H. Hilton (subject to the examinations required by law).

*To be chief sailmakers.*

Sailmaker John C. Herbert.  
 Sailmaker William Cuddy.  
 Sailmaker John Roddy.  
 Sailmaker Garrett Van Mater.  
 Sailmaker John J. Byrne.  
 Sailmaker Frank Watson.  
 Sailmaker Milton W. Watkins.  
 Sailmaker Charles E. Minter.  
 Sailmaker Charles H. Jones.  
 Sailmaker John A. Long.  
 Sailmaker Michael P. Barr (subject to the examinations required by law).

APPOINTMENTS IN THE ARMY.

*Record and Pension Office.*

Col. Fred C. Ainsworth, to be Chief of the Record and Pension Office of the War Department, with the rank of brigadier-general, March 2, 1899, to fill an original vacancy.

John Tweedale, of Pennsylvania, to be assistant chief of the Record and Pension Office, with the rank of major, March 2, 1899, to fill an original vacancy.

*Pay Department.*

Harry L. Rees, of Oregon, to be paymaster, with the rank of major, March —, 1899, vice Mosher, retired from active service.

APPOINTMENTS IN THE VOLUNTEER ARMY.

*To be lieutenant-colonel by brevet.*

Maj. William B. Banister, brigade surgeon, United States Volunteers, for meritorious service in attending wounded under fire, Santiago de Cuba, July 1, 1898.

*To be captains by brevet.*

Second Lieut. Frank R. McCoy, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet rank as first lieutenant June 24, 1898.)

Second Lieut. Henry O. Williard, Tenth Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet rank as first lieutenant June 24, 1898.)

Second Lieut. Henry C. Smither, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet rank as first lieutenant June 24, 1898.)

Second Lieut. Charles McK. Saltzman, First Cavalry, for gallantry in battle, Santiago de Cuba, July 1, 1898. (Nominated for brevet rank as first lieutenant June 24, 1898.)

*To be first lieutenant by brevet.*

Second Lieut. Charles McK. Saltzman, First Cavalry, for gallantry in battle, La Guasima, Cuba, June 24, 1898.

NAVAL OFFICER.

John Webre, of Louisiana, to be naval officer of customs in the district of New Orleans, in the State of Louisiana. Office vacant.

POSTMASTERS.

Charles M. Ford, to be postmaster at Armstrong, in the county of Emmet and State of Iowa, in the place of W. R. Flemming, removed.

George W. Libbey, to be postmaster at Whitefield, in the county of Coos and State of New Hampshire, in the place of D. M. Aldrich, whose commission expired March 1, 1899.

Charles S. Gay, to be postmaster at Saranac Lake, in the county of Franklin and State of New York, in the place of John Harding, whose commission expired December 11, 1898.

Seward L. Bowman, to be postmaster at Lorain, in the county of Lorain and State of Ohio, in the place of Mathias J. Alten, whose commission expired January 21, 1899.

C. E. Harmon, to be postmaster at Grants Pass, in the county of Josephine and State of Oregon, in the place of W. F. Horn, whose commission expired January 4, 1899.

Elwood W. Minster, to be postmaster at Bristol, in the county of Bucks and State of Pennsylvania, in the place of J. M. Winder, whose commission expired February 23, 1899.

I. W. Tyson, to be postmaster at Schuylkill Haven, in the county of Schuylkill and State of Pennsylvania, in the place of H. I. Moser, whose commission expired January 10, 1899.

John T. Wrathall, to be postmaster at Johnsonburg, in the county of Elk and State of Pennsylvania, in the place of James McCloskey, removed.

George M. Stewart, to be postmaster at Seattle, in the county of King and State of Washington, in the place of G. S. Meem, to take effect at the expiration of the term of the present incumbent.

DISTRICT JUDGE.

Walter Evans, of Kentucky, as judge of the United States district court for the district of Kentucky, in place of Barr, resigned.

DIRECTOR OF CENSUS.

William R. Merriam, of Minnesota, to be Director of the Census, as provided for by act of Congress approved March 3, 1899.

ASSISTANT PAYMASTER.

Capt. George Richards, to be assistant paymaster in the Marine Corps, with the rank of major, from the 3d day of March, 1899, to fill an existing vacancy.

ASSISTANT ADJUTANT AND INSPECTOR.

Capt. Charles H. Lauchheimer, to be assistant adjutant and inspector in the Marine Corps, with the rank of major, from the 3d day of March, 1899, to fill an existing vacancy.

WITHDRAWALS.

*Executive nominations withdrawn March 3, 1899.*

NOMINATED FOR APPOINTMENT AS MAJOR BY BREVET.

William B. Banister, assistant surgeon, United States Army.

NOMINATED FOR APPOINTMENT AS FIRST LIEUTENANTS BY BREVET.

Second Lieut. Frank R. McCoy, Tenth Cavalry, July 1, 1898.

Second Lieut. Harry O. Williard, Tenth Cavalry, July 1, 1898.

Second Lieut. Charles McK. Saltzman, First Cavalry, July 1, 1898.

Second Lieut. Henry C. Smither, First Cavalry, July 1, 1898.

Second Lieut. Robert C. Williams, First Cavalry, June 24, 1898.

CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 2, 1899.*

CIRCUIT JUDGE.

David D. Shelby, of Alabama, to be United States circuit judge for the Fifth judicial district.

*Executive nominations confirmed by the Senate March 3, 1899.*

PROMOTION IN THE NAVY.

Rear-Admiral George Dewey, to be Admiral.

PROMOTION IN THE ARMY.

Brig. Gen. Elwell S. Otis, United States Army, to be major-general by brevet.

POSTMASTER.

John C. Campbell, to be postmaster at Bellevue, in the county of Jackson and State of Iowa.

SURVEYOR OF CUSTOMS.

Henry L. Hines, of Massachusetts, to be surveyor of customs for the port of Springfield, in the State of Massachusetts.

COLLECTOR OF CUSTOMS.

Charles H. Marchant, of Massachusetts, to be collector of customs for the district of Edgartown, in the State of Massachusetts.

COMMISSIONER TO CLASSIFY LANDS.

Edwin A. Jones, of Ottumwa, Iowa, to be a commissioner to examine and classify lands within the land-grant and indemnity land-grant limits of the Northern Pacific Railroad Company in the Helena land district in Montana.

RECEIVER OF PUBLIC MONEYS.

William S. Warner, of Deadwood, S. Dak., to be receiver of public moneys at Rapid City, S. Dak.

APPOINTMENTS IN THE ARMY.

*To be first lieutenant.*

Second Lieut. Alexander T. Owenshine, Seventeenth Infantry, to be first lieutenant of infantry.

SIGNAL CORPS.

First Lieut. George O. Squier, Third Artillery, to be first lieutenant.

INFANTRY ARM.

*To be second lieutenant.*

William M. Parker, private, Company B, First Infantry, February 9, 1899.

*To be captain.*

Capt. Richard R. Steedman, Eleventh Infantry (formerly first lieutenant, Sixteenth Infantry), to be captain, to date from April 26, 1898.

## ARTILLERY ARM.

*To be second lieutenant.*

Gwynn R. Hancock (graduate of the Military Academy), as second lieutenant of artillery, to date from February 15, 1899.

## PROMOTIONS IN THE ARMY.

*Corps of Engineers.*

Second Lieut. Louis C. Wolf, to be first lieutenant, October 29, 1898.

Second Lieut. Sherwood A. Cheney, to be first lieutenant, January 26, 1899.

*Medical Department.*

Capt. Edward C. Carter, assistant surgeon, to be surgeon with the rank of major, December 21, 1898.

*Infantry arm.*

Capt. Theodore F. Forbes, Fifth Infantry, to be major, February 27, 1899.

*Cavalry arm.*

Maj. Almond B. Wells, Eighth Cavalry, to be lieutenant-colonel, February 14, 1899.

Capt. Earl D. Thomas, Fifth Cavalry, to be major, February 14, 1899.

First Lieut. Samuel D. Freeman, Tenth Cavalry, to be captain, February 14, 1899.

Second Lieut. Julian R. Lindsey, Ninth Cavalry, to be first lieutenant, February 14, 1899.

*Artillery arm.*

Lieut. Col. Henry C. Hasbrouck, Fourth Artillery, to be colonel, February 13, 1899.

Maj. George B. Rodney, Fourth Artillery, to be lieutenant-colonel, February 13, 1899.

Maj. Carle A. Woodruff, Second Artillery, to be lieutenant-colonel, February 13, 1899.

Capt. Frederick Fuger, Fourth Artillery, to be major, February 13, 1899.

Capt. John C. Scantling, Second Artillery, to be major, February 13, 1899.

First Lieut. Charles G. Woodward, Third Artillery, to be captain, February 13, 1899.

First Lieut. Edward E. Gayle, Second Artillery, to be captain, February 13, 1899.

Second Lieut. Frank E. Harris, First Artillery, to be first lieutenant, February 13, 1899.

Second Lieut. George Blakely, Second Artillery, to be first lieutenant, February 13, 1899.

*Infantry arm.*

First Lieut. Tredwell W. Moore, Twenty-second Infantry, to be captain, January 16, 1899.

First Lieut. Raymond R. Stevens, Twenty-third Infantry, to be captain, February 6, 1899.

Second Lieut. James W. Clinton, Seventh Infantry, to be first lieutenant, January 16, 1899.

Second Lieut. Alexander T. Owenshire, Seventeenth Infantry, to be first lieutenant, February 6, 1899.

Second Lieut. Henry E. Eames, Nineteenth Infantry, to be first lieutenant, February 6, 1899.

Second Lieut. Robert Field, Fourteenth Infantry, to be first lieutenant, February 11, 1899.

## APPOINTMENTS IN VOLUNTEER ARMY.

*Fifth Regiment Volunteer Infantry.*

Capt. James K. Vardaman, to be major, vice Money, promoted.

First Lieut. Thomas B. Franks, to be captain.

Second Lieut. John Burke, to be first lieutenant.

Sergt. Jack D. Turner, Company B, to be second lieutenant.

*Third Regiment Volunteer Infantry.*

Second Lieut. Howard G. Young to be first lieutenant.

First Sergt. Willis A. Hawkins, Company G, to be second lieutenant.

*Third Regiment Volunteer Engineers.*

First Lieut. Julius A. Schuelke, assistant surgeon, to be surgeon, with the rank of major.

## APPOINTMENTS IN THE MARINE CORPS.

*To be brigadier-general, commandant.*

Col. Commandant Charles Heywood.

*To be colonels.*

Lieut. Col. Percival C. Pope.

Lieut. Col. Robert L. Meade.

Maj. Charles F. Williams.

*To be lieutenant-colonels.*

Maj. Henry C. Cochran.

Maj. William S. Muse.

Maj. Francis H. Harrington.

Capt. Mancil C. Goodrell.

Capt. Carlile P. Porter.

*To be majors.*

Capt. George F. Elliott.

Capt. Allan C. Kelton.

Capt. Richard Wallach.

Capt. Benjamin R. Russell.

Capt. Otway C. Berryman.

Capt. William F. Spicer.

Capt. Paul St. C. Murphy.

Capt. Leroy C. Webster.

Capt. William P. Biddle.

Capt. Randolph Dickins.

*To be captains.*

First Lieut. Franklin J. Moses.

First Lieut. James E. Mahoney.

First Lieut. Con M. Perkins.

First Lieut. Joseph H. Pendleton.

First Lieut. Herbert L. Draper.

First Lieut. John A. Lejeune.

First Lieut. Clarence L. A. Ingate.

First Lieut. Eli K. Cole.

First Lieut. Theodore P. Kane.

First Lieut. Lewis C. Lucas.

First Lieut. Bertram S. Neumann.

First Lieut. Charles G. Long.

First Lieut. Ben H. Fuller.

First Lieut. Robert McM. Dutton.

First Lieut. Edward R. Lowndes.

First Lieut. Albertus W. Catlin.

First Lieut. Laurence H. Moses.

First Lieut. Wendell C. Neville.

First Lieut. Cyrus S. Radford.

First Lieut. Thomas C. Treadwell.

First Lieut. Dion Williams.

First Lieut. Rufus H. Lane.

First Lieut. Albert S. McLemore.

First Lieut. George Richards.

First Lieut. William N. McKelvy.

First Lieut. William C. Dawson.

First Lieut. Austin R. Davis.

First Lieut. John H. Russell.

Second Lieut. Thomas S. Borden.

Second Lieut. Theodore H. Low.

Second Lieut. John T. Myers.

Second Lieut. Louis J. Magill.

Second Lieut. Melville J. Shaw.

Second Lieut. Philip M. Bannon.

Second Lieut. Newt H. Hall.

Second Lieut. Ralph E. Walker.

Second Lieut. Henry O. Bisset.

*To be adjutant and inspector with the rank of colonel.*

Maj. and Adj. and Insp. George C. Reid.

*To be quartermaster with the rank of colonel.*

Maj. and Q. M. Frank L. Denny.

*To be paymaster with the rank of colonel.*

Maj. and Paymaster Green C. Goodloe.

*To be assistant quartermasters with the rank of major.*

Capt. and Asst. Q. M. Thomas C. Prince.

Capt. and Asst. Q. M. Charles L. McCawley.

## ASSISTANT PAYMASTER.

Capt. George Richards, to be assistant paymaster in the Marine Corps, with the rank of major, from the 3d day of March, 1899, to fill an existing vacancy.

## ASSISTANT ADJUTANT AND INSPECTOR.

Capt. Charles H. Lauchheimer, to be assistant adjutant and inspector in the Marine Corps, with the rank of major, from the 3d day of March, 1899, to fill an existing vacancy.

## APPOINTMENTS IN THE NAVY.

*To be rear-admirals.*

Commodore George C. Remy.

Commodore Norman H. Farquhar.

Commodore John C. Watson.

Commodore Henry B. Robeson.

Commodore Winfield S. Schley.

Commodore Silas Casey.

Commodore William T. Sampson.

Commodore Bartlett J. Cromwell.

Commodore John W. Philip.  
Commodore Francis J. Higginson.  
Commodore Henry F. Picking.  
Commodore Frederick Rodgers.  
Capt. Louis Kempff.  
Capt. George W. Sumner.

*To be captains in the Navy.*

Chief Engineer William G. Buehler.  
Chief Engineer Louis J. Allen.  
Chief Engineer George W. Melville.  
Chief Engineer Joseph Trille.  
Chief Engineer Peter A. Rearick.  
Chief Engineer Cipriano Andrade.  
Chief Engineer John Lowe.  
Chief Engineer Lewis W. Robinson.  
Commander Bowman H. McCalla.  
Chief Engineer William H. Harris.  
Chief Engineer James Entwistle.  
Chief Engineer Ralph Aston.  
Commander George W. Pigman.  
Commander John McGowan.  
Commander James G. Green.  
Commander Charles H. Rockwell.  
Commander James M. Forsyth.  
Commander George A. Converse.  
Commander Royal B. Bradford.  
Commander Joseph E. Craig.  
Commander Charles M. Thomas.  
Commander Albert S. Snow.  
Commander George C. Reiter.  
Commander Willard H. Brownson.  
Commander Henry E. Nichols.  
Commander William W. Mead.  
Commander Edwin S. Houston.  
Commander Edwin Longnecker.

*To be commanders in the Navy.*

Chief Engineer William A. Windsor.  
Chief Engineer Henry S. Ross.  
Chief Engineer Charles R. Roelker.  
Chief Engineer John D. Ford.  
Chief Engineer John L. Hannum.  
Chief Engineer John A. B. Smith.  
Chief Engineer Alexander B. Bates.  
Chief Engineer Robert W. Milligan.  
Chief Engineer George W. Baird.  
Chief Engineer Richard Inch.  
Chief Engineer Harrie Webster.  
Lieut. Commander Royal R. Ingersoll.  
Lieut. Commander Adolph Marx.  
Lieut. Commander Duncan Kennedy.  
Lieut. Commander James D. J. Kelley.  
Lieut. Commander Jefferson F. Moser.  
Lieut. Commander Raymond P. Rodgers.  
Lieut. Commander Robert T. Jasper.  
Lieut. Commander Seaton Schroeder.  
Lieut. Commander Franklin J. Drake.  
Lieut. Commander Thomas C. McLean.  
Lieut. Commander William J. Barnette.  
Lieut. Commander Francis H. Delano.  
Lieut. Commander Charles T. Forse.  
Lieut. Commander Edwin K. Moore.  
Lieut. Commander Albion V. Wadhams.  
Lieut. Commander James D. Adams.  
Lieut. Commander Richard Wainwright.  
Lieut. Commander James R. Selfridge.  
Lieut. Commander William H. Everett.  
Lieut. Commander John M. Hawley.  
Lieut. Commander John A. Rodgers.  
Lieut. Commander James W. Carlin.  
Lieut. Commander Gottfried Blockinger.  
Lieut. Commander Perry Garst.  
Lieut. Commander James K. Cogswell.  
Lieut. Commander Frederic Singer.  
Lieut. Commander Arthur B. Speyers.  
Lieut. Commander Ebenezer S. Prime.  
Lieut. Commander Nathan E. Niles.  
Lieut. Commander Thomas H. Stevens.  
Chief Engineer Holland N. Stevenson.  
Chief Engineer Charles W. Rae.

*To be lieutenant-commanders.*

Chief Engineer George H. Kearny.  
Chief Engineer William S. Moore.  
Chief Engineer Julian S. Ogden.  
Chief Engineer George Cowie.  
Chief Engineer Charles P. Howell.

Chief Engineer James H. Perry.  
Chief Engineer Warner B. Bayley.  
Chief Engineer Albert F. Dixon.  
Chief Engineer Joseph P. Mickle.  
Lieut. Edward M. Hughes.  
Lieut. Herman F. Fickbohm.  
Lieut. Joseph B. Murdock.  
Lieut. Hugo Osterhaus.  
Lieut. John B. Collins.  
Lieut. Charles E. Vreeland.  
Lieut. Corwin P. Rees.  
Lieut. Albert C. Dillingham.  
Lieut. George F. W. Holman.  
Lieut. Nathan Sargent.  
Lieut. Lazarus L. Reamey.  
Lieut. James H. Bull.  
Lieut. Greenleaf A. Merriam.  
Lieut. John B. Milton.  
Lieut. William Kilburn.  
Chief Engineer William H. Nauman.  
Lieut. Jacob J. Hunker.  
Lieut. George W. Mentz.  
Lieut. Sidney A. Staunton.  
Lieut. Aaron Ward.  
Lieut. Charles W. Bartlett.  
Lieut. Chauncey Thomas.  
Lieut. William A. Marshall.  
Lieut. William M. Irwin.  
Lieut. Gustavus C. Hanus.  
Lieut. John E. Roller.  
Lieut. Francis E. Greene.  
Lieut. Carlos G. Calkins.  
Lieut. William P. Elliott.  
Lieut. Henry H. Barroll.  
Lieut. William E. Sewell.  
Lieut. Henry McCrea.  
Lieut. Edward F. Qualtrough.  
Lieut. James C. Cresap.  
Lieut. Asher C. Baker.  
Lieut. William H. H. Southerland.  
Lieut. Lucien Young.  
Lieut. Jesse M. Roper.  
Lieut. Charles E. Fox.  
Lieut. John C. Fremont.  
Lieut. Albert Mertz.  
Lieut. Rogers H. Galt.  
Lieut. Vincendon L. Cottman.  
Lieut. Frank E. Sawyer.  
Lieut. William H. Schuetze.  
Lieut. Thomas B. Howard.  
Lieut. Walter C. Cowles.  
Lieut. Austin M. Knight.  
Lieut. Charles J. Badger.  
Lieut. Samuel W. B. Diehl.  
Lieut. Reginald F. Nicholson.  
Lieut. Samuel C. Lemly.  
Lieut. Edmund B. Underwood.  
Lieut. William F. Halsey.  
Lieut. Frank A. Wilner.  
Lieut. Henry Morrell.  
Lieut. William Winder.  
Lieut. Charles T. B. Moore.  
Lieut. Ten Eyck D. W. Veeder.  
Lieut. Alfred Reynolds.  
Lieut. John M. Robinson.  
Chief Engineer John K. Barton.  
Chief Engineer Robert G. Denig.  
Lieut. George H. Peters.  
Lieut. Bradley A. Fiske.  
Lieut. Frank H. Holmes.  
Lieut. John F. Parker.  
Lieut. Hamilton Hutchins.  
Lieut. John M. Bowyer.  
Lieut. John C. Colwell.  
Lieut. William R. A. Rooney.  
Lieut. Edward J. Dorn.  
Lieut. Bernard O. Scott.  
Chief Engineer George B. Ransom.  
Chief Engineer William C. Eaton.  
Chief Engineer Alfred B. Canaga.  
Chief Engineer Abraham V. Zane.  
Chief Engineer John R. Edwards.  
Chief Engineer Stacy Potts.  
Chief Engineer Henry T. Cleaver.  
Chief Engineer Albert B. Willits.  
Chief Engineer James P. S. Lawrence.  
Chief Engineer Isaac S. K. Reeves.

Lieut. York Noel.  
 Lieut. Albon C. Hodgson.  
 Lieut. James M. Helm.  
 Lieut. William G. Cutler.  
 Lieut. Cameron McR. Winslow.  
 Lieut. Charles Laird.  
 Lieut. Nathaniel R. Usher.  
 Lieut. Walter S. Hughes.  
 Lieut. Fidelio S. Carter.  
 Lieut. Frank F. Fletcher.  
 Lieut. Alexander Sharp, jr.  
 Lieut. Harry H. Hosley.  
 Lieut. Frank E. Beatty.  
 Lieut. Moses L. Wood.  
 Lieut. John A. Shearman.  
 Lieut. Robert M. Doyle.  
 Lieut. George M. Stoney.  
 Lieut. Frederick W. Coffin.  
 Chief Engineer Wythe M. Parks.  
 Lieut. Harry M. Hodges.  
 Lieut. William B. Caperton.  
 Lieut. James T. Smith.  
 Chief Engineer Frank H. Bailey.  
 Chief Engineer George S. Willits.  
 Chief Engineer Walter F. Worthington.  
 Chief Engineer William N. Little.  
 Chief Engineer Edward R. Freeman.  
 Chief Engineer Theodore F. Burgdorff.  
 Chief Engineer Frank H. Eldridge.  
 Chief Engineer Edgar T. Warburton.  
 Lieut. Henry C. Gearing.  
 Lieut. Templin M. Potts.  
 Lieut. William H. Allen.  
 Lieut. Burns T. Walling.

*To be lieutenants.*

Chief Engineer Robert I. Reid.  
 Chief Engineer Reynold T. Hall.  
 Chief Engineer Franklin J. Schell.  
 Chief Engineer Robert S. Griffin.  
 Chief Engineer George W. McElroy.  
 Chief Engineer Frank W. Bartlett.  
 Chief Engineer Frederick C. Bieg.  
 Chief Engineer Howard Gage.  
 Chief Engineer John L. Gow.  
 Chief Engineer George E. Burd.  
 Chief Engineer Walter M. McFarland.  
 Chief Engineer Benjamin C. Bryan.  
 P. A. Engineer Clarence A. Carr.  
 P. A. Engineer Harold P. Norton.  
 P. A. Engineer Edward H. Scribner.  
 P. A. Engineer Frank M. Bennett.  
 P. A. Engineer Martin Bevington.  
 P. A. Engineer Thomas F. Carter.  
 P. A. Engineer James M. Pickrell.  
 P. A. Engineer Frederic C. Bowers.  
 P. A. Engineer George R. Salisbury.  
 P. A. Engineer Samuel H. Leonard, jr.  
 P. A. Engineer Leo D. Miner.  
 P. A. Engineer Harry Hall.  
 P. A. Engineer Thomas W. Kinkaid.  
 P. A. Engineer William H. Allderice.  
 P. A. Engineer Charles A. E. King.  
 P. A. Engineer William S. Smith.  
 P. A. Engineer Gustav Kaemmerling.  
 P. A. Engineer Kenneth McAlpine.  
 P. A. Engineer Clarence H. Mathews.  
 P. A. Engineer De Witt C. Redgrave.  
 P. A. Engineer William W. White.  
 P. A. Engineer Bias C. Sampson.  
 P. A. Engineer Solon Arnold.  
 P. A. Engineer Martin A. Anderson.  
 P. A. Engineer Albert Moritz.  
 P. A. Engineer Emil Theiss.  
 P. A. Engineer William H. Chambers.  
 P. A. Engineer Charles E. Rommel.  
 P. A. Engineer Harry G. Leopold.  
 P. A. Engineer Robert B. Higgins.  
 P. A. Engineer John C. Leonard.  
 P. A. Engineer Ward P. Winchell.  
 P. A. Engineer Charles W. Dyson.  
 P. A. Engineer William C. Herbert.  
 P. A. Engineer Alexander S. Halstead.  
 Lieut. (Junior Grade) George R. Slocum.  
 Lieut. (Junior Grade) William G. Miller.  
 Lieut. (Junior Grade) George W. Kline.  
 Lieut. (Junior Grade) John P. McGuinness.

Lieut. (Junior Grade) Joseph Strauss.  
 Lieut. (Junior Grade) Charles S. Stanworth.  
 Lieut. (Junior Grade) Robert L. Russell.  
 Lieut. (Junior Grade) Harrison A. Bispham.  
 Lieut. (Junior Grade) Armistead Rust.  
 Lieut. (Junior Grade) George R. Evans.  
 Lieut. (Junior Grade) Edward W. Eberle.  
 Lieut. (Junior Grade) Charles M. McCormick.  
 Lieut. (Junior Grade) Glennie Tarbox.  
 Lieut. (Junior Grade) William W. Gilmer.  
 Lieut. (Junior Grade) Robert E. Coontz.  
 Lieut. (Junior Grade) William H. G. Bullard.  
 Lieut. (Junior Grade) Webster A. Edgar.  
 Lieut. (Junior Grade) Joseph W. Oman.  
 Lieut. (Junior Grade) Philip Andrews.  
 Lieut. (Junior Grade) William H. Faust.  
 Lieut. (Junior Grade) Harold K. Hines.  
 Lieut. (Junior Grade) Ryland D. Tisdale.  
 Lieut. (Junior Grade) Samuel M. Strite.  
 Lieut. (Junior Grade) George F. Cooper.  
 Lieut. (Junior Grade) Edward T. Witherspoon.  
 Lieut. (Junior Grade) Benton C. Decker.  
 Lieut. (Junior Grade) Mark L. Bristol.  
 Lieut. (Junior Grade) Benjamin W. Wells, jr.  
 Lieut. (Junior Grade) Newton A. McCully.  
 Lieut. (Junior Grade) Levi C. Bertollette.  
 Lieut. (Junior Grade) George W. Logan.  
 Lieut. (Junior Grade) Edward Moale, jr.  
 Lieut. (Junior Grade) Henry F. Bryan.  
 Lieut. (Junior Grade) Andrew T. Long.  
 Lieut. (Junior Grade) Edward H. Durell.  
 Lieut. (Junior Grade) Archibald H. Scales.  
 Lieut. (Junior Grade) Ford H. Brown.  
 Lieut. (Junior Grade) Clarence M. Stone.  
 Lieut. (Junior Grade) Thomas Washington.  
 Lieut. (Junior Grade) Francis Boughter.  
 Lieut. (Junior Grade) Archibald H. Davis.  
 Lieut. (Junior Grade) Guy H. Burrage.  
 Lieut. (Junior Grade) Victor Blue.  
 Lieut. (Junior Grade) Frank M. Russell.  
 P. A. Engineer James E. Palmer.  
 P. A. Engineer Josiah S. McKean.  
 P. A. Engineer Charles H. Hayes.  
 P. A. Engineer Horace W. Jones.  
 P. A. Engineer William W. Bush.  
 Lieut. (Junior Grade) Frank Marble.  
 Lieut. (Junior Grade) Ashley H. Robertson.  
 Lieut. (Junior Grade) Carlo B. Brittain.  
 Lieut. (Junior Grade) Casey B. Morgan.  
 Lieut. (Junior Grade) William M. Crose.  
 Lieut. (Junior Grade) John F. Hubbard.  
 Lieut. (Junior Grade) Marcus L. Miller.  
 Lieut. (Junior Grade) Lloyd H. Chandler.  
 P. A. Engineer Oscar W. Koester.  
 Lieut. (Junior Grade) George N. Hayward.  
 Lieut. (Junior Grade) Samuel S. Robison.  
 Lieut. (Junior Grade) Henry K. Benham.  
 Lieut. (Junior Grade) Charles F. Hughes.  
 Lieut. (Junior Grade) Albert L. Norton.  
 Lieut. (Junior Grade) James H. Reid.  
 P. A. Engineer Edward L. Beach.  
 P. A. Engineer Herman O. Stickney.  
 Lieut. (Junior Grade) Henry A. Wiley.  
 Lieut. (Junior Grade) Frederic B. Bassett.  
 Lieut. (Junior Grade) Herbert G. Gates.  
 Lieut. (Junior Grade) Richard H. Jackson.  
 Lieut. (Junior Grade) Arthur B. Hoff.  
 Lieut. (Junior Grade) Nathan C. Twining.  
 Lieut. (Junior Grade) Benjamin F. Hutchison.  
 Lieut. (Junior Grade) Sumner E. W. Kittelle.  
 Lieut. (Junior Grade) William V. Pratt.  
 P. A. Engineer Louis M. Nulton.  
 Lieut. (Junior Grade) George R. Marvell.  
 P. A. Engineer John B. Patton.  
 Lieut. (Junior Grade) Thomas P. Magruder.  
 Lieut. (Junior Grade) William D. MacDougall.  
 Lieut. (Junior Grade) George B. Bradshaw.  
 P. A. Engineer George W. Danforth.  
 Lieut. (Junior Grade) Louis R. de Steiguer.  
 Lieut. (Junior Grade) William W. Phelps.  
 Lieut. (Junior Grade) Louis A. Kaiser.  
 Lieut. (Junior Grade) William C. Cole.  
 P. A. Engineer Cleland N. Offley.  
 Ensign Charles A. Brand.  
 Ensign Philip Williams.  
 Ensign Warren J. Terhune.  
 Ensign George G. Mitchell.

Ensign William K. Harrison.  
 Ensign Frank H. Schofield.  
 P. A. Engineer Urban T. Holmes.  
 Ensign Jehu V. Chase.  
 Ensign Henry J. Ziegemeier.  
 Ensign Cleland Davis.  
 Ensign Matt H. Signor.

*To be lieutenants (junior grade).*

Ensign William H. Buck.  
 Ensign George W. Williams.  
 Ensign Noah T. Coleman.  
 P. A. Engineer Claude B. Price.  
 Ensign Montgomery M. Taylor.  
 Ensign Henry S. Ritter.  
 Ensign Franklin D. Sullivan.  
 Ensign Charles T. Vogelgesang.  
 Ensign Charles B. McVay, jr.  
 Ensign Lay H. Everhart.  
 Ensign Claude Bailey.  
 Ensign John H. Dayton.  
 Ensign Lucius A. Bostwick.  
 Ensign William A. Moffett.  
 Ensign Julian L. Latimer.  
 P. A. Engineer Doctor E. Dismukes.  
 Ensign John R. Edie.  
 Ensign Reginald R. Belknap.  
 Ensign De Witt Blamer.  
 P. A. Engineer John K. Robison.  
 Ensign Arthur L. Willard.  
 Ensign Edwin T. Pollock.  
 Ensign Clark D. Stearns.  
 Ensign Henry C. Kuenzli.  
 P. A. Engineer John H. Rowen.  
 Ensign Henry H. Hough.  
 P. A. Engineer Milton E. Reed.  
 Ensign Harley H. Christy.  
 Ensign Noble E. Irwin.  
 Ensign Waldo Evans.  
 P. A. Engineer Charles R. Emrich.  
 Ensign Harry H. Caldwell.  
 Ensign Thomas J. Senn.  
 Ensign Jay H. Sypher.  
 Ensign Bion B. Bierer.  
 P. A. Engineer William H. McGrann.  
 Ensign Horace G. Macfarland.  
 Ensign Charles F. Preston.  
 Ensign Richard H. Leigh.  
 Ensign Adelbert Althouse.  
 Ensign William D. Brotherton.  
 Ensign James F. Carter.  
 Ensign Harry E. Smith.  
 P. A. Engineer George W. Laws.  
 P. A. Engineer Armin Hartrath.  
 Ensign George C. Day.  
 Ensign Luke McNamee.  
 Ensign Frederick L. Sawyer.  
 Ensign Charles L. Hussey.  
 Ensign John R. Y. Blakely.  
 Ensign Charles T. Jewell.  
 Ensign Gregory C. Davison.  
 Ensign Leon S. Thompson.  
 Ensign Frederick A. Traut.  
 Ensign John F. Hines.  
 Ensign Fred R. Payne.  
 P. A. Engineer Robert K. Crank.  
 P. A. Engineer Stanford E. Moses.  
 Ensign Powers Symington.  
 Ensign Yates Stirling, jr.  
 P. A. Engineer Raymond D. Hasbrouck.  
 Ensign George Mallison.  
 P. A. Engineer Walter Ball.  
 Ensign Joel R. P. Pringle.  
 Ensign Benjamin B. McCormick.  
 P. A. Engineer Edward S. Kellogg.  
 P. A. Engineer David Van H. Allen.  
 Ensign Wilfrid V. Powelson.  
 Ensign William S. Montgomery.  
 Ensign Frank H. Clark, jr.  
 Ensign Henry H. Ward.  
 Ensign Eugene L. Bisset.  
 Ensign Edward H. Campbell.  
 Ensign Charles J. Lang.  
 P. A. Engineer Henry B. Price.  
 Ensign Walter S. Crosley.  
 P. A. Engineer Martin J. Trench.  
 Ensign William K. Gise.

Ensign Thomas S. Wilson.  
 Ensign Henry A. Pearson.  
 Ensign Orton P. Jackson.  
 Asst. Engineer Frank D. Read.  
 Ensign Frank L. Chadwick.  
 Ensign John S. Doddridge.  
 Ensign Percy N. Olmsted.  
 Asst. Engineer John R. Brady.  
 Asst. Engineer Allen M. Cook.  
 Ensign Christopher C. Fewel.  
 Ensign Frank B. Upham.  
 Ensign John L. Sticht.  
 Ensign Richard S. Douglas.  
 Ensign Alfred A. McKethan.  
 Ensign Alfred A. Pratt.  
 Asst. Engineer Emmet R. Pollock.  
 Asst. Engineer André M. Procter.

*To be ensigns in the Navy.*

Asst. Engineer John P. J. Ryan.  
 Asst. Engineer John R. Morris.  
 Asst. Engineer Chester Wells.  
 Asst. Engineer John M. Hudgins.  
 Asst. Engineer Boling K. McMorris.  
 Asst. Engineer Alfred W. Hinds.  
 Asst. Engineer Roscoe C. Moody.  
 Asst. Engineer Leland F. James.  
 Asst. Engineer Ralph H. Chappell.  
 Asst. Engineer Joseph M. Reeves.  
 Asst. Engineer Ignatius T. Cooper.  
 Asst. Engineer Henry T. Baker.  
 Asst. Engineer Frank Lyon.  
 Asst. Engineer Hutch I. Cone.  
 Asst. Engineer Emory Winship.  
 Asst. Engineer Edwin H. De Lany.  
 Asst. Engineer Thomas M. Dick.  
 Asst. Engineer Charles K. Mallory.  
 Asst. Engineer Newton Mansfield.  
 Asst. Engineer James P. Morton.  
 Asst. Engineer Daniel M. Garrison.  
 Asst. Engineer Franklin D. Karns.  
 Asst. Engineer Frederic N. Freeman.  
 Asst. Engineer John F. Marshall, jr.  
 Asst. Engineer Ernest F. Eckhardt.  
 Asst. Engineer Edward H. Dunn.  
 Asst. Engineer Thomas D. Parker.  
 Asst. Engineer Charles L. Leiper.  
 Asst. Engineer Gatewood S. Lincoln.  
 Asst. Engineer Edward T. Fitzgerald.  
 Asst. Engineer Albert W. Marshall.  
 Asst. Engineer Charles P. Burt.  
 Asst. Engineer Kenneth G. Castleman.  
 Asst. Engineer William L. Littlefield.  
 Asst. Engineer Pope Washington.  
 Asst. Engineer George B. Rice.  
 Asst. Engineer James B. Henry, jr.  
 Asst. Engineer Arthur Crenshaw.

WARRANT OFFICERS OF THE NAVY.

*To be chief boatswains.*

Boatswain Charles Miller.  
 Boatswain John B. F. Langton.  
 Boatswain Josiah B. Aiken.  
 Boatswain William A. Cooper.  
 Boatswain John S. Sinclair.  
 Boatswain Alexander McCone.  
 Boatswain Charles E. Hawkins.  
 Boatswain Peter H. Smith.  
 Boatswain William Manning.  
 Boatswain Francis A. Dran.  
 Boatswain John J. Killin.  
 Boatswain Patrick Haley.  
 Boatswain Timothy Sheean.  
 Boatswain William L. Hill.  
 Boatswain John McLaughlin.  
 Boatswain William Anderson.  
 Boatswain John Sutton.  
 Boatswain Stephen McCarthy (subject to the examinations required by law).  
 Boatswain John Costello (subject to the examinations required by law).

*To be chief gunners.*

Gunner Cornelius Dugan.  
 Gunner John R. Grainger.  
 Gunner George Fouse.  
 Gunner Charles B. Magruder.  
 Gunner William Halford.

Gunner John J. Walsh.  
 Gunner Charles H. Venable,  
 Gunner Robert Sommers.  
 Gunner Arthur A. Phelps.  
 Gunner Patrick Lynch.  
 Gunner William Walsh.  
 Gunner Thomas M. Johnston (subject to the examinations required by law).  
 Gunner Frank C. Messenger (subject to the examinations required by law).  
 Gunner Joel C. Evans (subject to the examinations required by law).

*To be chief carpenters.*

Carpenter Peter T. Ward.  
 Carpenter Luther L. Martin.  
 Carpenter William A. Barry.  
 Carpenter James Burke.  
 Carpenter Philip T. Mager.  
 Carpenter John S. Waltemeyer.  
 Carpenter Edward H. Hay.  
 Carpenter John G. Tilden.  
 Carpenter Alonzo C. Burroughs.  
 Carpenter Josiah E. Keen.  
 Carpenter Henry Rigby.  
 Carpenter Milton F. Roberts.  
 Carpenter John W. Burnham.  
 Carpenter Benjamin F. Markham.  
 Carpenter Charles H. Bogan.  
 Carpenter Ellis W. Craig.  
 Carpenter Joseph B. Fletcher (subject to the examinations required by law).  
 Carpenter Osgood H. Hilton (subject to the examinations required by law).

*To be chief sailmakers.*

Sailmaker John C. Herbert.  
 Sailmaker William Cuddy.  
 Sailmaker John Roddy.  
 Sailmaker Garrett Van Mater.  
 Sailmaker John J. Byrne.  
 Sailmaker Frank Watson.  
 Sailmaker Milton W. Watkins.  
 Sailmaker Charles E. Minter.  
 Sailmaker Charles H. Jones.  
 Sailmaker John A. Long.  
 Sailmaker Michael P. Barr (subject to the examinations required by law).

**APPOINTMENTS IN THE ARMY.**

*Record and Pension Office.*

Col. Fred C. Ainsworth, to be Chief of the Record and Pension Office of the War Department with the rank of brigadier-general, March 2, 1899, to fill an original vacancy.

John Tweedale, of Pennsylvania, to be assistant chief of the Record and Pension Office with the rank of major, March 2, 1899, to fill an original vacancy.

*Pay Department.*

Harry L. Rees, of Oregon, to be paymaster, with the rank of major, March —, 1899, vice Mosher, retired from active service.

**DISTRICT JUDGE.**

Walter Evans, of Kentucky, as judge of the United States district court for the district of Kentucky, in place of Barr, resigned.

**DIRECTOR OF THE CENSUS.**

William R. Merriam, of Minnesota, to be Director of the Census, as provided for by act of Congress approved March 3, 1899.

**POSTMASTERS.**

Charles M. Ford, to be postmaster at Armstrong, in the county of Emmet and State of Iowa, in the place of W. R. Flemming, removed.

George W. Libbey, to be postmaster at Whitefield, in the county of Coos and State of New Hampshire, in the place of D. M. Aldrich, whose commission expired March 1, 1899.

Charles S. Gay, to be postmaster at Saranac Lake, in the county of Franklin and State of New York, in the place of John Harding, whose commission expired December 11, 1898.

Seward L. Bowman, to be postmaster at Lorain, in the county of Lorain and State of Ohio, in the place of Mathias J. Alten, whose commission expired January 21, 1899.

George M. Stewart, to be postmaster at Seattle, in the county of King and State of Washington, in the place of G. S. Meem, to take effect at the expiration of the term of the present incumbent.

C. E. Harmon, to be postmaster at Grants Pass, in the county of Josephine and State of Oregon, in the place of W. F. Horn, whose commission expired January 4, 1899.

Elwood W. Minster, to be postmaster at Bristol, in the county

of Bucks and State of Pennsylvania, in the place of J. M. Winder, whose commission expired February 25, 1899.

John T. Wrathall, to be postmaster at Johnsonburg, in the county of Elk and State of Pennsylvania, in the place of James McCloskey, removed.

Francis M. Drown, to be postmaster at Weymouth, in the county of Norfolk and State of Massachusetts.

Lorenzo B. Crockett, to be postmaster at North Easton, in the county of Bristol and State of Massachusetts.

Henry Plumb, to be postmaster at Pleasanton, in the county of Linn and State of Kansas.

Charles H. Dimmick, to be postmaster at Willimantic, in the county of Windham and State of Connecticut.

Howard M. Spalding, to be postmaster at Goldendale, in the county of Klickitat and State of Washington.

Harry J. Neely, to be postmaster at Wilbur, in the county of Lincoln and State of Washington.

N. A. Cram, to be postmaster at Pittsfield, in the county of Merrimack and State of New Hampshire.

Frank E. Hurd, to be postmaster at New Lisbon, in the county of Juneau and State of Wisconsin.

Thomas Hughes, to be postmaster at Beaver Dam, in the county of Dodge and State of Wisconsin.

William H. Cooper, to be postmaster at Laurinburg, in the county of Richmond and State of North Carolina.

Cornelius P. Bucklin, to be postmaster at Tidioute, in the county of Warren and State of Pennsylvania.

Manfred H. Barr, to be postmaster at Milton, in the county of Northumberland and State of Pennsylvania.

Ada U. Ashcom, to be postmaster at Ligonier, in the county of Westmoreland and State of Pennsylvania.

Jonas E. Laubenstein, to be postmaster at Minersville, in the county of Schuylkill and State of Pennsylvania.

Barnett C. Fretts, to be postmaster at Scottdale, in the county of Westmoreland and State of Pennsylvania.

Charles Crouse, to be postmaster at Wyoming, in the county of Luzerne and State of Pennsylvania.

Charles W. Oberg, to be postmaster at Mount Jewett, in the county of McKean and State of Pennsylvania.

Frank H. McCully, to be postmaster at Osceola Mills, in the county of Clearfield and State of Pennsylvania.

William H. H. Lea, to be postmaster at Carnegie, in the county of Allegheny and State of Pennsylvania.

Christian Bach, to be postmaster at Kingston, in the county of Luzerne and State of Pennsylvania.

John B. Griffiths, to be postmaster at Jermyn, in the county of Lackawanna and State of Pennsylvania.

Samuel M. Rhone, to be postmaster at Montgomery, in the county of Lycoming and State of Pennsylvania.

Charles F. Strawn, to be postmaster at Quakertown, in the county of Bucks and State of Pennsylvania.

C. Edwin Michael, to be postmaster at Nazareth, in the county of Northampton and State of Pennsylvania.

Merrick Davidson, to be postmaster at Emlenton, in the county of Venango and State of Pennsylvania.

J. H. Downing, to be postmaster at East Downingtown, in the county of Chester and State of Pennsylvania.

William A. Leet, to be postmaster at Ithaca, in the county of Gratiot and State of Michigan.

Jefferson O'Brien, to be postmaster at Momence, in the county of Kankakee and State of Illinois.

Martin N. Brady, to be postmaster at Saginaw West Side, in the county of Saginaw and State of Michigan.

David Cammack, to be postmaster at Muncie, in the county of Delaware and State of Indiana.

Nathaniel B. Miller, to be postmaster at North Clarendon, in the county of Warren and State of Pennsylvania.

Joseph E. Cole, to be postmaster at Perry, in the county of Wyoming and State of New York.

C. B. Ball, to be postmaster at Montour Falls, in the county of Schuyler and State of New York.

William R. Cook, to be postmaster at Hastings, in the county of Barry and State of Michigan.

Louis Lafferrander, to be postmaster at Sayville, in the county of Suffolk and State of New York.

Genevieve French, to be postmaster at Sag Harbor, in the county of Suffolk and State of New York.

Herbert B. Easton, to be postmaster at Cattaraugus, in the county of Cattaraugus and State of New York.

C. H. Beall, to be postmaster at Uniontown, in the county of Fayette and State of Pennsylvania.

E. T. Wilcox, to be postmaster at Ticonderoga, in the county of Essex and State of New York.

John H. McIntosh, to be postmaster at Canton, in the county of St. Lawrence and State of New York.

Jesse Ransberry, to be postmaster at East Stroudsburg, in the county of Monroe and State of Pennsylvania.

James S. Kennedy, to be postmaster at Grove City, in the county of Mercer and State of Pennsylvania.

Frank W. Daniell, to be postmaster at Shamokin, in the county of Northumberland and State of Pennsylvania.

Frank E. Briggs, to be postmaster at Turners Falls, in the county of Franklin and State of Massachusetts.

Eldridge M. Barnes, to be postmaster at Alexander City, in the county of Tallapoosa and State of Alabama.

Samuel T. Poinier, to be postmaster at Spartanburg, in the county of Spartanburg and State of South Carolina.

Charles W. Harding, to be postmaster at Whitehall, in the county of Washington and State of New York.

Marcellus L. Jackson, to be postmaster at Hammonton, in the county of Atlantic and State of New Jersey.

Charles C. Cowperthwait, to be postmaster at Mount Holly, in the county of Burlington and State of New Jersey.

Alonzo D. Webster, to be postmaster at Orangeburg, in the county of Orangeburg and State of South Carolina.

Thomas W. Ashworth, to be postmaster at Tippecanoe City, in the county of Miami and State of Ohio.

John I. Traphagen, to be postmaster at Suffern, in the county of Rockland and State of New York.

Asa Crocker, to be postmaster at Suisun City, in the county of Solano and State of California.

Augustus M. High, to be postmaster at Reading, in the county of Berks and State of Pennsylvania.

John T. Hale, to be postmaster at Trenton, in the county of Gibson and State of Tennessee.

Elbridge G. McIntire, to be postmaster at Mendota, in the county of LaSalle and State of Illinois.

James A. Hunter, to be postmaster at Odell, in the county of Livingston and State of Illinois.

J. W. Rambo, to be postmaster at Florence in the county of Fremont and State of Colorado.

Albert Gaylor, to be postmaster at Mishawaka, in the county of St. Joseph and State of Indiana.

Willet B. Stickney, to be postmaster at National Stock Yards, in the county of St. Clair and State of Illinois.

Clark J. McManis, to be postmaster at Princeton, in the county of Bureau and State of Illinois.

B. F. Jackson, to be postmaster at Clyde, in the county of Sandusky and State of Ohio.

G. A. Gessner, to be postmaster at Freemont, in the county of Sandusky and State of Ohio.

John C. Clifton, to be postmaster at Senatobia, in the county of Tate and State of Mississippi.

William T. Orton, to be postmaster at West Unity, in the county of Williams and State of Ohio.

Otis T. Locke, to be postmaster at Tiffin, in the county of Seneca and State of Ohio.

E. J. Lewis, to be postmaster at Girard, in the county of Trumbull and State of Ohio.

Eli B. Black, to be postmaster at Whitney Point, in the county of Broome and State of New York.

Charles R. Bindhamer, to be postmaster at Whitestone, in the county of Queens and State of New York.

William H. Stoutt, to be postmaster at Uhrichsville, in the county of Tuscarawas and State of Ohio.

Leonard H. Kimball, to be postmaster at Neenah, in the county of Winnebago and State of Wisconsin.

James N. Weaver, to be postmaster at Sayre, in the county of Bradford and State of Pennsylvania.

John J. Taylor, to be postmaster at Cornwall on the Hudson, in the county of Orange and State of New York.

the blessed thought that they shall go to them and dwell with them in an eternity of bliss.

Hear us and answer us, in the name of Jesus Christ. Amen.

The Journal of yesterday's proceedings was read, corrected, and approved.

HON. JOHN W. CRANFORD.

Mr. BURKE. Mr. Speaker, I have the sad duty of announcing to this House the death of one of my colleagues, Hon. JOHN W. CRANFORD, of the Fourth Congressional district of Texas, who died last night in Providence Hospital, after a long and lingering illness. I offer the resolutions which I send to the desk and move their adoption. But, Mr. Speaker, before the reading, permit me to say that owing to the fact that this Congress must adjourn today, it would be impossible for the House to adopt, and I do not propose to ask it to adopt, the further resolution usually agreed to in cases of this kind, that the House stand adjourned out of respect to the memory of the deceased.

The Clerk read as follows:

*Resolved*, That the House has heard with deep regret and profound sorrow of the death of the Hon. JOHN W. CRANFORD, late a Representative from the State of Texas.

*Resolved*, That a committee of eleven members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral at Sulphur Springs, Tex., and that the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

*Resolved*, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of this resolution.

*Resolved*, That the Clerk of the House communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were adopted.

The SPEAKER, in pursuance of the second of the resolutions just adopted, announced the appointment of Mr. BURKE, Mr. HENRY of Texas, Mr. DE GRAFFENREID, Mr. LANHAM, Mr. MCRAE, Mr. SMITH of Kentucky, Mr. BREWER, Mr. MCCLEARY, Mr. MAHANY, Mr. JENKINS, and Mr. MOON as the committee to attend the funeral at Sulphur Springs, Tex.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed the following resolutions:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of the Hon. WILLIAM F. LOVE, late a Representative from the State of Mississippi.

*Resolved*, That the business of the Senate be now suspended in order that fitting tribute be paid to his memory.

*Resolved*, That the Secretary be directed to communicate a copy of these resolutions to the House of Representatives.

Also:

*Resolved*, That the Senate has heard with deep and profound sorrow of the death of Hon. STEPHEN NORTHWAY, late a Representative from the State of Ohio.

*Resolved*, That the business of the Senate be now suspended in order that fitting tribute may be paid to his eminent public services and high personal character.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives.

The message also announced that the Senate had passed without amendment the bill (H. R. 12199) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 2408. An act to remove a suspension upon the disbursement of an appropriation; and

S. 5210. An act for the promotion and retirement of P. A. Surg. John F. Bransford, of the United States Navy.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11100. An act to authorize the appointment of a clerk of the district court of the United States within and for the eastern district of Virginia, to validate their acts and prescribe where the records shall be kept;

H. R. 11097. An act granting an increase of pension to William W. Patterson; and

H. R. 2550. An act granting a pension to Annie M. Clemens.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 5130) to provide for the erection of a public building for the Department of Justice.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House was requested:

H. R. 1773. An act granting a pension to Robert Persley;

H. R. 8854. An act to correct the military record of William Hazelbeck, of Portsmouth, Ohio;

H. R. 8607. An act to correct the military record of Sylvester F. Hildybrand;

## HOUSE OF REPRESENTATIVES.

FRIDAY, March 3, 1899.

The House met at 11 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, offered prayer, as follows:

O, Thou Infinite and Eternal Spirit, through whose divine care and gracious providence we have been brought as individuals and as a nation to the present hour, we bless Thee for all the manifestations of Thy love and care, and fervently pray for a continuation of the same, that we may unfold and develop all the powers within us here in this life that we may be prepared for whatever awaits us in the great beyond.

Again we are admonished by the death of two of the members of this House within the present week of the uncertainty of this life and that we should be prepared for the transition which awaits us all.

And now, O God, we lift up our hearts in behalf of those who have been bereft of their dear ones, that they may be comforted by

H. R. 8506. An act to remove the charge of desertion from the record of John P. Henderson and to grant him an honorable discharge;

H. R. 8119. An act granting an honorable discharge to John Dinsbeer;

H. R. 6062. An act for the relief of Anson W. Gillett;

H. R. 5758. An act to remove the charge of desertion from the record of James Geissinger;

H. R. 5046. An act to remove the charge of desertion from the military record of Lawrence Reisler;

H. R. 2419. An act for the relief of Frank Dunn; and

H. R. 914. An act to remove the charge of desertion against Charles Sweet.

The message also announced that the Senate had passed without amendments bills of the following titles:

H. R. 4041. An act to remove the charge of desertion from the record of W. H. Sherwood, Company F, Thirteenth Ohio Cavalry; and

H. R. 5428. An act to authorize the construction of a bridge over Tennessee River at or near Sheffield.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 5506. An act to authorize the President to correct the record of Andrew Geddes, and to place him on the retired list with the rank of captain;

S. 5588. An act to incorporate the National White Cross of America, and for other purposes;

S. 5456. An act granting a pension to Catherine Harris;

S. 4876. An act granting an increase of pension to Benjamin F. Bourne;

S. 4767. An act granting an increase of pension to Sarah E. Stubbs; and

S. 4636. An act granting a pension to Vincent de Frietas.

The message also announced that the Senate had passed with amendments the bill H. R. 8571, "An act to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district," asked a conference with the House on the bill and amendments, and had appointed Mr. SHoup, Mr. CARTER, and Mr. MALLOY as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 11712) to provide a site for a building for the Washington Public Library, asked a conference with the House on the bill and amendments, and had appointed Mr. McMILLAN, Mr. GALLINGER, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendment bills of the following titles; in which the concurrence of the House was requested:

H. R. 8973. An act to remove the charge of desertion from the military record of Sebastian Becker;

H. R. 12184. An act to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation; and

H. R. 10253. An act to amend the internal-revenue laws relating to distilled spirits, and for other purposes.

#### DISCUSSION OF TREASURY AND FINANCES.

Mr. WALKER of Massachusetts. Mr. Speaker, I wish to renew my request to occupy one hour—not to interfere with privileged questions and reports—at such time as may be convenient, twenty minutes of which I propose to yield to those gentlemen who may desire to be heard in reply, and with the privilege of extending my remarks in the RECORD, upon the question which I suggested yesterday—the history and present condition, etc., of the reform of our Treasury, banking and currency. I have spoken to all the gentlemen who objected, and I think there is no objection this morning.

The SPEAKER. Is there objection to the gentleman's request?

Mr. HILL. Mr. Speaker, we may as well not have any misunderstanding about this matter. I shall not object either to the time being given to the gentleman from Massachusetts or to the printing in the RECORD of any remarks that he may see fit to publish. I simply say, in behalf of myself and others, that we shall throw ourselves upon the generosity of the House, and if occasion demands that a reply be made, we shall ask an equal time. With that understanding and with this announcement distinctly made, there will be no objection on my part, for I neither fear nor invite criticism.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. RICHARDSON. I wish to ask whether the gentleman from Massachusetts will yield me fifteen minutes?

Mr. BAILEY. I do not know how this time is to be used. I might want some of it myself. [Laughter.]

The SPEAKER. Is there objection to the proposition of the

gentleman from Massachusetts? The Chair hears none. [Applause.]

#### ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

H. R. 2412. An act to amend the military record of James Roche;

H. R. 8895. An act granting a pension to Mary B. Wotring;

H. R. 1724. An act granting an increase of pension to Sophia Gruber;

H. R. 2625. An act granting a pension to Mary Chamberlin;

H. R. 2366. An act granting an increase of pension to Lester P. Cooper;

H. R. 11568. An act granting an increase of pension to William D. Paul;

H. R. 8329. An act granting an increase of pension to John E. Gullett;

H. R. 7915. An act allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain lands;

H. R. 9619. An act granting a pension to Ruth Walker;

H. R. 4607. An act granting an honorable discharge to Charles Miller;

H. R. 1698. An act granting an increase of pension to Henry A. Thoburn;

H. R. 11876. An act granting an increase of pension to Clarence L. Chapman;

H. R. 10133. An act to remove the charge of desertion from the naval record of Charles Thompson;

H. R. 8959. An act granting an increase of pension to Charles Williams;

H. R. 11597. An act to extend S street, in the District of Columbia, and for other purposes;

H. R. 11673. An act to increase the pension of Patrick O'Neal;

H. R. 500. An act for the erection of public buildings at Lockport, N. Y., and New Brighton, Pa.;

H. R. 4333. An act to correct the military record of Isaac Alger;

H. R. 10862. An act granting an increase of pension to Hollis O. Dudley;

H. R. 3186. An act granting an increase of pension to William J. Holway;

H. R. 4670. An act to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle;

H. R. 9293. An act granting a pension to Mary E. Robinson;

H. R. 9669. An act to correct the military record of Patrick Dunphy;

H. R. 8207. An act granting a pension to Abigail Wilson;

H. R. 12104. An act granting an increase of pension to Maria S. Urban;

H. R. 877. An act granting a pension to Charles F. Holmes;

H. R. 11879. An act to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes;"

H. R. 11916. An act to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek Nations, in the Indian Territory, and for other purposes;

H. R. 2017. An act for the relief of Julius C. Kloeene;

H. R. 3476. An act granting an increase of pension to Andrew Morse, jr.;

H. R. 4745. An act to increase the pension of George W. Detwiler;

H. R. 2830. An act granting an increase of pension to Ira Bacon;

H. R. 7093. An act granting an increase of pension to William R. Warden;

H. R. 12198. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

H. R. 10534. An act granting a pension to Tennessee N. Buckles;

H. R. 10696. An act granting an increase of pension to James W. Ingram;

H. R. 8804. An act granting an increase of pension to James S. Anderson;

H. R. 4661. An act granting a pension to Dortha E. Kennoch;

H. R. 8406. An act granting an increase of pension to Martha Adams;

H. R. 204. An act granting a pension to Ann E. Cooley;

H. R. 7636. An act granting a pension to Martha M. De Vou;

H. R. 1677. An act granting a pension to Anna M. Wehe;

H. R. 10328. An act granting a pension to Ann Collins;

H. R. 11882. An act to increase the limit of cost for the erection of a public building at Stockton, Cal., and making provisions for the acquisition of additional land or a new site therefor;

H. R. 6616. An act to remove the charge of desertion against John Phelon, deceased;

H. R. 987. An act to correct the military record of Corydon Winkler, late private Eighth Company, First Battalion, First Ohio Sharpshooters;

H. R. 5924. An act to correct the naval record of Martin U. Singhi;

H. R. 11178. An act to amend section 941 of the Revised Statutes;

H. R. 8626. An act to punish the impersonation of weighmasters in the District of Columbia, and for other purposes;

H. R. 11815. An act to provide for taking the Twelfth and subsequent censuses;

H. R. 6649. An act to remove the charge of desertion against James J. Fluke;

H. R. 2646. An act for the relief of Edward C. Parsons;

H. R. 1388. An act to remove the charge of desertion from the record of Michael Baker;

H. R. 12064. An act to encourage the holding of a pan-American exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901;

H. R. 11767. An act granting a pension to Daniel G. Emert;

H. R. 9059. An act granting a pension to Catherine Eaken;

H. R. 7092. An act for the relief of George Gregg;

H. R. 7343. An act authorizing the Commissioner of the Freedman's Savings and Trust Company to pay certain dividends barred by the act of February 21, 1881;

H. R. 4651. An act for the relief of Jacob Shela, of Portsmouth, Ohio;

H. R. 11148. An act granting an increase of pension to Orin Long;

H. R. 9359. An act granting an increase of pension to Charles H. Barber;

H. R. 5802. An act granting an increase of pension to John W. Ohngemach;

H. R. 10892. An act granting an increase of pension to Andrew J. Taylor; and

H. R. 6328. An act granting a pension to Mary F. Cobb.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5130. An act to provide for the erection of a building for the Department of Justice;

S. 5260. An act to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes;

S. 4852. An act to ratify agreements with the Indians of the Lower Brule and Rosebud reservations, in South Dakota, and making an appropriation to carry the same into effect; and

S. 2675. An act authorizing the exchange of lot 6 of square 10, known as the old custom-house lot, in the city of St. Augustine, Fla., for lands adjoining that part of the United States military reservation in said city designated as the powder-house lot.

#### PENAL CODE FOR ALASKA.

Mr. WARNER. I ask unanimous consent that the House non-concur in the amendments of the Senate to House bill 8571, known as the Alaska penal code, and that we agree to the request of the Senate for a conference.

Mr. BAILEY. Pending the request of the gentleman from Illinois [Mr. WARNER], I want to ask him whether this bill, upon which a conference is now requested, goes any further or does any more than simply to reenact the laws which now exist in Alaska?

Mr. WARNER. It goes this much further: It provides a high-licence law for the Territory—

Mr. BAILEY. Is that the only change?

Mr. WARNER. That is the only one that I remember, except that there is a provision adopting a general license law for various branches of business.

Mr. BAILEY. That is not what I am trying to get at. Is it not true that under the provisions of this bill, with the three district courts it creates or which exist in Alaska, a man can be indicted, for instance, within 20 miles of where the offense is committed or where he resides and be taken five or six hundred miles to another part of the Territory for trial?

Mr. WARNER. I will state to the gentleman from Texas that this bill does not change the judiciary system at all.

Mr. MADDOX. The gentleman from Texas is referring to another bill.

Mr. WARNER. Yes. This will not change the judicial system. There is a bill pending providing for three judges, but this is a different measure.

Mr. BAILEY. Then I do not object.

Mr. MADDOX. That is an entirely different bill from the one to which the gentleman from Texas refers.

Mr. BAILEY. I make no objection, Mr. Speaker.

There being no objection, the motion of Mr. WARNER was considered, and agreed to.

The SPEAKER appointed Mr. WARNER, Mr. GIBSON, and Mr. MADDOX as conferees on the part of the House.

#### RETURN, FREE OF DUTY, OF CERTAIN EXPORTED ARTICLES.

Mr. PAYNE. Mr. Speaker, I desire to present a conference report which I send to the desk.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7271) to allow the return, free of duty, of certain articles exported from the United States for exposition purposes, approved May 18, 1898, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

The House recedes from its disagreement to the amendment of the Senate numbered 1, and agrees to the same as follows: In line 11, after the word "act," insert: "Provided, however, That the provision of this amendment shall apply only in such cases as those of foreign-born animals taken abroad, and inventories of which are filed, prior to their leaving the country, with the collector of customs at the port of their departure."

The Senate recedes from its amendment numbered 2, and added a new section to the bill, as follows:

"That on and after the passage of this act wheat imported by actual farmers, residents of the United States, for use by them, respectively, as seed on their own lands in the United States, and not for sale, shall be free of customs duty under special regulations to be prescribed by the Secretary of the Treasury: Provided, That not more than 500 bushels of wheat shall be imported under this act by any one person during any one year."

SERENO PAYNE,

J. P. DOLLIVER,

Managers on the part of the House.

J. C. BURROWS,

O. H. PLATT,

H. CHILTON,

Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on House bill No. 7271 make the following statement:

The Senate entered a proviso to the bill at the end thereof, as follows:

"Provided, however, That the provision of this amendment shall apply only in such cases as those of foreign-born animals taken abroad, and inventories of which are filed prior to their leaving the country with the collector of customs at the port of their departure."

The managers on the part of the House recede from their disagreement to this amendment.

The Senate also added an amendment, as section 2, to the bill, providing for the free importation of seed wheat in quantities not to exceed 500 bushels by any one person in any one year. The managers on the part of the Senate recede from this amendment.

SERENO E. PAYNE,

J. P. DOLLIVER,

Managers on the part of the House.

Mr. DOCKERY. What is the general object of this bill to which the report refers?

Mr. PAYNE. It is a bill to enable the importers and proprietors of menageries, circuses, and exhibitions of that character, containing domestic or foreign wild animals, to be permitted to return them free of duty to the United States. The House passed the bill, as the gentleman will remember, but the Senate put a restriction on the reimportation, requiring that inventories should be filed with the collector of customs at the port of departure prior to their leaving the country.

A MEMBER. What is the object of the bill?

Mr. PAYNE. Well, the great object of the bill is to get back into this country, for the education and edification of the youth of the country, Barnum's menagerie and circus. [Laughter.]

Mr. SHAFROTH. Is this what is known as the nightingale bill? [Laughter.]

Mr. CANNON. If it brings in any more wild animals, perhaps we ought to object to it. [Laughter.]

Mr. HUNTER. Does this include the reindeer imported for the benefit of the starving miners in Alaska?

Mr. PAYNE. Mr. Speaker, this does not refer to Alaska at all. I ask the adoption of the conference report.

The report was agreed to.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT CLEVELAND, OHIO.

Mr. MERCER. Mr. Speaker, I present a conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 1006, "An act to provide for a public building at Cleveland, Ohio," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same; and the House agree to the same.

That the House recede from its amendment numbered 2, and agree to the same; and the Senate agree to the same.

DAVID H. MERCER,

J. D. HICKS,

J. H. BANKHEAD,

Managers on the part of the House.

CHARLES W. FAIRBANKS,

J. LEE MANTLE,

E. MURPHY, JR.,

Managers on the part of the Senate.

The statement of the House conferees is as follows:

The Senate recedes from its disagreement to House amendment numbered 1, and agrees to the same, the effect of which is to provide room in said building for the Weather Bureau.

The House recedes from its amendment numbered 2, the effect of which is to increase the amount authorized by the act for the purchase of additional ground and the construction of said building from \$2,500,000 to \$2,500,000.

DAVID H. MERCER,

J. D. HICKS,

J. H. BANKHEAD,

Managers on the part of the House.

The conference report was agreed to.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### MONUMENT TO SAMUEL HAHNEMANN.

Mr. DALZELL. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution 48, granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That permission be, and the same is hereby, granted the Hahnemann monument committee of the American Institute of Homeopathy to erect a monument in honor of Samuel Hahnemann in such place in the city of Washington, D. C., other than the Capitol or Library Grounds, as shall be designated by the Chief of Engineers, United States Army, the chairman of the Joint Committee on the Library, and the chairman of the monument committee; and the sum of \$4,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the building of a foundation upon which to place said monument; said monument to be presented to the people of the United States by the American Institute of Homeopathy, kindred associations, and citizens.*

Mr. BAILEY. I demand a second on that.

By unanimous consent, on motion of Mr. DALZELL, a second was considered as ordered.

Mr. DALZELL. Mr. Speaker, this joint resolution is identical in terms, with a single exception, with one that was passed in the last Congress, but which went to the President too late to receive his signature. The difference between this resolution and that consists only in the fact that in this resolution the Chief of Engineers is designated as one of the parties who shall select the site, whereas in the former resolution the party in charge of the Library building was so designated, and he was so designated because General Casey in his lifetime was an enthusiastic advocate of the placing of this monument upon the Library ground.

The members of the Senate committee are opposed to putting any monuments of any kind in the Library grounds. Hence the change in the resolution.

Now, the ground upon which it seems to me this joint resolution ought to pass is a double one. In the first place, as a work of art this monument is finer by far than anything of the kind in the national capital. It has passed the scrutiny of a committee of sculptors and a committee of architects of the United States. It has been secured at a cost of \$75,000, and it is a complete monument in itself. No money is asked for the pedestal. The pedestal accompanies the monument, and all that is asked for is such an appropriation as will build the foundation. It may be a few hundred dollars, it may be a thousand dollars; it can not exceed \$4,000. I have here at my desk some pictures that will give members of the House, if they desire, a conception of the character of this monument.

In the second place, I put it upon the ground that the subject of the monument is one who is worthy to be honored in the national capital. In a country like ours, made up of citizens representing every clime and race, it is entirely appropriate that men of genius of whatever nationality shall be recognized, and the great mass of the homeopathic following in this country who have subscribed this immense amount of money, \$75,000, are certainly entitled to so much space upon the public grounds of the national capital as will afford an opportunity to place a monument there. I can not for the life of me see how there can be any objection to this proposition.

Mr. BAILEY. Mr. Speaker, to me the objection to this is twofold, or rather one objection grows out of the other. I very seriously doubt if either in the grounds of the Capitol or in the Capitol itself there should be placed the statue or the picture of any person who has not been connected with the service of the Government. It seems to me that that is the true line of distinction, and when you go outside of it and admit to this privilege men of the various professions and pursuits in life, you must sooner or later involve yourselves in the controversies between the rival schools of medicine and law and theology, and those other pursuits which, though useful, are still not connected with the Government.

It seems to me that this Capitol and these grounds, dedicated as they are to the great purposes of the Government, ought to be reserved in all respects for those who have served and those who are to serve the people in a chosen capacity. If that be true, then it certainly follows that the Government ought not to appropriate money for such a purpose. I believe if these gentlemen came

bearing this as a gift, and asking no dollar from the public Treasury, that they ought not to be permitted to place in the grounds or in the building the representation, either in marble or on canvas, of men who have had no connection with the Government.

Mr. Speaker, this, in brief, is my objection. Now I yield such time as he may desire to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. Mr. Speaker, the statement of the gentleman from Texas makes it unnecessary to add anything else to what may be said in opposition to this bill. He has stated the whole "law and gospel," so far as it relates to the proposition now pending. Up to this time the Government of the United States has never appropriated a dollar, as I remember, for the foundation of any such monument.

Mr. DALZELL. The gentleman is mistaken.

Mr. DOCKERY. If so, it ought not to have been done. Congress should not appropriate for any monument to a citizen, I care not how distinguished, unless that citizen was connected in some way with the civil or military service of the United States.

Mr. DALZELL. The gentleman is mistaken.

Mr. DOCKERY. The gentleman from Texas stated the correct policy. If I remember aright, the amount asked for is larger than ever asked for a like purpose.

Mr. DALZELL. No.

Mr. DOCKERY. And as I recall it—and the gentleman from Iowa is before me, and if I am mistaken can correct me—we appropriated \$2,500 for the pedestal of the Sherman monument.

Mr. HENDERSON. I think it was more than that.

Mr. DOCKERY. My recollection is that we appropriated \$2,500 for the Sherman monument, and also \$2,500 for the pedestal of the Hancock monument.

Mr. HENDERSON. I have just come in, and I have not got my mind on the matter before the House, but I am under the impression that it was \$10,000 in each case.

Mr. DOCKERY. I think I am right; but that is not material. This appropriation is for a foundation for a monument. Now, then, if it be proper at all to pass the bill, certainly the generous contributors to the fund that has been raised to build this monument should complete the entire work, and not ask the Government to donate \$4,000 for the foundation. But I do not rest my opposition on the appropriation asked, although I think it is unwarranted. It is against the policy I protest. If we are to enter upon the work of recognizing distinguished citizens in this way, who have not been connected with the public service, then, as the gentleman from Texas stated, you enter the domain of controversy. If a great homeopathist is to be recognized by a contribution for a pedestal for a monument of Samuel Hahnemann, then an allopathist should be recognized in an appropriation for a monument for Dr. S. D. Gross, of Pennsylvania.

Mr. DALZELL. It has been.

Mr. DOCKERY (continuing). Or some other allopathist. Not at the public expense.

Mr. DALZELL. Yes; the money for the foundation was furnished by Congress, and the monument stands in the public grounds of the Medical Museum.

Mr. DOCKERY. At the expense of the Government?

Mr. DALZELL. The pedestal was furnished at the expense of the Government.

Mr. DOCKERY. It is a fact that has come to my knowledge for the first time. That fact only emphasizes and strengthens the opposition to this bill. It inaugurates a bad practice, and if you follow the vicious precedent the result will be that other societies will be clamoring for like recognition for other distinguished citizens. This bill ought to be voted down, and I hope it will be. I reserve the balance of the time.

Mr. COOPER of Wisconsin. I desire to ask the gentleman from Pennsylvania a question, and that is, if the monument to Dr. Gross was erected to him, not because he was in any sense the founder of a school of medicine—

Mr. DALZELL. Not at all.

Mr. COOPER of Wisconsin. Or because he represents any particular idea in regard to the practice of medicine—

Mr. DALZELL. Not at all; but because he was a genius in his profession.

Mr. COOPER of Wisconsin. But because he was one of the surgeons who attended Garfield?

Mr. DALZELL. Not at all.

Mr. COOPER of Wisconsin. He was a great surgeon.

Mr. DALZELL. I yield a minute or two to the gentleman from Illinois.

Mr. CANNON. Mr. Speaker, Congress is the common council for the District of Columbia, the nation's capital, so that in this matter we have full and complete power in the premises. About our beautiful parks are many statues of the great heroic dead. Most of them for those whose military service and whose memory dwell in the hearts of the people. Now, there are some here and there who achieved greatness in civil life. There are some here

in this Capitol of men who were not in the military service—some who were great in civil life—and while I welcome statues of the men on horseback, if you will allow me that expression, yet I am glad here and there we have a work of this kind that will commemorate the memory of men who were great in civil life, and by virtue of their genius and industry have given benefits to the race. Already the gentleman from Pennsylvania speaks of a statue of this kind for a man who was great in his profession. That is to be found in the Smithsonian Park.

I do not know as to the schools of medicine, and I do not care about the schools of medicine, but Dr. Hahnemann was a man of genius, and without regard to jealousies in the profession we are all proud of his memory and of his achievements. Now, when citizens, his admirers, give us this work of art and come and ask of the common council of the District that it may have its place somewhere in the public reservation within the District, and only ask, not for a pedestal, but a foundation at a cost not exceeding \$4,000, I am glad that they come here and I am glad of the opportunity to vote for it, and think it ought to pass.

Mr. DALZELL. I yield one minute to the gentleman from Colorado [Mr. SHAFROTH].

Mr. SHAFROTH. Mr. Speaker, it seems to me that where a donation or gift is about to be made to the nation, and simply a small amount is asked for an appropriation for the building of a foundation, the exact cost of which is not known, but in no event to exceed \$4,000, it is wise that a work of art of this character should be accepted. People in civil life who have attained distinction ought to be recognized in the great capital of this nation, and inasmuch as this is a resolution which calls for an appropriation only for the foundation for a work of art which is finished and ready to be delivered, it seems to me it ought to be accepted.

Mr. RICHARDSON. I desire to ask the gentleman from Pennsylvania a question. I had some little experience in this Congress in an effort to get through a bill to permit the erection of a statue of a distinguished citizen of the United States, but we were required in that bill to provide that it should not be put on the Capitol grounds or on the Library grounds. Is that provision in this joint resolution? I have not been able to get a copy of it.

Mr. DALZELL. This resolution excludes both the Library grounds and the Capitol grounds.

Mr. DOCKERY. Was not the gentleman from Tennessee [Mr. RICHARDSON] required to strike out the appropriation?

Mr. RICHARDSON. I was not by the House.

Mr. DALZELL. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has eleven minutes.

Mr. DALZELL. I yield such time as he may want to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON. Mr. Speaker, without attempting to discuss this bill, I want to say to the gentleman from Missouri [Mr. DOCKERY] that I have looked up the records of the Sherman statue, and I find that we appropriated \$50,000 for the pedestal and the foundation there. We also appropriated the same sum for the Logan statue.

Mr. DOCKERY. How much time is there remaining to the opposition, Mr. Speaker?

The SPEAKER. Fourteen minutes.

Mr. DOCKERY. I yield to the gentleman from Delaware [Mr. HANDY] such time as he may desire.

Mr. HANDY. Mr. Speaker, surely, if the rule that the gentleman from Texas [Mr. BAILEY] laid down with regard to statues to be erected in the city of Washington is not to prevail, there ought to be some rule or limitation to guide us. I think that the rule as laid down by the gentleman from Texas is a sound one. It commends itself to my judgment. But if gentlemen are not willing to limit the statues so as to honor men who have served the Government of the United States, perhaps they are willing to limit such honors to men who have lived in the United States or have been citizens of the United States. We have before us a proposition to erect a statue of a German physician who lived and did his work and died in the country of Saxony, now a part of the German Empire. Until we have erected statues to our own heroes, it does not seem incumbent on us or necessary that we should erect statues to the learned or great of foreign countries.

Whether Dr. Hahnemann was indeed a genius and whether he did discover medical truths that shall be for the healing of mankind is yet a disputed question in his own profession. He is the founder of a peculiar school of medicine. We all know that homeopathy is widely practiced in our country. Others belonging to the old school do not accept Hahnemann's teaching. The dispute between the two systems of medical treatment is earnest, if not bitter. Whatever may be the worth of Hahnemann's work, it is the work of a foreign scientist, not of an American scientist. He never saw our shores, and he never knew anything about our country. Until we have more fully distributed laurel wreaths to our own great men, it seems unnecessary to go into the work of

erecting here on the public grounds of our beautiful capital statues to foreign scientists, no matter how great or beneficial their discoveries may have been. I yield back the remainder of my time.

Mr. DOCKERY. I now yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I am entirely convinced that a man who has so reduced in size the doses of medicine and who sugar coats the pills is entitled to a monument. [Laughter].

Mr. HANDY. Yes, but ought he not to have a smaller monument? [Laughter].

Mr. SLAYDEN. But I do not believe that this Congress is a competent critic of works of art. Nor do I believe that we ought to authorize the location of this monument here until we are satisfied that it is a work of art; that it will serve as an educator and be a thing of beauty forever. Furthermore, I do not believe that this Congress has in justice or law a right to waste the public money in this way, or rather to expend the public money in this way, until the Government has first made provision to settle the just debts which are due to individual citizens of this country.

It is a matter of knowledge to the House in general, and to nearly every member of the House, that there are claims pending before this Congress—claims which have been pending for a large number of years—the justice of which is not questioned, but payment of which has been deferred until the claimants are dying of old age and in poverty. It seems to me that these claims ought to be settled, these just debts of the Government should be paid, before we go into this matter of erecting monuments to the memory of men who moved and lived and had their being in countries far distant from here and whose monuments are already erected in the hearts of their followers. [Applause.]

Mr. DOCKERY. I now ask the gentleman from Pennsylvania [Mr. DALZELL] to use some of the time on his side.

Mr. DALZELL. I do not know anybody who wants to speak over here. I have eleven minutes. I do not wish to occupy more than two.

Mr. DOCKERY. I am willing that the vote be taken without further debate.

Mr. DALZELL. So am I.

Mr. CLARDY. Will the gentleman from Pennsylvania tell the House what this gentleman has done for medical science that justifies the erection of this monument to his memory? I have read his works on medicine, and I would like to know what benefit has accrued to the world from the doctrine of *similia similibus curantur* which he undertook to establish.

Mr. DALZELL. I will answer the gentleman in the language of Sir John Forbes, physician in ordinary to the Queen, and who belongs to the same school of medicine that the gentleman from Kentucky [Mr. CLARDY] belongs to. This distinguished medical authority says:

No careful observer of his actions or candid reader of his writings can hesitate for a moment to admit that he was a very extraordinary man, one whose name will descend to posterity as the exclusive excoordinator and founder of an original system of medicine, the remote, if not the immediate, cause of more important fundamental changes in the practice of the healing art than have resulted from any promulgated since the days of Galen himself. He was undoubtedly a man of genius and a scholar; a man of indefatigable industry and dauntless energy.

I will say further to the gentleman from Kentucky that Hahnemann was not only one of the greatest scholars of his time, but one of the greatest scholars of all time.

Mr. CLARDY. That may be true; but the gentleman has not answered my question as to what this man did for the benefit of the world as a medical authority, as the establisher of a medical system. If the gentleman will allow me, I will tell him the real benefit which has accrued to the world from the Hahnemann system. It has, in my judgment, very clearly demonstrated the fact that it is very largely the "*medicatrix natura*" which cures disease, and not the drugs they take. And this conviction has allowed a great many people to die a natural death. Still I hardly think even this great benefit entitled him to a monument.

Mr. DALZELL. I have answered the gentleman's question in the language of one of the most distinguished English physicians. This monument is not proposed here to a distinguished citizen or merely to the founder of a school of medicine, but to a man of genius, who belongs neither to place or time, but to the world, and if there were no other reason for the erection of this monument, a sufficient reason would be found in the fact that it ought to be placed in the public gaze as an exposition of what American genius is capable of in the way of sculpture. I ask for a vote.

The question being taken on the motion to suspend the rules, it was not agreed to; there being—ayes 62, noes 73.

JOHN CLYDE SULLIVAN.

Mr. DAYTON. I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The bill (S. 1840) for the relief of John Clyde Sullivan was read, as follows:

Be it enacted, etc., That the President of the United States be, and is hereby, authorized to nominate, and, by and with the advice and consent of the Senate,

to reappoint John Clyde Sullivan a paymaster in the Navy with the relative rank of lieutenant-commander at the foot of the list of paymasters having the relative rank of lieutenant-commander.

Mr. BAILEY. As I understand, this is the case of a paymaster who was tried by court-martial and dismissed, but to whom, as the Treasury Department afterwards found, the Government was really indebted.

Mr. DAYTON. Yes, sir.

Mr. BAILEY. And this is the second or third unanimous report that has been made in favor of the bill?

Mr. DAYTON. Yes, sir; it has been passed twice by the Senate.

Mr. BAILEY. I believe, Mr. Speaker (if this is the case which I have in my mind), that the finding of the court-martial in pursuance of which this man was dismissed from the service was a gross injustice and that the bill ought to be passed. I make no objection.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. DAYTON, a motion to reconsider the last vote was laid on the table.

VICTOR VIFQUAIN.

Mr. HITT. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill (S. 5090) to authorize Victor Vifquain, colonel Third Nebraska Volunteer Infantry, to accept the decoration of the "Order of the Double Dragon" from the Emperor of China was read, as follows:

*Be it enacted, etc.,* That Victor Vifquain, colonel Third Nebraska Volunteer Infantry, be, and he is hereby, authorized to accept from the Emperor of China the decoration of the Order of the Double Dragon, in recognition of the valuable services rendered by him to the Chinese residents of the Republic of Colombia during his term of office as consul-general at Panama.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

MAJ. GEN. JOHN M. SCHOFIELD.

Mr. HITT. I ask unanimous consent for the present consideration of the bill (H. R. 4933) to authorize John M. Schofield, major-general, United States Army, to accept a testimonial from the President of the Republic of France.

The bill was read, as follows:

*Be it enacted, etc.,* That John M. Schofield, major-general, United States Army, be, and he is hereby, authorized to accept from the President of the Republic of France the cross of the commander of the National Order of the Legion of Honor.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

LIEUT. COMMANDER RAYMOND P. RODGERS.

Mr. HITT. I want to ask present action on the bill (S. 3640) authorizing Lieut. Commander Raymond P. Rodgers, United States Navy, to accept a decoration of the cross of the Legion of Honor from the Republic of France.

The bill was read, as follows:

*Be it enacted, etc.,* That Lieut. Commander Raymond P. Rodgers, United States Navy, be, and he is hereby, authorized to accept a decoration of the cross of the Legion of Honor, conferred upon him by the President of the French Republic, in June, 1897, while on duty at Paris as naval attaché to the United States embassy there.

The SPEAKER. Is there objection to the request of the gentleman from Illinois for the present consideration of the bill?

There being no objection, the bill was considered, was ordered to a third reading, read the third time, and passed.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

BRIG. GEN. A. E. BATES.

Mr. HITT. I also ask consent to consider the bill (S. 5050) to authorize A. E. Bates, brigadier-general, United States Volunteers, to accept the decoration of "The Legion of Honor" from the President of the French Republic.

The bill was read, as follows:

*Be it enacted, etc.,* That A. E. Bates, brigadier-general, United States Volunteers, be, and he is hereby, authorized to accept from the President of the French Republic the decoration of "The Legion of Honor" awarded at the conclusion of the Grand Manœuvres at Moulins, France, in September, A. D. 1897.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered and was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

JOHN R. WILLIAMS.

Mr. HITT. I also ask unanimous consent, Mr. Speaker—this being the last of the bills of this character—for the present consideration of the bill (S. 3712) to authorize John R. Williams, first lieutenant, Third Artillery, United States Army, to accept the decoration of Chevalier of the Legion of Honor from the President of the French Republic.

The bill was read, as follows:

*Be it enacted, etc.,* That John R. Williams, first lieutenant, Third Artillery, United States Army, military attaché to the legation of the United States at Berne, Switzerland, be, and he is hereby, authorized to accept from the President of the French Republic the decoration of the Chevalier of the Legion of Honor, awarded to him at the conclusion of the grand manœuvres in northern France last fall.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was considered and ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

ROBERT COATES.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution I send to the desk.

The resolution was read, as follows:

*Resolved by the House of Representatives,* That Robert Coates, now employed in the cloak rooms of the House, shall be retained on the annual rolls of the Doorkeeper at the compensation he is now receiving, to be paid out of the contingent fund of the House.

The SPEAKER. Is there objection to the present consideration of the resolution proposed by the gentleman from Texas?

There being no objection, the resolution was considered, and agreed to.

JAMES GEISSINGER.

Mr. NORTON of Ohio. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5758) to remove the charge of desertion from the record of James Geissinger. This bill is on the Speaker's table, and I ask consent to concur in the Senate amendment which has been made to the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio to consider the Senate amendment to the bill the title of which has been stated.

There being no objection, the Senate amendment was considered, and agreed to.

B. F. PARLETT.

Mr. BARBER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11577) for the relief of B. F. Parlett, collector of internal revenue for the district of Maryland.

The bill was read, as follows:

*Be it enacted, etc.,* That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to credit the account of B. F. Parlett, the collector of internal revenue for the district of Maryland, with the sum of \$6,077.70, the same being the net value of certain beer stamps received by the collector from the Eigenbrot Brewing Company, Baltimore, Md., in exchange under the provisions of an act of Congress approved June 13, 1898, and which stamps were stolen from the custody of said Parlett in the city of Baltimore, Md., on the 15th day of July, 1898.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CANNON. Mr. Speaker, I would like to know something about this matter.

Mr. BARBER. The report of the committee shows fully the circumstances of the case.

Mr. CANNON. Perhaps the gentleman will save time if he will permit me to ask him one or two questions. Are these for stamps that were furnished him and lost?

Mr. BARBER. These were stamps returned by the brewer. They were the old issue of stamps, and were on their way to Washington to be returned. The Government does not lose a cent by them.

Mr. CANNON. And it does not grow out of an effort to evade the law?

Mr. BARBER. Not at all. I have already stated that the Commissioner of Internal Revenue recommends that this bill be passed.

Mr. DOCKERY. But what about the law part of it?

Mr. BARBER. It is all embodied in the report, I would state to the gentleman from Missouri.

Mr. DOCKERY. I think we had better have the report read, Mr. Speaker.

The SPEAKER. The Clerk will read the report.

The report (by Mr. Yost) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 11577) for the relief of B. F. Parlett, collector of internal revenue for the district of

Maryland, beg leave to submit the following report, and recommend that said bill do pass:

The Treasury Department recommends the passage of this bill for the reasons fully set forth in the affidavits submitted herewith.

The letter of the Commissioner of Internal Revenue is as follows:

TREASURY DEPARTMENT,  
OFFICE OF THE COMMISSIONER OF INTERNAL REVENUE,  
Washington, D. C., February 21, 1899.

SIR: Replying to your letter of this date inclosing copy of a bill (H. R. 11577) for the relief of B. F. Parlett, collector of internal revenue for the district of Maryland, and asking my recommendation thereon, I have the honor to advise you that, after careful examination of the facts upon which this claim for relief is based, and being satisfied with the merits of the case, I recommend the passage of said bill for relief.

I have the honor to be, very respectfully, yours,

N. B. SCOTT, Commissioner.

Hon. JACOB YOST, M. C.,  
Chairman No. 5 Subcommittee on Claims,  
House of Representatives, Washington, D. C.

The facts in the case are fully set forth in the following affidavits:

BALTIMORE, MD., July 15, 1898.

The act of June 13, 1898, provides that the tax on fermented liquors should be increased from \$1 per barrel to \$2 per barrel.

It also provides that stamps in the possession of brewers at the time the increase of tax went into effect might be exchanged for new or imprinted stamps representing the new rate of tax, upon presentation to collectors of internal revenue, and the following instructions in regard to such exchanges were promulgated by the honorable Commissioner of Internal Revenue by letter dated June 9, 1898, viz:

"For the guidance of collectors and others interested, the following instructions in regard to such exchanges of stamps are hereby promulgated: 'Brewers will prepare on Form 33, to be obtained from the collectors of their district, a claim for the redemption, by exchange, of all stamps representing the old rate of tax in their possession at the time the new rate of tax goes into effect.'

"Each claim must be accompanied by a schedule of the stamps presented for exchange, showing in columns, under appropriate headings, the number of each denomination, date of purchase, discount allowed at time of purchase, if any, and amount paid.

"Upon receipt of stamps for exchange, with a claim and schedule as above provided, accompanied, where necessary, by money to make good deficiency in stamps returned, collectors will, as soon as practicable thereafter, have the stamps counted, and if found correct note the fact on the schedule. The dates of purchase, discount allowed, and amount paid should then be verified by the records in the collector's office.

"If these are found to be correct, the claim should be certified on page 2 by the collector and new stamps of net value equal to the net value of those returned and of cash transmitted, if any, therewith should be forwarded to the purchaser. The stamps returned for exchange, together with the claim and schedule furnished by the brewer, should then be forwarded to this office by registered mail. The stamps of each person must be separately returned."

In accordance with the provisions of the law, and in conformity with the instructions of the Commissioner of Internal Revenue, the Eigenbrot Brewing Company, brewers in Baltimore City, on June 20, 1898, presented for redemption by exchange the following beer stamps, viz:

	Number.	Value.
Barrels .....	100	\$100.00
Halves .....	927	463.50
Quarters .....	23,749	5,937.25
Eighths .....	178	22.25
Total value .....		6,523.00
Upon the above quarter-barrel stamps a discount of 7 per cent had been allowed at the time of purchase. This amount being deducted .....		445.30
Made the net value .....		6,077.70

These stamps were received by William H. Bishop, Jr., a clerk in this office having charge of all claims, and were by him placed in the vault of the office until such time as he could have time to properly count them and make the exchange desired.

On July 15, 1898, Deputy Collector H. J. Halbert, who was assisting the claim clerk, counted the stamps, and, finding them correct as stated, delivered to the Eigenbrot Brewing Company stamps of the new issue of an even value. He then delivered the old stamps, with schedules, claim, etc., to Samuel Fletcher, the messenger of the office, who, in accordance with the instructions heretofore given, made them into one package, addressed them to the Commissioner of Internal Revenue, and took them, with three smaller packages, to the registry division of the Baltimore post-office, in the same building, for the purpose of sending them by registered mail to the Department at Washington. The public room in the registry division is a small one, about 10 feet square. The said Fletcher, having four packages to register, placed the heavier one on a desk about 3 feet away from the counter while registering the smaller ones. Three of the packages were properly registered and receipted for and Fletcher turned to the desk for the fourth (the Eigenbrot package), but it had disappeared.

The package was quite a bulky one, probably 18 or 20 inches square and about 9 or 10 inches thick. Fletcher was at all times within easy reaching distance of the package, and, owing to its nearness to him and the small dimensions of the room, it must have been abstracted by a very expert thief.

The disappearance was at once reported to the collector, who immediately placed the matter in the hands of the detective department of the Baltimore city police department, and also dispatched special officers to each brewery in the city to warn them not to purchase the stamps and to cause the arrest of anyone who might offer them for sale.

Messrs. Joseph A. Abbott and William E. Carr, clerks in the registry division of the Baltimore post-office, both remembered distinctly seeing the said Fletcher enter their office with the package of stamps referred to and placing it upon the desk while handing in the smaller ones through the registry window.

Respectfully submitted,

BENJAMIN F. PARLETT,  
Collector Internal Revenue, District of Maryland.

Subscribed and sworn to before me, a notary public of the State of Maryland in and for the city of Baltimore, on this day, February 23, 1899.

[SEAL.]

WILMER EMORY, Notary Public.

In the matter of the lost beer stamps (old series), a bill for the relief of which (H. R. 11577) was introduced in the House of Representatives by Hon.

I. A. BARBER, member of Congress, on January 13, 1899, I, Wm. H. Bishop, Jr., clerk in charge of claims in the office of the collector of internal revenue, district of Maryland, do hereby solemnly swear that on June 20, 1898, the Eigenbrot Brewing Company of Baltimore presented to the collector's office for redemption the beer stamps enumerated in the annexed statement, the said stamps having been received by me and placed in the vault of the office until such time as I was able to take up the matter of their redemption.

I further swear that I am thoroughly familiar with the facts as set forth in the annexed statement, and that they are true, and that the lost stamps in question have never been returned to the collector's office.

WM. H. BISHOP, JR.

Subscribed and sworn to before me this — day of February, 1899.

[SEAL.]

WILMER EMORY, Notary Public.

In the matter of lost beer stamps (old series), a bill for the relief of which (H. R. 11577) was introduced in the House of Representatives by Hon. I. A. BARBER, M. C., on January 13, 1899, I, Samuel Fletcher, messenger in the office of the collector of internal revenue, district of Maryland, do hereby solemnly swear that on July 15, 1898, Deputy Collector H. J. Halbert delivered to me certain beer stamps returned to the collector of internal revenue for redemption and exchange, together with schedules, claim, etc., to accompany same, to be prepared for mailing to the Department; that the said stamps, together with the accompanying schedules, claim, etc., were made up into one package by me, and I immediately took them, with three smaller packages, to the registry division of the Baltimore post-office, on the first floor of the same building, for the purpose of sending them by registered mail to the Department at Washington.

I further swear that upon entering the registry division, which is a small apartment, I placed the heavier package containing the redeemed stamps of the Eigenbrot Brewing Company on a high standing desk in full view of the registry clerks while presenting the three smaller packages for registration at the receiving clerk's window, a little more than an arm's length from the desk; that when the three smaller packages had been properly registered and receipted for, I turned to the desk for the package of beer stamps, but it was not there, which fact I immediately reported to the collector of internal revenue.

SAMUEL (his x mark) FLETCHER.

Witnesses:

WM. H. BISHOP, JR.

WILMER EMORY.

Subscribed and sworn to before me this 23d day of February, 1899.

[SEAL.]

WILMER EMORY, Notary Public.

In the matter of lost beer stamps (old series), a bill for the relief of which (H. R. 11577) was introduced in the House of Representatives by Hon. I. A. BARBER, M. C., on January 13, 1899, I, Joseph A. Abbott, assistant superintendent in the registry division of the Baltimore post-office, do hereby solemnly swear that I personally know Samuel Fletcher, the messenger of the collector of internal revenue, and that on July 15, 1898, the said Fletcher entered the apartment of our division for the public with a certain package which he placed on a high standing desk in full view of our office while handing in other smaller packages at the receiving window for registration; and that he immediately called our attention to its disappearance when he turned for it.

JOS. A. ABBOTT.

Subscribed and sworn to before me this 23d day of February, 1899.

[SEAL.]

WILMER EMORY, Notary Public.

In the matter of lost beer stamps (old series), a bill for the relief of which (H. R. 11577) was introduced in the House of Representatives by Hon. I. A. BARBER, M. C., on January 13, 1899, I, William E. Carr, receiving clerk in the registry division of the Baltimore post-office, do hereby solemnly swear that I personally know Samuel Fletcher, the messenger of the collector of internal revenue, and that on July 15, 1898, the said Fletcher entered the part of our division for the public with a certain package, which he placed on a high standing desk, in full view of me, while handing in other smaller packages at my window for registration; that he immediately called my attention to its disappearance when he turned for it.

WM. E. CARR.

Subscribed and sworn to before me this 23d day of February, 1899.

[SEAL.]

WILMER EMORY, Notary Public.

Mr. DOCKERY. As I understand from the reading of this report, these stamps have a money value?

Mr. BARBER. They have no money value.

Mr. PAYNE. I understand from the gentleman that they are of the old issue, before the tax was increased on beer under the war revenue act, and that they can not be used under the new tax law.

Mr. BARBER. The only way in which they can be used is by passing into the hands of a brewer and being brought back to the collector of internal revenue for redemption in that way. But a debit and credit account is kept by the collector of internal revenue with every brewer, and in case anyone should attempt to do that, the Department would discover that he had returned more than he had ever bought, so that the deception would be found out and he would be heavily punished. This bill is simply to square the debit and credit account of the collector with the Government.

The charge will stand forever against his bond unless relief is afforded by Congress.

Mr. DOCKERY. As a matter of fact, the package was never receipted for by the registry clerk, was it?

Mr. BARBER. No; it was in the act of delivery.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BARBER, a motion to reconsider the last vote was laid on the table.

BENJAMIN F. VENNUM.

Mr. DOVENER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 718) for the relief of Benjamin F. Vennum, of Wheeling, Ohio County, W. Va., which bill has been favorably reported by the Committee on Military Affairs.

The SPEAKER. The gentleman from West Virginia asks unanimous consent for the present consideration of a bill which will be reported by the Clerk.

The bill was read, as follows:

*Be it enacted, etc.,* That Benjamin F. Vennum, of Wheeling, Ohio County, W. Va., who served under the name of Franklin Vennum in Company D of the Third Regiment of Ohio Volunteer Infantry in the Mexican war, shall be held and considered to have been honorably discharged from that regiment on the 17th day of August, 1846, and that the Secretary of War be, and is hereby, authorized and directed to issue to him a certificate of honorable discharge as of said date.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. DOVENER, a motion to reconsider the last vote was laid on the table.

#### LAND TITLES IN THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the bill (H. R. 6359) to quiet land titles in the District of Columbia, with Senate amendments thereto.

The Senate amendments were read.

Mr. JENKINS. I move to concur in the Senate amendments.

Mr. LACEY. I should like to hear an explanation of that bill.

The SPEAKER. The gentleman from Iowa desires an explanation.

Mr. JENKINS. I may say to the gentleman from Iowa that that bill has been discussed in the House here for some time and thoroughly explained, at least two hours being taken up in explaining the bill. The amendments have been placed upon it by the Senate in order to render it a little more certain.

Mr. LACEY. This is for the extension of a patent, is it not?

Mr. JENKINS. No; it is to give the people in the city of Washington paper title to land where they are otherwise entitled to it.

Mr. Speaker, the gentleman from Iowa [Mr. LACEY] is satisfied with the explanation.

The Senate amendments were concurred in.

#### NEW DEPOT FOR SIXTH LIGHT-HOUSE DISTRICT.

The SPEAKER laid before the House the bill (H. R. 3293) authorizing the Secretary of the Treasury to purchase a site for a new depot for the Sixth light-house district, and to erect the necessary buildings, with Senate amendments.

The Senate amendments were read.

The SPEAKER. The Chair thinks this requires unanimous consent.

Mr. DOCKERY. Certainly.

Mr. ELLIOTT. I move to concur, with an amendment which I send to the Clerk's desk.

The SPEAKER. It requires unanimous consent.

Mr. DOCKERY. I hope that will have consideration by a committee before concurrence is ordered.

The SPEAKER. Does the gentleman from Missouri object?

Mr. DOCKERY. No; I think the committee ought to examine that matter, as it is a new departure. I suggest to the gentleman that he get the Committee on Interstate and Foreign Commerce to examine it. It has not been the custom to incorporate appropriations in these bills.

Mr. ELLIOTT. The situation is this: The House bill appropriated a certain amount, and the Senate have increased it, and I have an amendment here—

The SPEAKER. The Chair is informed that the gentleman from South Carolina is mistaken in regard to that; that there was no appropriation in the House bill.

Mr. ELLIOTT. The House fixed the amount.

The SPEAKER. There was a limitation of cost, but no appropriation. The Senate have put in an appropriation, and the Chair, without undertaking to make a permanent ruling on that subject, is impressed with the idea that it is within the purview of our rules. Therefore unanimous consent is required to take this up.

Mr. ELLIOTT. I ask unanimous consent, stating that I propose to offer an amendment with a view to limiting the cost.

The SPEAKER. The gentleman asks unanimous consent to take the bill up.

Mr. PAYNE. Reserving the right to object, if the gentleman can make an explanation—

Mr. MOODY. Mr. Speaker, I did not understand a moment ago what this bill was, and I would like the gentleman from South Carolina to withdraw its consideration until the gentleman from Illinois can be consulted. I do not care to state the reason why.

Mr. DOCKERY. There he is.

Mr. MOODY. I think the gentleman had better take a reference of the bill or let it lie on the Speaker's table.

Mr. DOCKERY. Have the committee passed on the Senate bill?

Mr. ELLIOTT. I have the consent of the chairman of the committee to call up this bill. It has been lying on the Speaker's table for several days.

Mr. CANNON. Well, I object. That settles it.

The SPEAKER. Objection is made.

CHARLES SWEET.

The SPEAKER also laid before the House the bill (H. R. 914) removing the charge of desertion against Charles Sweet, with a Senate amendment.

Mr. ROBINSON of Indiana. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

ROBERT PERSLEY.

The SPEAKER also laid before the House the bill (H. R. 1773) granting a pension to Robert Persley, with a Senate amendment, which was read.

Mr. RAY of New York. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

WILLIAM HAZELBECK.

The SPEAKER also laid before the House the bill (H. R. 8854) to correct the military record of William Hazelbeck, of Portsmouth, Ohio, with Senate amendments, which were read.

Mr. HULL. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

SYLVESTER F. HILDEBRAND.

The SPEAKER also laid before the House the bill (H. R. 8607) to correct the military record of Sylvester F. Hildebrand, with a Senate amendment, which was read.

Mr. HULL. Mr. Speaker, I move that the House concur in the Senate amendment. It is simply a little correction.

The motion was agreed to.

JOHN DINSBEER.

The SPEAKER also laid before the House the bill (H. R. 8119) granting an honorable discharge to John Dinsbeer, late second lieutenant in Company C, First Regiment of Missouri State Militia, with a Senate amendment, which was read.

Mr. HULL. Mr. Speaker, I move that the House concur in the Senate amendment. It is an attempt to do the same thing as the House attempted.

Mr. PEARCE of Missouri. I move that the House concur in the Senate amendment.

The motion was agreed to.

FRANK DUNN.

The SPEAKER also laid before the House the bill (H. R. 2419) for the relief of Frank Dunn, with Senate amendments, which were read.

Mr. HENRY of Mississippi. I move that the House concur in the Senate amendments.

The motion was agreed to.

JOHN P. HENDERSON.

The SPEAKER also laid before the House the bill (H. R. 8506) to remove the charge of desertion from the military record of John P. Henderson and to grant him an honorable discharge, with a Senate amendment, which was read.

Mr. HULL. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

ANSON W. GILLET.

The SPEAKER also laid before the House the bill (H. R. 6062) for the relief of Anson W. Gillett, with a Senate amendment, which was read.

Mr. HULL. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

LAWRENCE RESSLER.

The SPEAKER also laid before the House the bill (H. R. 5046) to remove the charge of desertion from the military record of Lawrence Ressler, with a Senate amendment, which was read.

Mr. HULL. Mr. Speaker, I move that the House concur in the Senate amendment. It simply fixes the date.

The motion was agreed to.

OUTSTANDING CERTIFICATES ISSUED BY THE BOARD OF PUBLIC WORKS IN THE DISTRICT OF COLUMBIA.

The SPEAKER. The Chair calls the attention of the gentleman from Missouri. This is the bill which he requested should continue to lie on the Speaker's table.

The Clerk read as follows:

A bill (H. R. 9780)—

Mr. DOCKERY. The bill offered by the gentleman from Wisconsin?

Mr. JENKINS. Yes.

Mr. DOCKERY. I have examined that bill, and I will say that, so far as I am concerned, I have no further objection.

The Clerk read as follows:

A bill (H. R. 9780) to redeem outstanding certificates issued by the board of public works of the District of Columbia, held by W. D. Williams.

With an amendment of the Senate, which was read.

Mr. JENKINS. Mr. Speaker, I move that the House concur in the Senate amendment.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. DOCKERY. Just one word. I am advised by the gentleman in charge of the bill that these claims have been approved by the auditor of the District.

Mr. JENKINS. I can say to the gentleman from Missouri that the auditor of the District called at the room of the Committee on the District of Columbia and went over each and every certificate, and gave it his unqualified approval.

The SPEAKER. The question is on agreeing to the Senate amendment.

The question was taken, and the motion was agreed to.

Mr. JENKINS. I would like to add to my remarks, for the satisfaction of the gentleman from Missouri, that I hold in my hand the written approval of the auditor of the District for the passage of this bill.

The SPEAKER. The Chair will now recognize the gentleman from Massachusetts [Mr. WALKER], who has unanimous consent to address the House.

[Mr. WALKER of Massachusetts addressed the House. See Appendix.]

Mr. WALKER of Massachusetts. I yield five minutes to the gentleman from Indiana [Mr. JOHNSON].

Mr. JOHNSON of Indiana. Mr. Speaker, I desire to occupy the time only for the purpose of asking the gentleman a question. He was talking a bit ago about a committee, composed of certain members of this House, having been appointed to take into consideration the banking and currency question and devise a system of banking and currency to be presented for the legislation of the regular session of the next Congress—a Republican caucus committee. Now, do you expect that the next Congress, on the eve of the next general election, is going to pass any banking and currency legislation at all? For my part I do not.

Mr. WALKER of Massachusetts. I want to say that I expect it will result in the certain and sure defeat of the Republican party if it does. There is more dynamite to the square inch in anything connected with the United States Treasury and banking and currency system than any other subject that can be presented for legislation. And the people who are benefited by the legislation to which the gentleman refers are now fooling with free silver, and if you attack this question at all it is certain to swamp the party, and the Speaker of the House knows that that has been my opinion from the first. I was interested in having the committee educated on what should be done—now? No; but what shall be done in the future, when we can be in a position where it will be possible for us to do something.

Mr. JOHNSON of Indiana. The point I desire to make, Mr. Speaker, is simply this—

Mr. COX. Will the gentleman—

Mr. WALKER of Massachusetts. The gentleman from Tennessee made his remarks yesterday.

The SPEAKER. The gentleman from Massachusetts declines to yield to the gentleman from Tennessee.

Mr. WALKER of Massachusetts. I yield to the gentleman from Indiana five minutes.

Mr. JOHNSON of Indiana. Mr. Speaker, if banking and currency reform is postponed until the next Congress assembles you will find this Administration and the leading Republican members of this House declaring that it is dangerous to tamper with the currency, that it will influence a certain element at the polls and lead to the defeat of the party, and thus you will find that no action will be taken, and banking and currency legislation will, indeed, be dead.

But if this Administration will do its plain duty to the people of this country, if it will call a special session of Congress, not to give it a hundred thousand men to crush the liberties of an alien people, but to take up the subject of banking and currency reform now, and if, when that session assembles, the Administration will lend its active assistance to the movement, Congress can take up and consider the subject of banking and currency legislation.

It can pass a just measure of reform and put it on the statute books in ample time to vindicate itself before the next general election, for the people will by that time appreciate the benefits

and blessings of such legislation. The party will then have done its entire duty to all sections of the country and will have made its calling and election sure when the vote is taken at the polls. I make the point here and now, sir, and I want every banking and currency reformer in this country to understand it, that the President of the United States does not intend to give banking and currency reform a fair show. If he does, let him call, I repeat, a special session of Congress to enter upon the discharge of the work.

Those who believe in banking and currency reform, and their name is legion, have their eyes on the President of the United States in this great emergency. They have heard him declare that he would call a special session if the Army bill was not passed. Now, they ask whether or not a great measure of internal reform is sufficient to command his consideration and his respect.

I saw it stated the other day in the Washington Post that a conference had been held of leading Republican Senators at the White House, at which the President was present, and that they had determined to accept the compromise Army bill, because thereby they would avoid a special session of Congress, and that the idea in avoiding that was that they would avoid the discussion of the money question, and also give to the President of the United States nine months of uninterrupted time during the adjournment of Congress in which to solve the question of expansion in the Philippines.

And yet the President of the United States, sir, told his auditors at Boston, in his banquet address, that the Philippine problem was a question to be settled and determined entirely by the American Congress. Verily, Mr. Speaker, the President of the United States is the embodiment of candor and fair dealing in his statements to the American people!

[Mr. WALKER of Massachusetts addressed the House. See Appendix.]

Mr. JOHNSON of Indiana. For the purpose of securing bimetalism by an arrangement with other nations. This charge that the gentleman makes against me is true.

The SPEAKER. One moment. The gentleman can not reserve his time after he has taken his seat without reserving it.

Mr. JOHNSON of Indiana. The charge that the gentleman from Massachusetts makes against me, I say, is true. In all my career in Congress I have never failed to vote for every measure that was before the House that was demanded by the platform of my party in national convention assembled, except on this particular question.

Now, every man on the floor of the House is familiar with the conditions that led to the introduction of that plank into the platform of the Republican convention that met at St. Louis. It was not expected to accomplish anything. It was known when it was adopted that it was impracticable and that it was not possible for it to be carried into execution, and that even if it was possible to be carried into execution it would be detrimental to the gold standard rather than a benefit to it.

I recognized that fact, and I was not willing to lend my voice and vote in this Chamber to enact a thing which all past experience had shown was impossible of attainment and which subsequent events has clearly demonstrated was impossible to be secured. The bill became a law. The commission was appointed, went to Europe, and failed to secure an international conference or agreement, just as every sensible person knew it would do.

Mr. SULZER. It was a subterfuge to catch votes, was it not?

Mr. JOHNSON of Indiana. That is what it was, and as a sincere Republican I repudiated it because I knew the purpose for which it was designed. I opposed the bill, also, Mr. Speaker, as a matter of principle. What, sir, was the primary and principal purpose of the Republican party in constructing the monetary plank in its St. Louis platform? It was to declare for and maintain the single gold standard against silver monometallism and bimetalism, which it was plainly apparent would lead to silver monometallism.

I knew from the experience of my country, the experience of England and of every other nation that had ever tried the experiment, that it was absolutely impossible by arbitrary legislative enactment to have genuine bimetalism in any country where the market value of the metals differed. That was tried in the early history of the United States—it was tried, and failed—and although we had bimetalism by statutory enactment, yet, as a matter of fact, we had silver monometallism.

We subsequently changed the ratio and again failed, there being a difference in the market's ratio, silver going to a premium over gold. England tried it time out of mind, and failing in her efforts, was at last compelled to adopt a single gold standard. I knew very well, Mr. Speaker, that the legislative edict of the whole civilized world, even if it could be obtained, would never be able to control or prevail over the immutable laws of trade and commerce. I realized that an international agreement for bimetalism, even if it could be obtained, would be the greatest evil

that could possibly come to the single gold standard, to which the Republican party was pledged.

In voting as I did I kept the real pledge of the party and put aside that which was only designed to catch votes, and which, had it been carried into execution, would, I again declare, have resulted in silver monometallism instead of genuine bimetalism. The charge which the gentleman from Massachusetts makes against me, mark you, sir, is not that I stood against the single gold standard, but that I stood against that which would have resulted in the silver standard in this country if carried out, and the gentlemen who charged me with a dereliction of party duty in this matter are welcome to all the solace that they can get out of it.

It has been customary to read me out of the Republican party of late, Mr. Speaker, by certain gentlemen, because I have been opposed to allowing the gentleman in the White House to commit my party to wrong and oppression. These gentlemen have been active in circulating reports in the press throughout the country that I am not in good standing in my party.

I have never cast, sir, but one Democratic vote in my life. With the exception of that one vote, I have invariably voted for the candidate and principles of the Republican party. I have, ever since my majority, with the possible exception of one campaign, been on the stump in Indiana laboring for the principles of the Republican party, and I have cordially supported every particle of legislation demanded by my party platform that has come before Congress since I have had the honor to occupy a seat in this body.

There has not been a single financial measure, there has not been a single tariff measure, there has not been a single measure looking to the right of free suffrage before the House in all that period that I have not responded to the expectations of the Republican party and stood for it on this floor. I want this thing once and for all distinctly understood, that no amount of mendacity can change a man's real status in this body as marked by the roll calls. I opposed the Spanish war, patriotically upheld the hands of my country when the war was once declared, and have consistently opposed the policy of expansion, which no Republican national convention has every yet demanded.

The reason of all this effort to read me out of the party, Mr. Speaker, is that I have been opposed to the policy of the gentleman in the White House, who is just now writing with his own hand in human blood the saddest and most disgraceful chapter in the history of our country. I have been an outspoken critic of the gentleman who is giving to the nation the antithesis of Henry Clay's famous aphorism, "I would rather be right than be President." I have, as a Republican, sought to call a halt upon the shameful conduct of the man who has done more than all the other Presidents who ever occupied the Presidential chair to impeach the wisdom of the fathers in framing a Constitution which permitted a Chief Magistrate of the Republic to be eligible for a second term.

I have protested against his effort to commit the party to which I belong to the commission of a great wrong; have objected to his loading it down with error and leading it to inevitable defeat by according to the Democratic party the right side of a paramount issue which is destined in the next campaign to take deep hold upon the hearts and the consciences of the people. This is the sum total of my offending. The time will yet come, sir, when supine submission to the unwise and unpatriotic policy of the Chief Executive will not be the test of anyone's Republicanism, however it may be at the present hour.

Mr. BARRETT. I rise to a point of order.

The SPEAKER. The gentleman from Indiana will suspend for a moment.

Mr. JOHNSON of Indiana. Let me finish.

Mr. BARRETT. Is the gentleman from Indiana proceeding by unanimous consent?

Mr. JOHNSON of Indiana. No; I am speaking in my own time.

The SPEAKER. The gentleman is speaking by permission of the House.

Mr. JOHNSON of Indiana. The crime I have committed consists in having opposed a gentleman who has given to the country and the world the antithesis of Henry Clay's famous declaration, "I would rather be right than be President." Gentlemen, the time will come in the history of this country—

Mr. BARRETT. I insist on my point of order.

The SPEAKER. The Chair understood the gentleman from Massachusetts [Mr. WALKER] to yield the remainder of his time to the gentleman from Indiana.

Mr. BARRETT. The hour of the gentleman from Massachusetts expired some ten minutes ago.

Mr. WALKER of Massachusetts. I did not yield my time to the gentleman from Indiana.

Mr. BARRETT. I was very careful to note the time, because my colleague [Mr. WALKER of Massachusetts] had agreed to give me thirty minutes.

Mr. HENDERSON. The time occupied by the gentleman from Massachusetts was granted by the House as a compliment to him.

He used all but ten minutes of the hour, and yielded none of his remaining time to anyone.

Several MEMBERS. That is true.

Mr. HENDERSON. Therefore this proceeding is by unanimous consent. I do not make a point of order, but I desire that the facts be understood.

Mr. JOHNSON of Indiana. Now, let me say one thing in conclusion—

Mr. BARRETT. Now, Mr. Speaker—

The SPEAKER. The Chair understood that the gentleman from Massachusetts [Mr. WALKER] yielded to the gentleman from Indiana.

Mr. WALKER of Massachusetts. I did not.

Mr. JOHNSON of Indiana. I have the floor, I believe.

Mr. WALKER of Massachusetts. If I can be allowed to state—

Mr. EVANS. Regular order.

The SPEAKER. The regular order is demanded and the gentleman from Kentucky [Mr. EVANS] is recognized.

#### DISTILLED SPIRITS.

Mr. EVANS. I now call up from the Speaker's table the bill (H. R. 10253) to amend the internal-revenue laws relating to distilled spirits, and for other purposes.

The SPEAKER. This bill has been returned from the Senate with amendments. The amendments will be read.

The Clerk read the amendments.

Mr. EVANS. I move that the House concur in the amendments of the Senate.

The SPEAKER. As these amendments would be subject to a point of order, unanimous consent is necessary for their present consideration.

Mr. EVANS. I ask unanimous consent.

There was no objection.

The question being taken, the amendments of the Senate were concurred in.

On motion of Mr. EVANS, a motion to reconsider the vote by which the amendments were concurred in was laid on the table.

#### WASHINGTON PUBLIC LIBRARY.

The SPEAKER laid before the House the bill (H. R. 11712) to provide a site for a building for the Washington Public Library, returned from the Senate with amendments and a request for a conference.

The amendments were read.

Mr. MERCER. I move that the House nonconcur in the amendments of the Senate and agree to the conference asked.

The SPEAKER. It will require unanimous consent to consider the proposition.

Mr. MERCER. I ask unanimous consent.

The SPEAKER. The gentleman from Nebraska [Mr. MERCER] asks unanimous consent for the present consideration of Senate amendments to the bill as just read.

Mr. STEELE. I object.

#### FOG SIGNAL, SABINE BANK, TEXAS.

Mr. COOPER of Texas. I move to suspend the rules and pass, with amendments, the bill (S. 1114) for the establishment of a light and fog signal on or near Sabine Bank, Texas.

The bill as proposed to be amended was read, as follows:

*Be it enacted, etc.* That the Secretary of the Treasury be, and he is hereby, authorized to establish a light-house and fog-signal station on or near Sabine Bank, Texas, at a cost not to exceed the sum of \$50,000.

The question being taken, the motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

#### AMENDMENT TO PENSION LAWS.

Mr. RAY of New York. I present a conference report for present consideration.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1055) to amend section 4706 of the Revised Statutes of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:—

That the Senate recede from its amendment to the bill of the House, and agree to a new amendment, and that the House also agree to the same, as follows: Strike out all after the enacting clause and insert the following:

"That section 4706, Title LVII, of the Revised Statutes of the United States be, and the same is hereby, amended by adding thereto the following additional provisions and provisos, to wit: *Provided further*, That in case a resident pensioner of the United States shall for a period of over six months desert his lawful wife, she being a woman of good moral character and in necessitous circumstances, or, if he have no lawful wife, shall desert his legitimate minor child or children under 16 years of age or his permanently helpless and dependent child, the Commissioner of Pensions is hereby directed, upon being satisfied by competent evidence of such desertion, to cause one-half of the pension due or to become due said pensioner during the continuance of such desertion to be paid to the wife, or, in case there is no wife, to the legal guardian of the child or children: *Provided further*, That when a soldier or sailor enters into a State home for soldiers or sailors as an inmate thereof one-half of his pension accruing during his residence therein shall be paid to his wife, she being a woman of good moral character and in necessitous circumstances, or, if there be no wife,

then to his child or children under 16 years of age or his permanently helpless and dependent child, unless such wife and children shall also be inmates of the same institution or of some home provided for the wives and children of soldiers and sailors: *Provided further*, That if any such pensioner is or shall become an inmate of a National Soldiers' Home, one-half of the pension drawn in his behalf or to which he may become entitled during his residence therein shall be paid by the treasurer of that institution of such pensioner's wife, she being in necessitous circumstances and a woman of good moral character, or, if there be no wife, to the legal guardian of the minor child or children or the permanently dependent and helpless child or children of such pensioner, on the order of the Commissioner of Pensions: *Provided further*, That hereafter no pension under any law of the United States shall be granted, allowed, or paid to the widow of a soldier, sailor, officer, naval or military, marine, marine officer, or any other male person entitled to a pension under any law of the United States unless it shall be proved and established that the marriage of such widow to the soldier, sailor, officer, marine, or other person on account of whose service the pension is asked was duly and legally contracted and entered into prior to the passage of this act, or unless such wife shall have lived and cohabited with such soldier, sailor, officer, marine, marine officer, or other person continuously from the date of the marriage to the date of his death, or unless the marriage shall take place hereafter and prior to or during the military or naval service of the soldier, sailor, officer, marine, or other person on account of whose service the pension is asked or claimed. This proviso shall not apply to or affect the widow of any soldier, sailor, marine, officer, or marine officer, serving or who has served in the war between the United States and the kingdom of Spain.

"In all cases the questions of desertion, entrance into a home, necessitous circumstances, and of good moral character shall be ascertained and determined by the Commissioner of Pensions under such rules and regulations as he shall prescribe, and the treasurers or governors of the several soldiers' and sailors' homes shall be advised of such action from time to time."

GEO. W. RAY,  
GEO. W. STEELE,  
EDMUND H. DRIGGS,

*Managers on the part of the House.*

J. H. GALLINGER,  
H. C. HANSBROUGH,

*Managers on the part of the Senate.*

The statement of the House conferees was read, as follows:

The bill is intended to provide for the payment of a part of a soldier's pension to his deserted wife, if a woman of good character and in necessitous circumstances, or to his minor children, if there be no wife, and such children are deserted by the soldier. As originally passed, the bill made no provision for cases where a soldier entered a State or National Soldiers' Home, and made no provision in cases where the wife deserts the soldier.

The effect of the conference report is to provide that where a soldier having a wife and minor children or a permanently helpless child dependent upon him deserts them, and where a soldier drawing a pension enters a Soldiers' Home and his wife or minor children or permanently helpless child is not a member of the same or some other institution for the care of soldiers and sailors, or a soldier drawing a pension enters a National Home, leaving a wife or minor children or a permanently helpless child, that one-half his pension accruing during the time he is an inmate of such Home or during the time of such desertion shall be paid to the wife, or, if there is no wife, then to the minor child or children or the dependent helpless child or children, provided the wife deserted or left outside such institution is in necessitous circumstances; and to further provide that where the wife deserts the soldier husband she is not to draw a pension.

The questions of desertion, entrance into a home, necessitous circumstances, good moral character, etc., are to be determined by the Commissioner of Pensions under such rules and regulations as he shall prescribe, and the Commissioner of Pensions is also to advise the treasurers and governors of the Soldiers' Home of the action taken by him.

It is highly proper that in cases of desertion or entrance of the soldier into a home, leaving a wife of good moral character in necessitous circumstances or children under 16 years of age or a permanently helpless child, that at least one-half his pension shall go to the wife or child or children, as the case may be. The soldier himself is always well cared for in the Home, and he should not be permitted to be thus provided for at the public expense and draw his full pension while his wife and minor child or children or dependent child is left a charge on the public.

Originally the bill did not provide that the deserted wife must be left in necessitous circumstances, or that the wife must be in necessitous circumstances when the soldier enters a soldiers' or sailors' home, either State or national.

GEO. W. RAY,  
GEO. W. STEELE,  
EDMUND H. DRIGGS,

*Managers on the part of the House.*

Mr. RIDGELY. I would like to ask the gentleman from New York a question, with his consent.

Mr. RAY of New York. Certainly.

Mr. RIDGELY. Is there anything in the report of the committee which would deny pensions to the widows of soldiers who may die hereafter?

Mr. RAY of New York. Not unless they desert their husbands.

Mr. RIDGELY. I did not catch exactly the reading of the report. I knew some legislation had been proposed on that question. It does not affect any of these widows, then, except in cases of desertion?

Mr. RAY of New York. Not at all.

The conference report was agreed to.

On motion of Mr. RAY of New York, a motion to reconsider the last vote was laid on the table.

#### PUBLIC BUILDING AT BALTIMORE, MD.

Mr. MERCER. Mr. Speaker, I desire to present a conference report.

The SPEAKER. The gentleman from Nebraska presents a conference report, which will be read by the Clerk.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 710) to provide for the purchase of additional land in the square now occupied by the customhouse, in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said

city, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

That the House recede from its amendment numbered 2.

That the House recede from its amendment to the title.

DAVID H. MERCER,  
J. H. BANKHEAD,  
*Managers on the part of the House.*

A. P. GORMAN,  
E. MURPHY, JR.,  
*Managers on the part of the Senate.*

The statement of the House conferees was read, as follows:

The Senate recedes from its disagreement to the amendment of the House numbered 1, and agrees to the same, the effect of which is to reduce the amount authorized by the purchase of additional ground for a site for said building from \$125,000 to \$100,000.

The House recedes from its amendment numbered 2, the effect of which is to authorize the construction of a new public building for the accommodation of the Government service in said city at a cost not exceeding the sum of \$1,500,000.

The House recedes from its amendment to the title, the effect of which is to harmonize the title with the act as agreed upon in this conference report.

DAVID H. MERCER,  
J. D. HICKS,  
J. H. BANKHEAD.

Mr. MERCER. I move to agree to the conference report.

Mr. PAYNE. I should like to ask the gentleman if the effect of this amendment is to add a million and a half more to the public buildings authorized by Congress at this session?

Mr. MERCER. We are passing the Senate bill as it came to us.

Mr. PAYNE. Does it increase the authorization a million and a half?

Mr. MERCER. It increases the action of the House just that much.

Mr. PAYNE. A million and a half over what has already been done; and this is the result of the House consenting to send to conference the three bills where the Senate had put on amendments authorizing an additional building on each of the House bills?

Mr. MERCER. In each instance the Senate made the increase.

Mr. PAYNE. The Senate had made the increase, but the question whether we should consider the amendment at all and send it to the committee came here before the House and required unanimous consent. When that unanimous consent was given, it was given with the understanding that the House conferees should insist that those additional buildings put on to the House bills should be stricken out of the bill in each case. Now here comes the third bill with an agreement to add a building to cost a million and a half of dollars.

Mr. MERCER. The House conferees have been insisting for some time upon that proposition, but have failed to convince the Senate, and in order to save any part of the proposition we were obliged to yield.

Mr. PAYNE. Well, it seems to me, Mr. Speaker, that it would have been better for the conferees of the House to have carried out what was the express understanding in the House, on which unanimous consent was obtained, rather than to give a million and a half more for public buildings at this session of Congress on a bill originally providing for \$125,000 for the purchase of additional ground for the building already erected in Baltimore.

Mr. MERCER. The gentleman from New York is mistaken. The only thing that came up with reference to unanimous consent was the Stockton, Cal., bill, and I kept my word with the House and fought it out on the floor. That is the only bill to which the statement of the gentleman applies, and I kept my word.

Mr. PAYNE. Unanimous consent had to be asked in reference to this bill. It could not get to conference without that. Here was an amendment that had to go to the Committee of the Whole, and the bill could not have gotten before the House except by unanimous consent. I understood the same arrangement was made in reference to the other bill for Lockport, N. Y., to which they had added a public building in Pennsylvania, and that these three bills were called up by unanimous consent and were enabled to get into conference because the House expected that the House conferees would insist on the contention of the House to strike out these additional buildings.

Mr. DOLLIVER. Have we any remedy now?

Mr. PAYNE. I do not see how we have any remedy except to vote down this report.

Mr. DALZELL. Let us do it.

Mr. PAYNE. And instead of increasing a \$125,000 House bill to \$1,625,000, I should hope ordinarily—I do not know that I have much hope now, after what we have seen—that the House would disagree to this report and still insist that we have some rights in legislation as well as the Senate.

Mr. FARIS. Why do you not move that this conference report be rejected?

Mr. PAYNE. The gentleman from Nebraska has moved to concur. That will bring the question before the House, and I hope the motion will be voted down.

Mr. MERCER. I yield five minutes to the gentleman from Maryland [Mr. MCINTIRE].

Mr. MCINTIRE. I trust, Mr. Speaker, that the objection of the gentleman from New York will not prevail. I want to say to this House that there is not a public building that has been provided for during this discussion that is so much needed as the one proposed to be erected at Baltimore. I want to remind you that that structure has been visited by the members of the Committee on Public Buildings and Grounds, and they have declared—every one of them—that it is a most unfit structure for the Government service.

You will be surprised to know that the building first used for Government business was constructed in 1818, built for hotel purposes. It has become absolutely inadequate for a port that is the third, and in point of fact this year the second, in the United States as regards both imports and exports.

I also desire to remind the House that there seems to be no hesitancy about appropriating a large sum for New York, no scruples about the Cleveland appropriation, and that there is no more asked in this bill than has been provided for Indianapolis, which has been passed without challenge. There is no more embodied in this measure than was asked for Cleveland—in fact, one million less.

I want to further remind you gentlemen, and call the attention of the House to the fact, that Baltimore has had but one appropriation for a public building since 1818. I wish to remind you, furthermore, that in that time there has been but three millions to the credit of Baltimore City in the way of public improvements. I desire to ask your indulgence for just one minute, and then this proposition, so far as I am concerned, will be left to the intelligent judgment of this House. The expenditures for public buildings, as gathered from the Treasury Department, in other cities of the Union shows that New York has had \$16,000,000 thus expended.

That is the city represented by the gentleman who now finds fault with this proposition. Philadelphia has had \$8,000,000 expended on her public buildings; Boston, \$7,925,000; St. Louis, \$7,145,000; Cincinnati, \$6,000,000; New Orleans, \$5,571,000; San Francisco, \$4,200,000; Charleston, S. C., \$3,729,000. Now comes Baltimore, with a population of over a half a million, with one public building, a post-office, to the credit of the Government. With half a million of people, and being, as I say, the second port in this country, all that has been expended in the way of appropriation there has been \$3,729,000.

It is strange that these gentlemen have not seen objections to these buildings that have already been appropriated for, and that they did not manifest this same regard with reference to their own cities. Not one objection, not one thing was said, no charge was made that the Treasury was being looted, as the gentleman from New York would have it in regard to this bill for a custom-house for Baltimore. I ask you now, gentlemen, what you have done for other cities to do for Baltimore, and what I ask you to do will be less than was done, relatively, for any other State in the Union.

The SPEAKER. The time of the gentleman has expired.

Mr. MAHANY. I would like to ask the chairman of the committee a question. Is it not his opinion that the Baltimore Federal building is one of the most needed public improvements in the United States?

Mr. MERCER. I will say, Mr. Speaker, in reply to the question of the gentleman from New York, this is a Senate bill. It passed the Senate providing in section 1 for the purchase of part of the site. The present site in Baltimore upon which the custom-house is now situated is in the shape of a letter H. The Government owns all the letter H except one leg. Section 1 provides for the purchase of this one leg of the H.

Mr. PAYNE. At what price?

Mr. MERCER. The Senate bill contained a provision for \$125,000. When the Committee on Public Buildings and Grounds were in Baltimore investigating the present building generally we talked with the merchants and business men, and we learned that it ought to be bought for less than \$125,000. The committee therefore cut down this proposition, amended it to \$100,000 for the site, and we struck out section 2 of the bill. I am frank to say that the situation in Baltimore is the most serious situation of any city in this country that I have noticed.

Mr. MAHANY. In other words, it is an imperative need that this improvement should be made.

Mr. MERCER. It is a very serious situation. It is really worse than the New York custom-house situation.

Mr. PAYNE. I want to ask the gentleman why the Committee on Public Buildings and Grounds, having the whole matter in charge, should report 70 bills and omit this bill to build the Baltimore custom-house?

Mr. MERCER. I did not catch the question.

Mr. PAYNE. Why the Committee on Public Buildings and Grounds should bring in here over 70 bills during the three days, and should call them up one after another and leave out the bill

for the Baltimore custom-house, if there is such great necessity for it?

Mr. MERCER. The reason why we struck out section 2 is that we did not think the Government could condemn the additional site and purchase it before the meeting of the next Congress, and we thought it would be time enough after the site was condemned and purchased for the next Congress to authorize the building of the custom-house. We went to the conferees of the Senate, and they insisted, as they have time and again, that the Senate bill as it passed the Senate should be legislated into law, and that is why the House conferees have been compelled to come back and submit this report to the House.

Mr. PAYNE. There was some discussion of this bill before the committee, and I heard it all. I did not get any idea from what the chairman of the committee said that we were to have a new custom-house in Baltimore as the result of that legislation. I heard the debate, and I understood that this was simply to give them a little more land.

Mr. MERCER. That is what I am explaining to the gentleman; that was the action of our committee.

Mr. PAYNE. The House is in this condition: It passes a bill to buy a little more land, costing \$100,000, and it comes back from the Senate with a million and a half dollars added to the bill for a new building. The committee come in and ask the House to concur, and we can not get any idea how much money they are expending. A public-building bill comes in here subject to an amendment by the Senate, and unanimous consent is given to consider it, with the assurance that on these bills we shall not agree to the Senate amendment.

They come back here from the conference with a good deal of strength among the members for some reason or other, perhaps for the reason that we should all stand by each other in this matter; but they get a good deal of strength in the House, and one is adopted and another report is made, and the chairman of the committee himself now moves to recede and concur in the amendment of the Senate. Now we have the final chapter, of a bill carrying \$100,000, and a million and a half dollars is added to it, and the House is asked by the chairman of the committee to concur in that amendment. I would like to inquire if there is anything back that is to come in?

Mr. MERCER. I would like to ask the gentleman from New York if he has ever been on a conference committee in competition with the conferees at the other end of the Capitol?

Mr. PAYNE. I have had that honor. Does the gentleman want to pursue the inquiry?

Mr. MERCER. I know it is absolutely necessary that this site should be purchased now; otherwise it will be lost to the Government.

Mr. PAYNE. How long have we had that site that we have now?

Mr. MCINTIRE. Since 1818.

Mr. PAYNE. Almost eighty years; and yet the committee comes in here and says it is absolutely indispensable that we should have this land, and this building there, and we can not wait a moment longer.

Mr. MERCER. I want to say to the gentleman that on one leg of this letter H stands an old building, and people stand ready to purchase the ground, and it is only because of the public spirit that they have been held back in order to give the Government a chance to complete its title to the ground. If the Government does not take advantage of it now, it will lose it forever. That was the reason why I thought it was enough for this Congress to complete its title to the land and let the future Congress take care of the building.

Mr. PAYNE. And yet the gentleman, with that club in his hand, going to the Senate conferees, allowed them to insist upon attaching a million and a half dollars' expenditure to this bill carrying a hundred thousand dollars, when he could have suggested to the Senate conferees if they desired to kill this legislation, they might be responsible for it.

Mr. DALZELL. And when the bill came over to the House the House struck out \$25,000 and also the one million and a half of dollars, and the bill went back to the Senate and now comes here again in the shape in which the Senate passed it in the first place?

Mr. MERCER. The gentleman is correct except as to price of site.

Mr. DALZELL. And the proposition is now that the House shall yield to the Senate?

Mr. MERCER. That is the proposition.

Mr. DALZELL. Your committee struck out the million and a half of dollars?

Mr. MERCER. Yes, sir.

Mr. DALZELL. And the House itself approved of that action?

Mr. MERCER. Yes, sir.

Mr. PAYNE. I think the House ought to stick to its own action.

Mr. MAHANY. Mr. Speaker, if my recollection serves me aright, in the Fifty-fourth Congress a number of public buildings were authorized in exactly the same way that it is proposed to authorize this Federal building—that is, by the House conferees yielding to the Senate demands and the House adopting the conference report.

Now, it seems to me that after millions of dollars have been appropriated for public buildings in small interior towns of little commerce and less industry, it would be an unfair discrimination against the great city of Baltimore to refuse to authorize this appropriation. And I say, furthermore, as a Representative from the State of New York, that we have a selfish interest in this matter, because anything that facilitates the commerce of the Atlantic cities feeds the commerce of New York.

Mr. MERCER. I yield two minutes to the gentleman from Maryland [Mr. BARBER].

Mr. BARBER. Mr. Speaker, this whole question resolves itself into this: Does Baltimore City need a new custom-house, or does it not? The proposition as accepted by the House in the first place authorized the purchase of ground. What for? Because Baltimore needed a custom-house building and required ground for that building.

The proposition that comes from the other end of the Capitol is that, Baltimore needing a new custom-house building, we shall go ahead and provide for its erection as well as for purchasing ground. Baltimore, as I have said, needs a custom-house to-day—has needed it for years—and therefore is entitled to the favorable consideration of this House along these lines.

Furthermore, I presume that from a Senatorial standpoint the representatives of the State of Maryland in that body have the same right in regard to her interests and those of Baltimore and are entitled to the same consideration as the members of this Chamber.

Mr. MERCER. Mr. Speaker, I yield to my colleague on the committee, the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker, I hope this conference report will be adopted. The Senate passed a bill authorizing the appropriation of a million and a half of dollars for the purchase of additional ground for a site in the city of Baltimore and constructing on that plot of ground a custom-house, post-office, etc. The Government now owns a custom-house in Baltimore which is entirely inadequate. The building is very old and dilapidated. This conference report proposes to purchase additional land for \$100,000 adjoining the present site and the present building; and it proposes that the cost of this building be limited to a million and a half of dollars, including the additional ground.

Baltimore, Mr. Speaker, is perhaps the second or third city in the Union with respect to custom-house receipts. We have authorized the construction of a public building in the city of Cleveland, Ohio, to cost twice this amount; we have authorized one at Indianapolis for more than this amount; we have authorized one in New York for nearly four times the amount, and to my mind no more meritorious proposition has been brought before this House, so far as public buildings are concerned, than the one contained in this report. I sincerely hope the House will adopt it. This is all I care to say.

Mr. MERCER. Mr. Speaker, Baltimore absolutely needs a new custom-house, but the position which our committee took in the committee room and on the floor of the House was that it is only necessary at present to purchase the site. This, it will be remembered, is a Senate bill, passed by the Senate. When it came to our committee, we cut out section 2—the part authorizing the construction of the building.

Mr. LLOYD. What is the objection to that? Why did the committee cut it out?

Mr. MERCER. We cut it out because we thought it impossible for the Government to do anything, under section 2 of the bill, at this session of Congress.

Mr. LLOYD. But does the section to which the gentleman refers not correspond with like sections in all the other bills?

Mr. MERCER. This is a Senate bill, and it has the usual limitations.

Mr. LLOYD. But is there not a similar section in all of these public-building bills?

Mr. MERCER. Yes.

Mr. LLOYD. Then, why take it out of this bill?

Mr. MERCER. It was deemed better by the conferees, after a full consideration of the matter, to report the bill back in this form.

This building in Baltimore was constructed, I am informed, in 1818, and I wish to say that it is decidedly the worst public building that I ever visited. Members of the committee and others with us in going through the building were obliged to leave the lower part of the building because they could not stand the foul odors which were prevalent, the result of poor ventilation.

Mr. JOHNSON of Indiana. What building is the gentleman referring to?

Mr. MERCER. The old custom-house in Baltimore.

Mr. PAYNE. Is there not a new post-office building there, or practically a new one?

Mr. MERCER. There is a building which was built some ten or twelve years ago for that purpose.

Mr. Speaker, I ask a vote on the adoption of the conference report.

The question was taken; and on a division (demanded by Mr. PAYNE) there were—ayes 86, noes 36.

So the report was adopted.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I desire to present a conference report on the sundry civil appropriation bill.

The SPEAKER. The conference report will be read.

Mr. CANNON. I ask unanimous consent to dispense with the reading of the formal report and read instead the statement of the House conferees. The report itself will be published in the RECORD of the Senate proceedings of to-day.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12908) making appropriations for sundry civil expenses of the Government for the fiscal year 1900 submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

The Senate made 192 amendments to the bill, adding thereto in the aggregate \$8,503,233.94, of which sum it is agreed that the Senate recede from \$1,049,060, and that the House agree to \$3,004,243.94, leaving still involved in amendments upon which no agreement has been reached the sum of \$4,389,940.

The principal items added by the Senate, which it is proposed that the House agree to, are as follows:

For public buildings:

Altoona, Pa., \$50,000, instead of \$125,000, as proposed by the Senate.  
Brooklyn, N. Y., purchase of additional ground for post office, \$20,000.  
Omaha, Neb., \$150,000.  
Canton, Ohio, \$15,000.  
Minneapolis, Minn., \$55,000.  
Macon, Ga., \$58,000.  
Fort Springs, Ark., \$39,000.  
Dubuque, Iowa, \$50,000.  
Springfield, Mass., \$20,000.  
Columbus, Ga., \$50,000.  
Jackson, Miss., \$31,000.

An increase of \$30,000 in the appropriation for repairs and preservation of public buildings.

For new pier and new disinfecting plant for the Gulf Quarantine Station, \$33,000.

For light-houses, as follows:

Whitehead Light and Fog-Signal Station, Maine, \$1,400.  
Cape Elizabeth, Me., light-ship, \$70,000.  
Pollock Rip Shoals Light Station, Massachusetts, \$80,000.  
Fog Island Shoal Light and Fog-Signal Station, Rhode Island, \$5,000.  
Greens Ledge Light Station, Connecticut, \$60,000.  
Norwalk Harbor lighted beacons, Connecticut, \$900.  
Salem Creek Light Station, New Jersey, \$4,000.  
Hooper Island Light Station, Maryland, \$30,000.  
Bloody Point Range Light Station, South Carolina, \$2,700.  
Depot for Sixth light-house district, \$35,000.  
Depot at Mobile, Ala., \$12,000.  
Point Arguello Light Station, California, \$35,000.

An increase of \$60,000 in the appropriations for the Light-House Establishment.

For outfitting the U. S. S. *Thetis* for service of procuring and transporting reindeer to Alaska, \$20,000.

For a new revenue cutter for the Great Lakes, \$82,500.

For a revenue cutter for the Pacific coast, \$112,500.

For a launch for the customs service in Oregon, \$2,500.

Under the Smithsonian Institution an increase of \$3,000 is made for international exchanges and \$5,000 for preservation of collections in the National Museum.

Under the Fish Commission, for the Washington State station, \$3,480, and for propagation of food fishes an increase of \$10,000.

For reimbursement of Quandt Brewing Company, \$5,005.20.

For the Geological Survey, an increase of \$40,000 for topographic surveys, and \$10,000 for preparation of report on mineral resources.

For purchase of land records within the Virginia military districts of Kentucky and Ohio, \$15,000.

Under the Government Hospital for the Insane, for central heating plant \$6,000, for renewing plumbing \$5,000, and for fireproofing floors \$5,000.

For reindeer for Alaska, an increase of \$12,000.

To pay claims of Des Moines land settlers, \$150,000.

For Rock Island Arsenal, \$9,851.24 for restoring the power house, and \$21,000 for additional turbine wheels.

For one barrack and furniture for same, Soldiers' Home at Leavenworth, Kans., \$22,500.

For traveling and miscellaneous expenses for the Department of Justice, \$10,000.

For regular assistants to United States attorneys, an increase of \$9,000.

For the Paris Exposition, \$1,010,000, including \$200,000 for necessary buildings and \$80,000 for pay of jurors.

For souvenir dollars in aid of erecting a monument in the city of Paris to General Lafayette, \$50,000.

Increasing the limit of expenditures for the Industrial Commission from \$50,000 to \$75,000 per annum.

For the Government Printing Office building, which is limited to cost not exceeding \$2,000,000, the sum of \$350,000.

The principal items added by the Senate from which it is proposed that it recede are as follows:

For the purchase of Wilson Park for the use of the Government Hospital for the Insane, \$245,000.

For light-houses, as follows:

Long Island Head Light station, \$4,500.  
Tender for Third light-house district, \$95,000.  
Telephone line to Table Bluff light-house, California, \$1,500.  
Burrows Island light station, Washington, \$15,000.

Telegraph or telephone lines between Glen Haven, Mich., and South Manitou Island, Lake Michigan, \$15,000.  
 For payment to the widow of General Garcia, \$2,500.  
 For constructing committee rooms for use of the Senate committees in the old Congressional Library rooms, \$62,500.  
 For new hospital at Rock Island Arsenal, \$19,500, and for powder magazine, \$12,000.  
 For book shelves for Army Medical Museum, \$5,000, and for a dental pathologist, \$2,000.  
 For monument to Sergt. Charles Floyd, \$5,000.

To enable the Secretary of Agriculture to investigate physiological action and nutritive value of alcoholic beverages, \$5,000.  
 Increase of \$10,000 in the appropriation for assistants to United States district attorneys in special cases.  
 For examining the papers of the Continental Congress, \$5,000.  
 The committee of conference have been unable to agree on the following amendments:

On Nos. 2, 3, 4, 6, 7, 8, 10, 21, 22, 23, and 24: Appropriating in the aggregate \$181,940 for certain public buildings (for some of which the authorizations have not yet been finally enacted by the two Houses).

On Nos. 75, 76, and 77: Relating to the Zoological Park and providing for the opening of a road thereto and the purchase of additional land therefor, involving in all \$55,000.

On No. 88: Increasing the compensation of the customs appraisers at the ports of Boston, Philadelphia, Chicago, and Baltimore.

On No. 140: Appropriating \$150,000 for improving Yaquina Bay, Oreg.

On Nos. 145 and 146: Increasing the appropriation for improving the Missouri River from \$300,000 to \$300,000.

On Nos. 158 and 161: Appropriating \$50,000 for the establishment of a branch Soldiers' Home at Hot Springs, S. Dak.

On Nos. 163 and 164: Appropriating \$850,000 for a Pacific cable from California to Honolulu.

J. G. CANNON,  
 W. H. MOODY,  
 THOS. C. McRAE,

*Managers on the part of the House.*

Mr. CANNON. I move to adopt the conference report.

Mr. BERRY. I would like to ask the gentleman from Illinois a question before that. Is amendment numbered 107 changed in any way in the bill? It was put in by the House at \$30,000 and increased by the Senate to \$40,000.

Mr. CANNON. Thirty thousand dollars was agreed to in the conference report.

Mr. BERRY. I would like to make a motion to fix the sum at \$40,000.

Mr. CANNON. Well, the gentleman could only do that, of course, by voting down the conference report.

Mr. BERRY. I was hoping that the conference committee, when they take the unadjusted matters into consideration, would make the change themselves.

Mr. CANNON. This matter will not be in conference again.

Mr. HULL. It has been agreed upon.

Mr. BERRY. I see the gentleman has me in sort of a corner, and I will have to deal with it as best I can.

Mr. CORLISS. If the gentleman from Illinois will permit me, I understand that the conferees disagree with reference to the cable amendment.

Mr. CANNON. In reply to the gentleman from Michigan, there is no agreement touching that subject. There is a disagreement. We have agreed, in other words, to disagree.

Mr. CORLISS. It seems to me that it would be well at this time to take up the question and have definite instructions given to the committee.

Mr. CANNON. Let us first adopt the report, and then these unsettled questions will come up in their order.

Mr. CORLISS. I move to amend by receding from the disagreement and accepting this amendment of the Senate.

Mr. CANNON. That motion would not be in order now.

The SPEAKER. The Chair sustains the point of order of the gentleman from Illinois.

Mr. CORLISS. Then I move to instruct the conferees on the part of the House to recede.

Mr. CANNON. If the gentleman will possess himself in patience for a moment until the question of the conference report is adopted, it will then be in order to take up these several matters upon which there is a disagreement and determine the action of the House upon them.

Mr. CORLISS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CORLISS. As I understand the gentleman in charge of the bill, the motion is to concur so far as the conferees have agreed.

The SPEAKER. The Chair understands that it is a conference report announcing a partial agreement.

Mr. CORLISS. Well, as to the matters that they had not agreed upon, they would be referred back to the conferees, would they not?

The SPEAKER. Not unless the House saw fit to do it.

Mr. CORLISS. Very well, then.

Mr. CANNON. I move to adopt the conference report.

The conference report was agreed to.

On motion of Mr. CANNON, a motion to reconsider the last vote was laid on the table.

Mr. CANNON. Now, Mr. Speaker, I move that the House further insist upon its disagreement to the remaining Senate amendments and ask for a conference.

Mr. CORLISS. Will not the gentleman eliminate the last amendment from his motion?

Mr. CANNON. What is the number of that amendment?

Mr. CORLISS. The last one.

Mr. CANNON. I except amendments 163 and 164 from that motion. Now, is there anybody else who wants an amendment excepted?

Mr. KITCHIN. Amendment No. 4.

Mr. CANNON. What is No. 4?

Mr. KITCHIN. That is in regard to the public building at Durham, N. C.

Mr. CANNON. The gentleman wants that excepted also from the general motion?

Mr. KITCHIN. Yes.

Mr. KNOWLES. And I want the building at Deadwood excepted.

Mr. CANNON. That is a part of amendment No. 10. Now, as to the remaining amendments, I will ask that my motion be put.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] moves that the House further insist upon all the amendments except 4, 10, 163, and 164, on which a separate vote is demanded.

The motion was agreed to.

The SPEAKER. The House further insists on its disagreement to all the remaining amendments except those which the Clerk will now report in their order.

Mr. PAYNE. There is one item, amendment 88, which was included in the motion of the gentleman from Illinois on which I wish to offer a resolution in the nature of instructions to the conferees.

Mr. MOODY. I make the point of order that it is too late now.

Mr. PAYNE. No; the House insists upon its disagreement. You could not make a motion of that sort before conferees were authorized.

The SPEAKER. It should be made before the conferees are appointed and after the conference is ordered.

Mr. PAYNE. I offer the following resolution, Mr. Speaker.

The SPEAKER. It is not in order at present.

Mr. PAYNE. I thought the conferees had been authorized.

The SPEAKER. They have not been authorized, nor have four amendments been disposed of. The Clerk will read the remaining amendments.

In order that the House may understand the situation, the Chair desires to say that the House has adopted the motion to further insist upon all the amendments except four specified ones which have not been voted upon, and a separate vote is to be taken on each of those.

The Clerk will read the first amendment, No. 4, upon which a separate vote is demanded.

The Clerk read as follows:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and to cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Durham and State of North Carolina, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$75,000.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

Mr. CANNON. Mr. Speaker, I desire to be recognized.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] is recognized.

Mr. KITCHIN. I desire to make a motion to recede and concur in this Senate amendment.

Mr. CANNON. I suppose that would take precedence of my motion, or at least would be considered first, I making the motion that the House further insist.

The SPEAKER. The gentleman from Illinois moves that the House further insist on its disagreement to this amendment, and the gentleman from North Carolina [Mr. KITCHIN] moves that the House recede and concur, and the vote will first be taken upon the proposition of the gentleman from North Carolina.

Mr. CANNON. Now, does the gentleman want to be heard? I can not yield the gentleman much time.

Mr. KITCHIN. I want to make a statement—about five minutes.

Mr. CANNON. I yield to the gentleman five minutes.

Mr. KITCHIN. Mr. Speaker, the bill which is practically this amendment passed the Senate in December, 1897. It was referred to the Committee on Public Buildings and Grounds, and that committee favorably reported it; but it was not considered in the Committee of the Whole for the simple reason that it was not reached. You gentlemen all remember how we hurried with those bills which the committee had reported in order to reach this one. There were 71 bills reported by the Public Building Committee ahead of it. For the motion I have made there was a precedent set yesterday, when the bill for a building in the city of Los Angeles was added to the bill for a building in the city of Stockton, and another precedent was set when New Brighton was

added to the bill for Lockport, N. Y.; and you have increased the appropriation for the building at Baltimore this morning.

Now, Mr. Speaker, in regard to this town of Durham. I hope everyone will listen to these facts:

The post-office receipts of the town of Durham in 1885 were \$5,545. In 1898 they were \$16,430.79 gross, and gave the Government a net revenue of \$3,096. It is a free-delivery post-office. The post-office now pays for rent, light, and fuel \$1,000 a year. The internal-revenue department for rent of office for stamp clerk now pays \$275 a year. The internal-revenue collections for the last fiscal year in the town of Durham were \$960,718. The internal-revenue collections for the last calendar year were \$1,253,090.42. The population of Durham in 1885 was 5,000; on September 30, 1897, it was 11,715, and it is now estimated to be 13,500.

Now, Mr. Speaker, if this Congress does not pass the appropriation for such building this year, I fear it will not pass it next year; and as you have already appropriated millions for expositions, for temporary purposes, I think you will be serving a better purpose to erect this permanent improvement in Durham, which the needs of the public require, and I ask you to give the town of Durham this \$75,000 for a public building. On yesterday you appropriated \$500,000 for Toledo and another \$500,000 for Buffalo, for temporary purposes, for holding expositions, and I ask this for a permanent purpose, to meet the needs of the Government; and I trust gentlemen whose districts and sections have been so thoroughly favored in the last few days in these matters will stand with us in this matter, for it was not my fault that this bill was not reported higher up on the list. I have been diligent in this matter from the beginning of this Congress. I hope that it will be nobody's fault that this bill does not pass. I hope every member will vote for this proposition and give us this appropriation by concurring in the Senate amendment, as I have asked.

Mr. CANNON. I yield two minutes to the gentleman from North Carolina [Mr. WHITE].

Mr. WHITE of North Carolina. Mr. Speaker, I simply requested these two minutes in order to second the motion of my colleague, Mr. KITCHIN of North Carolina. A few years ago this city of Durham was a mere railway station. It is now one of the greatest tobacco centers, and therefore promises, in the near future, to be one of the greatest sources of revenue of this Government in any part of our Southland; and I most sincerely trust that all gentlemen on this side of the House will join with those on the other side and give us this small sum that we ask for.

I fear that our modesty, and the small amount that we request, militates against us. North Carolina has had comparatively little, considering the position she occupies in the constellation of the States of this Union. And I hope that gentlemen on this side of the House will join cordially in supporting us and give us this \$75,000 we ask for a building at the city of Durham. It has so recently emerged from a town that I keep calling it a town; but it is a city now, of large proportions, considered with others—15,000 or 20,000. It grows so fast that I can not keep up with it. [Laughter.] I assure you it will rival some of your Eastern and Northern and Western cities, if you will only encourage it, and we ask you to encourage us in this way.

A MEMBER. Equal to Tupelo?

Mr. WHITE of North Carolina. It includes Tupelo, including the union station, where they talked about young ladies coming to town at 4 o'clock and drinking out of old, worn-out, rusty tin cups. There are plenty of trains, plenty of stations, plenty of money, and plenty of tobacco. Why, gentlemen keep the cloak-rooms perfumed with Durham tobacco every day—

Mr. SHERMAN. If they had young ladies coming there in train loads, would not they use their pictures instead of taking the pictures of animals?

Mr. WHITE of North Carolina. Oh, we get those pictures from New York for advertising purposes. [Great laughter.]

Mr. SHERMAN. Oh!

Mr. CANNON. Mr. Speaker, I desire to say to gentlemen that in amendment No. 10 are to be found appropriations for a large number of buildings, all in the same amendment. Most of them are authorized; that is, the bills have passed both the House and the Senate. A few of them are not authorized. One or two have never passed either the House or the Senate, so that there is a disagreement as to No. 10; but at another conference undoubtedly all bills included in No. 10 will have the appropriation recommended to the House and Senate where the bills have passed both Houses. I state this so that gentlemen may understand the condition. Now, this is amendment No. 4.

Mr. Speaker, I should like to have order.

The SPEAKER. Gentlemen will please be in order and take their seats. If there is no objection on the part of the House, perhaps it would be well to have the Sergeant-at-Arms instructed that no more cards are to be sent in.

Mr. SHERMAN. Mr. Speaker, I make the request that the Sergeant-at-Arms be instructed to send in no more cards to members.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. CANNON. This is amendment No. 4, and covers one public building, viz, at Durham, N. C., a proposition that has never passed either body and appears here for the first time.

Mr. KITCHIN. I think the gentleman is in error there. It passed the Senate in the Fifty-fourth Congress and also in the Fifty-fifth Congress, and was favorably reported by the Committee on Public Buildings and Grounds.

Mr. CANNON. Well, then, it has passed the Senate twice, but it has never passed the House, nor has it been considered in Committee of the Whole. Now, I am not going to discuss the merits of Durham, N. C., for a public building. For aught I know it has merit. I am told that the post-office receipts are \$16,000. But I am going to call the attention of the House to the fact that there are a number of public-building measures on this general appropriation bill by Senate amendment that have not passed the House, and some of them that have never passed either House or Senate except as they have passed the Senate by amendment.

Now, I should not have anything to say, as busy as I am under the order of the House, if this building were pending as a measure before the House, as other matters that come from the Committee on Public Buildings and Grounds; but I do antagonize it with what little force I can command, as I would antagonize any public-building bill that comes here on a general appropriation bill by the way of Senate amendment; because an appropriation bill carrying, as this bill does, almost \$50,000,000, under decent parliamentary usage, under the rules of the House, under the practice of the House, has been kept heretofore, and ought to be kept now, an appropriation bill. For that reason I am going to ask the House in this and subsequent amendments to keep the rule of the House inviolate, and not allow the Senate to dictate, by amendments which are against their rules and amendments that violate the spirit of all rules, as to what we shall consider.

Later on there is an amendment of much greater importance than this—viz, to construct a cable to Honolulu—that will involve an expenditure of \$3,000,000, and then it will only half complete it, a proposition that there has never been any legislation about. The House considered a bill for a part of a day and failed to agree, and yet the Senate takes that matter up. If it were proposed in the House, a single point of order would cut it off, but the Senate puts it on and sends it back to the House with its compliments, and says, "By the grace of the Senate we will give you an amendment, or amendments, that you may consider, and we will put enough of them on, hoping to group them together so that a combination may be formed that will carry them in whole or in part."

Mr. CLARK of Missouri. Is the gentleman going to ask the House to concur in that \$3,000,000 item?

Mr. CANNON. I am going to ask the House to disagree to it and to say to its conferees that it does disagree to it, and if I voice my own action touching all these amendments that involve legislation and appropriations without authorization, I will ask the House, and hope it will sustain me, to say to the Senate that not one of them shall go upon the general appropriation bill.

Now, I say to the gentlemen from North Carolina, both of them, who are greatly interested in a public building at Durham, N. C., that I am not antagonizing that public building. However much merit it may have, or however little merit, I am not discussing it, but I am saying that it ought not to go upon this bill by the grace of the Senate, or by the command of the Senate, because it is legislation as well as authorization, and I stand defending the integrity of the rules of the House and defending good and orderly legislation. I ask the House, without regard to the merit of this matter, to stand by its conferees along the line of sustaining proper parliamentary usages and preserving the great appropriation bills, which should only carry appropriations if we are to have safety to the Treasury and decency in legislation.

Mr. KELLEY. Does the gentleman claim that the Senate has acted in an improper manner in adopting this amendment?

Mr. CANNON. I claim, first, that the Senate by unanimous consent has suspended its own rules when it puts this amendment on a general appropriation bill. I claim, second, that if this amendment were moved in the House a point of order would keep it off the bill. I claim, third, that we only consider matters of this kind, which are not authorized by legislation, because we are forced to do so; and I stand here to say to the coordinate branch of Congress, so far as my vote and voice are concerned, that this House will preserve its own dignity as a coordinate branch and insist that the Senate shall not disregard its own rules and then undertake to compel the House to violate its rules. I take this position in the interest of orderly, proper legislation.

Mr. KELLEY. How can the gentleman claim that the Senate transcended its powers when it took action by unanimous consent? Is it not a fact that on various occasions legislation is enacted in that manner in this body? Has not the Senate a right to amend appropriation bills? Is it not done in every Congress?

Mr. CANNON. Oh, the Senate has the right to amend appropriation bills, but when the Senate does that against the spirit of the House rules and makes an appropriation bill, which on its face is to carry appropriations in pursuance of existing law, a legislative bill, then it is time for the House to assert its own prerogative; and it is time for men who desire good legislation, orderly legislation, honest legislation, to say that the House will perform its functions and that the Senate must be kept to the performance of its functions. Therefore I ask the House to stand by the motion which I shall make to disagree further to this amendment—

Mr. KELLEY. Does the chairman of the Committee on Appropriations take the position that the Senate of the United States has acted in a manner that contravenes the rules of the House of Representatives?

Mr. CANNON. I will answer the gentleman, and I shall speak of the Senate respectfully. I am not speaking of individual Senators. The Senate of the United States is a coordinate branch of Congress.

Mr. KELLEY. I thought so.

Mr. CANNON. Senators are elected for six years. The Senate is a small body. It works with great facility when it wants to [laughter]; it does not work at all when it does not want to. [Laughter.] I speak respectfully of that body. I am not going outside of the rules of the House. But during the quarter of a century that I have been in the House of Representatives the Senate of the United States has not only performed its own function, but it has been in constant warfare, in season and out of season, trying to coerce the House of Representatives in the performance of its functions. And always heretofore the House has insisted, and I apprehend that always in the future as a coordinate branch of Congress it will have to insist upon its rights and its functions or become a tail to the kite of another body, a coordinate body.

Mr. RICHARDSON. Has not the gentleman been trying for about ten years to get into the Senate?

Mr. CANNON. Well, the gentleman from Tennessee [Mr. RICHARDSON] has too much brains to resort to that method of debate. But I may state to him that I have known an eminent gentleman from Tennessee who desired to break into the Senate to reform it.

Mr. KITCHIN. The gentleman will allow me to say that, as I understand the situation, it is this: The Senate, in the exercise of its wisdom, and, as I take it, considering that it was necessary to do so, has amended this bill by putting upon it this meritorious proposition. I believe the gentleman from Illinois will concede that it is a meritorious measure. The facts show it to be such.

Now, when it comes here as a proper Senate amendment and I move to concur, I am not asking the House to violate any of its rules. The question is not a question as to the rules of the House, nor their construction, but whether the House will agree to a proposition which many members on the floor know to be a proper one and which everyone who has heard my statement must concede to be meritorious. In other words, Will we concur in that amendment or refuse to agree to it? On that proposition, in my opinion, the House should act solely on the merits of the proposition itself. When we come to the cable amendment embodied also in this bill, and which the gentleman has alluded to, we can also vote on that upon its merits.

Mr. Speaker, there is no other way in which we can do justice to these people; no other way in which we can do equity to them, except by prompt and proper action upon this amendment. It is a case of urgent necessity. It is true that the time is short and we have no opportunity of presenting the case as it ought to be presented. But let us at least vote upon the merits of the case and not on the assumption that we are violating some rule which is not applicable here.

Mr. CANNON. Mr. Speaker, a single word further, and then I am ready for a vote. The gentleman from North Carolina, of course, wants this amendment agreed to. That is entirely natural. I am appealing, however, to this side of the House and to that side of the House, and I think I have the right to do so without regard to the merits of the proposition, not to agree to this legislation proposed by the Senate.

Now I am ready for a vote.

Mr. HENDERSON. Will the gentleman from Illinois allow me a single moment?

Mr. CANNON. Certainly.

Mr. HENDERSON. I want to call attention to the fact that of the large body of bills reported from the Committee on Public Buildings and Grounds, and which are provided for in this bill, the Senate bills have been treated precisely, with reference to appropriations, just as the House has been treated with regard to its bills. We passed, as gentlemen will remember, several bills here, taking them up in their regular order, and now I claim that it is not right for that body to impose upon the House bills which have never been considered by the committees of the House or by the House itself.

Mr. KITCHIN. Will the gentleman allow me a question?

Mr. HENDERSON. Well, I am only occupying the floor by the courtesy of the gentleman from Illinois.

Mr. CANNON. I yield to my friend.

Mr. KITCHIN. The only reason that this bill, which was favorably reported by the Committee on Public Buildings and Grounds—I ask the gentleman's attention to this statement—the only reason that this bill was not considered and passed in the Committee of the Whole House was because the time allotted for consideration of such bills expired before it could be reached. The gentleman knows that the Committee of the Whole House had but a limited time. The Public Buildings Committee considered it and reported it favorably and unanimously.

Mr. HENDERSON. But the statement of the gentleman would open up the whole question. That is not the point involved here. The only point is that the Senate bills are treated precisely as the House bills. All had the same treatment, and there was no preference shown to either; and that alone should protect the House from the consideration of matters that ought not to be considered at this late date in the session, when there is no time, owing to the pressure of public matters, to examine into them, as they should be examined into and considered.

Mr. WILLIAMS of Mississippi. But this bill was reported from the committee.

Mr. STEELE. Let me call the attention of gentlemen also to the fact that the Army bill was enlarged, modified, and increased in the other body by amendments which were never considered in the House or in the Committee on Military Affairs. They presented a new bill practically.

Mr. CANNON. Mr. Speaker, I ask a vote on the proposition of the gentleman.

The SPEAKER. The question is on the motion of the gentleman from North Carolina to recede and adopt the Senate amendment.

The question was taken; and on a division (demanded by Mr. KITCHIN) there were—ayes 85, noes 96.

Mr. KITCHIN. I call for tellers.

Mr. CANNON. I hope my friend will let us get on with the bill.

Mr. KITCHIN. This is a most important provision and I do not know how we can spend the time better than in its consideration.

Tellers were ordered.

Mr. CANNON. Well, Mr. Speaker, we might just as well have the yeas and nays, for the purpose of saving time.

The yeas and nays were ordered.

The question was taken; and there were—yeas 104, nays 117, answered "present" 7, not voting 121; as follows:

#### YEAS—104.

Bailey,	De Vries,	Lester,	Simpson,
Ball,	Dinamore,	Lewis, Ga.	Sims,
Barlow,	Driggs,	Little,	Skinner,
Bartlett,	Elliott,	Lloyd,	Spight,
Bell,	Gaines,	McAleer,	Stallings,
Benton,	Graham,	McClellan,	Stark,
Berry,	Greene, Nebr.	McCulloch,	Stephens, Tex.
Bland,	Griffith,	McDowell,	Stokes,
Bodine,	Handy,	McLain,	Strait,
Botkin,	Hartman,	Maxwell,	Strowd, N. C.
Bradley,	Hay,	Meekison,	Sulloway,
Brownlow,	Henry, Miss.	Moon,	Sulzer,
Brucker,	Howard, Ala.	Mudd,	Sutherland,
Burke,	Howard, Ga.	Osborne,	Swanson,
Carmack,	Howe,	Pierce, Tenn.	Taylor, Ala.
Catchings,	Hunter,	Rhea,	Thorp,
Clardy,	Jett,	Richardson,	Todd,
Clarke, N. H.	Jones, Va.	Ridgely,	Underwood,
Clayton,	Kelley,	Rixey,	Vandiver,
Cochran, Mo.	Kitchin,	Robb,	Vincent,
Cooper, Tex.	Kleberg,	Robinson, Ind.	Wheeler, Ky.
Cox,	Knowles,	Settle,	White, N. C.
Cummings,	Lamb,	Shafroth,	Williams, Miss.
Davis,	Lanham,	Shannon,	Wilson,
De Armond,	Latimer,	Showalter,	Yost,
De Graffenreid,	Lents,	Shuford,	Zenor.

#### NAYS—117.

Acheson,	Capron,	Gillett, Mass.	Joy,
Arnold,	Clark, Iowa	Graff,	Kerr,
Babcock,	Coddling,	Greene, Mass.	Ketcham,
Baker, Ill.	Connolly,	Griffin,	Kirkpatrick,
Barber,	Cooper, Wis.	Grosvenor,	Knox,
Barney,	Crump,	Hager,	Kulp,
Barrett,	Crumpacker,	Hamilton,	Lacey,
Bartholdt,	Curtis, Iowa	Harmer,	Landis,
Bennett,	Curtis, Kan.	Hawley,	Lawrence,
Bingham,	Dalzell,	Hemenway,	Littauer,
Bishop,	Davidson, Wis.	Henderson,	Loud,
Booze,	Dayton,	Henry, Ind.	Loudenslager,
Brewster,	Dick,	Hepburn,	Lybrand,
Broderick,	Dolliver,	Hilborn,	Mahon,
Brownell,	Dovener,	Hill,	Mann,
Brosius,	Ellis,	Hitt,	Mercer,
Brown,	Farris,	Hopkins,	Mesick,
Brum,	Fischer,	Howell,	Miers, Ind.
Bull,	Fletcher,	Hull,	Mills,
Butler,	Foss,	Johnson, Ind.	Moody,
Cannon,	Fowler, N. J.	Johnson, N. Dak.	Oimsted,

Otjen, Overstreet, Parker, N. J. Payne, Powers, Princo, Ray, Reeves, Royle,	Russell, Sauerhoring, Shattuc, Sheldon, Shorman, Snover, Southard, Spalding, Sperry,	Sprague, Steele, Stewart, Wis. Strode, Nebr. Tate, Taylor, Ohio Updegraff, Van Voorhis, Wadsworth,	Walker, Mass. Ward, Weaver, White, Ill. Williams, Pa. Young.
---	--	--	---

## ANSWERED "PRESENT"—7.

Boutell, Ill. Lewis, Wash.	McEwan, Meyer, La.	Norton, S. C. Smith, S. W.	Talbert.
-------------------------------	-----------------------	-------------------------------	----------

## NOT VOTING—121.

Adams, Adamson, Aldrich, Alexander, Allen, Baird, Baker, Md. Bankhead, Barham, Barrows, Beach, Belden, Belford, Belknap, Benner, Pa. Boutelle, Me. Brantley, Brenner, Ohio Brewer, Broussard, Brundidge, Burlleigh, Burton, Campbell, Castle, Chickering, Clark, Mo. Cochrane, N. Y. Colson, Connell, Cooney,	Corliss, Cousins, Cowherd, Danford, Davenport, Davey, Davison, Ky. Dockery, Dorr, Eddy, Ermentrout, Evans, Fenton, Fitzgerald, Fitzpatrick, Fleming, Foote, Fowler, N. C. Fox, Gardner, Gibson, Gillet, N. Y. Griggs, Grout, Grow, Gunn, Heatwole, Henry, Conn. Henry, Tex. Hicks, Hinrichsen,	Jenkins, Jones, Wash. King, Linney, Livingston, Lorimer, Lovering, Low, McCall, McClary, McCormick, McDonald, McIntire, McRae, Maddox, Maguire, Mahany, Marshall, Martin, Miller, Minor, Mitchell, Morris, Newlands, Norton, Ohio Odell, Ogden, Otey, Packer, Pa. Pearce, Mo.	Pearson, Perkins, Peters, Pugh, Quigg, Robbins, Robertson, La. Slayden, Smith, Ill. Smith, Ky. Smith, Wm. Alden Southwick, Sparkman, Stevens, Minn. Stewart, N. J. Stone, Sturtevant, Tawney, Terry, Tongue, Vehslage, Walker, Va. Wanger, Warner, Weymouth, Wheeler, Ala. Wilber, Wise.
---	--	--	---

So the motion to recede and concur was rejected.

Mr. MEYER of Louisiana. Mr. Speaker, I wish to withdraw my vote. I am paired with the gentleman from Oregon, Mr. TONGUE.

The Clerk announced the following pairs:

Until further notice:

Mr. DORR with Mr. DRIGGS.

Mr. JOY with Mr. CARMACK.

Mr. BENNETT with Mr. GAINES.

Mr. SAMUEL W. SMITH with Mr. FOX.

Mr. FOWLER of New Jersey with Mr. CATCHINGS.

Mr. McEWAN with Mr. VEHSLEGE.

Mr. COCHRANE of New York with Mr. BALL.

Mr. MITCHELL with Mr. CLARK of Missouri.

Mr. BOUTELL of Illinois with Mr. GRIGGS.

Mr. WISE with Mr. NORTON of South Carolina.

Mr. CLARKE of New Hampshire with Mr. KING.

Mr. HENRY of Indiana with Mr. GRIFFITH.

Mr. DANFORD with Mr. FITZPATRICK.

Mr. WANGER with Mr. ADAMSON.

For this day:

Mr. WILBER with Mr. BROUSSARD.

Mr. THORP with Mr. TALBERT.

Mr. MORRIS with Mr. LEWIS of Washington.

Mr. GROUT with Mr. DOCKERY.

Mr. BEACH with Mr. ERMENTROUT.

Mr. BURLEIGH with Mr. BRENNER of Ohio.

Mr. ADAMS with Mr. TERRY.

Mr. STEVENS with Mr. SMITH of Kentucky.

Mr. WM. ALDEN SMITH with Mr. BRUNDIDGE.

Mr. HARMER with Mr. OTEY.

Mr. SNOVER with Mr. ERMENTROUT.

Mr. TONGUE with Mr. MEYER of Louisiana.

Mr. PACKER of Pennsylvania with Mr. MADDOX.

Mr. McCALL with Mr. BREWER.

Mr. COUSINS with Mr. TERRY.

Mr. LOVERING with Mr. COWHERD.

Mr. HEATWOLE with Mr. FLEMING.

Mr. EVANS with Mr. BAIRD.

Mr. KETCHAM with Mr. MAGUIRE.

Mr. CODDING with Mr. COCHRAN of Missouri.

Mr. LORIMER with Mr. ROBERTSON of Louisiana.

On this vote:

Mr. JENKINS with Mr. BRANTLEY.

Mr. TAWNEY with Mr. NORTON of Ohio.

Mr. ADAMSON. Mr. Speaker, did the gentleman from Pennsylvania, Mr. WANGER, answer on this roll call?

The SPEAKER. He has not answered.

Mr. ADAMSON. Then I wish to withdraw my vote.

The SPEAKER. The gentleman's vote will be withdrawn.

Mr. EVANS. I understand that I am paired with the gentle-

man from Louisiana, Mr. BAIRD. That being so, I desire to withdraw my vote.

Mr. LEWIS of Washington. I beg to announce that I am paired with the gentleman from Minnesota, Mr. MORRIS.

The result of the vote was announced as above recorded.

The SPEAKER. The question recurs on the motion of the gentleman from Illinois [Mr. CANNON] that the House further insist on its disagreement to the Senate amendment.

The motion was agreed to.

## SUSPENSION OF ORDER FOR PENSION SESSION.

Mr. CANNON. The gentleman from New York [Mr. RAY] desires to make a request.

Mr. RAY of New York. Mr. Speaker, owing to the condition of the public business, which will require this House to be in almost constant session until 12 o'clock to-morrow, and owing to the impossibility of doing any effective pension legislation, I ask unanimous consent that the rule for a Friday evening pension session be vacated.

The SPEAKER. The gentleman from New York [Mr. RAY] asks unanimous consent to suspend the rule with regard to a pension session this evening and also for the recess which is ordinarily taken under that rule. Is there objection?

Mr. RIDGELY. Reserving the right to object, I wish to ask if the pension bills which have come to us from the Senate have all been acted upon?

Mr. RAY of New York. Everything has been acted upon except one bill, which is now on the Speaker's table, and we shall act upon that in a few minutes. The Calendar of the House is clear, so far as pension bills are concerned.

The SPEAKER. The Chair hears no objection.

## SUNDRY CIVIL APPROPRIATION BILL.

Mr. KNOWLES. Mr. Speaker, I withdraw my request for a separate vote on the amendment relative to the public building at Deadwood.

The SPEAKER. The gentleman from South Dakota withdraws his request for a separate vote on amendment No. 10. If there be no objection, it will be considered then as disagreed to, the House insisting upon its disagreement.

There was no objection.

The SPEAKER. The next amendment is 163, which the Clerk will report.

The Clerk read as follows:

Page 97, after line 25, insert:

## "NAVY DEPARTMENT.

"Pacific Cable: That there shall be constructed by the United States, under the direction of the Secretary of the Navy, for military, naval, and postal purposes, a submarine telegraphic cable and connecting land lines from a Pacific port in the State of California, to be designated by the President, to the city of Honolulu, in the Hawaiian Islands.

"That the Secretary of the Navy is hereby authorized, empowered, and directed to detail one or more vessels of the United States for the purpose of making surveys and taking careful necessary soundings in order to determine the most practicable route for said line of cable.

"That the construction and laying of such cable or cables shall be under the general control and direction of the Secretary of the Navy, and he is hereby empowered and required, immediately after the passage of this act, to prescribe and cause to be prepared plans and specifications for the construction and laying of said line of telegraphic cable to be constructed and put in operation at the earliest practicable date. Contracts for the construction and laying of said line of telegraphic cable, and for supplying the necessary instruments and appliances connected therewith, except such work as can be advantageously and efficiently done by the Navy Department, shall be awarded to, and executed by, the lowest responsible bidder or bidders after such notice by advertisement for sealed bids as shall be deemed reasonable and sufficient by the Secretary of the Navy: Provided, That in all advertisements for bids, and for all bids for work for, or appliances, and all contracts made for such work and material in connection with said telegraphic cable and necessary appliances, it shall be provided that the wires, cables, insulators, batteries, instruments, and all other materials shall be of the best quality, and of American manufacture and reasonably adapted in every respect for the highest efficiency.

"That when such telegraphic cable is completed the operation of the same shall be under the control of the Postmaster-General, who shall have authority to receive and transmit messages in the interest of commerce and the public, other than United States Government messages, and shall establish a rate of toll therefor, not exceeding 25 cents per word between the designated port in the State of California and Honolulu, in the Hawaiian Islands. The Postmaster-General shall arrange and provide for the transmission of messages from news associations and news agencies to the newspapers of the United States, commonly known as press messages, at a rate not exceeding one-third of the above-named rates for ordinary private messages; and the sum of \$500,000 is hereby appropriated toward the construction of said cable and connecting land lines, as hereinbefore provided; and the total cost of said line shall not exceed \$2,500,000, to be paid for from time to time as appropriations shall be made by Congress."

The SPEAKER. The question is on the motion of the gentleman from Illinois to further insist on disagreement to the amendment.

Mr. CANNON. Mr. Speaker, I desire to ask unanimous consent to consider amendments 163 and 164 together. They are one and the same. One is for the cable and the other for the steamer.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none. The Clerk will read the other amendment.

The Clerk read as follows:

Page 97, after line 23, insert:

"For the construction and equipment of a repair steamer, and for spare cable, \$350,000."

Mr. CORLISS. Mr. Speaker—

The SPEAKER. Does the gentleman from Illinois yield?

Mr. CANNON. My motion is that the House further insist on its disagreement. I understand the gentleman from Michigan desires to make a motion—

Mr. CORLISS. That we recede and concur.

The SPEAKER. The gentleman from Illinois moves that the House further insist on its disagreement to the Senate amendments, which are to be taken together by the consent of the House, and the gentleman from Michigan moves to recede and concur. The vote will be taken on the motion to recede and concur.

Mr. LEWIS of Washington. A parliamentary inquiry, Mr. Speaker. I desire to know whether the gentleman's motion relates to the cable or the amendment which has just been read by the Clerk.

The SPEAKER. It refers to both, the House having given consent to consider them together.

Mr. CANNON. Does the gentleman desire to discuss his motion?

Mr. LLOYD. Mr. Speaker, I would like to hear this amendment read.

The SPEAKER. The Chair thinks it is a reasonable request, and if there be no objection the amendment will be again read. The Chair hears none, and now the House will please be in order. The amendment was again reported.

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Michigan?

Mr. CANNON. Mr. Speaker, I yield to the gentleman who makes the motion to concur, the gentleman from Michigan, ten minutes.

Mr. CORLISS. Mr. Speaker, in my judgment this House has not had before it any measure of so great importance to the American people as this amendment, covering two pages of this bill. It authorizes the construction by the Navy Department of a cable from California to Honolulu. It appropriates half a million dollars as a preliminary step, and authorizes the expenditure of two millions and a half to complete the work. We authorize the President of the United States to use the vessels of the Navy Department or any ship that may be owned by the Government for the purpose of its construction.

You will remember that this measure in substance was before the House on the 18th day of January last. It came before the House at that time in a bill to authorize the construction of a cable and grant a subsidy of \$100,000 per annum for twenty years, or an amount of \$2,000,000. I offered as a substitute a measure, which you will find in the CONGRESSIONAL RECORD, in substance the same as this amendment, except that the construction of it is now placed in the hands of the Navy Department instead of the War Department.

I do not agree with the chairman of this committee that the Senate of the United States, in enacting legislation for the benefit of our people, should be governed or controlled or directed by the laws of this House; and I thank God, for one, we have a United States Senate to engraft upon a bill of this kind legislation in the interest of our country as important as this. [Applause.]

While I would reform the Senate of the United States in one respect, and that is the method by which the Senators are elected, I am glad to know that they present to this House repeatedly amendments on bills that will enable a majority of the members of this House to secure legislation in the interest of commerce and our country. This amendment has been pending before Congress for the past six years.

Not less than half a dozen bills have been reported to one or other branch of Congress carrying subsidies in all instances running from \$100,000 per annum up to half a million dollars per annum; and a measure carrying half a million dollars of subsidy was passed by the United States Senate in the Fifty-third Congress for the construction of a cable of this character.

After the original measure was reported to this House last March the parties in interest, in behalf of that measure, went to Honolulu and secured a contract that gave them a subsidy and control for twenty years from that government, which, fortunately, was repealed on the 2d day of January by the present Administration; and you will find a full discussion of that important matter in the RECORD on the 18th day of January. Following the discussion on the 18th of January, in the light of the report of the Hawaiian commissioners, the President of the United States, on the 10th day of February (this last month), sent a communication to Congress on this subject.

Mr. Speaker, in the Senate there were two propositions presented for the committee to act upon. One to grant a subsidy and the other to authorize the construction of this cable by the United States Government, and I am glad to know that the leading mem-

bers on both sides of that body advocated the support of this measure, and have passed it through the Senate.

They undoubtedly did that in the light of the record of the Hawaiian commission calling urgent attention to this construction, and of the President's communication on the 10th of February. Let me call your attention to his language:

The necessity for speedy cable communication between the United States and the Pacific islands is becoming imperative.

This is the President of the United States addressing you, gentlemen—

The construction of this cable is imperative.

He then says:

Such communication should be established in such a way as to be wholly under the control of the United States Government, whether in time of war or peace.

Further on he says:

The time has now arrived when a cable in the Pacific must extend at least to Manila, touching the Hawaiian Islands.

And further on he urges this Congress to take action thereon.

Now, let me say to the gentlemen here that unless you adopt this amendment to this bill you will have the subsidy people here at the next Congress asking a subsidy of as much money as it will cost to build this cable. The gentleman from Illinois [Mr. CANNON] said that the cable would cost the Government very much more than the appropriation.

Let me call his attention to the testimony of Mr. Scrymser, the manager of the Pacific Cable Company, the man who controls the cable syndicates in the United States, and who testified before the committee that he could construct the cable for two million and a half dollars. I have a statement of General Greeley, of the Signal Service Corps, and he says that a cable can be constructed to Hawaii for \$2,000,000. The estimate that is inserted in this amendment is two million and a half of dollars.

How many men here desire to vote down an amendment because of the rules of this House, which do not apply to a Senate amendment, denying to our Government in its necessities, denying to the President of the United States the communication he desires with Hawaii for military protection, for naval protection, and for the benefit of commerce?

There is no step that we can take in this Congress, no legislation that has been taken in this Congress, more important to our Government as a nation, more important to our naval and military organization, more important to commerce, than the amendment embraced in this bill. I submit, Mr. Speaker, that we ought to pass it. I understand there are others that will discuss this matter; I will ask the Speaker to reserve the balance of my time. How many minutes have I, Mr. Speaker?

The SPEAKER. The gentleman's time has expired.

Mr. CORLISS. Then I will ask the gentleman from Illinois [Mr. CANNON] to let me have two minutes more by and by.

Mr. CANNON. Of course, there are other gentlemen who desire to be heard on this, but I will do the best I can for the gentleman.

Mr. LEWIS of Washington. I desire to ask the gentleman from Illinois who is controlling the time for the other side?

Mr. CANNON. I am yielding the time; I am going to try and hold the floor until I get a vote.

Mr. LEWIS of Washington. Then the gentleman controls the time on both sides?

Mr. CANNON. Having the bill in charge and it being the expiring hours of the session, I want as nearly as possible to divide the time fairly between those for and those against, but before my time expires I want a vote, I will say to my friend.

Mr. LEWIS of Washington. Then it is to the equity and justice of the gentleman from Illinois that those who favor the amendment must address themselves?

Mr. CANNON. If they speak in my time, they must get the time from me. Now, I will yield five minutes to the gentleman from Arkansas [Mr. DINSMORE].

Mr. DINSMORE. Mr. Speaker, I am opposed to this cable project. If for no other reason, on account of a fact suggested by the gentleman from Michigan [Mr. CORLISS] in his remarks. We are proceeding recently by progressive stages. It is proposed to build a cable to Honolulu, and the President has suggested, as stated by the gentleman from Michigan, that it will be necessary to extend the cable to Manila. Evidently this is a military project, a cable to be constructed for military purposes.

Mr. Speaker, the sundry civil appropriation bill, although it carries upward of \$80,000,000, contains but a small part of the increased appropriation which this Congress has added to the annual appropriations which we have had hitherto. They come here to meet military exigencies because we are making ourselves a military power. I hold that it is a solemn duty of this Congress before it expires to place upon record what the sense of Congress is upon the present duty of the United States in its present situation.

We should say what our purposes are with reference to the

future, with reference to a military government. We would like to know, the country would like to know, where we stand. In a speech by the President in Boston a short time ago he said that Congress would define our policy. The President, after speaking about what was necessary and proper to be done with reference to the Filipinos, said:

The whole subject is now with Congress. Congress is the voice and the conscience and the judgment of the American people; upon their judgment and conscience can we not rely? I believe in them, I trust them, I know of no better or safer tribunal.

That is, the "people" through their representatives here, the President says, and it is our duty to say what our policy is. And yet Congress has not spoken. There is a resolution now before the Committee on Foreign Affairs which defines what the policy of the United States shall be on this subject.

The minority have requested them to report that resolution to the House, so that it may act upon it. We have asked the honorable chairman to call the committee together so that it may consider and report that resolution, but he has refused to do so. We have been met with a refusal. We have asked the Speaker of the House to give us recognition to suspend the rules; and while we know that the Speaker is in sympathy with the resolution, still we have not been able to get recognition. In view of the evident desire of the Administration, he has felt impelled to refuse the House the privilege of expressing its will. I will read the resolution.

This resolution I introduced in the House by direction of the Democratic party in this body. It is the result of their deliberation and expresses the wish of the whole Democratic party in the country. First I will read the preamble of the resolution adopted by a Democratic caucus, expressing the direction, acting under which I introduced the resolution which is now pending before the Committee on Foreign Affairs, and which my colleagues and myself have sought by every means available to have brought before the House for its consideration and disposal. The preamble is as follows, the resolution following immediately thereafter:

We hold that the Constitution of the United States was ordained and established for an intelligent, liberty-loving, and self-governing people and can not be successfully applied to a people of different virtues and conditions. We therefore hold that a colonial policy is contrary to the theory of our Government and subversive to those great principles of civil liberty which we have been taught to cherish.

We believe, with the Declaration of Independence, that all governments derive their just powers from the consent of the governed, and we are unalterably opposed to the establishment of any government by the United States without the consent of the people to be governed. And, in conformity with these principles, we instruct the minority members of the Foreign Affairs Committee to introduce and urge the following resolution:

*"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over the Philippine Islands, and assert their determination, when an independent government shall have been established therein, to transfer to said government, upon the terms which shall be reasonable and just, all rights secured under the cession by Spain, and thereupon to leave the government and control of the islands to their people."*

In addition to the resolution read the Democratic caucus of the House adopted another resolution, which reads as follows:

We, the Democratic members of the House of Representatives in caucus assembled, commend the signal loyalty and valor of our soldiers and sailors in the performance of every military duty to which they have been assigned by proper authority, however much we deplore the policy of the Administration now directing their movements, and we pledge our hearty support and sympathy under all circumstances, wherever engaged.

Mr. Speaker, it is the duty of this Congress to declare what the policy of the Government is. We have been told that it is not yet known what we should do. Why not? The President says that Congress should say what is proper to be done, yet Congress will not speak. There is a solemn duty resting upon us. More is involved in it, Mr. Speaker, than any man may estimate. Why not declare a policy? Ah! what is the President's policy?

We have endeavored time and again to persuade gentlemen on the other side to announce it and they have not done so. We have given emphasis to our demand and they have not responded. Why not? The President has said it is the duty of Congress to determine what the policy shall be. Mr. Speaker, there is a policy. The fact that it is not declared is not because it does not exist, but because they are unwilling for the world to know their policy at this time. It is the policy which leads to the ultimate acquisition of the Philippine Islands, the destruction of their autonomy, and the setting up of American authority under military control.

The Administration has a purpose with reference to the Philippine Islands. The country should not be deceived. The reason why that purpose is not expressed and given Congressional sanction is because the Administration itself and its partisans in Congress are unwilling to have it known because they believe truly that the people of the country will not indorse it. Their purpose is to reach it by deception, by gradual stages, by placing the country in such an attitude that the ultimate acquisition of the Philippine Islands can not be avoided.

We have seen this practice resorted to with reference to other questions. It is but a repetition of the history of the money

question. The President himself favored the free and unlimited coinage of silver at 16 to 1. Other gentlemen upon the floor of this House, when the bullion-purchasing law was passed, congratulated the country that we were upon the threshold of free and equal coinage of silver and gold. Professing to be the friends of silver, they have by gradual process stricken it to the ground and shown themselves to be its unalterable enemies.

Mr. Speaker, we may expect the same course upon the question which the Administration refuses to give its views upon at this time. The President says it is for Congress to determine. Does he think for a moment that the country does not know what his desire is? He has said that "We do not want the islands, but what can we do?" He has said, "Who shall haul down the flag?" What did he mean except that where the American flag has once flown it must there abide as an emblem of the sovereignty of the American Republic?

In his recent visit to the South the President, after having warmed up the hearts of Southern men by saying pleasant things of dead Confederates, took advantage of the opportunity afforded to seek an apparent indorsement of his purpose to attach the Philippine Islands to the United States. In his speech at Savannah, he exclaims, if newspaper reports are to be accredited, "Shall we have a great Navy to protect our commerce?" and the exuberant Southerners cried out in response: "Yes!" "Yes!" "Then," said he, "let us have a commerce to be protected by our Navy." Did he not mean that we should extend our commerce by extending our territorial possessions in the East? He could have meant nothing else.

Again he told the beautiful story of the color-sergeant who with intrepid courage had advanced the colors forward of the line, and being ordered by his colonel to bring the colors back to the line exclaimed in reply, "Let the line come forward to the colors!" These warm-hearted Southerners in admiration of that color-sergeant cried aloud with wild huzzas, and the President flattered himself that he carried to the country their approval of his policy to advance the line of American dominion to where the flag floated over the Philippines, under the guns of Dewey and of Otis.

Mr. Speaker, we should be honest with ourselves and with the country. We are not playing the part of a dignified and great nation. The heart of the people is not with this spirit of conquest, and this is why we have been wholly unable to get the Administration and its representatives in Congress to declare a definite policy. We should deal directly with the people. We should speak without ambiguity or uncertainty, and in the name of the Democratic party, that with all its energy opposes the purposes of this Administration as outlined by the evidences, I demand that the Administration shall speak what it intends.

The President also said in his Boston speech:

The Philippines, like Cuba and Porto Rico, were intrusted to our hands by the war, and to that great trust, under the providence of God and in the name of human progress and civilization, we are committed. It is a trust we have not sought; it is a trust from which we will not flinch.

This is but a reiteration of the threadbare cry of "destiny," while unable to appeal to the judgment of men, to their reason, to approve of a condition which is the logical result of their own deliberate action.

Like cowards they throw themselves in the lap of Providence and say that He has thrust the situation upon them. Mr. Speaker, every martyr burned at the stake in the middle ages met this death under a false pretense of divine approval. Every Christian murdered by the hands of Mohammedan shed his blood as a sacrifice under decree of the Moslems' god. It is the refuge of cowards to shelter their error behind the throne of Providence. I have observed, sir, that when men have a virtuous deed to parade before the world they seek not to give credit to Providence, but claim it for themselves.

In the name of the people of the United States and in the name of the greatest conservator of their liberties, the Democratic party, I demand that Congress shall have the privilege of defining its will upon this great question and I demand that this shall be defined with reference to the welfare of the people of our own country first, whatever may result to the barbaric tribes of foreign isles.

**THE SPEAKER.** The time of the gentleman from Arkansas has expired.

**MR. DINSMORE.** I ask the gentleman from Illinois to yield me five minutes more.

**MR. CANNON.** At this stage of the session, and in view of the pressure of public business, I can not yield further.

**MR. DINSMORE.** I ask unanimous consent to extend my remarks briefly in the RECORD.

There was no objection.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12008)

making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes, had further insisted upon its amendments numbered 2, 3, 4, 6, 7, 8, 10, 21, 23, 24, 75, 76, 77, 88, 140, 145, 146, 158, 161, 163, and 164, disagreed to by the House of Representatives, asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. HALE, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1056) to provide for a public building at Cleveland, Ohio.

The message also announced that the Senate had passed a joint resolution (S. R. 259) for the appointment of Lyman B. Perkins, late of the Navy, to be passed assistant engineer; in which the concurrence of the House was requested.

The message also announced that the Senate had passed with amendments the bill H. R. 9428, "An act to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia," asked a conference on the bill and amendments, and had appointed Mr. McMILLAN, Mr. FAULKNER, and Mr. GORMAN as the conferees on the part of the Senate.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. I now yield to the gentleman from Washington [Mr. LEWIS] five minutes.

Mr. LEWIS of Washington. Mr. Speaker, some time since I observed in the public press a statement that "Mr. LEWIS of Washington arose and delivered a valedictory to the House." I do not know exactly what that meant. If it was meant to indicate that I had delivered that which I understand to be a valedictory—one's last speech—then the statement is a clear indication that that distinguished gentleman of the press who wrote the article did not know me, or did not know that I could never deliver my "last speech." [Laughter.]

Mr. Speaker, every once in a while there arise occasions when my constituents, as in the present instance, desire some means by which they may facilitate the communication of their intelligence to others. They now demand that I shall support such a measure for such an object. There are many reasons, Mr. Speaker, which may justify gentlemen who oppose this measure, but to me the necessity of the measure is clear and unmistakable.

We found it agreeable to annex Hawaii—against the judgment of many gentlemen here. I am one of those whose judgment at the outset did not favor the annexation. But as we have adopted the policy of annexing it, making it a part of our territory, it seems to me we would unjustifiably leave those people without appropriate means of communication if we should at this time decide that they are not to have a cable. As Congress will not reassemble until December next, there will in the meantime be no opportunity for this country to take official action upon the subject. In default of proper means of communication Hawaii will be many days distant from us, while other countries having the advantage of the cables will be practically in a position of contiguity.

Many objections have been urged against this measure upon various grounds, particularly that the Government ought not to go into this business; yet if I am not mistaken many of the gentlemen who make such arguments find it agreeable to support a projected scheme of subsidy by this Government in behalf of ship-owners for the purpose of stimulating the commerce of the seas and promoting commercial communication from the States of California, Washington, and other Pacific ports with Hawaii. These same gentlemen find it agreeable to support the proposition for building the Nicaragua Canal under the supervision and sole control of this Government. I am with them. I am unable to perceive any distinction which can justify my distinguished friends in supporting the first two measures I have just named, and at the same time opposing the one now under consideration for a Government cable.

Shall we have communication with Hawaii or shall we not? Shall this Government control the means of communication whereby it may ascertain the whereabouts of its war ships and keep abreast with the course of its governments or shall it not? If this question be answered in the affirmative, then the policy of our Government is to adopt such means as will enable it not only to control but actually to possess this means of communication and, by possessing it, control it exclusively against those who might desire to use it for their private ends at critical times.

Whatever objection I may have, Mr. Speaker, personally, to the form of the proposition, by the direction of the constituents that I have the honor to represent on this floor, who feel that this work is necessary for their welfare and to their prosperity, I trust, in their behalf, that the motion of my distinguished friend from Illinois will not prevail. [Applause.]

That is what I desired to say upon the question.

Mr. CANNON. I yield five minutes. Mr. Speaker, of the time remaining to me to the gentleman from Pennsylvania [Mr. GROW].

Mr. GROW. Mr. Speaker, I have but one rule to govern me with reference to the expenditures of public money, and that is, not to vote for any expenditure for any purpose which can be prosecuted reasonably well by individuals. There would be no end to expenditures of public money, if it is once commenced, for projects that can be as well or better performed by individuals. The Government can never do any business, no matter what, as well as it can be done by private individuals, if they are willing to put their money, their time, and their enterprise into it.

If the Government builds this cable line, it would have to operate it; have to provide for its support. It is precisely the same principle as would be involved in the building of a railroad.

A telephone, a telegraph, or a cable line can be built by private individuals, and operated better than it can be operated by the Government. There are many details of the work that would be difficult to regulate by law if the matter were under Government supervision. In the event of the construction of this cable by private corporation, the Government would still have the use of it in case of war. If war comes, the Government would take possession of it if necessary. There is no way to reduce governmental expenditures if the Government is to engage in enterprises which can be prosecuted reasonably well by individuals.

Mr. CORLISS. Will the gentleman allow me to ask him a question?

Mr. GROW. Certainly.

Mr. CORLISS. I would like to ask the gentleman, as between the proposition to build this cable line by the Government or paying a subsidy of over \$2,000,000 to a company, which would the gentleman select?

Mr. GROW. Of the two I should rather pay the subsidy. I think it would be better for the Government. I think it would be desirable even to pay the subsidy rather than to enter into a business enterprise which belongs strictly and should belong exclusively to private individuals.

If the Government undertakes to build this cable line, we have no means of knowing the cost, for it takes all the risk in its construction. There is no mode of determining what will be the expenditure in which we will be involved. The \$2,000,000 involved in the subsidy is a known amount and is spread over twenty years of time.

I have not risen, Mr. Speaker, for the purpose of discussing the details of this proposition, but I have only risen to speak of what I believe to be the proper policy to be pursued in these cases. I know no way of reducing expenses of the Government, which are now so large, except to vote against all enterprises involving public expenditures which can be properly carried on by private individuals and which properly belong to them.

Mr. CANNON. I yield five minutes or such of that time as he may desire to occupy to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. Mr. Speaker, I am opposed to this proposition to construct a cable to the Hawaiian Islands, because, in my judgment, the Government of the United States should not invade the domain of individual enterprise. As between the proposition which has been offered to subsidize a cable line to Hawaii and the counter proposition that the Government construct one of its own, I favor the construction by the Government. I do not believe in granting a subsidy for any such purpose.

If there is a necessity for a cable at all, it will be constructed by private enterprise. It will be constructed because it will pay the promoters of the enterprise and because there is a necessity for its construction.

Now, then, it has been suggested by gentlemen in this debate that this is a military necessity and that the cable must be constructed because of the demands arising from that source. I do not agree with that view. I am so much in opposition to it that I should be unwilling to see the Government's money expended for that purpose.

I do not desire, however, to enter upon the discussion of that question at this time, in the few brief moments at my disposal. Hawaii, it is true, is a part of the United States, we are interested in the islands, and we have a regular intercourse with them.

Those communications seem to be sufficiently close to answer every purpose of commerce and every function of government up to this time in connection with military or naval operations. That being the case, Mr. Speaker, I shall vote against the proposition to construct a cable at the expense of the Government, believing that individual enterprise at the opportune time will construct the cable and thus relieve the taxpayers from the \$2,850,000 carried by the Senate amendment.

Mr. CANNON. Mr. Speaker, how much time have I remaining? The last two gentlemen did not consume quite all their time.

The SPEAKER. The gentleman has thirty-two minutes remaining.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Kansas [Mr. SIMPSON] three minutes.

Mr. SIMPSON. Mr. Speaker, in the last session of this Congress I voted for the annexation of the Hawaiian Islands. I did so because I was persuaded that we ought to have those islands as a military necessity. Lying as they do on the great highway between America and Asia, nearly halfway between the two continents, the argument was offered that it was necessary to have those islands as a military station, as a great naval station.

Therefore, Mr. Speaker, I think it becomes absolutely necessary that the Government have a military cable. If we are going to have a great military and naval station there, I want to emphasize it again that it becomes absolutely necessary that the Government should own and control this cable, and I trust that gentlemen who are opposed to the Government owning these great public utilities, gentlemen whom I presume to be honest in opposing the principle of the Government owning telegraph and railroad lines, will not let that idea interfere with the passage of this amendment; because if those islands are going to be of any benefit to us on account of our having a great naval station there, we must have communication with that naval station by means of a military telegraph. Here is a proposition that the Government let the contract to the lowest bidder.

Mr. SPALDING. That the Navy Department shall build it.

Mr. SIMPSON. Well, so much the better, because I believe they can build it cheaper than anybody who can get the contract, because some favorite might get the contract at a larger price than he ought to have. Now, the Government builds the cable; and if I heard the reading of that amendment aright, it provides that this cable shall be constructed out of American materials made by American labor; and I hope and trust that our friends on the right side of this Chamber but on the wrong side of this question [laughter] will live up to their profession that they have been and still are the friends of American labor.

For this, I understand, is to be done by American labor, and I trust that the chairman of the Committee on Appropriations, who has talked so many times in the interest of the American laborer, will not desert him now in the time of his necessity, when he has a chance really to do something for him. I thank him for the time that he yielded to me.

Mr. CANNON. I yield two minutes to the gentleman from Ohio [Mr. LENTZ].

[Mr. LENTZ addressed the House. See Appendix.]

Mr. CANNON. I yield ten minutes to the gentleman from Iowa.

Mr. HEPBURN. Mr. Speaker, I do not believe that the House should agree with this Senate amendment. The subject of a Pacific cable is one that has received a great deal of attention in the committee of which I am a member. During the last four years a number of gentlemen versed in cable laying and operating have appeared before that committee, and given the committee, perhaps, all the information which was possible to get. I think we ought to have cable communication, not simply with Honolulu, but with Asia; but I am not willing to secure it by the means suggested in this amendment.

In the first place, I am utterly opposed to the Government going into this kind of business or engaging in any enterprise of this kind where it is possible to secure individual effort and success through individual effort.

Mr. GREENE of Nebraska. Will the gentleman yield to me for a question?

Mr. HEPBURN. Yes.

Mr. GREENE of Nebraska. Is there any difference in principle between the Government constructing this cable and the Government constructing the Nicaragua Canal?

Mr. HEPBURN. There is a great deal of difference.

Mr. GREENE of Nebraska. I mean in principle.

Mr. HEPBURN. The Nicaragua Canal can not be constructed by individual enterprise. [Cries of "Why not?"] Individual effort and endeavor never will go into that enterprise. If it is to be built, if it is a necessity, then it must be built through governmental aid. There is the same necessity for that that there was for the General Government thirty-odd years ago to aid in the construction of the Pacific roads. It would be better if individual capital had gone into that enterprise; but for twenty years the people have been waiting, and waiting in vain. The enterprise was too gigantic for the individual capital then in the country, just as the Nicaragua Canal is now. But in reference to this matter there is no necessity of that kind.

Mr. GREENE of Nebraska rose.

Mr. HEPBURN. I do not propose now to answer all the possible objections that may be made by the whole Populist party. I want to talk about something else. [Laughter.] Mr. Speaker, that is one of the reasons.

Mr. CANNON. I will ask the gentleman to suspend a moment until we can have order. I want to hear the gentleman.

The SPEAKER. The House will be in order.

Mr. HOPKINS. I want to ask my friend from Iowa a question.

Mr. HEPBURN. Certainly.

Mr. HOPKINS. Would not your principle require the carrying of the mails by private enterprise rather than by the Government as now operated?

Mr. HEPBURN. I think not.

Mr. CORLISS. Will the gentleman permit one question? Did I not hear the gentleman the other day advocate the construction of an armor-plate factory by the United States Government?

Mr. HEPBURN. Yes, sir.

Mr. CORLISS. Did you not—

Mr. HEPBURN. Simply for the reason that men have by combination made it impossible for the Government to get proper service at any reasonable price.

Mr. CORLISS. Is there not here a combination interested?

Mr. HEPBURN. No, sir; and I will show you that it is not, too, before I get through. That is what I am here for. [Laughter.]

Mr. Speaker, gentlemen must remember that the item provided for in this bill is but one item, and but one cable as the beginning of the expenditure. Here is the proposition to appropriate \$2,850,000 for the purpose of laying one cable between Honolulu and the Pacific coast. The gentleman knows that witnesses who testified stated that it was necessary, in order that business could be done with certainty and dispatch, that there should be a duplicate cable. Not only that, but every witness testified that the life of a cable was about twenty years. So, while you are providing for one cable, one strand, you must within the next twenty years provide for four. You must multiply the \$2,850,000 by 4 before you can ascertain what this enterprise is to cost.

Now, Mr. Speaker, this proposition is not affected as was the other that has been suggested to the House. There is capital, there are individuals ready and willing to enter upon this enterprise, not for a subsidy of \$3,000,000, as the gentleman from time to time has said. It is misleading. He is not ingenuous when he makes that statement. The proposal was that which was embodied in the bill proposed to this House—that a payment not to exceed \$100,000 should be paid to the corporation that would undertake this enterprise. For what?

Not for service between the Pacific coast and Honolulu, but for all of that service, and, added to that, all the Asiatic service. They were to be paid for twenty years, and after that the payments were to be suspended, but the service was to go on for all time.

Mr. CORLISS. Does the gentleman deny that the bill advocated by him on the 18th of January carried a specific appropriation for \$100,000 for twenty years?

Mr. HEPBURN. One hundred thousand dollars to be paid for twenty years; but the gentleman gave the impression that there was an appropriation for the gross sum of \$3,000,000, and that is a very different matter. He has studiously withheld the fact—never once has referred to it—that after the annual payments the service was to go on for all time.

Mr. CORLISS. If you will look at my remarks in the RECORD you will find to the contrary.

Mr. HEPBURN. To secure that, the Government was to give a lien on all the property and all the cables of the company. Now, Mr. Chairman, I think the cable ought to be built. I think it ought to be built, if it can be built, by American labor, from American materials, and through American capital. I will go that far with my friends on the other side. I do not know whether it can be; none has ever been made in the United States of this kind or character, but I do not doubt that it can.

But you must remember, Mr. Speaker, that I have not enumerated all of the cost. It has been shown, all the witnesses concur, that a vessel of peculiar make, unsuited for other uses, must be constantly kept for the purpose of frequent repairs. You must remember that perhaps there is no property in which man can invest more liable to deterioration, to harm, to destruction, than these cables stretching along upon the uneven bottom of the sea. There are precipices, mountain ranges, and often, we are told, a cable is suspended over a precipice, many thousands of feet in height, wearing against rocks and liable to be interfered with by animal life. It seems to me we ought to consider all these costs, probably certain, before we enter upon an enterprise of this kind.

[Here the hammer fell.]

Mr. CANNON. I will yield two minutes more to the gentleman.

Mr. HEPBURN. We are not only called upon to expend these sums, but one or two vessels are to be used, for how long I do not know, in making the necessary surveys. They cost something. They will make an aggregate of cost provided by this bill of at least \$3,000,000.

Mr. BARTHOLDT. Will not the private corporation be obliged to incur the same expense, and do they not do it for the purpose of making a profit?

Mr. HEPBURN. I believe they do for the purpose of making

prospective profits. I do not think anyone supposes that at first this will be a profitable enterprise. In time it will. Let me say further that I expect the corporations that propose to do this work for this sum expect subsidies elsewhere. They told us frankly that they did. At one time they expected \$40,000 from Honolulu and \$200,000 from Japan. They would not have thought of accepting \$100,000 and embarking in this enterprise if it had not been for the additional subsidies, they told us frankly, they expected to get from other nations.

If we appropriate and authorize this \$3,000,000, we certainly could not get that money for less than 4 per cent. We shall probably have to pay that, and there is \$120,000 for interest. One hundred and twenty thousand dollars, which we would pay each year for this service between here and Honolulu, while we are offered for \$20,000 less not only that service, but the added and more important service of the transmission of all our dispatches to the Asiatic coast. [Cries of "Vote!" "Vote!"]

Mr. CANNON. The gentleman from Ohio [Mr. LENTZ] desires leave to extend his remarks in the RECORD; and as I can not yield further time, I will ask that the gentleman from Kansas [Mr. RIDGELY] may have leave to print remarks in the RECORD on this subject.

There being no objection, leave was granted.

Mr. CANNON. Mr. Speaker, I desire to say only a few words, and then I will ask for a vote.

This is a proposition to build a cable at the expense of the United States Treasury from the Pacific coast to Honolulu. This is legislation which the Senate has put on a general appropriation bill by way of amendment. Now, if there were no other reason for opposing it, I would be against concurring with the Senate, because under correct parliamentary usage and with due regard to the rights of the House this bill is no place for such a proposition.

But there are other reasons. While some time, and I hope soon, a cable will be laid to Honolulu and beyond, it must be built after full consideration and legislation. Why, sir, what did we witness in this House a short time ago? The gentleman from Iowa [Mr. HEPBURN], the chairman of the Committee on Interstate and Foreign Commerce, and the gentleman from Michigan [Mr. CORLISS], a member of that committee, took the best part of a day debating and disagreeing about what legislation should be had upon this subject, and the House came to no conclusion.

Yet, notwithstanding the House under those conditions has failed to pass a bill, the gentleman from Michigan, true to his convictions, thanks God that there is a Senate which, in regard to this amendment, agrees with him. Well, I will let the Lord and the Senate and the gentleman from Michigan work the matter out. [Laughter.] I thank the good sense of the framers of the Constitution and the good sense of the House that we are able to keep our rules and our parliamentary practice consistent.

"But," says some gentleman, "why do you not discuss the merits of the cable?" Well, I have not been able to come to a conclusion under the lead of the Interstate Commerce Committee of the House, and they have not been able, and the House has not been able. That is the reason.

Now, one word in conclusion. We are not ready to adopt this amendment even if it were not upon this bill, for the reason that this proposed cable takes us only to Honolulu—a single cable, at a cost of \$3,000,000, and if, as claimed, a duplicate cable must be built, six millions.

Now, this project can wait until this House can come to a conclusion by a majority vote whether the best way is to spend \$6,000,000 directly out of the Treasury for that cable (which carries us not more than one-fourth of the way to Manila) or whether this cable can under proper legislation be laid to the better advantage of the Government by private companies.

But I say again, let that matter be as it may, this bill is no place for this proposition; and I ask the House in these closing hours of the session to vote down the proposition of the gentleman from Michigan to concur, and then vote to insist upon our disagreement, so that the question can be put into conference and this great bill be settled. I now ask for a vote.

Mr. BERRY. Did you not promise the pretty Kanaka girl that you took to dinner at the Loun, at Hilo, that you were in favor of a close connection between this country and the Hawaiian Islands? [Laughter.]

Mr. CANNON. The gentleman may understand my promises better than I do, but when he and I were down in Hawaii he was in that delightful condition that what he said himself he laid to somebody else. [Laughter.] I now ask the previous question.

Mr. CORLISS. I rise to a question of personal privilege.

Mr. CANNON. I want to get this bill into conference. I have treated my friend from Michigan with every possible courtesy, but I must insist now upon a vote.

Mr. CORLISS. I am not complaining of the gentleman from Illinois, but I insist that I have a right to reply to some remarks of the gentleman from Iowa.

Mr. CANNON. I move the previous question.

The SPEAKER. The gentleman from Illinois moves the previous question.

Mr. CORLISS. I rise to a question of personal privilege.

The question being taken, the previous question was ordered.

The SPEAKER. The question is now on the motion of the gentleman from Michigan.

Mr. CORLISS. I rise to a question of personal privilege. In view of the remarks of the gentleman from Iowa, a copy of which I now hold in my hand, I ask the Speaker whether it is not in order at any time for a gentleman to rise to a question of personal privilege?

The SPEAKER. Will the gentleman state his question of privilege?

Mr. CORLISS. The gentleman from Iowa in his remarks on this floor stated that I had studiously withheld the fact, and never once here referred to it, that after the twenty annual payments the service here is to go on for all time.

Mr. CANNON. I make the point that this is not a question of privilege.

The SPEAKER. The Chair thinks it is not a question of personal privilege.

Mr. CORLISS. In other words, the gentleman from Iowa asserted that I had attempted to deceive the House. I insist that such remarks should not be permitted.

Mr. HEPBURN. If the gentleman from Michigan has any such idea, I withdraw the observation.

The SPEAKER. The question is on the motion of the gentleman to recede and concur in the amendment.

The question was taken; and on a division (demanded by Mr. CORLISS) there were—ayes 77, noes 102.

Mr. CORLISS. Mr. Speaker, I ask for the yeas and nays; or first I will ask a vote by tellers.

The SPEAKER. The question is on ordering a vote by tellers. Tellers were not ordered.

Mr. CORLISS. Now, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were not ordered, there being 35 in the affirmative and 142 in the negative; the affirmative vote not being one-fifth of the whole number.

Mr. CORLISS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CORLISS. I would like to ask, Mr. Speaker, if a quorum has voted?

The SPEAKER. There was a quorum voting.

The question now is on the motion of the gentleman from Illinois [Mr. CANNON] to further insist on the disagreement to the amendment of the Senate.

The question was taken, and the motion was agreed to.

Mr. CANNON. I now move, Mr. Speaker, that the House agree to the request for a conference asked by the Senate.

The motion was agreed to.

Mr. PAYNE. Mr. Speaker, I desire to submit the following resolution, which I ask to have read from the Clerk's desk.

The Clerk read as follows:

*Resolved*, That it is the sense of the House that the conferees on the part of the House should not agree to the amendment numbered 88 in the sundry civil bill, increasing the compensation of the appraisers of customs at the ports of Boston, Philadelphia, Chicago, and Baltimore.

Mr. MOODY. Mr. Speaker, I make the point of order that the motion of the gentleman from New York is not in order. It is certainly not in order to instruct in such manner the House conferees.

Mr. PAYNE. I understand, Mr. Speaker, that the motion is in order, as a further conference has been ordered with the Senate.

Mr. MOODY. I am inclined to think, Mr. Speaker, that the motion is not in order, at least at this time.

The SPEAKER. The Chair would suggest to the gentleman from Massachusetts that the motion is in order now.

Mr. PAYNE. The amendment of the Senate refers to the salary of certain Government officials at Boston, Philadelphia, Baltimore, and Chicago, and the resolution I have offered simply instructs the conferees as to the views of the House on those increases.

A MEMBER. What is the increase?

Mr. PAYNE. Each of the four officials at the places named has an increase, as proposed by this amendment, of \$1,000 per annum.

Mr. FITZGERALD. Does the gentleman know the salary now received by the collector at Boston?

Mr. PAYNE. I understand that it is about \$3,000.

Mr. FITZGERALD. And what is the compensation at Chicago?

Mr. PAYNE. I have not the figures at hand and can not inform the gentleman exactly, but I think about the same.

But whatever the compensation may be, whether it be \$3,000 in the one case and \$6,000 in some of the other cases, as I think it is, this Senate amendment proposes an unusual and, in my judgment, an unnecessary increase. If these salaries are raised, the

salary of every assistant appraiser should be raised, on the same principle.

I am opposed to the adjustment of salaries by an appropriation bill, as in this case. These are matters of legislation that should be considered and acted upon by both Houses after due deliberation. I do not know of one single employee in the United States service who ought to have his salary increased or who is not receiving more than he would receive in outside business.

I am opposed to the policy, which has been more or less pursued in Congressional legislation, of allowing a little more salary here and a little more salary there, which proceeding savors largely of favoritism and does not subserve any public interest. Where salaries are manifestly too small, legislation can readily be passed through both Houses to correct the injustice.

I did not like that provision in the bill the other day that gave every Government employee five days more leave of absence every year with pay while he was away. I do not believe it is right. I do not believe we should go into that sort of business. In fact, I do not know of any salary that ought to be increased, except perhaps the salaries of a few judges and the salaries of the members of the House of Representatives and the Senate. I think they are the poorest paid for the work they do of any Government employees.

Mr. LEWIS of Washington. We are with you on that. [Applause.]

Mr. PAYNE. And I do know that most Government employees receive twice and some of them three times as much as the same men would get outside, and if they were absent a day they would have to lose their time in these outside institutions.

I hope the House will make this instruction.

Mr. CLARDY. I want to ask the gentleman a question.

Mr. MOODY. I should like to have five minutes.

Mr. PAYNE. I yield to the gentleman from Massachusetts five minutes.

Mr. MOODY. Mr. Speaker, in the very few words which I shall address to the House I do not desire to discuss the merits of this amendment. The only contention that I desire to make at this time is that the motion offered by the gentleman from New York [Mr. PAYNE] ought not, in justice to the members of the conference committee on the part of the House, to prevail. The Senate placed this amendment upon the bill in accordance with the rules of that body. The House conferees disagreed with the Senate amendment and reported the disagreement to the House, and under the lead of the gentleman from Illinois the House has insisted upon its disagreement and has agreed to the further conference asked by the Senate.

Now, the proposition of fact is just this, and upon that I shall say nothing except to state it: In the city of New York the chief appraiser gets \$6,000. In these cities named the chief appraiser gets \$3,000. The work is equivalent. It may be claimed that the pay ought to be equivalent, but I am not making any argument in regard to that. I do not like this method of legislating upon an appropriation bill. But we will meet that question when we reach it. I only want to state the exact question that is now before the House.

Now, the gentleman from New York [Mr. PAYNE], not content with the action of the conferees in disagreeing to this amendment and reporting their disagreement to the House, not content with the fact that they have asked the House to further disagree to this amendment and agree to the conference asked by the Senate, desires to bind the conferees upon this small item, the only one selected out of all those in disagreement between the two Houses.

Now, the gentleman from Illinois [Mr. CANNON] is a faithful public servant. He is certainly an economist. He certainly does not believe in agreeing to amendments that ought not to be agreed to. He has given no indication that he desires to do anything out of order. I do not know but he would consider this motion a reflection upon him and his colleagues upon the conference committee, of which I have the honor to be one. The only proposition I make is that the conferees ought not to be tied up. It is entirely unusual. The bill ought to go back to a full and free conference, and I think we can take care of it between the two Houses.

Mr. PAYNE. I yield three minutes to the gentleman from Illinois [Mr. HOPKINS].

Mr. HOPKINS. Mr. Speaker, in the time allotted to me I desire to say that I fully concur in the motion made by the gentleman from New York [Mr. PAYNE], and in giving expression to that sentiment I am making no reflection upon my colleague, the chairman of the Committee on Appropriations. In view of the numberless amendments that have been made by the Senate to this bill, I think that we are simply strengthening his hands by giving specific instructions upon some of these amendments of the Senate.

The gentleman from Massachusetts [Mr. MOODY] has said this is a small item. Why is it, Mr. Speaker, that Chicago is included in this? Has the appraiser asked for an increase of his salary? Has the appraiser in Baltimore asked for an increase in his salary,

or has the the appraiser in Philadelphia? Not at all. But because some individual in the city of Boston desires to have an additional thousand dollars of salary, an attempt is made to make a combination and to include a number of these appraisers in the various cities.

Now, I am opposed to that. My attention as a member of the Committee on Ways and Means has been called to the nature and character of the duties of these appraisers, and I say here \$3,000 is a sufficient salary for the appraiser in the city of Boston and \$3,000 is sufficient for the salary of the appraiser in the city of Chicago, and I trust that the members of this House, both Democrats and Republicans, will unite with my friend from New York [Mr. PAYNE] and give specific instructions to the chairman of this committee and aid him in his honest and patriotic effort against the looting of the Treasury in this manner. [Applause.]

Mr. PAYNE. Mr. Speaker, I yield to the chairman of the Committee on Appropriations [Mr. CANNON] such time as he desires.

Mr. DOCKERY. I wish to ascertain whether I understand the gentleman's proposition. As I understand it, the proposition of the gentleman from New York [Mr. PAYNE] is to instruct the House conferees to stand firm against a proposition to increase four salaries.

Mr. PAYNE. That is the substance of it.

Mr. CANNON. Now, Mr. Speaker, I will take but half a minute.

Mr. GREENE of Nebraska. Will the gentleman allow me to ask him a question?

Mr. CANNON. Remember, I have but half a minute.

Mr. GREENE of Nebraska. Do you think there would be any danger of these gentlemen resigning from those positions unless their salaries were raised?

Mr. CANNON. Well, I do not know about that. I know that there are probably 10,000 patriots out in my friend's district and mine—

Mr. GREENE of Nebraska. I was going to suggest that there were thousands in my district who would take their places.

Mr. CANNON. I do not know whether these appraisers are getting too much or too little. I know that that has been the salary for many, many years. Now, I think I know another thing—that if there is anything to be done in the interest of the public it would be to reform the customs service. They have gotten districts, I do not know how many; but you can not get rid of them, because they create these offices. Now, my judgment is, this salary ought not to be increased; but after all, if it is the judgment of the House, I have no objection to the House saying so, and then no doubt the conferees would voice the House. That is all I want to say.

Mr. PAYNE. Mr. Speaker, I ask for the previous question.

The previous question was ordered, and under the operation thereof the resolution of instructions was agreed to.

Mr. CANNON. Now, Mr. Speaker, I ask for the appointment of conferees.

The SPEAKER. The Chair appoints as conferees Mr. CANNON, Mr. MOODY, and Mr. McRAE.

JOHN B. TURCHIN.

Mr. BAKER of Illinois, by unanimous consent, obtained leave that the Committee on Invalid Pensions be discharged from the consideration of the bill (H. R. 5553) granting a pension to John B. Turchin, and to withdraw the bill from the files of the House.

WITHDRAWAL OF PAPERS.

Mr. BAKER of Illinois, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies thereof, the papers in the case of James S. Crawford, Fifty-fifth Congress, no adverse report having been made thereon.

LEAVE TO EXTEND REMARKS.

By unanimous consent, permission was granted to Mr. LENTZ to revise and extend his remarks made in the House on February 20, 1899, on the bill H. R. 12125.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CLARK of Iowa, for this evening's session, on account of ill health.

FUNERAL SERVICE OF LATE LORD HERSHELL.

The SPEAKER laid before the House the following communication:

DEPARTMENT OF STATE, Washington, March 3, 1899.

SIR: I have the honor to advise you, for the information of the House of Representatives, that it has been arranged to hold a funeral service for the late Lord Herschell at St. John's Church at 5.15 p. m. on Saturday, the 4th instant.

At the request of his excellency the British ambassador, the attendance of the members of the House of Representatives is respectfully invited.

Very respectfully, yours,

JOHN HAY.

Hon. THOMAS B. REED,  
Speaker House of Representatives.

Mr. PAYNE. Mr. Speaker, I understand there are one or two bills on the Speaker's table; after they have been disposed of I will move that the House take a recess.

ELIZABETH V. LITZENBERG.

The SPEAKER laid before the House the bill (H. R. 4838) granting an increase of pension to Elizabeth V. Litzenberg, with Senate amendments, which were read.

Mr. RAY of New York. I move that the House concur in the Senate amendments.

The motion was agreed to.

WASHINGTON PUBLIC LIBRARY.

The SPEAKER laid before the House the bill (H. R. 11712) to provide a site for a building for the Washington Public Library, with a Senate amendment, which was read.

Mr. MERCER. I ask unanimous consent to consider the bill just read.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the present consideration of the bill.

Mr. COX. Mr. Speaker, I object.

Mr. MERCER. Mr. Speaker, I move to suspend the rules and nonconcur in the Senate amendment and agree to the conference asked.

The SPEAKER. The gentleman from Nebraska moves, on the same bill, to suspend the rules, nonconcur in the Senate amendment, and agree to a conference.

The question was taken; and two-thirds (in the opinion of the Chair) having voted in the affirmative, the rules were suspended and the House nonconcurred in the amendment of the Senate and agreed to a conference.

The SPEAKER. The Chair appoints as conferees Mr. MERCER, Mr. GILLET of New York, and Mr. BANKHEAD.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 8 o'clock this evening.

Mr. BABCOCK. Mr. Speaker, there are some matters on the Speaker's table that can go to conference. Pending that motion, I would like to call up one District bill.

The SPEAKER. Does the gentleman withdraw his motion for a recess?

Mr. DOCKERY. What is it?

Mr. BABCOCK. They are little railroad bills.

Mr. PAYNE. I withdraw for the purpose of appointing conferees on that bill.

WASHINGTON AND GETTYSBURG RAILWAY COMPANY.

The SPEAKER laid before the House the bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend their line of road into and within the District of Columbia, with Senate amendments; which were read.

Mr. BABCOCK. Now, Mr. Speaker, I move to nonconcur, and agree to a conference.

The motion was agreed to.

The SPEAKER. The Chair appoints as conferees Mr. BABCOCK, Mr. CURTIS of Iowa, and Mr. RICHARDSON.

PUBLIC BUILDING AT TAMPA, FLA.

Mr. MERCER. Mr. Speaker, I offer the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 414, "An act to provide for the erection of a public building at Tampa, Fla.," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same with amendments striking out the word "three" and inserting in lieu thereof the word "two;" and the Senate agree to the same.

DAVID H. MERCER,

J. D. HICKS,

J. H. BANKHEAD,

Managers on the part of the House.

FRANCIS WARREN,

H. D. MONEY,

Managers on the part of the Senate.

The statement of the House conferees is as follows:

The House recedes from its disagreement to the amendments of the Senate numbered 1 and 2, and agrees to the same with an amendment striking out the words "three" and inserting in lieu thereof the words "two;" and the Senate agrees to the same, the effect of which is to increase the amount authorized by the act for the purchase and construction of said building from \$100,000 to \$250,000.

DAVID H. MERCER.

J. D. HICKS.

J. H. BANKHEAD.

Mr. MERCER. Mr. Speaker, I move that the House agree to the conference report.

The conference report was agreed to.

On motion of Mr. MERCER, a motion to reconsider the last vote was laid on the table.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 8 o'clock this evening.

The motion was agreed to; and accordingly (at 5 o'clock and 35

minutes) the Speaker declared the House in recess until 8 o'clock in the evening.

The recess having expired, the House at 8 o'clock resumed its session.

RENUMBERING OF CERTAIN PARCELS OF LAND IN THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the bill (H. R. 12184) to distinctively designate parcels of land in the District of Columbia for the purpose of assessment and taxation, with Senate amendments.

The Senate amendments were read.

Mr. BABCOCK. I move that the House concur in the Senate amendments.

Mr. PAYNE. I wish the gentleman from Wisconsin would explain what they are.

Mr. BABCOCK. Mr. Speaker, the purpose of this bill is to renumber lots in subdivisions and blocks where they have had duplicate numbers which has resulted in a great deal of difficulty and trouble in the tax collector's office. For instance, in block 5 there may be two lots numbered 3, and I am advised by the Commissioners of the District of Columbia that at this time many tax sales and many certificates are of these lots that have been sold owing to confusion of the numbers.

A particular Senate amendment strikes out a provision that before the deed goes on record there must be a certificate attached to the deed from the register stating that the description in the deed complied with the new numbers that will be placed on the different lots.

The Senate amendments were concurred in.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until half past 8.

The motion was agreed to; and accordingly (at 8 o'clock and 10 minutes) the House took a recess until 8.30.

The recess having expired at half past 8, the House resumed its session.

CRIMINAL CODE FOR ALASKA.

Mr. WARNER. Mr. Speaker, I present the following conference report on bill H. R. 8571, an act to define and punish crime in the district of Alaska. The report is lengthy, and I ask that the reading of the report be dispensed with.

The SPEAKER. Is there any statement of the conferees?

Mr. WARNER. There is no statement.

The SPEAKER. There should be a written statement accompanying the report.

Mr. WARNER. I will withdraw it and submit a written statement.

Mr. PAYNE. I suggest, Mr. Speaker, that the report be read, and then the House can determine whether it will insist on a statement.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 8571, "An act to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

The House agrees to all Senate amendments up to and including amendment numbered 112, with the following provisions: That whenever reference is made to sections in these amendments, there shall be added after the number of the section the words "of this title."

In amendment numbered 19, after the word "crime," in line 4, strike out all to and including the word "wife," in line 5.

In amendments numbered 55, 59, 68, 104, strike out the word "numbered" and insert in lieu thereof the abbreviated term "No. —."

Amendment 74, striking out the word "eleven," in line 6 of section 311, and inserting the word "seven," is also concurred in.

The Senate recedes from its amendment numbered 113.

The Senate recedes from its amendment numbered 114 and from all amendments to the end of the bill changing the number of the chapters.

The House concurs in Senate amendment numbered 115.

The Senate recedes from its amendment numbered 116.

The House concurs in the Senate amendment numbered 117, striking out the word "numbered" and inserting in lieu thereof the abbreviated term "No. —."

The House agrees to amendment numbered 118.

The House agrees to amendments numbered 119 and 120, striking out the word "numbered" and inserting in lieu thereof in each instance the abbreviated term "No. —."

The Senate recedes from its amendments numbered 121, 122, 141, and 148.

The House agrees to Senate amendments numbered 123 and 124.

The House agrees to the Senate amendment numbered 125 with the following amendments, to wit: In line 1 of section 457, after the word "the," insert the words "judge of the district court or the;" and in line 8 of said amendment, after the word "and," insert the words "he or;" and after the word "law," in line 17, page 23, insert the words "and the same may be modified or changed at any time by said judge or judges, with the approval of the Attorney-General;" and after the word "Oregon," in line 20, strike out all down to and including the last word of said section.

The House concurs in Senate amendments numbered 126, 129, 131, 134, 136, 137, 138, 140, 142, 143, 144, 145, 146, 147, 150, 151, and 162 without amendment.

The House agrees to the Senate amendment numbered 127, with the following amendment: On page 237 strike out all of line 18 in section 460.

The House agrees to the Senate amendment numbered 130, with the following amendments, to wit: On page 231, section 463, in line 1, after the word "license," add the letter "s"; in said line 1, strike out the word "herein-after" and insert in said line 1, after the word "for," the words "in this act;"

and in line 11, on page 232, after the word "thereof," insert the following: "And provided, That the clerk of the said court and each division thereof shall give bond or bonds in such amount as the Secretary of the Treasury may require and in such form as the Attorney-General may approve, and all moneys received for licenses by him or them under this act shall be covered into the Treasury of the United States under such rules and regulations as the Secretary of the Treasury may prescribe."

The House agrees to the Senate amendment numbered 132 with the following amendment, to wit: On page 233, in section 465, strike out the lines numbered 25 and 26; in line 27, page 234, strike out the word "sixth" and insert the word "fifth;" and in line 31, page 234, of said section, strike out the word "seventh" and insert the word "sixth."

The House agrees to the Senate amendment numbered 133 with the following amendment, to wit: On page 234, section 466, in line 3, after the word "minor," insert a comma and add the word "Indian;" and striking out all of said section after the word "drunkard."

The House agrees to the Senate amendment numbered 135 with the following amendment, to wit: In section 468, page 235, in line 27, strike out the word "pint" and insert the word "gallon."

The House agrees to the Senate amendment numbered 139 with the following amendments, to wit: On page 238, in section 472, line 7, strike out the word "five" and insert the word "one;" in line 9 of said page and said section strike out the words "six months" and insert the words "one month;" and in line 13 of said page and said section strike out the word "six" and insert the word "two."

The House agrees to the Senate amendment numbered 149 with the following amendments, to wit: On page 241, section 480, line 1, strike out the words "respecting the;" and in line 2 of said section strike out the words "sale or manufacture of intoxicating liquors;" and in line 3 of said section strike out the word "June" and insert in lieu thereof the word "July."

And the Senate agree to the same.

V. WARNER,  
HENRY R. GIBSON,  
JOHN W. MADDOX,  
*Managers on the part of the House.*  
GEO. L. SHOUP,  
THOS. H. CARTER,  
S. R. MALLORY,  
*Managers on the part of the Senate.*

Mr. PAYNE. It is evident, Mr. Speaker, that this report gives the House no light on the subject. I think I shall have to insist on a statement.

Mr. HOPKINS. I ask unanimous consent that my colleague [Mr. WARNER] be permitted to make a statement on the floor in lieu of the written statement required by the rules.

The SPEAKER. Is there objection?

There was no objection.

Mr. WARNER. In excuse for not having a written statement I will say that the conferees only finished their work a few moments since, and the enrolling clerks said they must have this bill within twenty or thirty minutes or it could not be enrolled in time to become a law at this session. For this reason I have been unable to write the statement.

The amendments proposed to this bill are immaterial throughout. Most of them are mere changes in the numbers of sections and chapters. The most material amendment is this: On the original bill we adopted the local-option high-license law of the State of Illinois. The Senate preferred the license law of the District of Columbia for the reason that it has been construed by the Federal courts. The conferees on the part of the House acceded to this amendment of the Senate, and it has been adopted instead of the Illinois law. That is all there is in it.

The bill as amended does not create a single new office or provide for a single new officer beyond what the original bill contemplated. It does not impose one dollar of additional expense. It is substantially the original bill, with the exceptions I have mentioned.

Mr. OTJEN. Substantially the bill as passed by the House.

Mr. WARNER. Substantially the original bill as passed by the House and sent to the Senate. I now ask for a vote.

Mr. GROSVENOR. Will the gentleman from Illinois allow me a moment?

Mr. WARNER. I yield to the gentleman.

Mr. GROSVENOR. Notwithstanding the crudities and errors in the code of Alaska, I think, in view of the fact that there can be no intelligent legislation upon any question in this House at this time, it is better "to take the evils we have than to fly to others that we know not of." Therefore, I am in favor of ratifying the action of the conference committee. [Cries of "Vote!" "Vote!"]

The question being taken, the report of the committee of conference was agreed to.

On motion of Mr. WARNER, a motion to reconsider the last vote was laid on the table.

#### REPRINT OF A LAW.

Mr. CURTIS of Kansas. I ask unanimous consent for the printing of 1,000 additional copies of public law 163.

Mr. BAILEY. I should like to know what that law is.

Mr. CURTIS of Kansas. It is the law for the protection of the people of the Indian Territory.

Mr. BAILEY. I think it very desirable that there should be a reprint of that law, because almost everybody in the Territory wants a copy of it.

Mr. RIDGELY. I hope no one will object to this request. I am having calls for this law every day and can not supply them.

The SPEAKER. Is there objection to the request of the gentleman from Kansas? The Chair hears none.

#### PAY OF HOUSE EMPLOYEES.

Mr. BULL. Mr. Speaker, I desire to present several privileged reports from the Committee on Accounts. I send to the desk a resolution reported by the committee which I ask may be read.

The Clerk read as follows:

*Resolved, That the Clerk of the House is hereby directed to pay, out of the contingent fund of the House, the sum of \$365.32 to Joseph H. Johnson, for services performed, under the direction of the Clerk, in the Clerk's document room, from July 9, 1898, to December 4, 1898, both dates inclusive; and the Clerk is hereby authorized to continue the employment of one folder in the Clerk's document room during the present session of Congress, to be paid out of the contingent fund, at the rate of \$75 per month.*

The question being taken, the resolution was adopted.

Mr. BULL. I am also directed by the committee to report the resolution which I send to the desk.

The Clerk read as follows:

*Resolved, That the Doorkeeper of the House be, and he is hereby, authorized to continue the eight additional folders now employed in the folding room and known as resolution folders for four months after the expiration of their present service, at a compensation of \$75 per month, to be paid out of the contingent fund of the House.*

Mr. RAY of New York. I should like to know from the gentleman who reports this resolution what occasion there is for continuing these folders for four months after the adjournment of Congress.

Mr. BULL. Mr. Speaker, there is a letter there from the Doorkeeper stating the necessity for these folders, and if any gentleman desires to have it read, I will ask the Clerk to read it.

Mr. LIVINGSTON. Mr. Speaker, I want to ask the gentleman offering the resolution if that is usual.

Mr. BULL. This is the usual resolution, and I would state—

Mr. LIVINGSTON. Is it usual to retain eight?

Mr. BULL. Usually there have been fifteen, and this is a reduction from fifteen. If this passes, the number of folders will be reduced by seven.

Mr. LIVINGSTON. Why do not you retain the other seven?

Mr. JOY. To save money for the Government.

Mr. PAYNE. I think the House commenced the reform a year ago—cutting off the seven men.

Mr. BULL. I move the passage of the resolution.

Mr. LOUD. I would suggest to the gentleman in charge of it whether it would not be better to have this run to the end of the fiscal year.

Mr. BULL. I am agreeable to that.

Mr. LOUD. I will offer that amendment, making it until the end of the fiscal year, instead of four months.

The SPEAKER. The gentleman from California offers an amendment to the resolution, which will be reported by the Clerk.

The Clerk read as follows:

*Strike out the words "for four months after the expiration of their present service," and insert in lieu thereof the words "until the end of the present fiscal year."*

Mr. BULL. I accept that, Mr. Speaker.

The amendment was agreed to.

The resolution as amended was agreed to.

#### DOCUMENT AND BILL CLERK.

Mr. BULL. There is another resolution which I wish to present. I ask for the reading of the report which embodies the resolution.

The Clerk read as follows:

*The Committee on Accounts, to whom was referred resolution No. 141, beg leave to make the following report:*

*Strike out, in line 10, after the word "year," the words "and that the Committee on Appropriations be, and is hereby, instructed to provide for the annual salary of said clerk for the next fiscal year in the legislative, executive, and judicial appropriation bill;" so that the resolution will read as follows:*

*"Resolved, That S. D. Newcomb is hereby appointed document and bill clerk at the Clerk's desk in the House, under the direction of the Journal Clerk, to examine for reference and identification all bills, resolutions, and petitions presented to the Clerk, and that the said clerk shall be paid for such services the sum of \$1,600 per annum. Said sum to be paid by the Clerk of the House of Representatives from the contingent fund of the House from December 6, 1897, until the close of the present fiscal year."*

*The resolution as amended met with the unanimous approval of the Committee on Accounts, and they recommend that it do pass.*

Mr. TALBERT. Mr. Speaker, I should like to ask if that is an entirely new office created, a new position?

Mr. LOUD. I will state for the information of the gentleman that this is a new office and it is not. There has been a person detailed at the desk for some time to perform this work, and he has been paid the difference between the salary that he was receiving in the place to which he was originally appointed and the salary of this position in the general deficiency bill.

Mr. MOODY. I should like to ask the gentleman from California if he is in favor of this proposition or not?

Mr. LOUD. Well, that ought not to be satisfactory to the House, Mr. Speaker, even if I am.

Mr. MOODY. It would be satisfactory to me.

Mr. LOUD. If there is any one extra place in the House of Representatives that is needed, it is this one, and I hope that the Committee on Appropriations will hereafter incorporate in their appropriation bill a provision for a clerk in this place. He is needed, and there has been a person appointed as a folder who has been detailed every year to do this work.

Mr. TALBERT. Mr. Speaker, it seems to me that this is an entirely unnecessary office. In every department of the Government in the city of Washington there are at least one-third more employees than are actually necessary. They are actually in each other's way, and it looks as though this House has gone wild in the way of appropriations and creating new offices for special individuals, and I think the time has come when we should call a halt.

In every department, as I have said, at least one-third of the employees ought to be turned out and the other two-thirds made to do the work.

Mr. LIVINGSTON. How about the members? [Laughter.]

Mr. TALBERT. The gentleman from Georgia can answer that question.

It seems to me as though the whole country wants to come in and feast and fatten upon Government pap. They come up and get in positions one day, and the next day they want their salaries increased. I think that we should call a halt. I am opposed to this resolution, and I hope, sir, that it will be voted down. It is unnecessary.

Mr. LIVINGSTON. I think, Mr. Speaker, that the gentleman from California stated this whole case in a nut shell. This is a work that has been done and paid for. It is a work that must be continued and must be paid for. Heretofore it has been paid for in a roundabout and indirect way, sometimes on an appropriation bill and sometimes in another way. This simply makes it definite and fixes it. The work must be done, and it must be paid for.

Mr. TALBERT. Mr. Speaker, I want to say that somebody has got to pay it. I do not hear anybody raise his voice here in favor of the taxpayers. The voices are all raised for the tax consumers.

Mr. TAWNEY. Can not the gentleman hear his own voice? [Laughter.]

Mr. TALBERT. The gentleman from Minnesota can answer that for himself. I want to hear somebody say something in the interest of the taxpayer, to protect them from this greed, which has seemed to take possession of the House here in these closing hours of the session. The House seems to be going at breakneck speed in the way of appropriations.

Mr. LOUD. Mr. Speaker, the great difficulty with the House of Representatives, when it has these spasmodic efforts of economy, is that it generally lights upon the most deserving case that is presented to it. We have been expending thousands and millions of dollars probably in directions where it would have been well for the voice of the gentleman from South Carolina [Mr. TALBERT] to have been heard in opposition. I will say to the House again that if there ever has been any expenditure of money authorized and warranted by any act of this body, this is more deserving than any that has come before it.

Mr. TALBERT. The gentleman from California alludes to me and says that I ought to have raised voice against some other appropriations. I will say to the gentleman that I am constitutionally opposed to appropriations except when they are necessary, and I have come here and opposed and voted against a great many of them. A great many times at midnight, nearly, when the gentleman from California was asleep, sweetly dreaming in fairy lands, I have stood up here and opposed the looting of the Treasury by bounty jumpers, coffee coolers, deserters, and camp followers.

Mr. PAYNE. This is a regular Friday night speech. [Laughter.]

Mr. TALBERT. The gentleman from New York has not attended regularly enough on Friday night, when he ought to have been standing by the soldiers, to know anything about my speeches. [Laughter.]

Mr. OLMSTED. Mr. Speaker, as a member of the Committee on Accounts, I want to add a word to what the gentleman from California [Mr. LOUD] has said. This matter has been thoroughly investigated by that committee, and all the members of the committee are in favor of the proposition, Democrats and Republicans alike. I consider it the most meritorious proposition that has been submitted to our committee.

I am just as much in favor of economy in the administration of public affairs as is the gentleman from South Carolina [Mr. TALBERT] or any other member on this floor, but the sentiments he has expressed do not fit this case. Here is a work which is in the nature of skilled work. It has been performed, and faithfully performed. It is in the interest and for the convenience of every member upon this floor that it shall be performed, and it has been well performed. No man without experience and special fitness could perform it as well. The salary of the gentleman who

has been performing it, in the place to which he has been assigned on the roll, is only \$60 a month.

He could not stay for that salary. He was promised that it should be brought up in this way to the amount named in this resolution. It has been done in this way year after year. It has been done in the interest of the public service and for the convenience of every member of this House. The work ought to be paid for.

When a measure comes up which it is proper to oppose, I shall be glad to join with the gentleman from South Carolina in the interest of economy. The principles he and I both advocate are more properly applicable to some of the items in these appropriation bills voting away hundreds of thousands of dollars for matters in which the Government has no interest whatever. This resolution simply provides for the just payment by the Government for services honestly and faithfully and well performed, as we all know, and I hope it will pass.

Mr. TALBERT. The work has been done heretofore for \$60 a month, and it is now proposed to pay \$150 a month.

Mr. OLMSTED. The gentleman is mistaken. The compensation provided in this bill is just what has been paid year after year, and the amount above \$80 per month has been covered each year by just such a resolution as this.

Mr. GROSVENOR. I want to point out to the gentleman from South Carolina [Mr. TALBERT] that it is hardly necessary for him to attack a little matter of this sort, in his own interest certainly, and possibly not even in the interest of the public. Now \$60 a month is very small pay for a clerk in this House. Eight thousand votes in a Congressional district are a very small matter to stand behind a Representative in Congress. [Applause and laughter on the Republican side.]

I hope my friend will understand that while he has all those votes—I suppose there is a population of some 170,000 there somewhere—I do not know where it is. But while he has all the votes except a few hundred mistaken, misled fellow-citizens whose votes have been scattered around on somebody else, it is not necessary for him, so far as he is personally concerned, to attack a little bit of an appropriation here on a motion of this sort. A cyclone might sweep through his district and yet he would be elected. Nobody doubts that. He has all the votes, and he has not very many at that. [Laughter.]

He is sound and all right on every one of these questions. Now, let us have a fair adjustment and a fair administration of the business of the House, and I am sure my friend, on further consideration, will withdraw his opposition to this matter and let it go through and take a great one where he may be imperiled sometime in the future—I think it will be a long time in the future.

Mr. TALBERT. Mr. Speaker, in reply to what the gentleman says—although really in everything he says here you can not tell whether he is a crow or a jackdaw talking from the voice. [Laughter.] I want to say that if the gentleman stands upon this floor and talks for political claptrap and plays the demagogue I have never attempted to do anything of the kind. [Laughter.] My record is that of an economist on this floor. [Laughter.]

I want to say further, that the gentleman need not go out of his way to insinuate anything in regard to the elections of the South or anywhere else. I want to say to the gentleman and to this House, say what you please, that what we have done we propose to stand by, and without any apology to make to a crow or a jackdaw or anybody else, and we will stand to it and see that it is carried out. [Applause.]

I would think the gentleman has been long enough on the floor that when he rises upon this floor he would address himself to the subject at hand instead of going out of his way and taking up side shows and making false statements, as he does upon nearly everything he talks about when he does talk to this House. [Laughter and applause.]

When the gentleman starts out, he is like the trail of a snake; you can not tell where he is going. He is like another little insect, that when you go out and see one you can not tell whether you have met him or overtaken him to save your life. [Laughter and applause.] I have never done anything to offend the gentleman, except on one occasion, when I gave him the name of Santa Claus, and I thought he had forgiven me for that long ago. I think the gentleman will now join me in opposition to this outrageous claim. [Renewed laughter.]

Mr. GROSVENOR. I do not wonder, Mr. Speaker, that the gentleman from South Carolina is a distinguished advocate of economy. The economy that has been manifested for a great many years in his district and the manner in which he gets his election is a sufficient indication that he is.

Mr. TALBERT. The gentleman from South Carolina is responsible for everything he does and says, and the difference between him and the gentleman from Ohio is he does not make a statement upon the floor one day that the gentleman from Kansas can get up and prove he has lied the next. [Hisses on Republican side; applause on Democratic side.]

Mr. GROSVENOR. I challenge the gentleman from South Carolina to make good his statement. That is a matter that gets a little bit serious; when he assumes on a little controversy on history and politics between the gentleman from Kansas and myself that I lied, he does that absolutely on his authority—

Mr. TALBERT. I simply did not call the gentleman's name. I have not said the gentleman lied. I only said I did not. Now you can make the most of it.

Mr. GROSVENOR. If you did say so—

Mr. TALBERT. I say if the cap fits the gentleman I can not help it. He must pull it down over his eyes. [Applause.]

Mr. GROSVENOR. The gentleman from South Carolina is solely responsible for what he has said, and the gentleman will not question my word.

Mr. TALBERT. I did not give the gentleman's name. I did not say that it could be proved not to be true even. I did not say that it was not true, and I do not say so now. You can not get me to take back my words, and crawl as you will.

Mr. GROSVENOR. Crawl! Did I ever crawl?

Mr. TALBERT. Few other people can do it.

Mr. GROSVENOR. When the gentleman says that the gentleman from Kansas, undertaking to contradict me on a question of politics and history, proved—

Mr. TALBERT. I want to say to my good friend, let us stop this foolishness—

Mr. GROSVENOR. I want to say to him—

Mr. TALBERT. Let us stop this foolishness and go to business. We are wasting time.

Mr. GROSVENOR. When he says that I lie, the gentleman from South Carolina must assume the responsibility of his assault or else withdraw it. Does the gentleman state that the gentleman from Kansas has proved I was a liar? Does he stand by that?

Mr. TALBERT. I did not say any such thing.

Mr. GROSVENOR. Then take it back.

Mr. TALBERT. I did not say any such thing, and I won't take it back, because I did not say it.

Mr. GROSVENOR. Then, if you did not say it, why do you repeat it?

Mr. TALBERT. In saying what I did I was not reflecting upon the gentleman or anybody else.

I said when I made a statement on this floor the gentleman from Kansas could not rise the next day and prove that it was false.

Mr. GROSVENOR (interrupting). Did you not assume the responsibility—

Mr. TALBERT (continuing). Now, if the gentleman takes that to himself, I am not responsible for it.

Mr. GROSVENOR. I do take it.

Mr. TALBERT. I disclaim saying anything disrespectful to the gentleman from Ohio.

Mr. GROSVENOR. Then why did you say what you did?

Mr. CANNON. Mr. Speaker, I want to ask unanimous consent that both gentlemen may have leave to withdraw from the RECORD the discussion of the last five minutes. [Laughter.]

Mr. BULL. Mr. Speaker, I call for the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. BULL. Mr. Speaker, I present the following resolution from the Committee on Accounts.

The Clerk read as follows:

The Committee on Accounts, to whom was referred resolution No. 300, beg leave to make the following report:

Strike out, on line 2, after the word "to," "continue Fred. W. Hedge" and insert in lieu thereof "appoint a;" so as to read:

"Resolved, That the Postmaster of the House be, and he is hereby, authorized to appoint a messenger in charge of the heavy mail wagon from March 4, 1899, to December 4, 1899, and that such messenger be paid by the Clerk of the House out of the contingent fund of the House at the same rate of compensation as now paid."

The resolution as amended met with unanimous approval by the Committee on Accounts, and they recommend that it be passed.

The resolution was agreed to.

Mr. BULL. Mr. Speaker, I present another resolution from the Committee on Accounts.

The resolution was read, as follows:

The Committee on Accounts, to whom was referred Resolution No. 305, beg leave to make the following report:

That the resolution be amended so as to read as follows:

"Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, one month's extra pay to J. E. Hall, assistant clerk to the Committee on Naval Affairs; H. H. Tedford, assistant clerk to the Committee on Interstate and Foreign Commerce; J. H. Garber, assistant clerk to the Committee on Military Affairs; and H. Brumm, assistant clerk to the Committee on Claims."

The resolution as amended met with the unanimous approval of the Committee on Accounts, and they recommend that it do pass.

Mr. RICHARDSON. Mr. Speaker, there was so much confusion on the floor that we could not hear the resolution. I would like some explanation from the gentleman.

Mr. BULL. The resolution places the four clerks mentioned in it upon the same footing as all the other clerks.

Mr. RICHARDSON. What four clerks?

Mr. BULL. The four clerks mentioned in the resolution.

The SPEAKER. Without objection, the resolution will be again reported to the House.

The Clerk again read the resolution.

Mr. RAY of New York. Mr. Speaker, I desire to inquire whether this provides an extra month's pay for all the assistant clerks?

Mr. BULL. It places these four clerks named in the resolution, who were appointed by resolution, on the same footing as the clerks who are appointed by the legislative appropriation bill.

Mr. RAY of New York. I desire to ask whether any provision has been made for the assistant clerks in the other committees?

Mr. BULL. This does not affect them.

Mr. RAY of New York. I want to say that the assistant clerk of the Committee on Invalid Pensions has been at work night and day, week in and week out, and I would like to know why that clerk is left out?

Mr. BULL. That clerk gets the extra month's pay under the law.

Mr. RAY of New York. If that resolution is to be debated here, I move an amendment to it, that the assistant clerk of the Committee on Invalid Pensions be included. I desire to say that we have had referred to that committee about 5,000 bills, and the assistant clerk to that committee has been at work night and day all through this session and all through last session, and must stay here a long time after the adjournment of this Congress.

Mr. LOUD. Let me say to the gentleman from New York that his assistant clerk has a regular assignment and is carried in the appropriation bill as one of the nineteen clerks. All the assistant clerks that are regularly assigned by resolution of this body are in the deficiency bill already provided for a month's extra pay. These four clerks are paid out of the contingent fund of the House. This resolution puts them on the same footing as the others.

Mr. RAY of New York. These are not regularly assigned clerks?

Mr. LOUD. No.

Mr. RAY of New York. Then, Mr. Speaker, I withdraw my amendment.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. BULL, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

Mr. BULL. I ask that the Clerk read the next resolution reported by the Committee on Accounts.

The Clerk read as follows:

Resolved, That the Clerk of the House is hereby authorized and directed to pay out of the contingent fund of the House to O. A. Harvey the sum of \$300, the same being the difference between his pay as a messenger at \$75 per month and that of a messenger at \$100 per month during the present Congress.

Mr. BULL. I call for the previous question on the adoption of the resolution.

Mr. RICHARDSON. I hope the gentleman will not move the previous question until he has told the House why it is necessary that this resolution granting increased pay to a House employee should be passed. Where the committee has considered a matter of this kind and unanimously agreed that the service rendered justifies extra pay I would not object, but I think when salaries are increased in this way we should have some explanation as to the necessity or justice of the increase.

I am not inclined to raise any issue with the Committee on Accounts when the members of the committee on both sides are unanimously of the opinion that the resolution reported is just and proper. Here is a man who appears to have served at \$75 a month, and the proposition is to increase his pay to \$100 a month. If there is any good reason for the increase I should be the last man to object to it. But I think there ought to be some uniform rule established, and that we ought to live up to it.

Mr. PACKER of Pennsylvania. Mr. Speaker, this officer was placed on the roll at \$100 a month, but through an error he was reduced to \$75 a month. For two months he drew \$100 a month, and then, through an error, his pay was reduced.

Mr. RICHARDSON. How reduced, and by whom?

Mr. PACKER of Pennsylvania. He signed a new pay roll through mistake. He was told that if he signed the new pay roll his pay would be the same as it had been theretofore. The object of this resolution is simply to give him the difference between the salary at which he was first appointed and the salary which was afterwards paid him through mistake.

Mr. RICHARDSON. May I ask whether this employee is on the Doorkeeper's roll?

Mr. PACKER of Pennsylvania. I suppose he is. He at first drew pay at the rate of \$100 a month, but, on signing a new pay roll, his pay was reduced \$25.

Mr. CURTIS of Kansas. As I understand, he was appointed to the position at \$100 a month?

Mr. PACKER of Pennsylvania. Yes, sir, and was entitled to draw that pay.

Mr. LOUD. Let me suggest to the gentleman from Pennsylvania that he should be entirely frank with the House. If this man has been on the Doorkeeper's roll, the Doorkeeper had the power of assigning or appointing him to such position as he saw fit. I know nothing about this case; but I have steadily and continuously opposed increases of this kind in what I suppose to have been cases of similar character.

Whatever position this man may have been originally appointed to—we will say it was at \$100 or \$150 a month; the amount is immaterial—the power that appointed him could reduce his pay, could appoint him to a subordinate position and appoint somebody else to the place that he had held. Such must be the fact of the case.

Mr. PACKER of Pennsylvania. I am informed and believe—and I speak just as frankly to this House as does the distinguished gentleman from California—that this man at first signed the pay roll at \$100 a month. He supposed he was to continue to draw that salary, which he did draw for two months; and then, through a misapprehension, he signed a new pay roll, in consequence of which this reduction took place.

Mr. LOUD. How could there have been any mistake? The gentleman must be familiar with the method of the payment of clerks and employees of the House. Let me say to the gentleman again in all fairness that if this gentleman was appointed to a place at \$100 a month and subsequently that place was given to somebody else, while he was assigned to a place at \$75 a month, that is a matter which was within the power of the Doorkeeper.

Mr. PACKER of Pennsylvania. I am not a veteran here, and can not speak in regard to the assignment of these places with the same familiarity as can the gentleman from California. But I know that an injustice has been done to this gentleman; that he has not drawn the salary that he was entitled to draw and that he did draw when he was first appointed. Who had the benefit of the difference between the amount he first received and the amount subsequently paid him I do not assume to say, but I do know that he expected to draw and did for two months draw \$100 a month; and he fully expected that his salary would continue at the same rate. I think he was entitled to receive that amount.

Mr. RIDGELY. Will the gentleman permit a question?

Mr. PACKER of Pennsylvania. Oh, I think I have explained the matter, but I will yield for a question.

Mr. RIDGELY. I simply wanted to know if this man continued to perform the same kind of work?

Mr. PACKER of Pennsylvania. He did.

Mr. RIDGELY. All the way through?

Mr. PACKER of Pennsylvania. Yes.

Mr. BULL. I move the previous question.

The previous question was ordered.

The resolution was agreed to.

On motion of Mr. BULL, a motion to reconsider the last vote was laid on the table.

EUDORA HILL.

Mr. SHERMAN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. SHERMAN. I desire to move to suspend the rules and pass the bill which I send to the desk. It is a House bill giving leave to an Indian woman to sell a portion of her allotted lands.

The bill (H. R. 10771) for the relief of Eudora Hill was read, as follows:

*Be it enacted, etc., That Eudora Hill, a member of the Wyandotte tribe, to whom was allotted the east half of the northwest quarter of section 19, in township 27 north, of range 24 east of the Indian meridian, in the Indian Territory, as a part of her allotment, be, and the same is hereby, authorized to sell, mortgage, transfer, or convey all her right, title, and interest in and to said land to whomsoever she may desire.*

Mr. SHERMAN. Mr. Speaker, this woman is a member of the Wyandotte tribe—

Mr. RICHARDSON. Is this a motion to suspend the rules?

The SPEAKER. It is.

Mr. RICHARDSON. I demand a second.

Mr. SHERMAN. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. SHERMAN. Mr. Speaker, this woman for whose relief this bill is introduced is a Wyandotte Indian woman owning certain lands in Montana. Because of the condition of the health of her husband she has been obliged to move to Colorado, and the bill simply gives her the permission, which she would otherwise not have, to dispose of the land or a portion thereof.

Mr. HULL. Will the gentleman yield for a question?

Mr. SHERMAN. Certainly.

Mr. HULL. Has this been considered by a committee of the House?

Mr. SHERMAN. It is unanimously reported from the Committee on Indian Affairs.

Mr. HULL. Of the House?

Mr. SHERMAN. Of the House.

The SPEAKER. The question is on suspending the rules and passing the bill.

The motion was agreed to.

Accordingly (two-thirds voting in favor thereof) the rules were suspended and the bill passed.

And then, on motion of Mr. PAYNE (at 9 o'clock and 27 minutes p. m.), the House took a recess until 10 p. m.

The recess having expired, the House, at 10 o'clock p. m., resumed its session.

PRINTING OF EULOGIES ON THE LATE NELSON DINGLEY.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the adoption of the concurrent resolution which I send to the Clerk's desk.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring). That there be printed 6,000 additional copies of the eulogies upon the late Nelson Dingley, a Representative from the State of Maine, 4,000 for the use of the House of Representatives and 2,000 for the use of the Senate.*

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12123) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, numbered 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 25, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 56, disagreed to by the House of Representatives, asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. QUAY, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 12102. An act to encourage the holding of the Ohio Centennial and Northwestern Territory Exposition at the city of Toledo, Ohio.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill of the following title:

H. R. 10204. An act relative to the control of wharf property and certain public spaces in the District of Columbia.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 710) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the accommodation of the Government service in said city.

The message also announced that the Senate had passed without amendment the bill (H. R. 1778) for the relief of Wesley Over, late of Company C, One hundred and ninth New York Volunteers, and Company G, Eighth Pennsylvania Cavalry.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8626) to punish the impersonation of weighmaster in the District of Columbia, and for other purposes.

The message also announced that the Senate had passed the following resolutions:

That the Senate has heard with deep responsibility the announcement of the death of the Hon. JOHN W. CRANFORD, late a Representative from the State of Texas.

*Resolved.* That a committee of nine Senators be appointed by the Presiding Officer to join the committee on the part of the House of Representatives to take order for superintending the funeral of the deceased and to accompany his remains to the place of burial in the State of Texas.

*Resolved.* That the Secretary communicate these resolutions to the House of Representatives.

And that in compliance with the foregoing the Presiding Officer had appointed as said committee Mr. MILLS, Mr. CHILTON, Mr. MORGAN, Mr. BERRY, Mr. FORAKER, Mr. PERKINS, Mr. CHANDLER, and Mr. MASON.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 414) for the erection of a public building at Tampa, Fla.

## DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I present a conference report. The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11083) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference, have been unable to agree.

WILLIAM W. GROUT,  
A. M. DOCKERY,  
*Managers on the part of the House.*  
W. B. ALLISON,  
S. M. CULLOM,  
F. M. COCKRELL,  
*Managers on the part of the Senate.*

Mr. GROUT. Mr. Speaker, the committee of conference have further considered the District of Columbia appropriation bill, and have made no progress whatever on the disagreeing votes of the two Houses.

The Senate conferees are unwilling to agree to the instructions under which we went over there relative to electric lights. They expressly stated that they never would agree to that, and of course the House conferees felt that they could do nothing but bring the proposition back for the consideration of the House.

Mr. HOPKINS. Mr. Speaker, I should like to ask the gentleman a question.

The SPEAKER. Does the gentleman from Vermont yield to the gentleman from Illinois?

Mr. GROUT. Certainly.

Mr. HOPKINS. I should like to ask the gentleman whether he thinks, if the House conferees were discharged and a new set of conferees were appointed, that any better progress could be made with the Senate?

Mr. GROUT. Well, that is hardly a question for me to answer, Mr. Speaker.

Mr. HOPKINS. I wanted to challenge the gentleman's attention to the fact that on this electric-lighting business of which he speaks, as I remember his position, he was in accord with the Senate.

Mr. GROUT. Not at all, Mr. Speaker. The gentleman did not correctly understand me.

Mr. HOPKINS. If I have done the gentleman an injustice, I am sorry for it. That was the impression I had; and if no progress has been made, it seemed to me that we ought to have somebody on the committee who would carry out the views of the House and reach some conclusion. [Applause.]

Mr. GROUT. Now, you shall see how unadvisedly the gentleman speaks—

Mr. PAYNE. I want to ask the gentleman a question.

Mr. GROUT. Certainly.

Mr. PAYNE. Is it a fact that the amendment reduces the price of electric lighting here to general consumers from 15 cents to 8 cents?

Mr. GROUT. That is the proposition; yes, sir.

Mr. PAYNE. Or, in other words, cuts the compensation in two?

Mr. GROUT. Not quite, but nearly so.

Mr. BABCOCK. No; it does nothing of the kind.

Mr. PAYNE. Does it reduce it from 15 cents to 8 cents?

Mr. BABCOCK. It does in some cases, and in others it increases it from 4½ cents to 8 cents. In some cases it reduces it from 15 cents to 8 cents, and from 12 cents to 8 cents. In others it increases it from 7½ to 8.

Mr. GROUT. Mr. Speaker, the gentleman from Wisconsin can not mean that. It did not raise any rate. It fixes a maximum rate. They have special rates for large consumers always, as in the Treasury Department and elsewhere, a low rate. He does not mean that it raises the rate anywhere. Now, unless the gentleman from New York wants to ask a question—

Mr. PAYNE. I do. I would like to know on what basis the House acted when they decided that the present rates were double what they ought to be, whether there was any investigation as to the earnings of the company, the profits of the company, the cost of the electricity, or any question of that kind? Was any such thing decided or presented to the House, or did the House vote without that information?

Mr. GROUT. No such data were presented or considered, I will state for the information of the gentleman.

Now, with reference to my friend behind me here, the gentleman from Illinois [Mr. HOPKINS], who speaks about the House conferees agreeing with the Senate, I will ask him, did we not bring in a disagreement with the Senate amendment? Most assuredly we did.

How, then, can the gentleman say that the conferees are agreeing with the Senate? Did we not expressly say that we would not agree to the proposed extension of conduits unless the rates were reduced from what they now are? Why does the gentleman then say we are agreeing with the Senate conferees? How

much better it would be to be more fully informed, or else to speak more cautiously, one or the other.

I want to say further, Mr. Speaker, that we carried the instructions of the House over to the Senate conferees, and that we stood by them notwithstanding their persuasion to get us to agree upon some other proposition.

We said, "We are the agents of the House, and we bring this proposition to you." They simply repudiated it absolutely and completely. What else could the conferees do but bring the proposition back to the House?

Mr. CANNON. Now will my friend allow me to ask him a question. I understand the instructions of the House are \$75 for arc lights.

Mr. GROUT. Seventy-two.

Mr. CANNON. Six dollars a month for arc lights, and not exceeding 8 cents per thousands watts for incandescent lights?

Mr. GROUT. That is right.

Mr. CANNON. You have been unable to get an agreement in accordance with the provisions of the instructions of the House. I want to ask the gentleman whether they are unable to get an agreement to strike it all out?

Mr. GROUT. That was proposed by my associate on the conference committee [Mr. DOCKERY].

Mr. CANNON. And you were not able to agree?

Mr. GROUT. They were unwilling to strike it out.

Mr. CANNON. I want to ask my friend whether he thinks, if this instruction was taken off, he could get an agreement that is reasonable?

Mr. GROUT. I do not know whether it would be reasonable or not, but something like one or two points higher per thousand watts. Nothing has been expressly said that the Senate would agree to 10 cents per watt hour; but there is another feature to the instructions given to which the gentleman has not alluded here. It imposes a tax of 4 per cent on the gross earnings, and that they repudiated altogether as not to be considered at all.

Mr. CANNON. Now, then, I want to ask my friend further, because I know his familiarity with this bill, and his fidelity to the instructions of the House, and his ability as its representative—I want to ask him whether, in his opinion, the conferees should be sent back to the Senate without instructions, to make such an agreement as they saw proper for the consideration of the House?

Mr. GROUT. Well, Mr. Speaker, that is a delicate question to answer. I think if we were not bound by instructions—I will speak for myself—I should be inclined to agree upon a rate upon incandescent current somewhat larger than 8 cents.

Mr. GAINES. About how much larger?

Mr. GROUT. Possibly 2 cents larger; not exceeding 10 cents for that current anyway, I will say; and I do not know that I would that. I can hardly tell. If the Senate would yield to 9 cents, I would try to get it; but I hardly think they would yield.

Mr. GAINES. Will the gentleman yield to me for a question?

Mr. CANNON. Before that I want to say, in my judgment, that at this stage of the Senate the instructions given to the House conferees ought to be rescinded. I know them both, and I am not afraid, so far as I am concerned, to trust them, they knowing what the temper of the House is; and under existing conditions I believe they ought to be sent back without instructions.

Mr. GAINES. Now, will the gentleman from Vermont yield to me for a question?

Mr. GROUT. I yield to the gentleman.

Mr. GAINES. You remember, in the course of the former debate on this question, some valuable data were brought out by the gentleman from Wisconsin [Mr. BABCOCK]. He told us that they were authentic and official. Now, did you carry those data into the committee and discuss it?

Mr. GROUT. I said before the arrival in conference of the gentleman from Missouri [Mr. DOCKERY]—he was a little late—what was stated here on the floor when we brought in the other report. I stated to them further facts which had come to my knowledge which would carry the rates even below what the gentleman stated on the floor.

Mr. GAINES. Below what the gentleman from Wisconsin has said?

Mr. GROUT. Yes, sir.

Mr. GAINES. What objection did they have to this?

Mr. GROUT. They said, "It is not a conference, but you have come over here with an ultimatum."

Mr. GAINES. Did they have any facts?

Mr. GROUT. They said it was only the opinion or statement of some one who knew no better about it than they did.

Mr. GAINES. A mere dictum on their part without any facts.

Mr. GROUT. Now I yield to the gentleman from Wisconsin [Mr. BABCOCK].

Mr. BABCOCK. Mr. Speaker, the Senate amendment does not raise the question of rates or price for electric lighting, but what

they propose to relinquish is the one thing that Congress has held sacred and distinct for a hundred years, and that is the control of the streets of the city of Washington.

The combination which is about to be formed of the electric-light companies and other corporations of the city of Washington is asking you to vote to-night to give them the right to extend their conduits in any street, alley, or public park in the city of Washington.

Now, that proposition the House meets with a counter proposition, "Gentlemen, if you want these rights, if you want us to give you all the privileges we have to give, then make rates that will protect the public." Now, what are proper rates? I do not concede that this is the proper time, I do not concede that this is the bill, in which this matter should be considered.

But the difficulty is that this same question has been on every appropriation bill since I have been in Congress, and it was only when I appealed to the Appropriation Committee here and asked them to eliminate and let the gas question alone that the Committee on the District of Columbia succeeded in reducing the price of gas to \$1.10 and \$1 per thousand.

Now, I will show you what they are getting for electric current in the city of Washington, and then, gentlemen, you can judge whether these rates are enough or not. It was shown on the floor of the House, from the books of the gas company, by their own sworn statement and their own figures, that it costs them 68 cents per thousand to make, distribute, and deliver gas.

You authorized them to charge \$1.10 for five years, and at the end of five years to reduce to \$1 per thousand. Now, under this provision, you gave them an advance of about 50 per cent over the cost. What is the cost of the electric-light current? The Potomac Company bid on and secured the contract for lighting the Treasury Department at 4 cents per thousand watts.

Mr. GROUT. Four and a half cents.

Mr. BABCOCK. The gentleman from Vermont says 4½ cents, and I accept the correction, but that is not material. This was a lower bid than that put in by the other company, and what did they do? Did they furnish the current?

No. They sublet the contract to the United States Electric Light Company for a less sum, and the Potomac Company is collecting the money from the Government and paying the United States Company for a current furnished at a less sum than 4½ cents, and putting the profits in their pocket.

Now, I submit this proposition to the House: If the electric current is worth 15 cents, why should the United States Company take a subcontract at a less sum than 4½ cents?

Another statement which I did not care to make on the floor: It is private, coming from the books of a large corporation here, and I hoped that I would not be forced to make it; but in the construction that is now about completed, a great plant is being built by the United States Electric Light Company at an expense of more than \$400,000. They have one of the greatest consulting engineers in the United States, Mr. Frank Sargent, of Chicago, who constructed the electric-light works for the World's Fair and other great institutions in different parts of the United States.

Now, in the contract made with Mr. Sargent, which is a written contract, he has 5 per cent on the cost of this construction, and he enters into a guaranty to furnish electric currents at a cost of less than 2½ cents per thousand watts.

This includes the coal, the labor, and all the expenses necessary in developing this current, except the interest on the plant and the fixed charges, like taxes and matters of that kind.

Mr. CANNON. Does that include wear and tear?

Mr. BABCOCK. No, sir; it does not.

Mr. CANNON. I want to say, if my friend will allow me, right there—

Mr. BABCOCK. If the gentleman will wait a moment, I will be through.

Mr. CANNON. It was at this point that I wanted to say what I have to say. While I have not a great familiarity with the matter, I think I have enough familiarity to know that that statement as to the cost is absolutely misleading. I want to state to my friend, further, that while I have given no particular attention to this investigation in connection with Washington, yet with the price of coal as I understand it to be here, and considering the wear and tear, it can not be produced for three times that amount.

Mr. BABCOCK. The gentleman from Illinois is making a statement that is entirely wild; and I made my statement from facts and figures. This statement is based on coal at \$9.14 a ton, and based upon the usual price paid for employees connected with such an establishment, and all other necessary expenses, excepting fixed charges like wear and tear and interest on the plant, which would not be an item to exceed 10 per cent.

Another word right here. This is the limit—2½ cents per thousand watts. But the gentleman says that he will produce it for less than 2 cents—that the plant will do it for less than 2 cents.

But I will concede that that estimate is 50 per cent out of the

way, and then it would make only 3½ cents. The limit in the instructions to the conference committee is 8 cents; that is more than 100 per cent profit, and out of that must come the interest on the plant, also wear and tear, as the gentleman from Illinois says.

Mr. GAINES. How much did you put the coal in at?

Mr. BABCOCK. Two dollars and fourteen cents per ton.

Mr. GAINES. And we have got mountains of it in Alabama and Tennessee for 80 cents a ton. [Laughter.]

Mr. LIVINGSTON. And it would cost \$3 to ship it here.

Mr. BABCOCK. There is another question this House should consider. I am advised that the maximum rate for one company is 12 cents and the other company is 15 cents, and that contracts are made all the way from 4 cents to 15 cents.

Now, Mr. Speaker, I submit to this House that we represent the interest of 300,000 people in the District of Columbia, and is it any reason that this company of its own choice should furnish the Government current at 4 cents and charge the private consumers almost four times as much?

Now, we have provided in a previous law that the Government should have gas at 10 cents a thousand less than private consumers, which the committee considered a sufficient reduction for large consumers.

Mr. CURTIS of Iowa. Will the gentleman from Wisconsin allow me an interruption in order that the House may understand this question? It is said that certain consumers are supplied at 4½ cents.

I think the gentleman should inform the House that that is for light by day and not for light by night.

It is admitted on all hands, I believe, that an electric-light company or a gas company is able to supply light during the day at a very much less price than during the night.

Mr. BABCOCK. Electric lights are burned at the Capitol and in other buildings, of course, during the day. But it costs so many pounds of coal to develop a horsepower. One horsepower is equivalent to 760 Watts; and whether the light is furnished during the day or during the night, it takes just so much energy to produce the required current.

Now, Mr. Speaker, we have a duty to perform here. The House is not asking anything, but the Senate comes to us with a proposition to give away all the rights that have heretofore been secured to the Government in our streets. And after we do that, how shall we be able to secure proper rates?

A MEMBER. If nothing be done, what will be the result?

Mr. BABCOCK. Present conditions will exist.

Now, the point I make is just this, that we must insist upon present conditions until proper legislation is enacted or else abandon our right to the control of these beautiful streets.

Mr. PAYNE. Will the gentleman read to the House the language in which, as he states, Congress is asked to give up all the rights we have in the streets of the District?

Mr. BABCOCK. The amendment incorporated in this bill is but one portion of the amendment proposed to be put on in the Senate. I have a copy here. It has been reported in the Senate.

Mr. PAYNE. How can the Senate put anything more in the conference report than is there now?

Mr. GROUT. I think I can explain that matter. This amendment is for the benefit of the United States Electric Lighting Company, which has conduits down that are too small. The company wishes to take up those conduits and enlarge them.

As an illustration of the situation, I explained to the House, when this matter was up before, the company can not at present carry a strong enough current into the Arlington Hotel to light it fully. As the law now stands the Potomac Company can not get in there at all.

Now, it is proposed to let the United States Company come in and lay larger conduits and carry larger currents of electricity. But the House conferees say that we should not extend their rights in any way until proper rates are fixed; that when such rates are fixed these new privileges should be extended to both companies. That is the position of the House conferees in this matter.

Mr. GAINES. But the gentleman from Wisconsin stated that these companies were all going to consolidate.

Mr. BABCOCK. Mr. Speaker, I want to add one thing more. As I have already said, Congress for more than one hundred years has jealously guarded the right of the Government to these streets. They belong in fee simple to the United States Government, not to the District of Columbia.

The privileges which are asked by these companies would, if put up at auction, bring \$1,000,000 in gold to-day.

Mr. WM. ALDEN SMITH. I desire to ask the gentleman a question.

Mr. BABCOCK. I yield for a question.

Mr. WM. ALDEN SMITH. This is a proposition, as I understand, to allow this company to lay certain conduits—

Mr. BABCOCK. All companies.

Mr. WM. ALDEN SMITH. And now you propose to safeguard this franchise by fixing a maximum limit on the charges for electric-light service—

Mr. BABCOCK. That is it.

Mr. WM. ALDEN SMITH. And a failure on the part of the House and Senate to agree would leave the streets unoccupied for the purposes proposed, and no detriment would result to the people.

Mr. BABCOCK. Certainly—none whatever.

Mr. GROUT. They would not have the electric-light service.

Mr. WM. ALDEN SMITH. And they now have some?

Mr. GROUT. Yes, in a limited way, but desire it in a much larger way.

Mr. HOPKINS. Then the gentleman in charge of the conference report agrees with the conclusion expressed by the gentleman from Wisconsin that if the House adheres to its instruction to the conferees and the Senate fails to assent the only harm will be that the people who do not now have electric-light service will not get it.

Mr. GROUT. It leaves matters just as they are now.

Mr. COWHERD. The gentleman in charge of the bill has said that one measure particularly objectionable was the 4 per cent tax on gross receipts. I would like to ask whether this company is now paying any tax to the District of Columbia, except such as may be paid on the real estate it owns?

Mr. BABCOCK. I understand the tax paid is very small. But I do not think it so important that that provision should be retained in the bill, because we can regulate that matter hereafter; but in view of the rumored consolidations about to take place, I believe, as I said here yesterday, that this is the last opportunity Congress will have to fix the rates for electric-light service in the city of Washington.

Mr. GROSVENOR. I want to ask the chairman of the committee if it be a fact, as he has apparently and to me satisfactorily demonstrated, that the rate paid to these companies is far beyond a reasonable rate, and, in view of the fact that they refuse to be competitors and are in effect a combination, whether it would not be the part of wisdom for the Committee on the District of Columbia to provide for the lighting of this city by a plant organized by the Government?

Mr. BABCOCK. I believe it would, and I have advocated that for years—the purchase of the Great Falls water power and the establishment of a plant of our own.

Mr. GROSVENOR. Then is it not best now not to commit to these companies any permanent contract, or price, or franchises whatever, and next December to take hold of it and see whether we can not operate a model organization of this kind in the District of Columbia?

Mr. BABCOCK. I believe that is correct. [Applause.]

Mr. GROUT. Now I yield to my colleague on the committee [Mr. DOCKERY].

Mr. DOCKERY. Mr. Speaker, I have been able to hear but little of the debate on the other side. The confusion has been so great that it has not been possible to hear.

I think my friend from Illinois [Mr. HOPKINS] unintentionally did the gentleman from Vermont [Mr. GROUT] an injustice. The gentleman from Vermont and myself differ as widely as the poles on political questions, but upon all these matters relating to the regulation of corporations in this District and the fixing of rates he has always stood for the interest of the people and the interest of the Government.

There is a controversy between the Senate and the House. The Senate offers a proviso which gives to the United States Electric Lighting Company the privilege to repair, enlarge, and extend their conduits. The effect of the proviso is obviously in the interest of the United States Electric Lighting Company. Whatever privileges are just should be granted alike to both of the companies operating here.

Now, then, these companies desire to secure certain privileges that they do not now enjoy—the enlarging and extending of their conduits. Coming to Congress and asking privileges, Congress should demand of the companies a reduction of the exorbitant rates they have been charging the people of this city and the Government.

I think it will facilitate an agreement on the bill if the House should release the conferees from this instruction.

Mr. HULL. Will the gentleman yield for a question?

Mr. DOCKERY. I will.

Mr. HULL. The gentleman has had large experience on conference committees. Is not this the rule on all conference committees, that the House proposing new legislation on an appropriation bill must recede if the other House stands firm?

Mr. DOCKERY. That is true.

Mr. HULL. Then why not let them recede from their amendment and leave this question as it was before?

Mr. DOCKERY. The House conferees will undoubtedly adhere to that position, as we have already, unless we can secure reason-

able rates for the Government and the people. These companies desire the privilege of enlarging and extending their conduits so as to enlarge the scope of their business and increase their profits.

Now, I am quite willing that this privilege should be accorded to both the companies, provided we can secure an agreement at the same time to a reduction of rates. Of course, if we can not secure a satisfactory reduction, then the Senate amendment must fail, under the rule to which the gentleman from Iowa [Mr. HULL] has referred.

Mr. RIDGELY. Will the gentleman allow me to ask him a question?

Mr. DOCKERY. Certainly.

Mr. RIDGELY. Does not our House provision require a tax on the earnings to be paid into the Treasury?

Mr. HULL. The instructions require that.

Mr. RIDGELY. Is there not an instruction to that effect?

Mr. DOCKERY. There is.

Mr. RIDGELY. What is that provision?

Mr. DOCKERY. Four per cent.

Mr. RIDGELY. On the gross earnings or the net earnings?

Mr. DOCKERY. On the gross earnings.

Mr. RIDGELY. And the Senate is unwilling to concede that.

Mr. DOCKERY. The Senate is unwilling to concede that.

Mr. RIDGELY. Do you think the House ought to remove that instruction from the committee?

Mr. DOCKERY. Well, I think if we want to pass this bill before noon to-morrow, there must be some concession.

Mr. RIDGELY. Do not you think possibly we had better not pass it and wait until next December than to yield everything?

Mr. DOCKERY. Well, yes, if we have to yield everything, perhaps I would take that position, but that is not the issue.

Mr. RIDGELY. That is my position exactly.

Mr. UNDERWOOD. As I understand the question asked by the gentleman from Iowa, if the House stands firm on this proposition the Senate amendment goes out and the bill does not fail.

Mr. DOCKERY. Why, certainly.

Mr. UNDERWOOD. Then does not the gentleman from Missouri think it is better, on as important a question as this to the people in this District and to the taxpayers, that we should let it go out until we have more time to consider it, than to make an agreement in the closing hours of the Congress, when we can not be fully informed and it can not be fully understood?

Mr. DOCKERY. I will state very frankly that under ordinary circumstances I should say to the Senate, "You must yield as to this amendment;" but I feel sure that unless we avail ourselves of this opportunity to secure a reduction it will be years before Congress secures a reduction of rates to the people.

Mr. GAINES. Why could we not do it next fall just as well?

Mr. DOCKERY. The gentleman knows the difficulty of passing independent bills. Suppose that the House passes a bill for a reduction of rates along the line of the amendment proposed by the gentleman from Wisconsin.

Being an independent bill, it goes to the Senate, and the chances are, judging by our experience in the past, that the bill would sleep in some pigeonhole. In other words, all the relief we have secured for the taxpayers of the District has been on an appropriation bill.

We have reduced charges for lighting one-half in the last five years on appropriation bills. All these independent measures that go to the Senate sleep the sleep that knows no waking. That is the history of such legislation, and probably will be the history in the next Congress, if legislation is attempted upon an independent bill.

Now, then, the question is whether we shall abandon the Senate amendment and get nothing for the people, or secure a compromise that will reduce the burdens upon the people and upon the Government to a considerable extent.

Mr. GAINES. Are not the people crying out for this reduction?

Mr. DOCKERY. Certainly.

Mr. SWANSON. Is there any objection to the extension of these privileges asked by these companies?

Mr. DOCKERY. There is. I do not want to give them—

Mr. SWANSON. I do not mean on the question of rates and the question of taxes, but is there any objection to extending these conduits?

Mr. DOCKERY. Certainly I object to it, and the House conferees object to it, because we do not want to give them the privilege of increasing their income without at the same time securing a reduced rate for the people.

Mr. RIDGELY. Another question.

Mr. DOCKERY. I yield to the gentleman.

Mr. RIDGELY. I believe that the gentleman from Wisconsin stated that this amendment that the Senate asks us to accede to will virtually give a monopoly of the streets to one company?

Mr. DOCKERY. Oh, well, we do not propose to do that. So far as the House conferees are concerned, we do not propose to give a monopoly to the United States Electric Lighting Company.

Mr. RIDGELY. My understanding is that there are two companies now.

Mr. DOCKERY. Certainly.

Mr. RIDGELY. Is there any provision to keep them from consolidating into one company?

Mr. DOCKERY. The gentleman from Wisconsin says they intend to consolidate. I do not know what the law as to trusts may be. I suppose there is some sort of an anti-trust law in the District; and if it is the usual law, it is not enforced. But I think it is an open secret here, or at least I hear the suggestion, that it is in contemplation for these electric light companies and the gas company to organize a trust at an early date.

Mr. RIDGELY. And they will be consolidated into one company virtually?

Mr. DOCKERY. That is the suggestion that comes to me. It may not be authentic, but I believe there is a project on hand to organize a trust. Now I will yield to the gentleman from New Jersey for a question.

Mr. McEWAN. I think the gentleman says that this can be brought up and acted upon in an independent bill. Now, will not there be appropriation bills next session whereby we can get this same thing brought up in the same way that we now have it. If so, it only postpones it, as gentlemen say, and we can have proper rates, both in regard to charges and franchise tax.

Mr. DOCKERY. Oh, there will be appropriation bills next session. The Government must live.

Mr. McEWAN. Yes.

Mr. DOCKERY. And somebody may offer an amendment to it, but under the rules of the House, as they stand now, legislation would not be in order on an appropriation bill at this end of the Capitol.

Mr. McEWAN. How was it in order at this time?

Mr. DOCKERY. It was not in order. This is a Senate amendment. Such an amendment as this would not be permissible under the rules of the House when the bill was under consideration in the House.

Mr. HULL. I want to ask the gentleman one more question.

Mr. DOCKERY. I will yield to the gentleman.

Mr. HULL. If it is true as stated by the gentleman from Missouri, let the Senate recede and let the bill pass as it should, without tying the Government up in the future.

Mr. GROUT. They do not propose to do it. If they had hinted at that, we should have at once tried to secure a settlement of the question.

Mr. HULL. It is a well-settled rule that the House that proposes new legislation on an appropriation bill must recede.

Mr. DOCKERY. Well, I have told the gentleman from Iowa why we were trying to secure some adjustment of this matter.

Mr. BRUMM. The gentleman from Ohio said a while ago that we had better not legislate at all upon this proposition now, but next session bring in a measure and get the Government to erect an electric-light plant to do all the lighting. The question I want to ask is this: Is there anything in this bill that will prevent the Government from doing that at any time it chooses, if it should desire to do so?

Mr. DOCKERY. Why, certainly not, because the House conferees distinctly stated to the Senate conferees that if any adjustment was made it must be accompanied with a proposition to reserve the right to alter, amend, or repeal the provision.

Mr. BRUMM. Then you do not give away an eternal franchise as against the Government?

Mr. DOCKERY. Why, certainly, the House conferees would not think of agreeing to such a proposition.

Mr. GAINES. You have stated this question, and you gave some reasons why the settlement had not been made. For instance, the dilatory action of the Senate.

If we do not concede now, or it is conceded now, it is proposed to exact rates in consideration of our transferring the streets. If we do not transfer the streets, and defer the matter until next session, what besides the dereliction of the Senate will prevent it being done?

Mr. DOCKERY. Assuming the House would act, there would be nothing. Now I will yield to my colleague for a question.

Mr. COWHERD. The gentleman has said we give away no permanent right. Of course I know the gentleman was referring to the fact at that time that we can alter and amend and therefore fix the rates. But does he not understand that when we give away the right to put in the streets these conduits, they become permanent improvements, that they are never taken up, and they become great investments, and we have given away a permanent right so far as that investment is concerned, and we can only fix the rates afterwards, as he has said, by an individual bill that must meet the approval of both Houses?

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed with amendments

the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes; in which the concurrence of the House was requested.

#### GENERAL DEFICIENCY BILL.

Mr. CANNON. Mr. Speaker, if the gentleman will yield to me for a moment, I will ask unanimous consent to nonconcur in the Senate amendments, print the bill with the number of the Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to nonconcur in the Senate amendments and ask for a conference. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. I ask that the Senate amendments may be printed and numbered.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. CANNON, Mr. BARNEY, and Mr. LIVINGSTON.

#### DISTRICT APPROPRIATION BILL.

Mr. DOCKERY. Now, a word in reply to the question of my colleague. The trouble is the electric-light companies have the streets now. This proposition is to only extend their conduits in certain directions in the District and into the suburbs, but it is not true that either one of the companies enjoys a monopoly. Other companies may come in here and establish a business.

The Potomac Electric Light Company did come here under a charter from the State of Virginia and set up shop to do business. The United States Company tried, by injunction, to drive them out, but the courts held in favor of the new company. And because of the advent of the new company we have been able by competition to effect a large reduction in the rates paid for electric lighting.

The question is this, whether you will maintain the status quo and not extend the conduits at all, and trust to the future for legislation reducing the rates, or whether on this bill you will give them the right to extend the conduits into the suburbs, at the same time reducing the rates charged by the companies, reserving the right to alter, amend, or repeal.

Mr. OLMSTED. Can the gentleman tell us, or can the committee tell us, how the maximum rates suggested by the House or by the House conferees compare with the rates in other cities of about the same size as Washington?

Mr. PAYNE. Where they have underground conduits.

Mr. OLMSTED. Yes; where they have underground conduits.

Mr. GROUT. The rates in Boston, New York, and Chicago, and Philadelphia, I think, although I am not certain about Philadelphia, are 20 cents per kilowatt hour. They are too much, I have no doubt.

Mr. GAINES. Is it the same kind of lighting?

Mr. GROUT. Yes; as I understand it.

Mr. CANNON. Let me ask my friend if he is satisfied that if this committee can go back without instructions we could get an agreement at the rate of 10 cents per kilowatt hour?

Mr. GROUT. I think we can.

Mr. CANNON. And get an agreement on arc lights for \$6 a month?

Mr. GROUT. I think so.

Mr. CANNON. Will the gentleman make any agreement that we shall not retain complete control and power to change or alter these rates, or otherwise dispose of this corporation as it sees proper?

Mr. GROUT. Mr. Speaker, the gentleman may be sure that the committee will take care of the reserved rights of the people in that respect as well as they know how.

Mr. CANNON. Now, another question. I ask my friend if the substantial maximum now per kilowatt hour is not 15 cents?

Mr. GROUT. It is.

Mr. CANNON. What is the rate for arc lights?

Mr. GROUT. Ninety-one dollars and twenty-five cents a year.

Mr. CANNON. So, if you can go without instructions, you are satisfied you can reduce the maximum rate from 15 cents to 10 cents per kilowatt hour, and for arc lights from \$91.25 to \$72 per year?

Mr. GROUT. I hope to be able to do that.

Mr. RIDGELY. But will our committee yield the 4 per cent tax on the gross income?

Mr. GROUT. For the sake of an agreement, you mean?

Mr. RIDGELY. Yes.

Mr. GROUT. We might, if we could not help it.

Mr. RIDGELY. Then our committee will yield to them two or three hundred per cent profit, as proved by competent experts?

Mr. GROUT. I do not know about that.

Mr. PAYNE. Where are your experts?

Mr. GROUT. The apostle of this tax, the gentleman from Wisconsin [Mr. BABCOCK], says that it is of far more importance to carry the cheap service to the people which we are struggling to obtain, and on this point I want to back up what the gentleman from Missouri [Mr. DOCKERY] said about the reduction of rates for electric lighting.

I want the House to understand that since 1891 this committee has been at work on this subject and has reduced the price per arc light from 50 cents to 25 cents per night, cutting down the price one-half. In other words, from \$182.50 per night to \$91.25 per night.

A MEMBER. How were you able to do that?

Mr. GROUT. Because that related to the public lighting, of which we had entire control. In view of that record, I do not think gentlemen need have any apprehension that this committee will give away the rights of the people in this respect.

I now yield to the gentleman from Illinois [Mr. HOPKINS].

Mr. HOPKINS. Mr. Speaker, I think the gentleman from Missouri entirely misunderstood my statement to the gentleman from Vermont if he thought I was impugning the honesty of that gentleman. No man in this House has a higher respect for the gentleman from Vermont than I, or appreciates more his sterling, rugged honesty, which has been demonstrated in this House again and again.

What called forth my remark was the attitude of the gentleman on this question—the fact that he differed from the chairman of the Committee on the District of Columbia, whose business it is to look into matters of this kind and enlighten members of the House on all these local questions. When that question was up the gentleman in charge of this conference report [Mr. GROUT] differed in toto, as I understood him, from the views expressed by the gentleman from Wisconsin.

Mr. GROUT. That is entirely a misstatement. I agreed with him that we should not concede any of these rights until we had secured fixed rates. I did not want to have the conferees instructed, which I said would be carrying an ultimatum to the Senate conferees. I held that under such circumstances, our hands being tied, there could not be a conference in the proper sense of the term. I objected to being thus fettered. That is all. The gentleman did not understand me correctly.

Mr. HOPKINS. I am very glad to get this statement of the gentleman's position.

Mr. GROUT. The gentleman will find by the RECORD that it is the position I originally took.

Mr. HOPKINS. I understood the gentleman to say—I was near him, but I may have misheard, and I am very glad to be corrected—I understood him to say that the price fixed by the House was too low, and that the Senate would not agree to it. Of course, if that was his view, he was not in a position to present properly, with his usual ability and influence, the merits of this question. That was what called forth my remark.

Now, Mr. Speaker, the position in which we find ourselves is brought about by an attempt on the part of the Senate to place legislation on a general appropriation bill. This very question which we are considering is one entirely foreign to the scope and powers of the Committee on Appropriations. It is not the function of that committee to create law—to authorize great corporations to engage in business in this city or to permit corporations to combine in a trust.

Their business is simply to take the law as it exists and make appropriations accordingly. But in this conference report we are confronted by an attempt on the part of the Senate to originate legislation which not only permits these electric-light companies to combine with each other, but the scope and character of the language is such that they can combine with the gas companies so as to control the entire lighting of this city.

Another thing which I desire to bring to the attention of members of the House is this: The Senate amendment, as it originally came to the House, was limited to three lines and a half as it appears on this appropriation bill. That amendment was disagreed to. But the Senate is not content with that.

As I understand from the gentleman from Wisconsin, and he is corroborated in that statement by the gentleman in charge of this conference report, the Senate proposes an amendment covering an entire page which gives these companies the power to extend their service all over the streets of this city, in the public parks, and everywhere else. As the gentleman from Wisconsin has said, the occupation of the streets is a matter that Congress has heretofore guarded, compelling every corporation desiring any privilege in this respect to come to Congress.

It seems to me that this item permitting the extension of these privileges over streets not heretofore occupied and over the public parks is the pith and point of the difference between the House

and the Senate. Now, as the Senate understand that the rules of the House permit no new legislation upon appropriation bills, it seems to me highly proper for the House to insist upon the instruction already given the conferees. Let them go back to the Senate and say that if they desire legislation of this kind it must be presented to Congress by the duly authorized committees of the House and Senate, that they must not attempt to get legislation of this sort on an appropriation bill.

And if the Senate should adhere to its amendments and permit the bill to fail, let that body take the consequences. The House can afford to stand by a position which is right in principle and sustained by precedent. [Applause.]

Mr. GROUT. I yield two minutes to the gentleman from New Jersey [Mr. McEWAN].

Mr. McEWAN. Mr. Speaker, this House did not go to these companies and ask them to extend their pipes or conduits. The companies came to Congress and asked for this privilege. It seems to me that the House conferees could very well say to the Senate conferees that these corporations who are asking the Senate to put the provision in question on the bill must make some concessions for this valuable right they seek.

Our conferees are in a position also to say that the District can get along without the proposed extension, and that no great harm will come to the city if this matter be delayed another year. If it be for the sole pecuniary benefit of these companies to have these extensions, new conduits, then they ought in all justice to make some compensation to the public for these privileges. But they are not willing to do so.

Even in the most conservative States, and some of the largest of them in point of area, population, and wealth, and in the cities therein, by its adoption it is now admitted to be a proper principle to charge a franchise tax. If it were left to me to legislate upon this matter, I would not consent to anything in this conference unless the companies conceded all that would meet the just expectations of our people in exchange for these very valuable rights.

The gentleman from Wisconsin [Mr. BABCOCK] rightfully said when once we yield these rights we can not get them again for the people, however valuable they are or may become. If they are valuable, they should not be given for nothing. We have no right, as just stewards, to do so. We ought not to give anything away that belongs to another—in this case to the people. We have no right whatever to give up public property—and franchises are a species of public property—unless we get some revenue in return for these valuable franchises.

Again, it has been shown by the gentleman from Illinois [Mr. HOPKINS] that there is an amendment proposed by the Senate by which all these streets can be taken by these companies. If we levy a franchise tax upon the gross or net receipts of the companies, as this business expands and their profits grow by reason of this extension, then the franchise tax will grow accordingly, and that, I believe, is the right principle in matters of this kind—to have the revenue to the Government increase as the profits increase to the holders of the franchises.

Mr. GROUT. Mr. Speaker, I yield to my colleague on the committee, the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I want to say a word, and a word only. The streets are for the public; and if the public is better served by having conduits laid in them, why, then, we ought to lay them. I want to say further that now, as I am credibly informed, the maximum rate for electric lighting is 15 cents per kilowatt hour and \$91 a year for each arc lamp.

Now, the gentleman in charge of the bill [Mr. GROUT] says that he is satisfied that we can get an agreement reducing the rate from 15 cents to 10 cents per kilowatt hour, and from \$91 a year to \$75 a year—

Mr. GROUT. Seventy-two dollars.

Mr. CANNON. Seventy-two dollars a year for the arc lamps. Now, that is one-third, and next winter the gentleman from Wisconsin [Mr. BABCOCK] will have just as much power to cut it down lower as he will have if it is not now reduced.

Let us make the reduction for the public now of one-third, and then, if it ought to be still further reduced, the gentleman from Wisconsin [Mr. BABCOCK] has just as much power to reduce it further as he will have if we do not reduce it one-third now. In other words, if he is right, let us not fail to get a part of what is right now, because he wants to do the whole thing then.

Mr. BABCOCK. Will the gentleman yield for a word?

Mr. CANNON. Certainly.

Mr. BABCOCK. The gentleman says the committee will have just as much power then. He is mistaken.

Mr. CANNON. Why not?

Mr. BABCOCK. After you have given these corporations all they want and all we have got to give we are shorn of our power.

Mr. CANNON. That is specious, but not true. I want to say that we have just as many rights now as we shall have then; and when you let them lay their conduits on a reduction of one-third,

the power is in Congress specially reserved, if it be necessary, to repeal the franchises outright or to make lower rates by legislation. The gentleman says we ought to eat two loaves of bread, whereas now we can only eat one. We propose to eat one and a half, and let him get the other half next winter, if he can.

Mr. RAY of New York. Will the gentleman permit me to ask two or three questions?

Mr. GROUT. Yes.

Mr. RAY of New York. I want a little information. In the first place, does this still grant a right to these companies to lay these conduits?

Mr. GROUT. The proposed amendment gives them the right to lay new conduits and to enlarge those already down.

Mr. RAY of New York. Now, does the amendment reserve to Congress the right to amend, repeal, or change the grant at any time it sees fit?

Mr. GROUT. Certainly it will.

Mr. RAY of New York. Does it now? That is the question.

Mr. GROUT. Not in its present form.

Mr. RAY of New York. Then, of course, if it stands as it is now, you can not change it.

Mr. GROUT. But that provision was drawn by outsiders. It was not really presented to the Senate.

Mr. RAY of New York. I am talking about the proposition as it now stands. So that if it should become a law as it is now, the gentleman from Illinois is wrong, and you could not change it. Is not that true?

Mr. GROUT. That has been a question.

Mr. RAY of New York. Now, another question. Does this proposed amendment grant an exclusive privilege to these companies?

Mr. GROUT. No; not at all. Now I wish to yield three minutes to the gentleman from Nevada [Mr. NEWLANDS].

Mr. NEWLANDS. Mr. Speaker, I understand the situation to be this: The existing conduits are not large enough to furnish sufficient light to the houses in front of which they are at present laid. In addition to this, extensions are desired in order to reach localities that are not now reached by the electric-lighting plants.

It seems to me that this is a public use and a public necessity that we ought to meet now, if we can accompany the grant with the proper restrictions. Now, what are the facts? First, it is demonstrated that no monopoly whatever is granted. These gentlemen have announced that they will assent to no amendment whatever which does not contain a clause reserving the right to alter, amend, or repeal.

Whether that clause was inserted or not, my own opinion is that this would be a mere revocable privilege granted to these companies, a temporary right at the will of Congress to use these streets. We have ascertained that these grantees are compelled by existing law to give to the District government the use of at least three ducts in each one of the conduits laid down, and that applies to future conduits, as I understand, as well as those already laid.

Now comes up the question of a possible consolidation. I say that consolidation has no terrors, provided the power of regulation and control is reserved. Consolidation means simply a reduction in operating expenses—a reduction which ought to operate to the advantage of the consumer, and which will operate to the advantage of the consumer if the power of regulation and control is properly exercised by Congress.

Next we come to the question of taxation. I hold that a franchise tax should be imposed upon every corporation enjoying a public use. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. NEWLANDS. I ask the gentleman from Vermont to yield to me two minutes more.

Mr. GROUT. I yield to the gentleman two minutes more.

Mr. NEWLANDS. The tangible property of these companies is limited. The real thing from which they receive profit is the privilege of furnishing light, and the way of measuring that by way of taxation is to impose a tax upon the gross receipts.

Now, what should be the tax upon the gross receipts? That varies according to the profit. When the profit is 25 per cent of the gross receipts, the tax upon the gross receipts should be less than the profit on 75 per cent of the gross receipts. In the case of street railroads in this city we impose a tax of 4 per cent on the gross receipts, and their operating expenses are 50 per cent.

Now, we have in proof that these companies furnish light to Government institutions for 4 cents per thousand kilowatts, and it may be assumed, then, that that is the operating expense, for they certainly do not furnish any light at a loss. Then, I say, a tax of 4 per cent upon the gross receipts would be a fair tax.

Assuming that you fix the rate for a thousand kilowatts at 10 cents, 4 cents is only 40 per cent, whereas the railroad operating expenses are 50 per cent in this community. But, recollect, when furnishing a large amount of light at 4 cents kilowatt hour, we, at the same time, in view of the fact that upon a large proportion

we get only 4 cents per thousand kilowatts, instead of 10 cents, we should make some reduction.

It seems to me that under all the conditions we should take a middle course, and that the gross tax upon that gross revenue should be between 2 or 3 per cent, which would be fair, until by further investigation we can ascertain the relation the operating expenses bear to the gross receipts. Now, then, as to the rate.

It may be assumed that these companies can make electric light at 4 cents per thousand kilowatts. The expense of furnishing it at retail is much greater than furnishing it at wholesale; and it seems to me a fair rate would be between the amount suggested by the gentleman. I am willing that there should be a free conference with these gentlemen.

Mr. CURTIS of Iowa. Mr. Speaker, I shall only detain the House for a moment. As I believe every member upon this floor knows, I have always during my connection with this body favored legislation controlling the gas rates, the electric-lighting rates, and telephone rates.

The question at issue at this time is what are fair and reasonable rates. I believe, while I am not as fully informed as I should be, that I perhaps know as much concerning what would be fair and reasonable rates as the majority of members upon this floor. I believe that I know what the rates should be, what rates are fair and reasonable alike to the consumer as well as the producer, and I stand ready and willing to vote for those rates.

Now, I agree with the gentleman from Illinois that this is a proper subject to be presented from the District Committee; but the precedent has been established. For many years the Committee on Appropriations has presented this subject for consideration.

The SPEAKER. The time of the gentleman has expired.

Mr. GROUT. I yield two minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. I yield one of my minutes to my colleague.

Mr. CURTIS of Iowa. Now I know this, briefly, that if the idea which I understand is presented by the conference committee prevails, the rate will be 10 cents for incandescent lights by the watt hour and \$72 for the arc light. Then the city of Washington will be supplied with cheaper light than any other city of its size in this country. If the information presented by the chairman of the committee, as well as those who are informed upon this subject, is right—

Mr. HENDERSON. You think we ought to stand by the conferees?

Mr. CURTIS of Iowa. I say relegate this matter to the conferees, with the understanding that the conferees will accomplish all that is possible.

Mr. GROUT. I yield two minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Speaker, my colleague and the gentleman from Nevada presented to us a view of the situation that is entirely illusory. They say that the proper thing for us to do now is to grant this extended franchise, and then at some other time, when we have ample opportunity, and when we all know about this subject, then let us put a regulation upon these gentlemen that will secure fair rates.

I want to remind you that that can not be done; that if you have a separate bill, if you do not use the coercive power that you have in an appropriation bill like this, you will never get your legislation. It is always stopped at the other end of the Capitol. Let me remind you of the efforts made here year after year in order to get a reduction in the price of gas. It was shown that it could be manufactured and distributed at 48 cents a thousand.

Time and time again we tried to get that legislation; but always it was stopped at the other end of the Capitol; and finally a compromise was made by which the company was permitted to have nearly a hundred per cent above the sum that the gentleman from Wisconsin tells us would be fair. I say if we do not get this reduction now we will never get it. [Loud applause.]

Mr. DOCKERY. I just want to say one word. I do not believe, with the gentleman from Nevada, in the benign influence of trusts, either in its application to electric lighting or anything else.

But I rose to say this for the chairman of the Committee on Enrolled Bills, and I speak disinterestedly, because an extra session has no extra terrors for me, since my term ends with the expiration of this legislation.

He says he must have some of these appropriation bills to read; that he can not read these five great appropriation bills if there is very much further delay in their passage. He appeals to the House to expedite as far as possible the passage of these appropriation bills.

Mr. GROUT. Mr. Speaker, I now move that the House further insist upon its disagreement to the Senate amendments and ask for a further conference on these three amendments.

The motion was agreed to.

Mr. BABCOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.  
Mr. BABCOCK. Do the instructions given the committee last night still apply? I believe there has been no order of the House vacating them.

The SPEAKER. The Chair thinks this is a new conference.

Mr. BABCOCK. Then I move, Mr. Speaker, that the same instructions be given the committee to-night.

Mr. PAYNE. Is that motion debatable?

The SPEAKER. The Chair thinks it is.

Mr. PAYNE. I want about two minutes.

Mr. BABCOCK. I have not yielded the floor.

Mr. PAYNE. The gentleman did not rise and ask for the floor.

Mr. BABCOCK. I was on my feet all the time.

The SPEAKER. The Chair thinks he should have recognized the gentleman from Wisconsin [Mr. BABCOCK] if there was any question as to who should be recognized.

Mr. BABCOCK. At the urgent request for the bill, I move the previous question.

Mr. HANDY. Mr. Speaker, I ask that the instructions be read. The Clerk read as follows:

*Provided, That any company availing itself of such privilege of extension of conduits as heretofore provided shall not charge or collect more than \$4 per month for each arc light of 2,000 candlepower, or more than 8 cents for each 1,000 watts for incandescent current, and any company charging or collecting an amount in excess of such rates shall be deemed guilty of a misdemeanor, and shall pay to the District of Columbia the sum of \$50 for each and every offense, to be collected as other fines are now collected in the District of Columbia; and shall pay to the District of Columbia, in lieu of personal taxes upon personal property, each year 4 per cent of its gross receipts from whatever source, and its real estate shall be taxed as other real estate in the District of Columbia.*

Mr. BABCOCK. Pending the motion for the previous question, Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, of course, after what has been said, if the instructions are passed by the House, there will be no agreement on this bill.

The simple question between the gentleman from Wisconsin [Mr. BABCOCK] and the conferees seems to be this: They can get a reduction from 15 to 10 cents, and the gentleman from Wisconsin insists upon a reduction from 15 cents to 8 cents. He is not able to give the House a single fact as to what is the cost of distributing electricity, except that it costs so much for the generation of the current.

He does not give his calculation to the House of the waste in distributing the electricity; he gives no facts upon the deterioration of the plant; he gives no facts as to what the cost of these conduits will be; he gives nothing but the cost of generating the electricity at the power house.

Now, is it worth while for the House to fool on this question? Is it worth while for the House to say that they will not have any agreement upon this bill; that this bill must fail? Is it not better to leave the conferees to settle that question and bring their report back to the House, and then if their report is approved by the House, it can be adopted.

If it is not satisfactory to the gentleman from Wisconsin, if it does not suit the majority of the House, they can vote it down, and after that, if they are of that mind, they can vote to insist on the disagreement and insist upon instructions; but had we not better try first to get an agreement, and leave these men for a full and free conference?

The SPEAKER. The question is on agreeing to the instructions.

The question was taken; and on a division there were—ayes 103, noes 22.

So the instructions were agreed to.

The Chair appointed as conferees on the part of the House Mr. GROUT, Mr. BINGHAM, and Mr. DOCKERY.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, had agreed to the conference asked by the House on the bill and amendments, and had appointed Mr. HALE, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment the bill (H. R. 11577) for the relief of B. F. Parlett, collector of internal revenue for the district of Maryland.

The message also announced that the Senate had passed without amendment the following resolution:

*Resolved by the House of Representatives (the Senate concurring). That there be printed 6,000 additional copies of the eulogies upon the late Nelson Dingley, a Representative from the State of Maine, 4,000 copies for the use of the House of Representatives and 2,000 for the use of the Senate.*

#### NAVAL APPROPRIATION BILL.

Mr. BOUTELLE of Maine. Mr. Speaker, I present a conference report on the naval appropriation bill, and I ask that the statement be read instead of the conference report.

The conference report was read.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, namely:

Amendment numbered 1 reduced the number of enlisted men in the House bill from 20,000 men to 15,000 men. Senate receded, with amendment fixing the number at 17,500.

Amendments 2 and 3 adjusted the pay of Navy to amounts required by the passage of the personnel bill, and added proviso fixing Admiral's salary as equal to the pay and allowances of the last General of the United States Army.

Amendment 4 provided for purchasing and installing the Gathmann torpedo in certain vessels of the Navy; to which the House conferees disagreed.

Amendment 5 provided that only \$150,000 of the \$1,000,000 appropriated for smokeless powder be used for the Government manufacture of same; to which the House conferees disagreed.

No. 6: Provided that Secretary of Navy be authorized to purchase by contract all or any part of the reserve guns for auxiliary cruisers; to which the House conferees agreed.

Amendments 7, 9, and 10: Provided for limiting appropriations to purposes indicated in act; to which the House conferees agreed.

No. 8: Increases amount provided for establishing depots for coal from \$250,000 to \$400,000; to which the House conferees agreed.

Nos. 11 and 12: Provided for electric elevators in four storehouses at Boston Navy Yard; to which the House conferees agreed.

No. 13: Corrects a clerical error.

Nos. 14 and 15: Are stricken out because the items have been provided for in deficiency bill.

Nos. 16 and 17: Provide \$45,000 for a fireproof storehouse at League Island; to which the House conferees agreed.

No. 18: Provides \$20,000 for purchase of property adjoining naval station at Port Royal, S. C.

Nos. 19 and 20: Provide \$84,500 for additional buildings at Mare Island Navy Yard; to which the House conferees agreed.

No. 21: Authorizes the Secretary of the Navy, in his discretion, to construct the docks authorized in 1898 of stone, or concrete faced with stone, and appropriates \$800,000 for the additional cost, to which the House conferees disagreed.

Nos. 22 and 24: Provide for appointment of boards of officers to examine and locate proper sites for dry docks on the Columbia River, Oregon, and in the vicinity of Key West, to which the House conferees disagreed.

No. 23: Provides for a commission to locate a naval coaling and repair station in California south of San Francisco, to which the House conferees disagreed.

No. 25: Corrects typographical error.

On No. 26, the House conferees receded, and agreed with an amendment inserting the words "as such," so as to permit reappointment of assistant paymasters who served "as such" in the late war with Spain, with an age limit of 45 years.

No. 27 permits the construction of two Holland submarine boats, in the discretion of the Secretary of the Navy, to which the House conferees agreed.

No. 28 was stricken out, as the item had been provided for in the deficiency bill.

Nos. 29 and 30 provide one additional clerk at Boston Navy Yard, to which the House conferees agreed.

Nos. 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44 provide for modifications of the appropriations for pay, allowances, provisions, etc., for the Marine Corps to conform to the terms of the personnel law, to which the House conferees agreed.

Nos. 45, 46, 47, 48, 49, 50, and 51 modify and reduce the provisions of the House bill for the increase of the Navy. The Senate amendments reduce the number of battle ships from 3 to 2, the number of armored cruisers from 3 to 2, and the number of protected cruisers from 6 to 4, to which the House conferees disagreed.

Nos. 52 and 53: Reduce the maximum price to be paid for armor from \$445 per ton to \$300 per ton; to which the House conferees disagreed.

No. 54: Prohibits the making of any contract for the hull of a battle ship or armored cruiser until a contract has been made for the armor for such vessel; to which the House conferees disagreed.

No. 55: Provides that in case the Secretary of the Navy finds it impossible to make contracts for said armor at the rate of \$300 per ton he is authorized to establish and cause the construction of a Government armor factory and proceed to the manufacture of the armor necessary; to which the House disagreed.

No. 56: Provides an increase of appropriation for the equipment and outfit of new vessels of No. 200, to which the House conferees agreed.

The bill as originally passed by the House carried \$44,855,638.58; as passed by the Senate, \$52,979,489.58—an increase of \$8,122,831, of which sum it is agreed by the conferees that the Senate recede from \$1,125,375, the House agrees to \$2,443,456; leaving amount of Senate increases still unsettled \$4,554,000.

C. A. BOUTELLE,

S. G. HILBORN,

AMOS J. CUMMINGS,

Managers on the part of the House.

Mr. BOUTELLE of Maine. Mr. Speaker, I move that the conference report be accepted and that the House further insist upon its disagreement on those points on which the conferees have not agreed.

Mr. HOPKINS. The arrangement before this bill went into conference was that when this matter came up in the House there were two Senate amendments upon which we should have separate votes.

One of them, as I remember, is Senate amendment numbered 4, which I would like to have the Clerk read, as I desire to make a motion with regard to it.

The SPEAKER. The Chair understands that in this report there has been a partial agreement.

Mr. BOUTELLE of Maine. There has been a partial agreement between the Senate and House conferees.

The SPEAKER. Does that agreement cover the amendment referred to by the gentleman from Illinois?

Mr. BOUTELLE of Maine. I do not know to what amendment the gentleman refers.

The SPEAKER. The Clerk will read amendment No. 4.

The Clerk read as follows:

Page 8, after line 22, insert:

"The Secretary of the Navy is hereby authorized, in his discretion, to purchase from the Gathmann Torpedo Gun Company, of Chicago, Ill., the gun equipment for one or more of the harbor-defense monitors authorized by the act approved May 4, 1898, such equipment to consist of two guns for each vessel, of not less than 10-inch bore and not less than 40 feet in length, capable of throwing the Gathmann type of shell containing about 500 pounds of wet gun cotton; said guns to cost not more than \$32,500 each, and the workmanship and material to be equal to the present standard now used in the Navy, and subject to the usual inspection of the Bureau of Ordnance, and the sum of not exceeding \$350,000 is hereby appropriated for said purpose."

Mr. HOPKINS. Mr. Speaker—

Mr. BOUTELLE of Maine. I believe I have the floor.

The SPEAKER. The gentleman from Maine, who presents this conference report, has the floor.

Mr. BOUTELLE of Maine. Mr. Speaker, is my motion pending?

The SPEAKER. Was the amendment just read included in the agreement referred to?

Mr. BOUTELLE of Maine. I have no knowledge on that point; it may be. I understood there was some agreement to have a vote in the House on certain provisions of the bill.

Mr. HOPKINS. And this is one of them. Now, in order to bring this question properly before the House, I move that the House recede from its disagreement to this Senate amendment, and agree to the same.

The SPEAKER. The proper order of procedure is, first, to vote on agreeing to the conference report. If there are matters of disagreement outside of the report, they will come up afterwards. If this amendment is one on which the conferees have reached an agreement, it will be necessary to defeat the conference report in order to get at it.

Mr. BOUTELLE of Maine. This amendment has not been agreed to. I ask the acceptance of the conference report so far as we have reached an agreement.

The SPEAKER. The question is on agreeing to the conference report.

The report was agreed to.

The SPEAKER. The gentleman from Maine, as the Chair understands, now moves to further insist upon the disagreement of the House to the remaining Senate amendments. If the gentleman from Illinois desires a separate vote on any of these amendments, he will indicate which they are.

Mr. HOPKINS. One of them is amendment No. 4, as I understand. Would a motion be now in order that the House recede from its disagreement to that amendment and concur in it?

The SPEAKER. If there are amendments on which no one desires a separate vote or to which there is no opposition, the question might be taken on those amendments, amendment numbered 4 being reserved.

Mr. UNDERWOOD. I also want to reserve the right to a separate vote, according to the agreement made the other day, upon Senate amendment numbered 55.

Mr. BOUTELLE of Maine. Is that the amendment in regard to armor plate?

Mr. UNDERWOOD. Yes, sir.

Mr. BOUTELLE of Maine. Then I will modify my motion so as to ask that the House further insist on its disagreement upon all the other amendments on which the conferees have failed to agree, with the exception of the two amendments named—the Gathmann gun amendment and the armor-plate amendment.

The SPEAKER. Amendments numbered 4 and 55.

Mr. BAILEY. I demand a separate vote on each one of these amendments.

The SPEAKER. A separate vote being demanded, the question is now on the first amendment.

Mr. HOPKINS. I desire to be heard a few moments on that amendment.

Mr. BOUTELLE of Maine. Do I understand that my proposition has been acted on?

The SPEAKER. The gentleman from Texas [Mr. BAILEY] has demanded a separate vote on each amendment.

Mr. BOUTELLE of Maine. That will probably take up time enough to defeat this bill and prevent the construction of any warships—

Mr. BAILEY. I will say to the gentleman frankly that I understand it is the purpose on the other side to try to call up a contested-election case; and if that is true, I intend to do what I can to secure a roll call on every one of these amendments.

Mr. BOUTELLE of Maine. I do not know anything about the contested-election case. I thank God I do not deal in that way with great public questions. I am here to provide for the national defense if I can.

Mr. BAILEY. You can provide for it by leaving that partisan election case alone.

Mr. BOUTELLE of Maine. I have not the jurisdiction of that matter, and the gentleman knows it. It is within the jurisdiction of the House, and it is a question of the highest privilege.

Mr. BAILEY. I have the power to take the position I have indicated, and I am going to do it.

Mr. BOUTELLE of Maine. The gentleman can take that responsibility; and I will see that it is fixed so that nobody will misunderstand it.

Mr. BAILEY. I take it.

The SPEAKER. The question is first upon amendment numbered 4, on which the gentleman from Maine moves that the House further insist on its disagreement.

Mr. BAILEY. Mr. Speaker, a parliamentary inquiry. How is it that the first motion is put on amendment numbered 4?

The SPEAKER. Because that is the first amendment on which there is a disagreement.

Mr. BAILEY. Very well.

The SPEAKER. And the gentleman from Illinois moves to recede and concur?

Mr. HOPKINS. Yes, Mr. Speaker—

The SPEAKER. The gentleman from Maine has control of the floor.

Mr. BOUTELLE of Maine. Mr. Speaker, I differ somewhat from the prevailing view in this body, apparently. I desire to know what can possibly be said in favor of this proposition. I would like to know what argument can be brought in here in favor of what seems to me, after a very careful examination, to be one of the most barefaced and inexcusable attempts to force upon this Government a dangerous experiment that never has been properly tried and never has been recommended by any expert.

I hope the gentleman will explain his motives for championing this measure, and then I shall occupy a very few moments myself.

The SPEAKER. How much time does the gentleman yield to the gentleman from Illinois?

Mr. BOUTELLE of Maine. I yield to the gentleman five minutes.

Mr. HOPKINS. Mr. Speaker, I shall approach the discussion of this Senate amendment in an entirely different spirit than that manifested by the gentleman in charge of this conference report.

Mr. BOUTELLE of Maine. That is your right, of course.

Mr. HOPKINS. From the investigation that has been made this Gathmann gun is no longer an experiment. This amendment was adopted by the Senate upon the recommendation of the Naval Committee of the Senate, composed of some of the most distinguished members of that body who have served longest in it.

In the discussion there, preceding the adoption of this amendment by a very large vote, it was clearly shown that such experts as Admiral Sampson, of the Navy; Major Heath, of the Army; Commander Hall, of the Navy, who superintended the experiments at Indian Head, and a number of other naval experts have pronounced this gun to be a weapon that has passed the experimental stage.

It is able to shoot 500 pounds of gun cotton a distance of 10 miles with the precision and accuracy of the best guns in the Navy.

Mr. BOUTELLE of Maine. Has the gentleman any letter from either of those gentlemen to that effect?

Mr. HOPKINS. The gentleman knows that I have not had a letter from either of them.

Mr. BOUTELLE of Maine. I did not know it. I supposed you had or you would not have made such a statement.

Mr. HOPKINS. Well, I am not responsible for the suppositions of the gentleman from Maine. I stated to him what was said in the Senate of the United States. It was said by one of the distinguished members of the Naval Committee that this had the approval of Admiral Sampson, of Major Heath, and of Commander Hall, and that Assistant Naval Constructor Dashiell, a lieutenant in the Navy, also favored it.

Now, Mr. Speaker, the adoption of this proposed amendment is not a matter of the extent or character suggested by the gentleman from Maine [Mr. BOUTELLE]. The members of the House will know by reading the amendment adopted by the Senate that it simply authorizes the Secretary of the Navy in his discretion to adopt two of these guns upon two of the monitors that are authorized in the last bill.

It does not instruct or direct him to do it, but leaves it entirely within the discretion of the Secretary of the Navy, so that if on his further investigation he should find that there is any objection to the adoption of this gun, it is within his discretion to reject it.

Now, let me say a word upon this subject. I have here a number of photographs showing the powerful effect of this explosive upon a 10-inch harveyized plate. It shows that it blows it into atoms, and, as was said by one of the members of the Naval Committee in the Senate when the matter was under discussion, one shot from one of these dynamite guns would blow up this entire Capitol.

It was further shown that one of these little monitors, with one or two of these guns upon it, in the harbor of New York would be able to defend that city and that harbor against any fleet that

could be sent against it by any of the great maritime nations of the world.

Mr. BOUTELLE of Maine. Will the gentleman state what great naval expert made that statement?

Mr. HOPKINS. Did I say a naval expert had made that statement?

Mr. BOUTELLE of Maine. I supposed you meant one.

Mr. SIMPSON. What kind of an expert?

Mr. HOPKINS. As I said, I am not responsible for the suppositions or understandings of the gentleman from Maine. I give simply the statements of these men who have investigated this matter.

Mr. BOUTELLE of Maine. Who are they?

Mr. HOPKINS. If the gentleman had read even the CONGRESSIONAL RECORD he would have known who made remarks of this kind. Now, I want to state still further—

Mr. COCHRAN of Missouri. Will the gentleman yield for a question?

Mr. HOPKINS. I will.

Mr. COCHRAN of Missouri. You stated that some persons who took part in the experiments at Indian Head recommended the adoption of this gun. Did the formal report made by the persons who conducted that experiment, filed in the Navy Department, recommend its adoption?

Mr. BOUTELLE of Maine. Of course not.

Mr. COCHRAN of Missouri. Did they not recommend its rejection?

Mr. BOUTELLE of Maine. Of course.

Mr. HOPKINS. Senator HANNA was a member of the committee that investigated it.

Mr. COCHRAN of Missouri. Did not the persons who conducted that experiment and who made a report to the Navy Department recommend the rejection of this gun and say it was not fit for use at this time?

Mr. HOPKINS. Who?

Mr. DINSMORE. That is the report of the official board that conducted the experiment?

Mr. HOPKINS. I have a statement here from Professor Alger—

Mr. DINSMORE. I would like an answer to that question.

Mr. HOPKINS. Gentlemen, if you will come at me one at a time I shall be obliged to you.

Mr. DINSMORE. Take the gentleman from Missouri [Mr. COCHRAN] first.

Mr. HOPKINS. I shall like it better than when you come at me in pairs. I am giving you the statement of these men who have investigated this at Indian Head and Sandy Hook, and they make the statement that I have made here.

Mr. DINSMORE. What men are these?

Mr. SIMPSON. Senator HANNA, the great naval expert. [Laughter.]

Mr. HOPKINS. If the gentleman wants a little information—

Mr. DINSMORE. I do.

Mr. HOPKINS. I would recommend him to go and acquire it and not attempt to make a kindergarten out of the House at this time.

Mr. DINSMORE. Oh, the gentleman ought to be able to give us the information.

Mr. COCHRAN of Missouri. I assert that the commission that conducted these experiments did reject the gun.

Mr. HOPKINS. Have I the floor or has the gentleman from Missouri?

The SPEAKER. The gentleman from Illinois is entitled to the floor.

Mr. HOPKINS. Mr. Speaker, Admiral Sampson advised that \$50,000 be appropriated for experiments three years ago.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BOUTELLE of Maine. Now, Mr. Speaker, a short horse ought to be soon curried. The time of this body certainly is worth something. The gentleman from Illinois [Mr. HOPKINS] might occupy the floor for the next four weeks and he would not be able to put his finger upon one solitary iota of expert indorsement of this experiment.

He talks about what took place before the Senate committee. I know something about what took place before the Senate committee, and I know something about how perversely committees sometimes act.

When this measure was proposed and pushed and lobbied and pressed upon that committee, they had before them this document from the chief source of information on this subject in this country to date, the Chief of the Bureau of Ordnance of the United States Government, Commander O'Neil, than whom no officer's word goes further, than whom no officer in the United States Navy stands higher as an authority upon every naval subject, and especially upon that of which he has special charge, that of ordnance.

I state here, upon my responsibility as a member, that not one solitary indorsement to placing this gun on board of ships has ever been obtained from any authoritative naval source up to this time. I do not want you to take that from my statement. Gentlemen sometimes make mistakes.

Here is an authorized, full, most explicit statement from the chairman of the Ordnance Bureau of the United States Navy, making a protest against this infamous proposition.

I am going to use terms that I think appropriate about placing on board a ship of the United States a gun that would subject our sailors to the risk of being blown to pieces and the ship possibly ruined in experiments with a high explosive gun that has never yet been fired with a load unless they have prepared bomb-proof places before they dared to fire it off on land.

It is in an experimental stage to-day, and everybody knows it. These plates are brought in here to-day. What can we judge by them? Let me ask you how reliable is this claptrap?

What is the use of us having trained men, and especially trained in ordnance, if we are to be stampeded every time somebody gets a photograph and exhibits it and says if we get one such gun in the New York Harbor we could defend it against the world, and expect the gentleman from Illinois or any reasonable man to believe it?

A MEMBER. At whose interest is it?

Mr. BOUTELLE of Maine. I am not here charging the inventor; I am not here to attack the persons of the patentees. Patentees are very enthusiastic. They may believe that you could blow the moon out of its orbit. I am not responsible for them. [Laughter.]

I am here charged with a duty and with the responsibility of protecting the American sailors from being subject to this peril, and I am going to do that to the extent of my humble ability.

Now, here is a letter sent officially to the Committee on Naval Affairs of the Senate by the Chief of the Bureau of Ordnance. Now, let us see how high this new projectile, this gun, this new defense to protect us against the world, are held in the only place where any reasonable man should go to-day to get authoritative and wise advice.

Captain O'Neil addressed this letter on the 13th of February to the chairman of the Naval Committee. I will not read the whole of it. He speaks of what he knows, and what it is proposed to be done with it. I will read but a few extracts. He says:

All the Gathmann experiments have been made with wet gun cotton.

Gentlemen may think I am earnest about this matter. I am. It is an important and serious proposition when we authorize the Secretary of the Navy, and to that extent give an indorsement of Congress to a proposition to enter turrets with these guns, and these men to be compelled under their orders to go into the turrets while these guns are being fired, while they do not dare to fire them to-day on land without providing holes in the ground to protect them while they are being fired. He says this:

All the Gathmann experiments have been made with wet gun cotton, and it has been shown that it is very insensitive to shock and is capable of withstanding the roughest kind of treatment if not acted upon by a detonator, but in order to safely get its projectiles out of the guns it is necessary to use about 85 per cent of water, which, of course, reduces the capacity of the projectile by that amount in weight.

With such a large percentage of moisture it is difficult to obtain an explosion of high order, and in many of the experiments made with Gathmann shells considerable quantities of unconsumed gun cotton has been picked up near the scene of the explosion.

That is a nice sort of thing to be around on the gun deck of a ship, where a battle ship costs \$5,000,000,

Then says the Commodore:

Persons unfamiliar with the action of the present type of projectiles charged with gunpowder, are apt to underrate their power of destruction, and also to overestimate that of wet gun cotton. It is a fact that wet gun cotton is a more powerful explosive by far than ordinary gunpowder, but, exploded in the air, it is by no means as powerful as generally supposed.

If confined, its action is exceedingly violent, and a small quantity exploded in the bore of a gun would ruin it, and a large charge, under such conditions, would probably completely wreck a gun, turret, and possibly fatally injure a vessel herself; whereas an ordinary shell charged with gunpowder may break up and explode in a gun with no injury to it, perhaps, beyond disfiguring the rifling.

Now, let me give you something about this great experiment where the world is blown to pieces, picked up, and carried off in baskets and wheelbarrows. [Laughter.] This is a statement from a responsible officer who knows what he is talking about:

While success has been reached in several instances by the Gathmann Company, there has been a long series of failures, which should be taken into account in a general consideration of the subject, and the likelihood of their recurrence should be carefully weighed.

Now, let us see what it does. Now, Mr. Speaker, here is an account from the head of a bureau on these experiments that have been tried:

Mr. MIERS of Indiana. I think we have an agreement, if you are willing, to take this other matter out of the RECORD—the matter calling up the contested-election case. The gentleman from Indiana wants to make a statement.

Mr. BAILEY. It will save a separate vote.

Mr. BOUTELLE of Maine. Let me finish the effect of this document. If it will expedite matters, I would be very glad to do it.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900; in which the concurrence of the House was requested.

CONTESTED-ELECTION CASE—BROWN AGAINST SWANSON.

Mr. CRUMPACKER. Mr. Speaker, I wish to say that the contested-election case of Brown against Swanson will not be called up for consideration. There have been two decisive votes on the case, and there will be no further attempt to call the case up for consideration.

NAVAL APPROPRIATION BILL.

Mr. BAILEY. In view of that announcement, Mr. Speaker, I withdraw the demand for a separate vote on each of these amendments. I did not make the demand for a vote upon these amendments that are in controversy. [Cries of "Vote!" "Vote!"]

Mr. BOUTELLE of Maine. Mr. Speaker, I will accept this demonstration as more potent than argument, and ask for a vote. Mr. HOPKINS. Mr. Speaker, I claim that I have a right to reply to the remarks of the gentlemen from Maine.

Mr. BOUTELLE of Maine. I have not yielded the floor.

Mr. HOPKINS. I insist that I have the right to reply.

Mr. BOUTELLE of Maine. We want to get this business through, and this demand for a vote ought to be respected. Mr. Speaker, I move the previous question.

Mr. HOPKINS. I insist that the gentleman should allow me to be heard in reply to what he has said. [Cries of "Vote!" "Vote!"]

The SPEAKER. The Chair has no option in the matter.

Mr. FITZGERALD. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from Maine asks for the previous question.

The previous question was ordered.

The SPEAKER. The first vote to be taken is on the proposition of the gentleman from Illinois.

Mr. HOPKINS. Mr. Speaker, if I am not to have the opportunity to discuss this matter, I withdraw my motion, if I have the right.

The SPEAKER. The gentleman has the right to withdraw the motion.

Mr. BAILEY. After the previous question has been ordered, Mr. Speaker?

The SPEAKER. Not after the previous question has been ordered.

Mr. BAILEY. I am perfectly willing that he should have unanimous consent to withdraw his motion.

Mr. HOPKINS. I can understand the disinclination of the gentleman from Maine to allow me to reply, and I ask unanimous consent to withdraw the motion.

The SPEAKER. Is there objection to the withdrawal of the motion? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Maine that the House further insist on its disagreeing vote.

The motion was agreed to.

The SPEAKER. The Clerk will read amendment 55.

The amendment was read.

Mr. BOUTELLE of Maine. Mr. Speaker, I understand that an agreement was reached to have a separate vote on this proposition. It seems to me that after we have gone over the matter as thoroughly as we have for the last two or three years it ought not at this stage of the session to require much debate.

Mr. UNDERWOOD. I agree with the gentleman from Maine, and I only ask for a few minutes.

Mr. BOUTELLE of Maine. The gentleman from Alabama debated the question at considerable length on the original bill.

Mr. UNDERWOOD. I agree with the gentleman, and I do not desire to occupy much time of the House.

Mr. BOUTELLE of Maine. How much time does the gentleman wish?

Mr. PAYNE. Move the previous question.

Mr. UNDERWOOD. I will say to the gentleman from New York that his suggestion to move the previous question without a fair opportunity for debate—

Mr. DALZELL. Let me suggest to the gentleman from Alabama that if we discuss this question at all, it ought to be discussed at considerable length.

Mr. UNDERWOOD. I agree with the gentleman from Pennsylvania, and I do not desire to take up the time of the House. If the gentleman will give me five minutes to state the proposition as I understand it to the House, it is all I ask.

Mr. BOUTELLE of Maine. I yield five minutes to the gentleman from Alabama.

Mr. UNDERWOOD. Mr. Speaker, I desire to move that the House recede from its disagreement to the Senate amendment 55 and agree to the same, and on that proposition I simply wish to say this: This proposition that the House is now required to vote upon does not fix the price of armor in any way.

It merely provides that if the contractors who make the armor in this country are unwilling to furnish the armor at the price that will be fixed in this bill for the purchase of armor that the Secretary of the Navy is authorized to build an armor-plate factory for the purpose of making armor plate for the Government and the Government's vessels.

Now, I say that is a reasonable proposition. We may fix the price for this armor plate at one figure or another; but I say that when Congress has in its wisdom fixed what it considers a reasonable price for the purchase of this armor and has declared that it is not going to pay more, then it is a wrong to the nation to hold up the construction of these ships and say that they shall not be built because we can not find an armor-plate manufacturer in this country who is willing to make armor for us at the price which Congress has named as a reasonable price; and the amendment which we are now asked to vote upon contemplates merely that in the event we can not buy this armor for the price named by Congress the Secretary of the Navy shall proceed to purchase ground and erect a building for the manufacture of armor plate.

I do not propose to go into a discussion as to whether this plan is practicable. We all know that an armor-plate factory is little more than a rolling mill on a large scale with larger machinery. We all know that the Government can construct such a factory as well as the private parties who have already constructed them in this country.

We know from our experiments in the manufacture of great guns that the Government has manufactured those guns for itself cheaper and better than they have been made by private contractors. For years we have had this contention every time this bill came before Congress. The time has now come to settle this question one way or another.

Mr. GAINES. Will the gentleman yield to me a moment?

Mr. UNDERWOOD. Yes, sir.

Mr. GAINES. I want to state that France, Italy, Japan, and Russia have all government armor-plate factories.

Mr. UNDERWOOD. That is true. The great nations of the world that have large navies (except the English nation) have their own armor-plate factories.

Mr. DALZELL. Will the gentleman allow me?

Mr. UNDERWOOD. Yes, sir.

Mr. DALZELL. There is not a nation on the face of the earth that has an armor-plate factory except Russia.

Mr. GAINES. I dispute that statement absolutely. I showed you letters to that effect months ago, and I have them right here now in the RECORD.

Mr. DALZELL. And I have here a statement showing what I have just stated.

Mr. GAINES. I do not see why the gentleman should make that statement in the face of the record I have exhibited.

Mr. BOUTELLE of Maine. I yielded to the gentleman from Alabama.

Mr. DALZELL. I will put the evidence of my statement in the RECORD.

The SPEAKER. The gentleman from Alabama is entitled to the floor. The gentleman from Tennessee will be seated.

Mr. GAINES. I hope the gentleman from Pennsylvania will not interrupt me unnecessarily.

The SPEAKER. The gentleman from Tennessee had no right to the floor.

Mr. GAINES. And he had not the right to stand up there and give me impudence; and I will not take it.

Mr. BOUTELLE of Maine. I did not intend to provoke hostilities on the other side by yielding to the gentleman from Alabama a part of my time.

Mr. UNDERWOOD. I do not wish to be discourteous to the gentleman from Pennsylvania; but my recollection is that the report of Secretary Herbert stated that those nations had their own armor-plate factories; and it was on that information that I supposed I was correct in my statement.

But if those nations have not their own armor-plate factories, it does not prove that we should not have ours. But, Mr. Speaker, I do not care to occupy the time of the House further at this time. We have already spent much time in the discussion of this question.

Mr. BOUTELLE of Maine. Mr. Speaker, before making a call for the previous question, I desire to say a word to the House. This is a very important matter and it ought to be very carefully and dispassionately considered.

What the Senate proposes in these amendments, in effect, is simply this—words may sound one way and mean another—the practical operation of these amendments will be to prevent our getting in the next five or six years any battle ships or any armored

cruisers. We have evidence on this subject from the Ordnance Bureau and from the Navy Department.

I have evidence personally from one of the greatest shipbuilding firms in the world—William Cramp & Sons—that to carry out a contract which they have made with the Russian Government for two battle ships which they are now building they have paid and are paying \$575 per ton for armor of the most desirable quality which they are putting on those ships.

The British Government within three weeks has made contracts for armor for ships for which they have contracted to pay £117 per ton. We put into our bill as reported a figure at which, as we ascertained on the authority of the Department, we could get this armor. No man living has suggested any place on the face of the globe where we can get the best attainable armor for one penny less. We ought to have the best armor, and should pay what is necessary to be paid in order to get it.

The gentleman from Illinois [Mr. HOPKINS] two years ago was the instrument—possibly the innocent instrument, possibly the ignorant instrument—I do not know which, but certainly the instrumentality on the floor of this House by which our ships then on the docks were detained two years in obtaining armor. By a motion of his upon the naval appropriation bill he deprived us of the opportunity of getting any armor unless we could get it for \$445 a ton.

My information is—and I believe I am as well informed on this subject as any layman on this floor—my information is that we can not get a ton of armor fit to put on our ships for \$445 a ton.

That bill was railroaded through this House on a wave of some kind of enthusiasm that I did not understand. It went to the Senate.

The Senate took that bill, and with the full knowledge that no factory in the United States and no factory in this world would furnish a ton of armor for \$445 a ton, they put into that bill a provision that this Government, with its desire to hold up the flag wherever it floats—with the bellicose shouting around these corridors, "We will never haul down the flag from any place where it may have been planted"—the Senate has fixed a price of \$300 in our bill, and has said that we shall never have any armor that costs over that amount per ton. There is not a Government on the face of the globe to-day that can get armor fit to put upon a mud scow for that price, and every expert knows it.

Mr. TAWNEY. Will the gentleman yield to me?

Mr. UNDERWOOD. Will the gentleman allow me?

Mr. BOUTELLE of Maine. I do not want to be interrupted from three or four places at once. I am talking common sense. I want to have my time undisturbed. I am only going to take a few minutes.

Now, this Senate committee, in the first place, say we shall not pay more than \$300 a ton for the armor, and it is written in the bill that the Secretary must buy armor of the best obtainable quality.

Mr. UNDERWOOD. The gentleman will be fair.

Mr. BOUTELLE of Maine. I do not want to be interrupted. I did not interrupt you. I will not be interrupted. [Cries of "Vote!" "Vote!"] Oh, no; you are not going to do that to me. You are not going to vote yet.

They not only say we shall not pay more than \$300 a ton, knowing that we can not get the armor for that price, but they go on and say that if the Secretary can not get the best armor in the world at that price, when England is paying \$585 a ton, and when an American manufacturer is being paid \$575 a ton by another government, when they know that armor can not be obtained at the price they name, then they say that unless the Secretary can get the best armor in the world at that price he shall build an armor plant. Then when will we get our ships?

Mr. UNDERWOOD. I rise to a point of order.

The SPEAKER. Onemoment. The gentleman from Alabama rises to a point of order. The gentleman will state it.

Mr. BOUTELLE of Maine. Well, now, make that point of order after my yielding to you, and you will be a very grateful appearing individual.

Mr. UNDERWOOD. The gentleman refuses to allow me to correct a statement, and it is this, the \$300—

The SPEAKER. One moment. The gentleman will state his point of order.

Mr. UNDERWOOD. My point of order is that the gentleman is discussing the price of armor, and the price of armor has nothing to do with this amendment.

The SPEAKER. The gentleman has not stated any point of order.

Mr. UNDERWOOD. My point of order is that the debate should be limited to the question before the House.

The SPEAKER. Certainly.

Mr. UNDERWOOD. And the question before the House is the armor-plate factory.

The SPEAKER. The Chair thinks that the debate on neither side has transcended the limits of the rule.

Mr. BOUTELLE of Maine. They say that we shall not pay more than \$300 a ton. I say the man who wrote that amendment and the men who agreed to it knew that we could not get armor for that price and that was practically compelling us to build an armor plant which may be completed at some time in the future, and the cost per ton of its product is something that no man can know.

Now, Mr. Speaker, I want every man who believes in protecting our Navy and upholding our flag to vote this proposition down. I ask for a vote and I move the previous question.

The SPEAKER. The gentleman asks for the previous question. The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Alabama [Mr. UNDERWOOD] that the House recede and concur in the Senate amendment.

The question being taken, the Speaker announced that the yeas appeared to have it.

Mr. UNDERWOOD. Mr. Speaker, there are many gentlemen on this side who desire the yeas and nays. I ask for the yeas and nays.

The question being taken on ordering the yeas and nays, 38 members voted in favor of ordering them.

The other side being demanded, there were 117 in the negative. Accordingly, more than one-fifth voting in favor thereof, the yeas and nays were ordered.

The question was taken; and there were—yeas 88, nays 129, answered "present" 9, not voting 123; as follows:

## YEAS—88.

Adamson,	De Armond,	Lamb,	Rixey,
Baker, Ill.	De Graffenreid,	Lanham,	Robb,
Ball,	Dinamore,	Lentz,	Robinson, Ind.
Bartlett,	Dockery,	Lewis, Ga.	Settle,
Benton,	Fitzgerald,	Little,	Shafroth,
Berry,	Fleming,	Livingston,	Shuford,
Bland,	Gaines,	Lloyd,	Simpson,
Bodine,	Gibson,	McCulloch,	Sims,
Botkin,	Greene, Nebr.	McDowell,	Smith, Ky.
Bradley,	Griffith,	McLain,	Sparkman,
Brantley,	Grosvenor,	McRae,	Stark,
Broussard,	Handy,	Maddox,	Stephens, Tex.
Brucker,	Hartman,	Maguire,	Sulzer,
Brundidge,	Hay,	Maxwell,	Sutherland,
Burke,	Henry, Miss.	Meekison,	Talbert,
Carmack,	Hepburn,	Miers, Ind.	Tate,
Clark, Mo.	Howard, Ga.	Moon,	Underwood,
Clayton,	Jett,	Norton, Ohio	Vandiver,
Cochran, Mo.	Jones, Va.	Ogden,	Vincent,
Cooper, Tex.	Kelley,	Osborne,	Weaver,
Cowherd,	Kitchin,	Richardson,	Williams, Miss.
Davis,	Kleberg,	Ridgely,	Wilson.

## NAYS—129.

Acheson,	Davison, Ky.	Kulp,	Pugh,
Adams,	Dayton,	Lacey,	Ray,
Alexander,	Dick,	Landis,	Reeves,
Arnold,	Dovener,	Lawrence,	Robbins,
Babcock,	Eddy,	Linney,	Russell,
Bailey,	Ellis,	Littauer,	Sauerharing,
Barber,	Evans,	Loud,	Shattuc,
Barham,	Faria,	Lovering,	Shelden,
Barney,	Fenton,	Low,	Sherman,
Bingham,	Fischer,	Lybrand,	Showalter,
Bishop,	Footo,	McCleary,	Slayden,
Boutelle, Mo.	Foss,	McClellan,	Smith, Ill.
Bromwell,	Fowler, N. J.	McDonald,	Snover,
Brosius,	Gillet, N. Y.	McIntire,	Southard,
Brown,	Gillett, Mass.	Mahany,	Southwick,
Brumm,	Graff,	Mahon,	Spaulding,
Burleigh,	Graham,	Mann,	Steele,
Burton,	Greene, Mass.	Marsh,	Stevens, Minn.
Butler,	Griffin,	Mercer,	Stewart, Wis.
Cannon,	Grow,	Meyer, La.	Stone,
Capron,	Hager,	Minor,	Strode, Nebr.
Clarke, N. H.	Hamilton,	Mitchell,	Sturtevant,
Coddling,	Hawley,	Moody,	Tawney,
Corliss,	Hemenway,	Morris,	Tongue,
Crum,	Henry, Conn.	Mudd,	Van Voorhis,
Crumpacker,	Hicks,	Olmsted,	Wanger,
Cummings,	Hilborn,	Otjen,	Warner,
Curtis, Iowa	Hill,	Overstreet,	Weymouth,
Curtis, Kans.	Howell,	Packer, Pa.	Yost,
Dalzell,	Hull,	Parker, N. J.	Young.
Davenport,	Kerr,	Payne,	
Davey,	Kirkpatrick,	Pearce, Mo.	
Davidson, Wis.	Knox,	Pearson,	

## ANSWERED "PRESENT"—9.

Baker, Md.	Driggs,	Ermentrout,	McEwan,
Boutell, Ill.	Elliott,	Hopkins,	Smith, S. W.
De Vries,			

## NOT VOTING—123.

Aldrich,	Bennett,	Cochrane, N. Y.	Fox,
Allen,	Booze,	Olson,	Gardner,
Baird,	Brenner, Ohio	Connell,	Griggs,
Bankhead,	Brewer,	Connolly,	Grout,
Barlow,	Brewster,	Cooney,	Gunn,
Barrett,	Broderick,	Cooper, Wis.	Harmer,
Barrows,	Brownlow,	Cousins,	Heatwole,
Bartholdt,	Bull,	Cox,	Henderson,
Beach,	Campbell,	Danford,	Henry, Ind.
Belden,	Castle,	Dolliver,	Henry, Tex.
Belford,	Catchings,	Dorr,	Hinrichsen,
Belknap,	Chickering,	Fitzpatrick,	Hitt,
Bell,	Clardy,	Fletcher,	Howard, Ala.
Benner, Pa.	Clark, Iowa	Fowler, N. C.	Howe,

Hunter,	Marshall,	Royse,	Thorp,
Jenkins,	Martin,	Shannon,	Todd,
Johnson, Ind.	Meach,	Skinner,	Updegraff,
Johnson, N. Dak.	Miller,	Smith, Wm. Alden	Vehslage,
Jones, Wash.	Miller,	Sperry,	Wadsworth,
Joy,	Newlands,	Spight,	Walker, Mass.
Ketcham,	Norton, S. C.	Sprague,	Walker, Va.
King,	Odell,	Stallings,	Ward,
Knowles,	Otey,	Stewart, N. J.	Wheeler, Ala.
Latimer,	Parkins,	Stokes,	Wheeler, Ky.
Lester,	Peters,	Strait,	White, Ill.
Lewis, Wash.	Pierce, Tenn.	Strowd, N. C.	White, N. C.
Lorimer,	Powers,	Sulloway,	Wilber,
Loudenslager,	Prince,	Swanson,	Williams, Pa.
McAleer,	Quigg,	Taylor, Ohio	Wise,
McCall,	Rhea,	Taylor, Ala.	Zenor.
McCormick,	Robertson, La.	Terry,	

So the motion to recede and concur was rejected.

The Clerk announced the following pairs:

For this day:

Mr. KITCHIN with Mr. LESTER.

Mr. HEATWOLE with Mr. BERRY.

Mr. LOUDENSLAGER with Mr. STALLINGS.

Mr. WHITE of Illinois with Mr. PIERCE of Tennessee.

Mr. DORE with Mr. DRIGGS.

Mr. BAKER of Maryland with Mr. STRAIT.

Mr. HARMER with Mr. SPIGHT.

Mr. HENDERSON with Mr. ELLIOTT.

Mr. BROWNLOW with Mr. BRENNER.

Mr. BELFORD with Mr. DE VRIES.

Mr. BARTHOLDT with Mr. BANKHEAD.

Mr. BULL with Mr. CATCHINGS.

Mr. WILBER with Mr. TAYLOR of Alabama.

On this vote:

Mr. WM. ALDEN SMITH with Mr. WILSON.

Mr. MCCALL with Mr. BELL.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the motion of the gentleman from Maine that the House further insist upon its disagreement.

The motion was agreed to.

The SPEAKER. The gentleman from Texas [Mr. BAILEY] has withdrawn his demand for a separate vote on each amendment.

Mr. BOUTELLE of Maine. I move that the House further insist upon its disagreement to the other amendments and ask for a further conference.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. BOUTELLE of Maine, Mr. HILBORN, and Mr. CUMMINGS.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 11093) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, numbered 57, 58, 91, 92, 93, 94, 95, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167 and 168, disagreed to by the House of Representatives, had agreed to the conference asked by the House, and had appointed Mr. ALLISON, Mr. CULLOM, and Mr. COCKRELL as the conferees on the part of the Senate.

#### WASHINGTON CITY PUBLIC LIBRARY.

Mr. MERCER. Mr. Speaker, I present a conference report. The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 11712, "An act to provide a site for a building for the Washington Public Library," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

DAVID H. MERCER,  
CHARLES W. GILLET,  
J. H. BANKHEAD.

Managers on the part of the House.

JAMES McMILLAN,  
J. H. GALLINGER.

Managers on the part of the Senate.

The statement of the House conferees is as follows:

#### STATEMENT.

The Senate agrees to the bill as it passed the House.

DAVID H. MERCER,  
CHARLES W. GILLET,  
J. H. BANKHEAD.

The question was taken, and the report of the committee of conference was agreed to.

On motion of Mr. MERCER, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

#### WASHINGTON AND GETTYSBURG RAILROAD COMPANY.

Mr. RICHARDSON. Mr. Speaker, I have a conference report I desire to present.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9428) to authorize the

Washington and Gettysburg Railway Company of Maryland to extend its line of road into and within the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, and 5; and agree to the same.

J. W. BABCOCK,

G. M. CURTIS.

JAMES D. RICHARDSON,  
Managers on the part of the House.

JAMES McMILLAN,

A. F. GORMAN.

Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The Senate amended the House bill by providing that the cars of the street railroads should not be switched in the public streets of the city, and that the Commissioners shall enforce all proper regulations in regard to handling cars at terminal points; and also a further amendment that the road shall be required to issue free transfers to passengers of the Maryland and Washington Railway Company and the Eckington and Soldiers' Home Railway Company, so that one fare only shall be paid for a continuous ride on the lines mentioned.

One or two other amendments, merely clerical in their nature, were made by the Senate to the House bill. The House nonconcurred in the Senate amendments. The conferees recommend that the House recede from its disagreements and agree to the amendments.

J. W. BABCOCK.

G. M. CURTIS.

JAMES D. RICHARDSON.

Mr. RICHARDSON. Mr. Speaker, I ask for a vote on the motion to adopt the conference report.

The question was taken, and the motion was agreed to.

On motion of Mr. RICHARDSON, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

#### ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I desire to call up the bill H. R. 12106, which has come from the Senate with amendments. It is not a conference.

The SPEAKER. The Clerk will report the title of the bill.

Mr. HULL. Before reading the amendments I hope we can have order, as I propose to move to concur in the amendments.

The SPEAKER. The House will be in order. If the motion of the gentleman from Iowa is adopted, the amendments will be agreed to. The Clerk will report the title of the bill and the amendments.

The Clerk read as follows:

A bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900, with Senate amendments.

The amendments were read.

Mr. HULL. Mr. Speaker, if the House does not desire any statement in regard to the matter, I shall simply move to concur in all the amendments.

The SPEAKER. The gentleman moves to concur in the Senate amendments.

Mr. LENTZ. I want to know why this increase is made, in the early part of the bill, in the number of clerks?

Mr. HULL. It has not made an increase, Mr. Speaker: it is simply cutting down the pay. It strikes out the pay at \$1,800 and at \$1,600, as fixed by the House, and increases those at \$1,400 and those at \$1,000 and those at \$1,200. The total number is not increased. In place of an increase, it is a reduction in the pay for the same number of clerks. The same is true as to messengers.

Mr. RIDGELY. Does this simply apply to the immunes?

Mr. HULL. No, sir; this applies to the Army of the United States.

Mr. RIDGELY. The entire Army?

Mr. HULL. The whole Army. It is the appropriation for the fiscal year ending June 30, 1900.

Mr. RIDGELY. I did not catch it exactly.

Mr. GROSVENOR. I would like to have five or ten minutes.

Mr. HULL. I yield to the gentleman from Ohio.

Mr. GROSVENOR. Mr. Speaker, I do not know that anything that a member can say will have the slightest effect in shaping legislation in the House. I have never witnessed in all my life so much of absolute and unqualified brutality toward the members of this House as I witnessed during the last hour.

Now, these improvements or amendments on this bill may be, and they doubtless are, some of them, wise and in the best interest of the public service. I presume they come here at the hands and by the brains of the experts that we have heard something about.

But I want to warn this House, now that I have been able at last, after a great struggle, to get a chance to say a few words, and I am probably not to be knocked on the head by a club from some distinguished chairman of some sort. The gentleman from Iowa is a gentleman, with his other good qualities.

I do not think that this country has always profited by the experts of these Departments of War and Navy. There came a war, Mr. Speaker, last summer, early in the season.

For years before there had been offered to the Departments of this Government one of the most marvelous of all the engines of

war—smokeless powder; and yet, when the war came, we did not have a single ounce of it. Why not? Because these experts, some of whose testimony has been read to us here to-night, said it was utterly worthless.

They are utterly worthless, unfit for use; and yet when we got into the war the whole world said, "What is the matter with the Yankee nation that when poor Spaniards, and even the reconcentrados in Cuba and the poor devils of insurrectionists at Manila, had smokeless powder, the United States did not have it?"

And when we attempted to have it it was denounced by these experts, who now denounce every innovation, everything that is not old, time honored, and worm-eaten, and worthless. And so we have passed through this House a bill creating six new war ships that are absolutely worthless, obsolete.

You could not sell them to any intelligent nation on earth, unless to the Chinese, for \$2.50 a piece. And the gentleman comes here and talks about the character of the armor plate, while we are now proposing to build these ships that have no armor and are absolutely worthless, unless it should be as tugs in the harbors of the country to pull the freight ships out.

I take with a good deal of allowance the testimony of these experts on these questions. I state this: That there is not one improvement in the Navy of the United States that takes it out of the category of the old wooden ships at the close of the war that is not the product of somebody's brain that has been compelled to force it on the country over the heads of these experts.

The amendments were concurred in.

On motion of Mr. HULL, the motion to reconsider the vote whereby the amendments were concurred in was laid on the table.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I present the conference report on the sundry civil appropriation bill, and I ask unanimous consent that the reading of the report may be omitted and the statement read.

The statement was read, as follows:

#### STATEMENT.

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments to the sundry civil bill, make the following written statement in explanation of the accompanying conference report:

The Senate recedes from its amendments 24, 75, 77, and 88, making appropriation for the public building at Los Angeles, Cal., the same having already been provided for in a separate act; striking out the House provision relative to a road in the Zoological Park; appropriating \$55,000 for the street on the west border of the Zoological Park, and for purchase of land adjoining the said park, and its provision to increase the salaries of the customs appraisers at Boston, Philadelphia, Chicago, and Baltimore.

The House agrees to the amendments of the Senate numbered 7, 21, 22, and 78, appropriating for the public buildings at Newport News and Cleveland, for additional land for the Baltimore public building, and the proposition of the Senate for widening the Adams Mill road at the entrance of the Zoological Park.

The committee of conference have been unable to agree on amendments 2, 3, 4, 6, 8, 10, and 23, authorizing public buildings at Nashua, N. H.; Cheyenne, Wyo.; Durham, N. C.; Selma, Ala.; Evanston, Wyo.; Deadwood, S. Dak., and Hartford, Conn.

On amendment 140, appropriating \$150,000 for Yaquina Bay.

On amendments 145 and 146, appropriating \$100,000 additional for the Missouri River.

On amendments 168 and 161, appropriating \$50,000 for a Soldiers' Home in South Dakota.

And on amendments 163 and 164, appropriating \$850,000 for the Pacific cable.

J. G. CANNON,

W. H. MOODY,

THO. C. McRAE,

Managers on the part of the House.

Mr. CANNON. Mr. Speaker, I move to adopt the report.

The SPEAKER. The gentleman from Illinois moves that the conference report be agreed to.

The motion was agreed to.

Mr. CANNON. I move that the House further insist upon its disagreement to all Senate amendments except number 10, and as to number 10 I make the following motion:

The SPEAKER. The Chair thinks the question should be put first on the gentleman's first motion. The question is on the motion of the gentleman from Illinois that on all the amendments, except the one numbered 10, the House further insist on its disagreement with the Senate amendment.

Mr. KELLEY. Mr. Speaker, I wish to move that the House recede and concur in amendment No. 10 also.

The SPEAKER. That will come later.

Mr. CANNON. My friend is not wise in that matter. I think he does not understand the position, and I have made no motion with reference to amendment No. 10.

Mr. CORLISS. Mr. Speaker—

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Michigan?

Mr. CORLISS. I ask for a separate vote on amendments 163 and 164, relating to the Pacific cable.

Mr. CANNON. Does the gentleman want to go all over it again?

Mr. CORLISS. Yes; let us go over it again.

The SPEAKER. The Clerk will state the amendments on which no separate vote is asked, all except amendments numbered 10, 163, and 164. The question is on the motion of the gentleman from Illinois that the House further insist on its disagreements with the Senate amendments.

The motion was agreed to.

The SPEAKER. The gentleman from Illinois presents the following as an amendment to amendment No. 10:

Mr. LIVINGSTON. I want to ask the gentleman on what basis this scale is made—one-half, one-third, or what?

Mr. CANNON. For buildings of \$100,000 and under, one-half; over \$100,000, ordinarily one-third; on some larger amounts, less than one-third, but with power to contract in each case; and more than enough money to buy the site, make the plans, and all that can be expended in the coming fiscal year.

Mr. LIVINGSTON. Will the gentleman allow me one question?

Mr. CANNON. I would be glad if my friend would let me first make my statement as to what this amendment does. This is in lieu of amendment No. 10.

Mr. LIVINGSTON. Before the gentleman leaves the other question—

Mr. CANNON. I have not left it; I am right on it. I trust I may be permitted to make my statement. If I do not make it plain, I will yield for any question.

Amendment number 10 has in it two towns which are not in my modified amendment.

Mr. LIVINGSTON. That is just what I was coming to.

Mr. CANNON. I was coming to that myself. [Laughter.] One is Nashua, N. H., which is, in number, 10 by an inadvertence, because it is in a separate amendment that is yet in conference and has been further insisted upon already. The other is Deadwood, S. Dak.

A MEMBER. Why do you leave that out?

Mr. CANNON. Because it is legislation as well as appropriation. This bill has got to pass the House and the Senate—

Mr. LIVINGSTON. Let me suggest that there are two others left out—Columbus, Ga., and Macon, Ga.

Mr. CANNON. They are elsewhere in the bill.

Mr. BARTLETT. The gentleman will permit me to say that the bills for Macon and Columbus, Ga., are not for the purchase of sites, but for additions to buildings already erected.

Mr. CANNON. Are they in the bill anywhere?

Mr. BARTLETT. Yes, sir.

Mr. CANNON. Then they are not affected by this motion.

Mr. SHAFROTH. May I ask the gentleman a question?

Mr. CANNON. With great pleasure.

Mr. SHAFROTH. I listened to the reading of the gentleman's proposition, and there was no item there for Leadville. Was the omission intentional or not?

Mr. CANNON. Let me explain. If Leadville is in now, it is not affected.

Mr. COOPER of Texas. How do you propose to affect amendment 10?

Mr. CANNON. That is exactly what this motion is.

Mr. COOPER of Texas. I did not so understand. I would like to hear the amendment read again. You propose to affect only two places?

Mr. CANNON. I propose that the House adopt, in lieu of amendment 10, the amendment just read, which drops out Deadwood.

Mr. COOPER of Texas. And Nashua?

Mr. CANNON. Nashua is in another provision. This does not affect Nashua. The modification which I have made leaves nothing unprovided for that is now in amendment numbered 10, except Nashua and Deadwood; and it does not affect Nashua, because Nashua is in twice—once as a separate amendment other than No. 10.

If this motion is adopted, it does affect Deadwood, because Deadwood is in the omnibus proposition; and it is necessary to get it out of the omnibus proposition if the House pursues the course that it indicated on Durham, N. C., this afternoon. Therefore, by this proposition I seek to eliminate it, because there is no legislation authorizing a public building at Deadwood.

Mr. KELLEY. The gentleman ought not to stand on a proposition of that kind.

Mr. CANNON. "The gentleman" does stand on a proposition of that kind, and hopes the House will stand with him.

Mr. COOPER of Texas. Has not the gentleman made a mistake and left out a great many other places?

Mr. CANNON. I am only dealing with No. 10.

Mr. COOPER of Texas. No. 10 is the very one which I insist leaves out a number of places.

Mr. CANNON. The gentleman insists in vain. If he will compare No. 10 with my proposition, he will find that my explanation covers the differences. There are differences in the amounts appropriated.

Mr. COOPER of Texas. I am not talking about amounts, but places.

Mr. CANNON. I have explained the differences. Now the gentleman must take my word, or else he must go and hunt up the bill and compare it.

Mr. KITCHIN. In the amendment you have offered, have you included any town for which there is no law at present?

Mr. CANNON. We have not.

Mr. KELLEY. Mr. Speaker, the gentleman does not mean to say but what there is sufficient necessity for the public building at Deadwood. He simply stands on a technical point that there is no authorization.

Mr. CANNON. I mean to say that the Committee on Appropriations performs its functions of appropriation, and the Committee on Public Buildings and Grounds performs its function of reporting legislation for the authorization of public buildings, and the Committee on Appropriations insists that there are other committees in the House.

Mr. KELLEY. I move that the House recede from its disagreement and concur.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. CANNON] has the floor.

Mr. KELLEY. I thought the gentleman had yielded the floor.

Mr. CANNON. Not at all; and that motion is not in order.

Mr. KELLEY. Does not my motion take precedence over the other?

Mr. CANNON. I think not.

Mr. KELLEY. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Illinois has the floor.

Mr. KELLEY. Is not a parliamentary inquiry in order?

The SPEAKER pro tempore. Not to take a gentleman from the floor.

Mr. CANNON. I yield to the gentleman from Georgia [Mr. LIVINGSTON].

Mr. LIVINGSTON. Has any public building been appropriated for in the sundry civil bill save those for which bills have passed the House?

Mr. CANNON. No; not one.

Mr. LIVINGSTON. That is the trouble over on the other side.

Mr. CANNON. Nor has any been agreed to that has not passed both House and Senate, and that is what is the matter with the gentleman from South Dakota [Mr. KELLEY]. He wants to get Deadwood in, his bill not having passed both House and Senate.

Mr. KELLEY. The gentleman ought to stand by his record, and even in the short time in which I have been a member of this House I have known the gentleman to bring in legislation of this kind on appropriation bills.

Mr. CANNON. My record is of no importance, whether good, bad, or indifferent. I will take care of my record.

Mr. BARTLETT. May I ask the gentleman one question?

Mr. CANNON. Yes.

Mr. BARTLETT. I understand this amendment No. 10 mentioned certain public buildings and sites that are provided for in the sundry civil bill and also provides for buildings authorized in separate acts. Now, where the sundry civil bill provides for amounts different from the amount originally appropriated, this amendment No. 10 has no reference to that, as I understand it.

Mr. LIVINGSTON. Those are provided for in another place.

Mr. BARTLETT. I do not desire to occupy the gentleman's time, but to make myself clear. For instance, there was a bill passed for enlarging the building at Macon, Ga. It was put in the sundry civil bill by amendment of the Senate. As I understand it, this amendment No. 10 does not deal with it at all.

Mr. CANNON. I will not be sure that Macon is in No. 10. If it is in it, this amendment of mine does not affect it.

Mr. WILLIAMS of Mississippi. May I ask the gentleman a question?

Mr. CANNON. Certainly.

Mr. WILLIAMS of Mississippi. Take Brunswick, Ga., for example. I understand you bring in a reduction of the amount, and then I understand you merely make so much of it immediately available. Which is the case?

Mr. CANNON. I will say to my friend that this is an appropriation bill. Brunswick, Ga., is authorized to cost not exceeding \$50,000. Now, my amendment recommends an appropriation of \$25,000—

Mr. WILLIAMS of Mississippi. To be immediately available?

Mr. CANNON. Oh, certainly.

Mr. WILLIAMS of Mississippi. But it does not reduce the amount?

Mr. CANNON. Oh, no; there is no legislation in my amendment. Now, I will ask for a vote.

Mr. KELLEY. I move that the House recede from its disagreement and concur in the Senate amendment.

Mr. CANNON. The gentleman, I think, can not make that motion.

Mr. KELLEY. Am I not in order, Mr. Speaker, in making such a motion?

The SPEAKER. The Chair thinks the gentleman has the right to make that motion.

Mr. CANNON. Then let me understand. I offer this amendment. I will ask for the reading of the beginning of the amendment.

The Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 10 and agree to the same with an amendment as follows—

Mr. CANNON. Now, that is my motion. Pending that the gentleman from South Dakota moves to recede and concur.

The SPEAKER. To recede and concur.

Mr. CANNON. I hope that will not be done.

Mr. KELLEY. Mr. Speaker, the gentleman has occupied a great deal of time—

Mr. CANNON. Well, now, does the gentleman want to address the House.

Mr. KELLEY. For a very few moments.

Mr. CANNON. I yield to the gentleman three minutes.

The SPEAKER. The gentleman from South Dakota.

Mr. KELLEY. Mr. Speaker, the gentleman from Illinois [Mr. CANNON] has taken up a great deal of time of the House at this late hour for the purpose of defeating the erection of a public building at Deadwood, S. Dak.

He has not attempted to show to the House but that there is necessity for the erection of that building, as much so as at any place where buildings are appropriated for by this bill. He simply stands on the proposition that previous legislation has not been had and that it is legislation on an appropriation bill.

But I say that this is drawing close lines. I do not see why this bill should be defeated on a technical proposition of that kind. At Deadwood, S. Dak., the Government of the United States is paying over \$6,000 annual rental for the use of buildings that are not at all suitable, that are not fit to hold the United States court in or for post-office purposes.

I can not understand why the gentleman from Illinois picks out this little city of Deadwood and aims his shafts against it. He has done so before since I have been a member of this House.

This is not the first instance in which the gentleman from Illinois has endeavored to defeat legislation in the interest of the city of Deadwood. He brought in here, on an appropriation bill, new legislation, as he calls it, to prevent the establishment of an assay office in that city on a former occasion. The House saw the injustice of the gentleman from Illinois upon that occasion and did not sustain him in his unwarranted fight against it.

Now, I do not believe it is necessary for me to take up the time of the House, for the House will appreciate the fact that the gentleman himself has not undertaken to show one reason why a public building should not be erected there the same as in the other places that are provided for in this bill, with the one bare exception that it is legislation along with appropriation, and that certainly can not be considered an innovation in this body. Now, Mr. Speaker, I move the previous question.

Mr. CANNON. Oh, well, I guess not. You are speaking, but am I yielding time to you?

Mr. KELLEY. I was recognized by the Speaker on my motion.

The SPEAKER. The gentleman from South Dakota will recollect that the gentleman from Illinois yielded to him three minutes.

Mr. KELLEY. I understood I obtained time from the Chair on my motion.

Mr. STEELE. It is only a break; that is all. [Laughter.]

Mr. KELLEY. My friend from Illinois made a worse break than that when he said I was not in order to make my motion. The gentleman from Indiana [Mr. STEELE] should inform himself. Had I the floor in my own right, as I believed I had, my motion for the previous question would have been in order; but as a matter of fact, a man would feel lonesome in this House unless breaks were made once in a while. [Laughter.]

Mr. CANNON. I will just ask for one minute, and then I want a vote. There are five or six buildings on the sundry civil bill that the House has disagreed to, all on amendments separate from No. 10. Now, Deadwood happens to be with twenty or thirty buildings in No. 10. Deadwood is not authorized by law, and therefore I offer my motion.

Mr. KELLEY. We want to authorize it by law.

Mr. CANNON. I hope that my friend, I having treated him courteously, will possess his soul in patience for a minute.

Mr. KELLEY. Oh, yes, certainly; but the gentleman ought not to be so irritable.

Mr. CANNON. Oh, I am not irritable; not half as irritable as my friend is.

Mr. KELLEY. Oh, no; I beg to differ with you. [Cries of "Vote!" "Vote!"]

Mr. CANNON. You will not vote a minute. I want the same rule applied to Deadwood that is applied to the others. That is all. We had this contest out on the North Carolina building this

afternoon. The gentleman says I discriminate against Deadwood; that I do not like Deadwood.

Mr. KELLEY. They have done so before.

Mr. CANNON. I do like it. I never was there, but I hope it will become live wood.

Mr. KELLEY. They like you, too.

Mr. CANNON. Now, then, I do not like it well enough to break down the Committee on Public Buildings and Grounds and have this bill made a vehicle, out of order, to draw it through.

The SPEAKER. The question is on the motion of the gentleman from South Dakota.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. KELLEY. Division, Mr. Speaker.

The House divided; and there were—ayes 24, yeas 89.

So the motion was rejected.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the House concur with an amendment.

The motion was agreed to.

Mr. CANNON. Now I move that the House further insist on its disagreement to the remaining three amendments.

The SPEAKER. The gentleman from Illinois moves that the House further insist on its disagreements to the other amendments.

Mr. CANNON. Now, does the gentleman desire to have a vote on the other amendment?

Mr. CORLISS. I desire to have a separate vote upon the Pacific cable amendment.

Mr. CANNON. That is all.

Mr. CORLISS. There are two amendments.

Mr. CANNON. Very well; that is all that is left.

Mr. CORLISS. I move that the House recede, and concur on the amendments 163 and 164.

Mr. CANNON. Now, Mr. Speaker, I ask for a vote. This is the matter we fought over this afternoon.

Mr. CORLISS. Let us have another vote on it.

The question was taken; and the motion to concur was disagreed to.

The SPEAKER. The question is upon the motion of the gentleman from Illinois, that the House further insist on its disagreement to the other amendments.

The motion was agreed to.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 11082) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1891, and for other purposes, having met, after full and free conference, have been unable to agree.

WM. W. GROUT,

ALEX. M. DOCKERY,  
Managers on the part of the House.

W. B. ALLISON,

S. M. CULLOM,

F. M. COCKRELL,

Managers on the part of the Senate.

Mr. GROUT. Mr. Speaker, I am sorry to say that we have made no progress whatever toward agreeing on these disagreeing votes. It is an illustration of the old adage, that you can lead a horse to water, but you can not make him drink. We can not make the Senate conferees agree to our instructions.

We can only bring back the report again and say we are just where we were when we came in before. The Senate practically refused to listen to the proposition. They say it is not a conference; and they treated us quite curtly.

Mr. SHAFROTH. Will the gentleman allow me to ask him a question?

Mr. GROUT. I yield to the gentleman with pleasure, for a question.

Mr. SHAFROTH. Is there much difference between the conferees on the second proposition, to add 100 members to the police force of the District of Columbia?

Mr. GROUT. We did not discuss that this time. That was up before. I will state with reference to that, we have given the conferees distinctly to understand that we could agree to any such number, but have intimated to them—and I will tell the House all that has passed in conference if it be proper, but I do not wish to violate the rules—that we might agree to a small number, 25 men and a sergeant, perhaps.

Mr. SHAFROTH. Mr. Speaker, I hope that the conferees will not agree to that increase.

Mr. GROUT. I shall be glad not to feel compelled to agree. This was a proposition provided that we could close up all of it. We have to concede some things; and while it is against my judgment and that of my associate, we feel that possibly we might concede that.

Mr. SHAFROTH. I would like to have two minutes, if the gentleman will yield it to me.

Mr. GROUT. I yield to the gentleman.

Mr. SHAFROTH. Mr. Speaker, about a year ago I had occasion to look at some statistics concerning the police force of the various cities of this Union, and I was struck with the fact that the city of Washington has to-day a police force about two or three times as large as cities of the same size throughout the United States. That is, to take into consideration, in addition to the Metropolitan police here, the police force that are also given by the Government.

There is a police force for the Mall. Members of the police force are stationed at various circles and at certain intersections of the streets; also the Capitol police, the police for the Treasury building, police for the War, State, and Navy building, and they aggregate nearly 300 members.

The present police force of the District numbers 623 in addition, making a total police force of over 900 members. There is not another city in the Union of this size that has a police force of over 400.

It seems to me the conferees ought to stand firm and say to them that there shall be no increase in the police force in this city. Of course, if we want to create offices, we can do it and where there is no necessity for it, but it seems to me the conferees ought to be firm.

I have some statistics here which I read a year ago, and which I would like to read again, because they give the population and police force of the several cities at that time.

I do not think it is right that we should have any great increase in the police force of this city, because I believe we have two or three times as large a number as cities of a corresponding population, and when we take into consideration that the population of this town is composed of men who are in a large proportion office-holders and must of necessity be law-abiding citizens, I say there is less necessity for a police force in this city than in other cities in the Union.

When you take into consideration that the great mass of the population of the city have taken an oath to support the Constitution and obey the laws, and that they are law abiding, it will be seen that it does not take policemen at every few corners to keep watch on them.

Mr. RIDGELY. Then the gentleman would advise a reduction rather than an increase?

Mr. SHAFROTH. I would advise a reduction instead of an increase. When you take into consideration the statistics of the police in other cities in the United States, as shown by this record which was compiled up to 1893, it will be seen that it supports my position.

The city of Milwaukee, which had a population of 240,000, had a police force of 263 men as contrasted with 900 men for this city. Pittsburgh had 360 members on the police force, including subordinates of all kinds. The city of Minneapolis, with a population of 220,000, had a police force of 225.

The city of Detroit, which is a larger city than Washington, had a police force of 286. The city of Kansas City, Mo., and Kansas City, Kans., combined, had a police force of 220; Cleveland, 310. It seems to me from these statistics that it is plain and clear that the police force of this city is now amply sufficient.

Mr. GROUT. Well, Mr. Speaker, I might go into an explanation to show that this city is peculiar, as it extends over such a large area. Population does not go for so much as area does. It has three or four times as many square miles as these cities mentioned by the gentleman.

Mr. SHAFROTH. I do not think that that can be sustained. I think you will find that most of these cities are as large or nearly as large as the District of Columbia.

The SPEAKER. The gentleman from Vermont moves that the House further insist and ask for a conference.

The motion was agreed to.

Mr. BABCOCK. I move, Mr. Speaker, that the House further insist on its instructions to the conferees.

The question was taken; and on a division (demanded by Mr. BABCOCK) there were 40 yeas and 55 yeas.

So the House refused to instruct the conferees.

The Chair appointed as conferees on the part of the House Mr. GROUT, Mr. BINGHAM, and Mr. DOCKERY.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 1055. To amend section 4766 of the Revised Statutes of the United States;

H. R. 7271. An act amending an act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896.

Mr. PAYNE (at 2 o'clock a. m.). I move the House take a recess until half past 2 o'clock.  
The motion was agreed to.  
The recess having expired, the House resumed its session.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed a resolution (in which the concurrence of the House was requested), providing for printing extra copies of the eulogies on the late Senator JUSTIN S. MORRILL. The message also announced that the Senate had passed without amendment the bill (H. R. 7865) to pay the J. S. Stearns Lumber Company \$379.

The message further announced that the Senate had passed the following resolution:

*Resolved*, That the Secretary be directed to inform the House of Representatives that the Senate has recommitted to the committee of conference the report of the committee on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

## EULOGIES ON HON. J. S. MORRILL.

Mr. GROUT. I ask unanimous consent for the present consideration of the resolution of the Senate relative to printing eulogies on the late Senator MORRILL.

The resolution was read, as follows:

*Resolved*, That there be printed 6,000 additional copies of the proceedings in memory of the late Senator JUSTIN S. MORRILL: 4,000 copies for the use of the House, and 2,000 copies for the use of the Senate.

Their being no objection, the House proceeded to the consideration of the concurrent resolution; and it was agreed to.

Mr. PAYNE (at 2 o'clock and 35 minutes a. m.). I move that the House take a recess until five minutes past 3 o'clock.

The motion was agreed to.

The recess having expired, the House resumed its session.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate further insisted on its amendments to the District appropriation bill Nos. 57, 58, 91, 92, 93, 94, 95, 96, 97, 98, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, disagreed to by the House of Representatives and agreed to a further conference, and had appointed Mr. ALLISON, Mr. CULLOM, and Mr. COCKRELL as conferees on the part of the Senate.

Mr. PAYNE (at 3 o'clock and 10 minutes a. m.). I move that the House take a recess until 4 o'clock a. m.

The motion was agreed to.

The recess having expired, the House resumed its session.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the reports of the committees of conference on bills of the following titles:

H. R. 9428. To authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia; and

H. R. 11712. To provide a site for a building for the Washington Public Library.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 1206. Granting an increase of pension to Sophia W. Buxton; and

H. R. 718. For the relief of Benjamin F. Vennum, of Wheeling, Ohio County, W. Va.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11795) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

## RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. The message just received from the Senate informs us that that body has agreed to the report of the committee of conference on the river and harbor appropriation bill. I present on behalf of the House conferees the same report, and move that the House agree to it. As the report is somewhat lengthy, I ask unanimous consent that the reading be dispensed with, except the portion pertaining to the Nicaragua Canal amendment, so called, which perhaps the House would like to hear. I ask also that the statement prepared by the House conferees may be read.

The statement was read, as follows:

The conferees appointed by the House of Representatives report that, after full conference with the Senate conferees on the river and harbor bill, No. 11795, they have agreed, and hereby report back the said bill as agreed upon. A list of amendments agreed to or disagreed to are more specifically set forth in the accompanying statement:

The amount appropriated by the bill as it passed the House for the fiscal

year ending June 30, 1900, made immediately available by the terms of the bill, was \$12,524,684.94.

The net additions in the bill as now presented for the ensuing fiscal year are \$2,240,193, making a total of \$14,773,877.94.

The amount appropriated in the House bill for expenditures the payment for which was made contingent upon certain results was \$300,000. This item is left unchanged in the Senate.

The amount appropriated for continuing contracts by the House bill was \$17,110,538.70. The net increase in this amount as provided in the bill now presented is \$5,515,785.43, making the total amount appropriated in the bill for continuing contracts \$22,626,324.13.

The bill as now presented also carries an item of \$1,000,000 for the investigations and preliminary measures for a canal between the Atlantic and Pacific oceans.

The total amount carried by the bill as now reported, it thus appears, is as follows:

For fiscal year ending June 30, 1900.....	\$14,773,877.94
Contingent appropriations.....	300,000.00
For continuing contracts.....	22,626,324.13

Total for river and harbor items .....	37,600,202.07
For interoceanic canal.....	1,000,000.00

Total of entire appropriations and liabilities .....	38,600,202.07
--	---------------

The provision in the Senate bill for reservoirs and for surveys for reservoirs is stricken out.

The provision in the House bill providing for a repeal of the provisions heretofore made for the improvement of Yaquina Bay, Oregon, and for a ship railway at The Dalles, Columbia River, Oregon, is stricken out.

For Yaquina Bay provision is made in the bill as agreed upon for a survey and a report as to the feasibility and that no expenditures shall be made until a report is made thereon.

For the ship railway the provision in the Senate bill for an appropriation of \$50,000 is stricken out.

The provision in the Senate amendment pertaining to the Nicaragua Canal, appropriating \$115,000,000 therefor, is stricken out, and in lieu thereof a provision is made authorizing the President to investigate any and all routes across the Isthmus of Panama suitable for a canal, and to particularly investigate the Nicaragua route and the Panama route; also to ascertain the most feasible route for a canal to be owned and controlled by the United States; also to ascertain the approximate cost of such canals, together with the cost of harbors at the termini of said canals and the approximate cost for maintenance thereof; and an appropriation of \$1,000,000 to defray the expenses thereof is made, and the President is requested to report to Congress the result of his investigation, with his recommendations thereon.

The bill as now agreed upon and presented also includes a codification of existing laws pertaining to rivers and harbors, though containing no essential changes in the existing law.

Mr. SHERMAN. I wish to make an inquiry in reference to the New York Harbor project. Has there been an agreement in reference to that?

Mr. BURTON. As agreed upon by the conferees the bill contains an appropriation of \$4,000,000 to secure, if it can be obtained by private contract, a channel 40 feet deep and 2,000 feet wide from the Narrows to the sea.

Mr. SHERMAN. That is the Senate provision?

Mr. BURTON. There is a provision in the alternative to the effect that if such private contract can not be made, the Government shall build or purchase dredges and prosecute the work to obtain such a depth of water as I have already stated.

Mr. LOW. Does this report include Man-of-War Rock?

Mr. BURTON. That is included in a provision for the East River, for which an appropriation of \$350,000 is made.

Mr. MOODY. Is there anything in this conference report looking toward the beginning of irrigation of the arid lands?

Mr. BURTON. There is not.

Mr. TONGUE. I should like to hear the provision of the report in regard to Yaquina Bay.

Mr. BURTON. I repeat the request for unanimous consent that the reading of the report be dispensed with except that portion pertaining to amendments numbered 243 to 246, inclusive. These four amendments pertain to the provision with reference to Yaquina Bay, about which inquiry was made by the gentleman from Oregon [Mr. TONGUE], and those pertaining to the so-called Nicaragua Canal project. I will say that this report is very voluminous, and all the essential portions of it have been expressed in the statement just read at the desk.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the reading of the conference report be dispensed with except the parts that he has indicated. Is there objection? The Chair hears none.

Mr. TALBERT. With all the additions and subtractions, what is the increase of the bill over the total of it as it left the House?

Mr. BURTON. A little over \$8,600,000.

Mr. TALBERT. The increase?

Mr. BURTON. The increase is a little over \$8,600,000; from a little less than \$30,000,000 to \$38,600,202.07. That is the amount authorized or appropriated by this bill, including the Nicaragua Canal.

The SPEAKER. The Chair thinks the report had better be read before the discussion. The Chair thinks it important.

The portions of the conference report indicated by Mr. BURTON were read.

[For conference report see Senate proceedings.]

Mr. MOODY. I should like to ask the gentleman a question.

Mr. BURTON. I shall be pleased to answer the inquiry of the gentleman from Massachusetts.

Mr. MOODY. Mr. Speaker, I desire to call the attention of the gentleman from Ohio [Mr. BURTON], in the absence of the gentleman from Illinois [Mr. CANNON], to an amendment to the sundry civil bill, which is still in disagreement between the two Houses, for improving Yaquina Bay, continuing improvement, \$150,000. If I understand the situation correctly, that proposition should have been made, unless this bill had repealed the provision in the river and harbor bill of 1896 and 1898, with reference to Yaquina Bay.

Mr. BURTON. That would be a matter for the Committee on Appropriations to decide primarily, but this bill contains a provision that a board of three engineers shall be appointed to examine that project and report upon its desirability, and that no further action shall be taken upon that until they report. That would make the appropriation unnecessary.

Mr. MOODY. That answers my question, Mr. Speaker. Then, in the opinion of the gentleman from Ohio, there is no occasion to make any appropriation in the sundry civil bill, in view of the conference report, in case the House adopts that report?

Mr. BURTON. No; because this act contains a provision, a substitute for the original section as the bill passed the House, and to the effect, as I have stated, that no further proceedings shall be had there or work done until an examination by a board of engineers has been made and they have made their report; also my colleague reminds me of the express statement that no money shall be expended, except, of course, this \$5,000 for the examination.

Mr. MOODY. I will ask the gentleman what would be the condition suppose the board of engineers should report favorably toward the project for Yaquina Bay?

Would there not be the necessity for placing at the disposal of the War Department in the sundry civil bill an amount of money that could be utilized before December next for this project?

Mr. BURTON. I think that is a question for the members of the Committee on Appropriations.

Mr. MOODY. Would such a report be likely to be made before the assembling of the Fifty-sixth Congress?

Mr. BURTON. I am unable to answer the question definitely, but probably not. It is quite unlikely.

Mr. LEWIS of Washington. May I ask the gentleman from Ohio [Mr. BURTON] if he can tell me what became of an amendment providing for \$200,000, offered in the Senate, which I understood was to be a part of the bill for the Lake Washington waterway?

Mr. BURTON. That was not put on the Senate bill, and hence it is not in this bill.

Mr. LEWIS of Washington. It is not incorporated into this report.

Mr. BURTON. It was not in the original House bill, nor was it in the Senate bill, and hence it is not in this conference report.

Mr. LEWIS of Washington. I knew it was not in the House bill, but I understood it was adopted in the Senate.

Mr. BURTON. The bill contains no such provision.

Mr. GREENE of Nebraska. I should like to see if I understand this correctly. As I understand it, under this bill a million dollars was appropriated for investigating the feasibility of the various routes across the Isthmus, and the provision is left without any limit as to the amount that shall be paid to engineers, is it not?

Mr. BURTON. Up to a million dollars.

Mr. REEVES. The compensation is to be fixed by the President.

Mr. GREENE of Nebraska. Do you not think it is a little bit loose to turn loose a million dollars without any limit on the compensation that is to be paid to the engineers?

Mr. BURTON. The gentleman must take into account the fact that we had to meet an appropriation of \$115,000,000, and a million dollars did not seem very large to us in view of the contrast between the two amounts.

Mr. GREENE of Nebraska. I do not know but what the gentleman is correct about it. Still, it seems to me that a million dollars is a pretty large amount. If we must lose the million, it is so much less than the \$115,000,000 that it seems small; but still it struck me that to turn loose a million dollars without any limit as to what should be paid was a little bit loose.

Mr. BURTON. The whole compensation is to be fixed by the President, and a very considerable sum might be required for engineering purposes. It is not merely the employing of five or six engineers. It will be necessary, probably, to employ two or three hundred.

Mr. GREENE of Nebraska. That is probably true; but the compensation is left entirely open.

Mr. BURTON. We saw no other way of providing for that. We could not provide for their wages in advance. Engineers of different grades of ability and different qualifications will have to be employed.

Mr. GREENE of Nebraska. I am not inclined to find any fault with it, except that I wanted to call attention to the apparent looseness of it. But it is so much less than \$115,000,000 that the amount does not seem so large in comparison.

Mr. TONGUE. Mr. Speaker, I see that the provision for Yaquina Bay provides for a board of engineers, who are to estimate the cost. In view of the fact that the contract has already been let and signed by the contractors at about one-half the original estimate of the board of engineers, we should like to know from the gentleman from Ohio why it was thought necessary to make an estimate of the cost of that improvement? The contract has been signed for \$511,000, whereas the board of engineers set the cost at about a million dollars.

Mr. BURTON. I will answer the gentleman by stating that the provision is not only for an examination of the present project, but for such modification as may seem desirable. If a different project should be recommended, then it would certainly be necessary to estimate the cost.

Mr. TONGUE. One further question in reference to the answer of the gentleman from Ohio [Mr. BURTON] to the question of the gentleman from Massachusetts [Mr. MOODY]. This contract having been let and signed by the contractors, who are being held responsible pending this matter, why does the gentleman from Ohio think it is going to take nine months to have a resurvey of Yaquina Harbor? Why can it not be done within sixty days?

Mr. BURTON. I wish to call attention, in answer to the gentleman, in the first instance, to a part of his statement which seems to me hardly accurate. The contract is not yet let. A contract is not complete until it is signed by the Secretary of War.

Mr. TONGUE. That is technical.

Mr. BURTON. It is not only technical, but substantial. Then, further, an unusual number of surveys are provided for in this bill, as I have stated, to persons who have applied for examinations in numerous localities; and under provisions already made the engineer force is going to be taxed to the utmost during the next year, and we do not think it will be probable that the necessary examination can be made and the report and figuring upon it completed before the next session of Congress.

Mr. TONGUE. If the sundry civil appropriation bill should contain an amendment appropriating \$150,000, that would be available in case this board of engineers are favorable.

Mr. BURTON. It would be available.

Mr. TONGUE. And it could be used if this report should be favorable.

Mr. BURTON. If the project should be modified, it would not be available. The project recommended might be a larger and more expensive one, or a smaller and less expensive one.

Mr. TONGUE. It could, therefore, do no harm to make the appropriation, and might assist if it was made.

Mr. BURTON. From the standpoint of the gentleman, it would not; but as regards the policy of making an appropriation under existing circumstances, that is a question for the Committee on Appropriations to decide, and not for the Committee on Rivers and Harbors.

Mr. TALBERT. I would like to ask the gentleman a question. In your provisions about a survey you say that the money "shall be paid out of any money in the Treasury not otherwise appropriated." Now, with the Treasury depleted and a deficit, it may possibly be the case that there is no money, as all the money is appropriated.

Mr. BURTON. I will call the gentleman's attention to the fact—

Mr. TALBERT. Is it not possible that all the money in the Treasury has already been "otherwise appropriated," by which the project will fall to the ground?

Mr. BURTON. I can answer the gentleman by a statement which is easily understood by himself—that this is the phraseology used in all appropriations.

Mr. TALBERT. I only asked for information.

Mr. BURTON. That is a financial question in regard to revenue and expenditures about which I do not think I can give any better answer. [Cries of "Vote!"] I desire to retain control of the bill, but I understand the gentleman from Iowa desires to be heard. Now, while I otherwise should ask the previous question, I do not wish to shut off debate. How much time does the gentleman want?

Mr. HEPBURN. I want to raise a point of order against the amendment pertaining to the Panama Canal.

Mr. PAYNE. That comes pretty late, after you have discussed the bill.

Mr. MOODY. It is too late.

Mr. HEPBURN. This is the first opportunity I have had. The gentleman has been engaged in answering questions of other gentlemen, and each time when I desired to do so I had to yield while the gentleman was answering questions. This is the first moment I have had.

Mr. BURTON. As I understand the rule in regard to this, it is that any member may rise in his place and present a point of order, even while another person is speaking. It seems to me the time has passed for the gentleman to raise a point of order.

Mr. HEPBURN. Mr. Speaker, I think that is a snap judgment

that the gentleman ought not to take at this time. My point of order is made in perfect good faith.

Mr. BURTON. I would suggest, Mr. Speaker, that while I desire that opportunity be given for discussing this bill, in view of the fact that it is but little more than seven hours until the close of this session, that I do not think it best to enter into a refined discussion of points of order, and I hope there will be no desire to make them or to elaborately discuss the Nicaragua amendment or any other project.

Mr. HEPBURN. For myself, I have no desire of that kind. I simply want to present a point of order that I believe to be good. In the first instance, I raise the point that the amendment proposed by the committee is not germane to any subject in dispute between the two Houses. In the second place, it is entirely new legislation suggested by them, having no relation to any subject that was in dispute between the two Houses.

The matter in dispute was whether or not there should be undertaken by this Government the building of the Nicaragua Canal by way of Nicaragua and San Juan River. The Senate had said by their legislation that that should be undertaken; the House had disagreed to that. Now, the gentleman proposes, in lieu of that legislation, a provision for a canal across the Isthmus of Panama, 5 degrees of latitude south of the site of the other canal. I submit that that is not germane to any matter of difference and that it is entirely new legislation, for the first time suggested to either House by this committee. I want to call attention, Mr. Speaker, to the phraseology of this amendment:

That the President of the United States of America be, and he is hereby authorized and empowered to make full and complete investigation of the Isthmus of Panama, with a view to the construction of a canal by the United States across the same to connect the Atlantic and Pacific oceans.

Again I read:

And generally the President is authorized to make such full and complete investigation as to determine the most feasible and practical route across said isthmus for a canal, together with the cost of constructing the same and placing the same under the control, management, and ownership of the United States.

There is a provision here for the investigation of the Nicaragua route, if the Nicaragua route can be found on the Isthmus of Panama.

Mr. BURTON. Mr. Speaker, I must raise the point of order in the first instance, for I see it is going to lead to extended discussion, that the point raised by the gentleman from Iowa was not raised at the proper time; that he allowed it to pass until too late.

The SPEAKER. Is the gentleman ready for the Chair to rule?

Mr. HEPBURN. Yes.

The SPEAKER. The Chair thinks the point of order was not taken at the proper time. Nothing is better settled than that a point of order must be raised prior to discussion.

Mr. HEPBURN. But there has been no discussion, except simple inquiries and answers.

The SPEAKER. That is discussion.

Mr. HEPBURN. Then I desire to make a motion, if now is the proper time, that the House—

Mr. BURTON. I can not yield the floor to the gentleman from Iowa for that purpose.

Mr. HEPBURN. There has been no demand for the previous question.

The SPEAKER. The gentleman from Iowa had the floor on a point of order; the gentleman from Ohio [Mr. BURTON] has the floor.

Mr. HEPBURN. I ask the gentleman from Ohio, then, to yield to me to make that motion. The gentleman did not make objection to this. Mr. Speaker, there is hidden in this a snare under the pretense of investigating with regard to the Nicaragua Canal, under the terms of this amendment. The gentleman has so ingeniously worded it that there can be no investigation except in regard to the Panama Canal.

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Iowa?

Mr. BURTON. I decline to yield for a motion. If the gentleman from Iowa desires time in which to address the House, and we can agree, I shall be pleased to yield to him. What is the least time the gentleman will be satisfied with?

Mr. HEPBURN. Mr. Speaker, if I can not make the motion I do not know what the discussion would avail me.

Mr. BURTON. I suggest that this is a conference report before the House, and if the gentleman has anything to say about the Panama or the Nicaragua Canal, provisions concerning them are contained in this conference report. He can address the House, and I think it will be possible for him to make his remarks germane to the subject before us. I do not desire to yield any considerable time. Will ten minutes be sufficient for the gentleman?

Mr. HEPBURN. Ten minutes will enable me to say all that I desire to say.

Mr. WILLIAMS of Mississippi. Does the gentleman from Ohio yield to the gentleman from Iowa to make a motion?

Mr. BURTON. No; I can not.

Mr. WILLIAMS of Mississippi. Then he is to talk to the air.

Mr. HEPBURN. I can not accept the gentleman's courtesy on those conditions.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to. On motion of Mr. BURTON, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

Mr. PAYNE. Mr. Speaker, I understand the report of the conferees on the naval appropriation bill will be ready soon, when that bill comes over from the other House, and I move that the House take a recess until 5 o'clock.

The motion was agreed to; and accordingly (at 4 o'clock and 45 minutes) the House took a recess until 5 o'clock.

The recess having expired, the House resumed its session.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12123) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes.

#### NAVAL APPROPRIATION BILL.

Mr. BOUTELLE of Maine. I send to the desk a report of the committee of conference on the naval appropriation bill.

The SPEAKER. Does the gentleman desire the report read in full, or does he move to dispense with the reading?

Mr. BOUTELLE of Maine. I think, Mr. Speaker, it would expedite matters if I should read a very brief statement of the managers on the part of the House. It is as follows:

The managers on the part of the House respectfully make the following statement of the result of the second conference with the managers on the part of the Senate on the disagreeing votes of the two Houses on Senate amendments to the bill (H. R. 12122) making appropriations for the naval establishment:

The Senate receded from its amendments numbered 4, 22, 23, and 24. No. 4 embraced the Gathmann-gun proposition, which goes out of the bill. Nos. 22, 23, and 24 contained the provisions for appointment of boards to examine and report on locating a new dry dock on the Columbia River, Oregon, a naval coaling and repair station in California south of San Francisco, and a dry dock at or near Key West; all of which are stricken out.

The House conferees receded from its disagreement to the amendment of the Senate numbered 21, and agreed to the same with an amendment providing that one of the dry docks in addition to that at Boston may, in the discretion of the Secretary of the Navy, be constructed of stone or concrete faced with stone.

On the amendments of the Senate numbered 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55 the House conferees insisted upon their disagreement. These amendments embraced the reduction of the number of battle ships, armored cruisers, and protected cruisers, the reduction in the price to be paid for armor, and the establishing of a Government armor plant, on which the House conferees did not feel at liberty to or disposed to yield in view of the emphatic action of the House immediately after the first conference.

C. A. BOUTELLE,

S. G. HILBORN,

AMOS J. CUMMINGS,

Managers on the part of the House.

Mr. Speaker, it is unnecessary to say that the questions in disagreement between the two Houses have resolved themselves into these: The number of ships to be authorized, the price to be paid for armor, and the question of building an armor plant, upon which the House has so emphatically expressed its judgment. I have waited in the other body pending the discussion of the conference report as presented there, and while the Senate has voted to insist on its amendments and ask for a further conference, and while I can not predict absolutely the outcome, I am impressed with the belief that if the House shall insist upon the position it has assumed we shall be able in the next conference to come to an agreement which will be consistent with the attitude the conferees have thus far assumed, as I believe in deference to the very strong feeling and disposition of the House.

Mr. LENTZ. What difference is there now between the two Houses as to the number of battle ships?

Mr. BOUTELLE of Maine. The Senate strikes out one battle ship, one armored cruiser, and two of the protected cruisers.

Mr. LENTZ. That would leave eight.

Mr. BOUTELLE of Maine. That leaves eight; but my judgment is that the proposition for a reduction in the number of ships is very weak in the Senate. That is my impression from the best information I can get.

Mr. Speaker, I move that the conference report be adopted.

Mr. RIDGELY. I should like to ask one question. If the Senate should agree to the \$445 limit, would the gentleman be then willing to grant an authority—

Mr. BOUTELLE of Maine. Oh, that is a matter for the conferees to act upon.

A MEMBER. And for the House.

The question being taken on agreeing to the report, it was agreed to.

Mr. BOUTELLE of Maine. I move that the House insist on its

disagreement to the amendments still in controversy between the two Houses and agree to the conference asked by the Senate.

Mr. HANDY. I ask for a separate vote on the armor-plate proposition.

The SPEAKER. The gentleman from Maine moves that the House further insist on its disagreement to the remaining amendments of the Senate and agree to the conference asked by that body. The gentleman from Delaware asks for a separate vote upon the amendments—

Mr. HANDY. Simply on the armor-plate amendment; and when that amendment comes up I shall move that the House recede.

Mr. BOUTELLE of Maine. If the gentleman from Delaware will specify the particular portion or clause of the amendment that he desires to vote upon, it will simplify matters.

Mr. HANDY. My memory is that the amendment is the fifty-fifth, but I have not the document with me to enable me to speak with certainty.

Mr. BOUTELLE of Maine. There are practically two propositions on this subject, although they merge themselves somewhat. The limit of price is fixed at \$300, instead of \$445—

Mr. HANDY. That is a separate amendment, is it not?

Mr. BOUTELLE of Maine. No; the price fixed is \$300, but the armor-plate proposition is made dependent upon that price in this way: The proviso is that if the Secretary of the Navy shall find it impossible to obtain armor plate of the best quality at such a price—that, is \$300—

Mr. HANDY. But if the price is made different that proposition would refer to a different price.

Mr. BOUTELLE of Maine. But the price has not been made different up to this time.

Mr. HANDY. I desire that we should insist on our price, \$445; but as to amendment 55 (if I remember the number correctly) I wish to move that the House recede from its disagreement and concur in the Senate amendment.

The SPEAKER. As to the other amendments, the gentleman from Maine moves that the House further insist on its disagreement.

Mr. BOUTELLE of Maine. Before the question is put, I should like to put to the Chair a parliamentary inquiry—whether upon a conference report you can vote on a portion of a proposition?

The SPEAKER. These are separate amendments; and there will be no difficulty about voting on them separately.

Mr. BOUTELLE of Maine. Mr. Speaker, if we should adopt a motion to recede and concur with the Senate in building an armor plant and a change should be made in the other clause it would complicate matters.

The SPEAKER. Supposing a change was made in the other clause, to limit the price to \$600 instead of \$300.

Mr. BOUTELLE of Maine. I think the members would vote very differently under those circumstances from the way in which they would when the limit is fixed at \$300.

The SPEAKER. But if the gentleman demands a separate vote, the Chair does not see how it can be refused.

Mr. HANDY. Not only that, but the conferees would be entirely free—

The SPEAKER. The question is on the motion of the gentleman from Maine [Mr. BOUTELLE] that the House, as to all amendments except 55, do further insist upon its disagreement.

The motion was agreed to.

The SPEAKER. The gentleman from Delaware [Mr. HANDY] moves to recede and concur in amendment No. 55, relating to the armor-plate factory.

Mr. BOUTELLE of Maine. I call for the previous question on that.

Mr. HANDY. I should like to have about two minutes or one minute. [Cries of "Vote!" "Vote!"]

Mr. BOUTELLE of Maine. The disposition of the House seems to be to vote at once.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Delaware [Mr. HANDY] that the House recede and concur.

The question being taken, the Speaker announced that the yeas appeared to have it.

Mr. HANDY. I ask for a division.

The House divided; and there were—ayes 34, noes 77.

Accordingly the motion was rejected.

The SPEAKER. The question is on the motion of the gentleman from Maine [Mr. BOUTELLE], that the House further insist on its disagreement with the Senate relating to amendment 55.

The motion was agreed to.

Mr. BOUTELLE of Maine. I move that the House assent to the conference asked for by the Senate.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. BOUTELLE of Maine, Mr. HILBORN, and Mr. CUMMINGS.

#### TEMPORARY COMMITTEE ON ACCOUNTS.

The SPEAKER announced the appointment of Mr. BULL, Mr. OLMSTED, and Mr. BARTLETT as members of the temporary Committee on Accounts.

#### VISITORS TO MILITARY ACADEMY.

The SPEAKER announced the appointment of Mr. MARSH, Mr. BROMWELL, and Mr. JETT as visitors to the Military Academy.

#### VISITORS TO NAVAL ACADEMY.

The SPEAKER announced the appointment of Mr. DALZELL, Mr. STEELE, and Mr. SETTLE as visitors to the Naval Academy.

#### RECESS.

Mr. PAYNE. Mr. Speaker, I understand there is a conference near on the District bill. I will move that the House take a recess for twenty minutes.

The motion was agreed to.

Accordingly (at 5 o'clock and 20 minutes a. m.) the House took a recess until 5 o'clock and 40 minutes a. m.

The recess having expired, the House (at 5 o'clock and 40 minutes a. m.) resumed its session.

#### ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled the bill (H. R. 8571) to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District; whereupon the Speaker signed the same.

#### RECESS.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 6 o'clock, and pending that I yield one minute to my colleague [Mr. DRIGGS] to ask unanimous consent to address the House on whatever topic he may see fit. [Applause.]

The SPEAKER. The Chair regrets to say that on a motion to take a recess time can not be yielded. [Laughter.]

The motion was agreed to.

Accordingly (at 5 o'clock and 41 minutes a. m.) the House took a recess until 6 o'clock a. m.

The recess having expired, the House (at 6 o'clock a. m.) resumed its session.

Mr. PAYNE. I move that the House take a recess until 6.30 o'clock.

The motion was agreed to.

Accordingly the House was in further recess until 6.30 a. m.

The recess having expired, the House resumed its session.

#### ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same.

H. R. 12106. An act making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1900;

H. R. 1206. An act granting an increase of pension to Sophia W. Buxton; and

H. R. 9428. An act to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia.

On motion of Mr. PAYNE, the House took a further recess until 7.30 a. m.

The recess having expired, the House, at 7.30 a. m., resumed its session.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 4905. An act granting an increase of pension to Stephen P. Choate;

H. R. 4501. An act granting an increase of pension to Stephen A. Knowlan;

H. R. 4498. An act granting an increase of pension to Jackson Neace;

H. R. 11834. An act granting an increase of pension to Smith Jewell; and

H. R. 10771. An act for the relief of Eudora Hill.

The message also announced that the Senate had agreed to the amendment of the House to amendment numbered 10 and receded from amendments numbered 2, 3, 4, 6, 8, 23, 140, 145, 146, 158, 161, 163, and 164.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11083) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes.

## BINDING OF INVALID PENSIONS COMMITTEE REPORTS.

Mr. RAY of New York. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The resolution was read, as follows:

*Resolved*, That the chairman of the Committee on Invalid Pensions be, and is, authorized to cause to be bound the reports of the Committee on Invalid Pensions in the Fifty-fifth Congress, at a cost not exceeding \$15.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

On motion of Mr. RAY of New York, a motion to reconsider the last vote was laid on the table.

## DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill and, as the report is brief, I ask the Clerk to read it.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 11083) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 91, 94, 152, 157, 158, 159, and 160.

That the House recede from its disagreement to the amendments of the Senate numbered 57, 92, 148, 149, 150, 151, 153, 154, 155, 156, 161, 162, 163, 164, 165, 166, 167, and 168, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Provided further, That the Commissioners of the District of Columbia are hereby authorized to grant permits for the repair, enlargement, and extension, under proper regulations, of existing electric lighting conduits; and in every conduit constructed or to be constructed under the provisions of this paragraph three ducts shall be reserved for the use of the United States and the District of Columbia, and as a condition for the right to use conduits heretofore built or to be built under the provisions of this act the electric lighting companies shall be required at all times to furnish to the public and to private consumers in all parts of the District of Columbia standard arc lights of not less than 1,000 actual candlepower at a rate not exceeding \$72 per annum for each arc light; and on and after the 1st day of June, 1899, the maximum price of electric current sold or furnished to any consumer in the District of Columbia shall be reduced from the present maximum of 15 cents per kilowatt hour to not exceeding 10 cents per kilowatt hour. That if consumers other than the Government shall not pay monthly electric bills within ten days after the same shall have been presented, said companies may charge and collect from said consumer so failing to pay said bill as aforesaid 11 cents per kilowatt hour for the electric current furnished to said consumer during said month: And provided further, That the right to amend, modify, or repeal the privileges herein granted, and to further limit the prices herein specified, is hereby expressly reserved. Any company charging or collecting an amount in excess of the rates herein prescribed shall be deemed guilty of a misdemeanor, and shall pay to the District of Columbia the sum of \$50 for each and every offense, to be collected as other fines are now collected in the District of Columbia;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the number proposed insert "325;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$622,420;" and the Senate agree to the same.

WILLIAM W. GROUT,

ALEX. M. DOCKERY,

Managers on the part of the House.

W. B. ALLISON,

S. M. CULLOM,

Managers on the part of the Senate.

Mr. GROUT. If the Clerk will read the statement, which is very brief, it would tell the whole story.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the District of Columbia appropriation bill submit the following written statement in explanation of the accompanying conference report.

On amendments 53 and 54: The amount for electric arc lighting is increased from \$90,000 to \$63,000, as proposed by the Senate, and a provision is inserted regulating the repair, enlargement, and extension of electric-lighting conduits, and for other purposes, which is fully set forth in the conference report as read.

On amendments 91, 92, 93, 94, and 95: Provides for 1 additional sergeant of police and 25 additional privates, instead of 100, as proposed by the Senate.

On amendments 148 to 168, inclusive: Provides for various charities in the District of Columbia as proposed by the Senate, except that the five institutions confessedly sectarian in their character proposed to be appropriated for by the Senate are stricken from the bill.

WILLIAM W. GROUT,

A. M. DOCKERY,

Managers on the part of the House.

Mr. GROUT. Mr. Speaker, I ask for a vote on the adoption of the report.

Mr. HENDERSON. A parliamentary inquiry. Does a motion to recede from the disagreement of the House and to concur in the Senate amendments take precedence over a motion to adopt this report?

The SPEAKER. It does not.

Mr. HENDERSON. Then the only way left for a disagreement in this report is to vote it down and then instruct?

The SPEAKER. It is.

Mr. HENDERSON. I understand the five institutions named are all knocked out, and no provision is made for them.

Mr. GROUT. No provision is made for the five sectarian institutions.

Mr. HENDERSON. I have discussed this question repeatedly in this House. We are brought here face to face for the first time with the failure to make any provision for these orphan institutions in this bill, although I understand the Senate has resisted all night, and one of the conferees has not been present in the conference, so that the gentleman has been practically voting two votes.

Mr. GROUT. With full authority of the other conferee.

Mr. HENDERSON. The other conferee was absent and not there, and the only way to protect these orphans is to vote down this report and to recede from the disagreement to the Senate amendments.

Mr. GROUT. This is a full agreement, and the absent conferee is heartily in favor of leaving out these five institutions.

Mr. HENDERSON. Yes.

Mr. FITZGERALD. I wish to state that the gentleman from Missouri [Mr. DOCKERY] did not agree to this proposition, and only assented to sign the report because the third member could not be obtained, so that it could come before the House, and I say he did not agree to this proposition.

Mr. GROUT. Why, Mr. Speaker, he signed it, and of course agreed to it.

Mr. FITZGERALD. For no other reason than to get it before the House.

Mr. GROUT. He freely signed it; but I want to be perfectly fair with the distinguished gentleman from Missouri, who is always fair to all. He did say, as he signed, that he did not fully concur in all provisions of the agreement, but would join in sending the bill back into the House.

Mr. HENDERSON. He did not agree to this, but he has signed the report, so he is bound by that, and it is not one thing to write his name and tell us he did not agree. I do not take any stock in that. But we ought still to protect these children. This is the first time in years and years that these orphans have been left without appropriation for their support, and I sincerely hope the House will vote down the report, and then I will offer an amendment to recede and concur.

Mr. RIDGELY. If I understand the reading of the report, you have also conceded the 4 per cent tax on the electric-light companies.

Mr. GROUT. The gentleman says these orphans are left unprovided for. In this the gentleman is altogether mistaken. All the destitute children in the District are placed by law in charge of the Board of Children's Guardians. That board was established in 1894, and 40 per cent of the appropriations to all these different institutions of the city, sectarian and nonsectarian alike, was withheld and placed at the disposal of the Board of Children's Guardians for the care of needy children. I hold in my hand a long letter addressed by this Board of Guardians to all these institutions, and many of them, because of being cut off from 40 per cent of the appropriations, surrendered certain children to be cared for by the board, but not one of these sectarian institutions surrendered a single child—not one.

Mr. WILLIAMS of Mississippi. Are there not private institutions that are provided for upon this bill?

Mr. GROUT. Yes, sir.

Mr. WILLIAMS of Mississippi. What are they?

Mr. GROUT. They are several in number. I can not name them.

Mr. WILLIAMS of Mississippi. Can you call off a few of them, because I want to know whether they are sectarian or nonsectarian?

Mr. GROUT. You can know by reading the report made by the joint special committee appointed by the two Houses to investigate that subject, and I will say that that committee report all those stricken out to be sectarian. There is still left in the bill one institution exclusively under control of the Catholic Church, viz, St. Ann's Infant Asylum, which was left in as matter of compromise in the committee when we brought the bill into the House, and on the ground that it was not educational in character, as all of these that we have left out are.

Mr. WILLIAMS of Mississippi. From what do we learn they took them away from there before the educational age?

Mr. GROUT. From the report of the special joint committee that investigated that subject, and they reported, as I have stated, on these five that are left out.

Mr. WILLIAMS of Mississippi. Now, the gentleman will pardon me for asking one more question, and I will not occupy his time any more. There has been some difference as to what makes an institution sectarian and what does not. I remember a bill that was up here perhaps two years ago.

Mr. GROUT. Three years ago.

Mr. WILLIAMS of Mississippi. You had the Evangelical Christian Union, a matter that was provided for. It was not Jewish and was not Catholic. Is that provided for in this bill?

Mr. GROUT. Well, I presume so; I think all of the charities are provided for that were provided for then. I presume it is.

Mr. WILLIAMS of Mississippi. It was nonsectarian; that is something that did not discriminate between Protestants.

Mr. GROUT. No; nor against Catholics. There are two Protestant institutions left out of this bill.

Mr. WILLIAMS of Mississippi. But are any left in?

Mr. GROUT. None that are exclusively under the control of any one church, but one of which is under the control of the Catholic Church, and that is for the care of infants.

Now, to further show that ample provision is made for these children, I will say that there is now room for 70 more children in the Industrial Home School, an institution that we enlarged by appropriation a few years ago; and the superintendent of charities says there are not less than 500 applications for child boarders now on file at the Board of Children's Guardians; that is, families who will be glad to take these children and take care of them; and the law constituting the Board of Children's Guardians places these children under the control of that board.

When the gentleman claims that the children are being neglected, it is wholly without foundation. You have the fact that when the 40 per cent was taken away these five sectarian institutions would not surrender a child. Take these appropriations away and they will take care of the children they want just the same. They will care for not a child less.

The sum of \$8,000, because of the nonsurrender of these children to the Board of Children's Guardians in 1894, was turned back into the Treasury, they not having used up their appropriation. This Board of Guardians are thoroughly organized and are doing an extensive business in the care of children in the institutions in the city and some outside. The board find places in private families, where children are cared for by mothers and brought up as carefully and tenderly as they can be cared for in any institution. So it is not stating the thing correctly to say that we are neglecting the children. We have made a liberal appropriation in this bill for the Board of Children's Guardians to be expended in the care of children.

Mr. LACEY. How much is asked for these sectarian institutions?

Mr. GROUT. Twelve thousand six hundred dollars.

Mr. LACEY. What churches?

Mr. GROUT. Catholic and Episcopal churches. Two of the institutions we have left out belong to the Episcopal Church, and three are under control of the Catholic Church exclusively. The other two are exclusively under the control of the Episcopalians. These institutions were all found to be sectarian by the joint committee, and in our conference Senator COCKRELL stated that there was no question about the sectarian character of them.

Now, it presents simply the question whether we will keep faith with what we said we would do three years ago, when we passed an act saying that after the 1st of June, 1897, no more money should be appropriated for sectarian institutions. That was incorporated into the appropriation bill. The next year—viz, 1898—we brought in a bill without appropriating for these sectarian institutions, and the Senate put them on and sent the bill back to the House, and we nonconcurred and went into conference and struggled over the matter, and finally came back with an agreement to concur with the Senate.

I was arraigned by certain gentlemen on the floor of the House, who demanded to know why I had agreed to these sectarian appropriations after the enactment already spoken of. My reply in substance was, in accordance with the fact, that the bill was likely to fail if the House conferees did not yield to the Senate, but I promised the House that I would never again agree to them; and in our action to-day, which so arouses my friend the gentleman from Iowa, we have only kept our promise and kept faith also with the enactment of 1897, which we were careful to put into the bill again, providing that after July 1, 1898, no more money should be appropriated for sectarian institutions. Notwithstanding all this, the Senate put them into the bill again this year, but have at last consented that they may go out.

Mr. Speaker, I need take no time in stating the strong reasons against appropriating public money for sectarian purposes, and I ask for a vote.

Mr. HENDERSON. I should like about five or ten minutes.

Mr. GROUT. Well, I will yield the gentleman five minutes.

[Mr. HENDERSON addressed the House. See Appendix.]

Mr. GROUT. Mr. Speaker, I ask for a vote.

Mr. BABCOCK. Mr. Speaker, I do not think the gentleman wants a vote just now. I observe in the amendment that has been adopted by the Senate, I believe—

Mr. GROUT. Yes.

Mr. BABCOCK. That instead of reducing the price of arc

lights from \$91.25 per light they have increased the price more than 50 per cent over what the District is now paying.

Mr. GROUT. Oh, the gentleman does not mean that.

Mr. BABCOCK. I mean exactly what I say, and there is the amendment.

Mr. GROUT. If you mean that, you do not know what you are talking about.

Mr. BABCOCK. I certainly do, as I will explain in a moment.

Mr. GROUT. I know what the gentleman refers to, but he does not understand it.

Mr. BABCOCK. They have reduced the arc lights from 2,000-candlepower light to 1,000-candlepower light, and provided that the 1,000-candlepower light shall be paid for at the rate of \$72, instead of \$91.25 for a 2,000-candlepower light.

Mr. GROUT. There is not a 2,000-candlepower light in the city, Mr. Speaker, not one, and never has been; nothing but 1,000-candlepower arc lights. This is what the gentleman has in mind, and he is misled by it. Formerly, away back, appropriations ran for 2,000 nominal candlepower or 1,000 actual candlepower light. That phraseology was dropped long ago in the appropriation bills, and in the nomenclature of the electrical world there has been nothing but the 1,000-candlepower arc lights. That is just what is provided for here, and that is why the gentleman is misled. The light is precisely what we have been appropriating for right along. There is no question about it, not the least in the world.

Mr. BABCOCK. Mr. Speaker, this is the first time that I have ever heard of the 1,000-candlepower light. The smallest lights used in the little town where I live are of 1,300 candlepower.

Mr. GROUT. That is nominal candlepower, not actual candlepower. The amendment reads "actual candlepower."

Mr. BABCOCK. I do not know the difference between actual candlepower and nominal candlepower. I understand the terms that are usually met with, and the 2,000 candlepower is the standard arc light and the light that has been used here in the city.

Mr. GROUT. There is not a 2,000 actual candlepower light in the city, and never has been. At least, they have never been appropriated for by Congress since I have had connection with this committee. They are 1,000-candlepower lights.

Mr. BABCOCK. Was that so in the bill of last year?

Mr. GROUT. Why, certainly, and in the bill of this year.

Mr. BABCOCK. What is the difference between actual and nominal candlepower?

Mr. GROUT. It is a way that electricians formerly had of expressing it. I can not explain all the intricacies of electricity nor of electrical terms, but they used to speak of 2,000 nominal candlepower or 1,000 actual candlepower. I know that term was formerly used, but it has not been used for years.

Mr. BABCOCK. Will the gentleman state that he knows that this 1,000-candlepower light is the same light that is now in use?

Mr. GROUT. I will; and I feel sure I can not be mistaken.

Mr. MUDD. You are not mistaken.

Mr. GROUT. Oh, no.

The question being taken on agreeing to the conference report, Mr. VANDIVER and others demanded a division.

The House divided; and there were—ayes 48, noes 34.

Mr. FITZGERALD. The yeas and nays, Mr. Speaker.

Mr. HENDERSON. I hope my friend from Massachusetts will not ask for the yeas and nays. It is perfectly evident that the House is against us on this proposition. We have done our duty. Let the responsibility lie with those who render the verdict.

Mr. FITZGERALD. If the House will give me unanimous consent to speak for three minutes, so that I can state my position, so as to put myself right on the matter, I will not demand the yeas and nays out of respect for my friend the gentleman from Iowa [Mr. HENDERSON].

Mr. HOPKINS. I ask unanimous consent that the gentleman have such time as he wishes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Massachusetts have such time as he wishes.

Mr. PAYNE. On condition that he withdraw his demand for the yeas and nays.

Mr. HOPKINS. Yes; he said he would do that.

The SPEAKER. That is the understanding.

Mr. FITZGERALD. This case was so eloquently stated by the gentleman from Iowa [Mr. HENDERSON] that I do not intend to go into the merits of the question at all; but inasmuch as the action of this House has deprived these worthy charities of this amount of money, which means so much to them, I intend to indicate to this House and to the country the exact manner in which this amendment was defeated. The conference committee as appointed consisted of three members, one of whom never served on the committee at all, his powers and functions being usurped by the chairman of the committee, the gentleman from Vermont [Mr. GROUT], who in that conference cast two votes all the time. I claim, Mr. Speaker, that that was not a fair repre-

presentation of this House upon that subject. As I stated before, the gentleman from Missouri [Mr. DOCKERY], whose name is attached to that report, indicated to me and to other members of the House that he did not attach his name to the report with the understanding that he favored the action of the committee, but for the sole purpose of bringing the matter before the House.

Now, Mr. Speaker, I think, under all these circumstances, that the House is not acting properly here, in the last few hours of the session, in depriving these worthy charities of the money that ought to be theirs. I only wish, Mr. Speaker, that there were enough members here to insist upon a roll call, so that those who, as the gentleman from Iowa [Mr. HENDERSON] has said, who have bowed the knee to this infamous society that is in the country could be known to their constituents. If gentlemen are honest and sincere in their attitude on this question, why do they not stand up here and be counted? We have had nothing before us for five hours now, except the naval appropriation bill. If you are honest, if you are consistent in your attitude to the people of this country, stand up and be counted. I know if there was an opportunity to go on record in this House to-day before the people of this country, that a great many of the members who have voted against this provision would not dare to go on record.

This is an attack upon the Sisters of Charity, upon the Sisters of Mercy, who day in and day out for three months in the Spanish war ministered to the soldiers, sick, starving, and dying, as I saw them for three weeks at Montauk Point.

As the eloquent gentleman from Iowa [Mr. HENDERSON] has said, they are educating and taking care of these poor orphans without any benefit to themselves and without any emolument. Yet this House, that, according to the records of it, has appropriated \$1,550,000,000 of money to cater to the whims of the gentleman from Vermont [Mr. GROUT], refuses the small mere pittance of \$12,000. They talk about sectarianism. Why do we pay the preacher who comes here every day? Why do we pay the preachers who are chaplains in the Army and in the Navy? I say to the gentleman from Vermont, if you are consistent no money should be appropriated for any purpose that is sectarian. You are not consistent. If you were you would introduce a provision making—

[Here the hammer fell.]

The SPEAKER. The ayes have it; and the conference report is agreed to.

On motion of Mr. GROUT, a motion to reconsider the last vote was laid on the table.

#### LEAVE TO WITHDRAW PAPERS.

By unanimous consent, on motion of Mr. HENRY of Mississippi, leave was granted to withdraw the papers in the case of Andrew C. Armstrong, first session Thirty-third Congress, no adverse report having been made thereon.

By unanimous consent, on motion of Mr. RAY of New York, leave was granted to withdraw from the files of the House the papers in the case of Charles F. Rand, no adverse report having been made thereon.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes.

The message also announced that the Senate had passed without amendment the joint resolution (H. Res. 384) authorizing the acceptance of the cession by the Commonwealth of Massachusetts to the United States of a certain tract of land in Boston Harbor.

#### GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I present the conference report on the general deficiency bill.

The SPEAKER. Has the gentleman from Illinois a statement?

Mr. CANNON. I will say that the duties of the clerk have been so great that we have not had time to prepare the usual written statement, and I will ask unanimous consent to dispense with it and have the report read in place of it.

The SPEAKER. The gentleman from Illinois asks unanimous consent to dispense with the statement of the conferees on the part of the House required by the rules. Is there objection? [After a pause.] The Chair hears none.

The report of the committee of conference was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12203) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 12, 14, 18, 30, 38, 40, 47, 53, 54, 59, 63, 70, 72, and 112.

That the House recede from its disagreement to the amendments of the

Senate numbered 1, 2, 3, 4, 7, 8, 9, 10, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 35, 36, 37, 41, 42, 43, 46, 48, 50, 52, 54, 55, 56, 57, 60, 61, 62, 64, 65, 66, 67, 68, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, and 111.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and required to examine and adjust the accounts of the Cape Smythe Whaling and Trading Company for supplies furnished and services rendered in rescuing, housing, feeding, clothing, and caring for shipwrecked whalers in the Arctic seas in 1897 and 1898 until they were taken in charge by officers of the Revenue-Cutter Service, and report the result of such adjustment to Congress, with such recommendation as he may deem proper."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the Secretary of the Treasury be, and he is, authorized and directed to investigate and ascertain and report to Congress the amounts assessed by the Commissioner of Internal Revenue and collected in the district of Utah in 1877, 1878, and 1879 from persons, firms, and corporations, as a tax of 10 per cent on alleged notes used for circulation and paid out, and which have not been refunded to such persons, firms, or corporations, and of a similar class of claims which have been refunded under decision of the Supreme Court of the United States."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the words "twelve months from the passage of this act" and insert in lieu thereof the words "until October 1, 1899;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: After the matter inserted by said amendment insert the following:

"Monument to Sergt. Charles Floyd: To enable the Secretary of War, in cooperation with the Floyd Memorial Association, to cause to be erected over the remains of Sergt. Charles Floyd, a member of the Lewis and Clark expedition, who died and was buried August 20, 1804, near the present site of Sioux City, Iowa, a fitting monument commemorative of that expedition and of the first soldier to lay down his life within the Louisiana purchase, \$5,000: Provided, That the total cost and expense to the United States of erecting said monument shall not exceed \$5,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In line 3 of said amendment strike out the words "authorized by law;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In line 9 of said amendment strike out the word "thirty" and insert in lieu thereof the word "fifteen;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In line 1 of said amendment strike out the word "as" and insert in lieu thereof the words "minor children;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Provided further, That in the case of the appropriation for the judgment in favor of Anthony F. Navarre and others, as set out in No. 17305 of Senate Document No. 153, the Secretary of the Interior is directed to withhold from distribution among the said Indians so much of any moneys due them by reason of said judgment as he may find to be just and reasonable for attorneys' fees for services rendered said claimants and for advances in said litigation, and to pay the same on account of the prosecution and recovery of the moneys aforesaid to the attorney of record in said cause as required by the decree of the court;" and the Senate agree to the same.

J. G. CANNON,  
S. S. BARNEY,  
L. E. LIVINGSTON,  
Managers on the part of the House.  
EUGENE HALE,  
F. M. COCKRELL,  
Managers on the part of the Senate.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the motion was agreed to.

On motion of Mr. CANNON, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

#### LEAVE TO PRINT.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that members of the Committee on Appropriations may have leave to print statements touching appropriations and matters connected therewith.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the members of the Committee on Appropriations be permitted to print statements touching appropriations and matters connected therewith.

Mr. HOPKINS. Ought not that to be limited within a certain time?

Mr. CANNON. It will not be possible. It will take a little time, in our condition, to get the statements accurate.

Mr. RICHARDSON. How long a time? Will the RECORD be held back with these statements?

Mr. CANNON. We will not delay the RECORD.  
 Mr. RICHARDSON. It is usual to state some time. There will be no objection to some reasonable time.  
 Mr. CANNON. Has leave for fifteen days been given?  
 Mr. RICHARDSON. Say ten days.  
 Mr. CANNON. That will be more time than we want.  
 The SPEAKER. With a limitation of ten days. Is there objection? [After a pause.] The Chair hears none.

#### EULOGIES ON THE LATE HON. JOHN W. CRANFORD.

Mr. BURKE. Mr. Speaker, I ask unanimous consent for the consideration of the following resolution:

*Resolved*, That by unanimous consent opportunity may be given for tributes to the memory of Hon. JOHN W. CRANFORD, late a Representative from the State of Texas.

*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, these memorial proceedings shall appear in the CONGRESSIONAL RECORD.

*Resolved*, That the Clerk communicate these resolutions to the Senate.  
*Resolved*, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

The resolutions were agreed to.

#### PENSIONS.

Mr. RAY of New York. Mr. Speaker, a great many members make inquiry of me as to the number of pension bills passed, the amount they carried, and the expenditure they add to the pension roll. I ask unanimous consent to publish in the RECORD within the next four days a statement of the number of pension bills both committees reported, the number that became laws, and the amount that they carry and add to the pension roll.

Mr. ROBINSON of Indiana. I would like to ask the gentleman if that was not published by leave of the House a few days ago?

Mr. RAY of New York. So far as it went at that time, it was accurate; but it did not show how many became law.

Mr. ROBINSON of Indiana. Do you only desire to supplement the report that was printed a few days ago?

Mr. RAY of New York. I shall not publish that entirely, because there is no use duplicating it, but will give the correct figures.

Mr. ROBINSON of Indiana. I have no objection to that.

The SPEAKER. The gentleman from New York asks permission of the House to supplement a report made of the number of pensions granted by Congress, the number of bills that have failed, etc., to be done within four days. Is there objection?

Mr. RICHARDSON. I shall not object if the statement is to be confined within the limits mentioned by the gentleman.

Mr. RAY of New York. It just gives the facts and figures.

Mr. RICHARDSON. Of course, I understand that the gentleman will not indulge in any partisan politics, because there will be no opportunity for reply.

Mr. RAY of New York. It only states the facts and figures, and there will be no remarks whatever.

The SPEAKER. The Chair hears no objection.

Mr. PAYNE (at 9 o'clock and 5 minutes a. m.). Mr. Speaker, I move that the House take a recess until 9.30.

The motion was agreed to; and accordingly the House was in recess until half past 9 o'clock.

The recess having expired, the House resumed its session.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 8623) for the relief of the heirs of Neil McEnery, of Johnstown, Pa.

#### NAVAL APPROPRIATION BILL.

Mr. BOUTELLE of Maine. Mr. Speaker, I have a report on the part of the managers of the House on the naval appropriation bill. They have reached an agreement with the conferees on the part of the Senate. The Senate has just adopted the report and sent it over here, and it is now at the Clerk's desk. The matters pending between the House and the Senate at the last conference were in regard to the vessels and the armor. I will read the statement of the managers on the part of the House:

The managers on the part of the House on the disagreeing votes of the two Houses on the Senate amendments to the naval appropriation bill report their agreement to the Senate conferees on the following basis:

The Senate recedes from its amendments 45, 46, 47, 48, and 49, the result of which is to restore the authorization of the full number of three battle ships, three armored cruisers, and six protected cruisers, exactly as provided in the House bill, and providing for the building of certain of the vessels on the Pacific coast and the number to be built by any one establishment.

The Senate recedes from 51, which is merely verbal, and from 52, 53, 54, and 55 with amendment, so that in lieu of these amendments the bill will provide as follows:

"Provided, That in procuring armor for the seagoing coast-line battle ships

and the harbor-defense vessels of the monitor type, authorized by the act making appropriations for the naval service for the fiscal year ending June 30, 1898, and for other purposes, approved May 4, 1898, the Secretary of the Navy may contract for suitable armor for said vessels under the limitations as to price for the same as fixed by said act: *And provided further*, That no contracts for the armor for any vessels authorized by this act shall be made at an average rate exceeding \$300 per ton of 2,240 pounds, including royalties, and in no case shall a contract be made for the construction of the hull of any vessel authorized by this act until a contract has been made for the armor of such vessel."

This strikes out all provision for a Government armor plant; provides that the vessels authorized by the act of May 4, 1898, may be provided with armor under the terms of said act, but that no contracts for the armor of any vessels be authorized by this act.

The House conferees reluctantly yielded to the demand for this provision, but for the sake of the substantial concessions made by the Senate, and in the belief that a future Congress may be able to remedy any evil effects of legislation as to armor, deemed it wise to make these agreements, which they recommend to the approval of the House.

#### The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 45, 46, 47, 48, 50, 51, and 52.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and not more than two of the seagoing battle ships and not more than two of the armored cruisers herein provided for and not more than two of the protected cruisers herein provided for shall be built in one yard or by one contracting party;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 52, 53, and 54, and agree to the same with amendments as follows: Strike out the matter inserted by said Senate amendments, and strike out, on page 56 of the bill, in line 17, after the word "dollars," all down to and including the word "Government," at the end of the amended paragraph, and insert in lieu thereof the following: "Provided, That in procuring armor for the seagoing coast-line battle ships and the harbor-defense vessels of the monitor type, authorized by the act making appropriations for the naval service for the fiscal year ending June 30, 1898, and for other purposes, approved May 4, 1898, the Secretary of the Navy may contract for suitable armor for said vessels under the limitations as to price for the same as fixed by said act: *And provided further*, That no contracts for the armor for any vessels authorized by this act shall be made at an average rate exceeding \$300 per ton of 2,240 pounds, including royalties, and in no case shall a contract be made for the construction of the hull of any vessel authorized by this act until a contract has been made for the armor of such vessel;" and the Senate agree to the same.

C. A. BOUTELLE,  
 S. G. HILBORN,  
 AMOS J. CUMMINGS,  
*Managers on the part of the House.*  
 EUGENE HALE,  
 M. S. QUAY,  
*Managers on the part of the Senate.*

Mr. BOUTELLE of Maine. Mr. Speaker, I move the previous question on the adoption of the report.

The previous question was ordered.

The conference report was agreed to.

On motion of Mr. BOUTELLE of Maine, a motion to reconsider the last vote was laid on the table.

Mr. PAYNE (at 9 o'clock and 40 minutes a. m.). Mr. Speaker, I move that the House take a recess until half past 10.

The motion was agreed to; and accordingly the House was in recess until half past 10.

The recess having expired, the House resumed its session.

Mr. PAYNE (at 10 o'clock and 37 minutes a. m.). I move that the House take a further recess until 11 o'clock.

The motion was agreed to.

The recess having expired, the House resumed its session.

#### NOTIFICATION TO THE PRESIDENT.

Mr. DALZELL submitted the following resolution; which was read, and agreed to:

*Resolved*, That a committee of three members be appointed by the Chair to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn, unless the President has some other communication to make to them.

The SPEAKER announced the appointment of Mr. DALZELL, Mr. REEVES, and Mr. LANHAM as the committee on the part of the House.

#### ROBERT J. WHITTLETON.

Mr. BARTLETT. I desire to report from the Committee on Accounts the resolution which I send to the desk.

The Clerk read as follows:

*Resolved*, That the Clerk of the House is hereby authorized to pay, out of the contingent fund of the House, to Robert J. Whittleton, the sum of \$123.06 for clerical services rendered in the enrolling room from April 3 to April 30, 1897, inclusive.

Mr. BARTLETT. Mr. Speaker, this resolution was passed by the Committee on Accounts, who directed that it be reported by the chairman with others which were reported. The minutes of the committee show this fact, but the chairman omitted unintentionally to report this resolution and ask its passage by the House. This is the only one of the resolutions acted upon by the committee that was omitted from the report. The gentleman who will get the benefit of this resolution is scarcely known to

me. I did not introduce the resolution, but as a simple matter of justice to him I ask that it be now adopted.

Mr. TAWNEY. Is this unanimously reported by the Committee on Accounts?

Mr. BARTLETT. It is. They directed that the resolution be reported by the chairman; he unintentionally omitted it when reporting the others.

The resolution was agreed to.

Mr. PAYNE (at 11 o'clock and 10 minutes a. m.). I move that the House take a recess until half past 11 o'clock.

The motion was agreed to.

The recess having expired, the House resumed its session.

The SPEAKER. Without objection, the list of House bills and joint resolutions approved by the President will be read.

There was no objection, and the Clerk read the list.

#### ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

- H. R. 6359. An act to quiet land titles in the District of Columbia;
- H. R. 4838. An act granting an increase of pension to Elizabeth V. Litzenberg;
- H. R. 4041. An act removing the charge of desertion from the record of W. H. Sherwood, Company F, Thirteenth Ohio Cavalry;
- H. R. 10253. An act to amend the internal-revenue laws relating to distilled spirits, and for other purposes;
- H. R. 9760. An act to redeem certain outstanding certificates issued by the board of audit and the board of public works of the District of Columbia;
- H. R. 5046. An act to remove the charge of desertion from the military record of Lawrence Ressler;
- H. R. 8119. An act granting an honorable discharge to John Dinsbeer, late second lieutenant in Company C, First Regiment of Missouri State Militia;
- H. R. 4677. An act to increase the pension of Rebecca McMullen;
- H. R. 1773. An act granting a pension to Robert Persley;
- H. R. 914. An act removing the charge of desertion against Charles Sweet;
- H. R. 2419. An act for the relief of Charles Simpson, alias Frank Dunn;
- H. R. 5758. An act to remove the charge of desertion from the record of James Geissinger;
- H. R. 8607. An act to correct the military record of Sylvester F. Hildebrand;
- H. R. 5428. An act to authorize the construction of a bridge over the Tennessee River at or near Sheffield;
- H. R. 8854. An act to correct the military record of William Hazelbeck, of Portsmouth, Ohio;
- H. R. 8506. An act to remove the charge of desertion from the military record of John P. Henderson and to grant him an honorable discharge;
- H. R. 6062. An act for the relief of Anson W. Gellert;
- H. R. 3973. An act to remove the charge of desertion from the military record of Sebastian Becker;
- H. R. 11160. An act to authorize the appointment of a clerk of the district courts of the United States within and for the eastern district of Virginia, to validate their acts, and prescribe where the records shall be kept;
- H. R. 11097. An act granting an increase of pension to William W. Patterson;
- H. R. 2550. An act granting a pension to Annie M. Clemens;
- H. R. 11629. An act for the extension of Pennsylvania avenue SE., and for other purposes;
- H. R. 12102. An act to encourage the holding of the Ohio Centennial and Northwest Territory Exposition at the city of Toledo, Ohio;
- H. R. 1778. An act for the relief of Wesley Van Over, late of Company C, One hundred and ninth New York Volunteers, and Company G, Eighth Pennsylvania Cavalry;
- H. R. 414. An act for the erection of a public building at Tampa, Fla.;
- H. R. 10294. An act relative to the control of wharf property and certain public spaces in the District of Columbia;
- H. R. 11577. An act for the relief of B. F. Parlett, collector of internal revenue for the district of Maryland;
- H. R. 12184. An act to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation, and for other purposes;
- H. R. 1055. An act to amend section 4766 of the Revised Statutes of United States;
- H. R. 11712. An act to provide for a building for the Washington Public Library;
- H. R. 718. An act for the relief of Benjamin F. Vennum, of Wheeling, Ohio County, W. Va.;

H. R. 7865. An act to pay the J. S. Stearns Lumber Company \$379; and

H. R. 7271. An act amending the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896.

H. R. 11083. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes;

H. R. 12122. An act making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes;

H. R. 12008. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes;

H. R. 4905. An act granting an increase of pension to Stephen P. Choate;

H. R. 8623. An act for the relief of the heirs of Neil McEneny, of Johnstown, Pa.;

H. R. 4501. An act granting an increase of pension to Stephen A. Knowlan;

H. R. 4498. An act granting an increase of pension to Jackson Neace; and

H. R. 12203. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 1340. An act for the relief of John Clyde Sullivan;

S. 3640. An act authorizing Lieut. Commander Raymond P. Rodgers, United States Navy, to accept a decoration of the Cross of the Legion of Honor from the Republic of France;

S. 710. An act to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the erection of a new public building thereon for the accommodation of the Government service in said city;

S. 5090. An act to authorize Victor Vifquain, colonel Third Nebraska Volunteer Infantry, to accept the decoration of the "Order of the Double Dragon" from the Emperor of China;

S. 3712. An act to authorize John R. Williams, first lieutenant, Third Artillery, United States Army, to accept the decoration of Chevalier of the Legion of Honor from the President of the French Republic;

S. 1056. An act to provide for a public building at Cleveland, Ohio;

S. 5050. An act to authorize A. E. Bates, brigadier-general, United States Volunteers, to accept the decoration of "The Legion of Honor" from the President of the French Republic; and

S. 1114. An act for the establishment of a light and fog signal on or near Sabine Bank, Texas.

H. R. 204. An act granting a pension to Ann E. Cooley;

H. R. 500. An act for the erection of public buildings at Lockport, N. Y., and New Brighton, Pa.;

H. R. 877. An act granting a pension to Charles F. Holmes;

H. R. 997. An act to correct the military record of Corydon Winkler, late private, Eighth Company, First Battalion, First Ohio Sharpshooters;

H. R. 1388. An act to remove the charge of desertion from the record of Michael Baker;

H. R. 1677. An act granting a pension to Anna M. Wehe;

H. R. 1698. An act granting an increase of pension to Henry A. Thoburn;

H. R. 1724. An act granting an increase of pension to Sophia Gruger;

H. R. 2017. An act for the relief of Julius C. Kloenne;

H. R. 2366. An act granting an increase of pension to Lester P. Cooper;

H. R. 2412. An act to amend the military record of James Roche;

H. R. 2625. An act granting a pension to Mary Chamberlin;

H. R. 2646. An act for the relief of Edward C. Parsons;

H. R. 2830. An act granting an increase of pension to Ira Bacon;

H. R. 3186. An act granting an increase of pension to William J. Holway;

H. R. 3476. An act granting an increase of pension to Andrew Morse, jr.;

H. R. 4332. An act to correct the military record of Isaac Alger;

H. R. 4607. An act granting an honorable discharge to Charles Miller;

H. R. 4651. An act for the relief of Jacob Shela, of Portsmouth, Ohio;

H. R. 4661. An act granting a pension to Dortha E. Kennoch;

H. R. 4670. An act to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle;

H. R. 4745. An act to increase the pension of George W. Detwiler;

H. R. 5802. An act granting an increase of pension to John W. Ohngemach;

H. R. 5924. An act to correct the naval record of Martin U. Singhi;

H. R. 6328. An act granting a pension to Mary F. Cobb;  
 H. R. 6616. An act to remove the charge of desertion against John Phelon, deceased;  
 H. R. 6649. An act to remove the charge of desertion against James J. Fluke;  
 H. R. 7092. An act for the relief of George Gregg;  
 H. R. 7093. An act granting an increase of pension to William R. Warden;  
 H. R. 7343. An act authorizing the commissioners of the Freedman's Savings and Trust Company to pay certain dividends barred by the act of February 21, 1881;  
 H. R. 7636. An act granting a pension to Martha M. De Vou;  
 H. R. 7915. An act allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain land;  
 H. R. 8207. An act granting a pension to Abigail Wilson;  
 H. R. 8329. An act granting an increase of pension to John E. Gullett;  
 H. R. 8406. An act granting an increase of pension to Martha Adams;  
 H. R. 8626. An act to punish the impersonation of weighmasters in the District of Columbia, and for other purposes;  
 H. R. 8804. An act granting an increase of pension to James S. Anderson;  
 H. R. 8895. An act granting a pension to Mary B. Wotring;  
 H. R. 8959. An act granting an increase of pension to Charles Williams;  
 H. R. 9059. An act granting a pension to Catharine Eaken;  
 H. R. 9293. An act granting a pension to Mary E. Robinson;  
 H. R. 9359. An act granting an increase of pension to Charles H. Barber;  
 H. R. 9619. An act granting a pension to Ruth Walker;  
 H. R. 9669. An act to correct the military record of Patrick Dunphy;  
 H. R. 10133. An act to remove the charge of desertion from the naval record of Charles Thompson;  
 H. R. 10241. An act granting a pension to Nancy Shaley;  
 H. R. 10328. An act granting a pension to Ann Collins;  
 H. R. 10534. An act granting a pension to Tennessee N. Buckles;  
 H. R. 10696. An act granting an increase of pension to James W. Ingram;  
 H. R. 10862. An act granting an increase of pension to Hollis O. Dudley;  
 H. R. 10892. An act granting an increase of pension to Andrew J. Taylor;  
 H. R. 11148. An act granting an increase of pension to Orin Long;  
 H. R. 11178. An act to amend section 941 of the Revised Statutes;  
 H. R. 11597. An act to extend S street, in the District of Columbia, and for other purposes;  
 H. R. 11598. An act granting an increase of pension to William D. Paul;  
 H. R. 11673. An act to increase the pension of Patrick O'Neal;  
 H. R. 11767. An act granting a pension to Daniel G. Emert;  
 H. R. 11876. An act granting an increase of pension to Clarence L. Chapman;  
 H. R. 11879. An act to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes;"  
 H. R. 11815. An act to provide for taking the Twelfth and subsequent censuses;  
 H. R. 11882. An act to increase the limit of cost for the erection of a public building at Stockton, Cal., and making provisions for the acquisition of additional land or a new site therefor;  
 H. R. 11916. An act to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes;  
 H. R. 12064. An act to encourage the holding of a Pan-American Exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901;  
 H. R. 12104. An act granting an increase of pension to Maria S. Urban;  
 H. R. 12198. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance, for trial and service, and for other purposes;  
 H. R. 10771. An act for the relief of Eudora Hill;  
 H. R. 11795. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; and  
 H. Res. 334. Joint resolution authorizing the acceptance of the cession by the Commonwealth of Massachusetts to the United States of a certain tract of land in Boston Harbor.

## SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5506. An act to authorize the President to correct the record

of Andrew Geddes and to place him on the retired list with the rank of captain—to the Committee on Military Affairs.

S. 5456. An act granting a pension to Catharine Harris—to the Committee on Invalid Pensions.

S. 4876. An act granting an increase of pension to Benjamin F. Bourne—to the Committee on Invalid Pensions.

S. 4767. An act granting an increase of pension to Sarah E. Stubbs—to the Committee on Invalid Pensions.

S. 4636. An act granting a pension to Vincent de Frietas—to the Committee on Invalid Pensions.

S. 2408. An act to remove a suspension upon the disbursement of an appropriation—to the Committee on Claims.

S. 5561. An act establishing the boundaries of the Northern Cheyenne Indian Reservation, Mont., and making appropriations for purchasing improvements thereon, and certain lands situated therein, for purchasing cattle, fencing the reservation, and for other purposes—to the Committee on Indian Affairs.

S. 5462. An act to authorize certain persons who have intermarried with Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded—to the Committee on Indian Affairs.

S. 5583. An act to incorporate the National White Cross of America, and for other purposes—to the Committee on the District of Columbia.

S. R. 225. Joint resolution relative to the Greater America Exposition, to be held in Omaha, Nebr., in the year 1899, and to encourage the same by providing, without expense to the Government, for exhibits from Cuba, Porto Rico, the Ladrone Islands, and the Philippine Archipelago, etc.—to the Committee on Ways and Means.

S. R. 259. Joint resolution for the appointment of Lyman B. Perkins, late of the Navy, to be passed assistant engineer—to the Committee on Naval Affairs.

S. 5210. An act for the promotion and retirement of P. A. Surg. John F. Bransford, of the United States Navy—to the Committee on Naval Affairs.

## MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On March 2, 1899:

H. R. 4595. An act for the erection of a public building at Norwich, Conn.;

H. R. 4113. An act for the erection of a public building at St. Cloud, Minn.;

H. R. 5528. An act to provide for the construction of a public building at Salem, Oreg.;

H. R. 10804. An act for the erection of a public building at Aniston, Ala.;

H. R. 11141. An act for the erection of a public building at Annapolis, Md.;

H. R. 11162. An act to provide for the construction of a public building at the city of Janesville, Wis.;

H. R. 477. An act to provide for the purchase of a site and the erection of a public building thereon at the city of Eau Claire, in the State of Wisconsin;

H. R. 11919. An act to construct a public building at Oskaloosa, Iowa, and for other purposes;

H. R. 11360. An act for the erection of a public building at Creston, Iowa;

H. R. 431. An act to provide for the purchase of a site and the erection of a public building thereon at Streator, in the State of Illinois;

H. R. 1079. An act to enlarge and improve the United States building at Columbus, Ga.;

H. R. 1631. An act to provide for the purchase of a site and the erection of a public building thereon at Rome, in the State of New York;

H. R. 2879. An act providing for the purchase of a site and the erection of a public building thereon at Leadville, Colo.;

H. R. 2598. An act for the erection of a public building at Newport, Vt.;

H. R. 10753. An act to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate \$58,000 therefor;

H. R. 11314. An act to provide for a public building at New Iberia, La.;

H. R. 1663. An act for the erection of a public building at Carrollton, Ky.;

H. R. 84. An act to provide for the erection of a public building at Freeport, Ill.;

H. R. 1859. An act to provide for a public building at Winston, N. C.;

H. R. 321. An act for the relief of the Berden Firearms Manufacturing Company; and

H. R. 5497. An act to provide for terms of the circuit and district

courts of the western judicial district of the State of Texas to be held at the city of Laredo, and for other purposes.

On March 3, 1899:

H. R. 10403. An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States;

H. R. 3567. An act to remove the charge of desertion against Gardner Dodge;

H. R. 7860. An act to amend an act entitled "An act for the relief of Brig. Gen. John R. Brooke, United States Army," approved March 30, 1894;

H. R. 12084. An act to encourage the holding of a pan-American exposition on the Niagara frontier, within the county of Erie or Niagara, in the State of New York, in the year 1901;

H. R. 2524. An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia;

H. R. 11733. An act to prevent the sale of intoxicating liquors on Sunday in the District of Columbia;

H. R. 1136. An act for the punishment of seduction in the District of Columbia;

H. R. 11615. An act removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers;

H. R. 5326. An act for the relief of Thomas Hickey;

H. R. 1959. An act for the allowance of certain claims reported by the accounting officers of the United States Treasury Department;

H. R. 11815. An act to provide for taking the Twelfth and subsequent censuses;

H. R. 10353. An act for the relief of the International Cotton Press Company, of New Orleans, La.;

H. R. 12198. An act making appropriations for the fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance, for trial and service, and for other purposes;

H. R. 11882. An act to increase the limit of the cost for the erection of a public building in Stockton, Cal., and making provision for the acquisition of additional land or a new site therefor, and to provide for an addition to the public building at Los Angeles, Cal., and appropriating money therefor;

H. R. 11597. An act to extend S street, in the District of Columbia, and for other purposes;

H. R. 8190. An act granting an honorable discharge to John H. Smith;

H. R. 11178. An act to amend section 941 of the Revised Statutes;

H. R. 7915. An act allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain lands;

H. R. 7343. An act authorizing the commissioner of the Freedman's Savings and Trust Company to pay certain dividends barred by the act of February 21, 1891;

H. R. 500. An act for the erection of public buildings at Lockport, N. Y., and New Brighton, Pa.;

H. R. 5924. An act to correct the naval record of Martin U. Singh;

H. R. 631. An act to confirm title to lots 13 and 14, in square 959, in Washington, D. C.;

H. R. 11803. An act directing the issue of a check in lieu of a lost check drawn by H. C. Newcomer, captain of engineers, in favor of Stone & Stansell;

H. R. 8626. An act to punish the impersonation of weighmasters in the District of Columbia, and for other purposes;

H. R. 10132. An act to remove the charge of desertion from the naval record of Charles Thompson;

H. R. 11790. An act to amend the act of Congress approved July 8, 1898, entitled "An act to incorporate the Washington and University Railroad Company of the District of Columbia.;"

H. R. 1388. An act to remove the charge of desertion from the record of Michael Baker;

H. R. 8694. An act to enable the city of Albuquerque, N. Mex., to create certain indebtedness, and for other purposes;

H. R. 4253. An act granting an honorable discharge to Thomas West;

H. R. 1213. An act granting an honorable discharge to W. G. Neeley, of Canyon City, Colo.;

H. R. 9335. An act granting the Muscle Shoals Power Company right to erect and construct canal and power station at Muscle Shoals, Alabama;

H. R. 11879. An act to amend an act entitled "An act to suspend the operation of certain provisions of law relating to the War Department, and for other purposes.;"

H. R. 12013. An act to increase the pension of Delos M. Kenyon;

H. R. 3271. An act to increase the pension of Mrs. Rebecca S. Foster;

H. R. 9502. An act granting a pension to Eliza Sickler;

H. R. 6913. An act granting an increase of pension to Charlotte B. Cozzens;

H. R. 7046. An act granting an increase of pension to Arba Capron;

H. R. 10285. An act granting an increase of pension to Mazie V. Sullivan;

H. R. 247. An act granting an increase of pension to John Doeblor;

H. R. 6876. An act to increase the pension of George Alexander;

H. R. 10355. An act granting an increase of pension to Catherine C. Goodrich;

H. R. 3806. An act granting an increase of pension to Elam Allen;

H. R. 8568. An act granting an increase of pension to Mrs. Susan Stedman;

H. R. 2293. An act granting an increase of pension to Andrew J. Snowden;

H. R. 635. An act increasing the pension of Howard L. James;

H. R. 7657. An act granting an increase of pension to James E. Searl;

H. R. 12026. An act to increase the pension of Thomas Crinigan;

H. R. 9415. An act granting an increase of pension to Henry Bullen;

H. R. 10056. An act increasing the pension of James Webb;

H. R. 10605. An act to increase the pension of Annie Cusack;

H. R. 10803. An act granting an increase of pension to James Porter;

H. R. 3123. An act granting an increase of pension to Frank S. Devol;

H. R. 9569. An act granting an increase of pension to Timothy A. Allen;

H. R. 12077. An act granting an increase of pension to Charles N. Smiley;

H. R. 855. An act granting an increase of pension to James R. Zearing;

H. R. 9455. An act granting an increase of pension to Richard Atkinson;

H. R. 10738. An act granting an increase of pension to Beeri Serviss;

H. R. 10480. An act granting a pension to Nelly V. Crosby;

H. R. 9843. An act granting a pension to America Easton;

H. R. 123. An act granting a pension to William F. Bolan;

H. R. 3155. An act granting a pension to Kittie Ann Patterson;

H. R. 10933. An act granting a pension to Sarah A. Kizer;

H. R. 8610. An act granting a pension to Minnie B. Titus;

H. R. 8749. An act granting a pension to James J. Marcher;

H. R. 12033. An act granting a pension to Mary A. Kennedy;

H. R. 10860. An act granting a pension to Mianda A. Sanford;

H. R. 10385. An act granting a pension to George Brown;

H. R. 4880. An act granting a pension to Jonathan Scott;

H. R. 11296. An act granting a pension to Anna M. Rowe;

H. R. 4249. An act granting a pension to Samuel B. Koontz;

H. R. 10417. An act granting a pension to James H. Nichols;

H. R. 10716. An act granting a pension to John S. Draper;

H. R. 5328. An act granting a pension to Patrick O'Shea;

H. R. 6616. An act to remove the charge of desertion against John Phelon;

H. R. 6649. An act to remove the charge of desertion against James J. Fluke;

H. R. 2017. An act for the relief of Jules Kloenne;

H. R. 2646. An act for the relief of Edward C. Parsons;

H. R. 4651. An act for the relief of Jacob Shela, of Portsmouth, Ohio;

H. R. 7093. An act for the relief of George Gregg;

H. R. 987. An act to correct the military record of Corydon Winkler, late private, Eighth Company, First Battalion, First Ohio Sharpshooters;

H. R. 9669. An act to correct the military record of Patrick Dunphy;

H. R. 4332. An act to correct the military record of Isaac Alger;

H. R. 4670. An act to remove the charge of dishonorable dismissal from the military service of the United States of W. H. Castle;

H. R. 4607. An act granting an honorable discharge to Charles Miller;

H. R. 7632. An act to remove charge of desertion from the military record of Robert Flower;

H. R. 8506. An act to remove the charge of desertion from the military record of John P. Henderson, and to grant him an honorable discharge;

H. R. 5758. An act to remove the charge of desertion from the record of James Geissinger;

H. R. 5046. An act to remove the charge of desertion from the military record of Lawrence Reasler;

H. R. 4041. An act removing the charge of desertion from the record of W. H. Sherwood, Company F, Thirteenth Ohio Cavalry;

H. R. 3973. An act to remove the charge of desertion from the military record of Sebastian Becker;

H. R. 914. An act to remove the charge of desertion against Charles Sweet;

H. R. 6062. An act for the relief of Anson W. Gillett;  
 H. R. 2419. An act for the relief of Charles Simpson, alias Frank Dunn;  
 H. R. 8119. An act granting an honorable discharge to John Dinsbeer, late second lieutenant in Company C, First Regiment of Missouri State Militia;  
 H. R. 2412. An act to amend the military record of James Roche;  
 H. R. 8854. An act to correct the military record of William Hazelbeck, of Portsmouth, Ohio;  
 H. R. 8607. An act to correct the military record of Sylvester F. Hildebrand;  
 H. R. 10253. An act to amend the internal-revenue laws relating to distilled spirits, and for other purposes;  
 H. R. 414. An act for the erection of a public building at Tampa, Fla.;  
 H. R. 12102. An act to encourage the holding of the Ohio Centennial and Northwest Territory Exposition at the city of Toledo, Ohio;  
 H. R. 204. An act granting a pension to Ann E. Cooley;  
 H. R. 877. An act granting a pension to Charles F. Holmes;  
 H. R. 1677. An act granting a pension to Anna M. Wehe;  
 H. R. 2625. An act granting a pension to Mary Chamberlin;  
 H. R. 4661. An act granting a pension to Dortha E. Kennoch;  
 H. R. 6328. An act granting a pension to Mary F. Cobb;  
 H. R. 7636. An act granting a pension to Martha M. De Vou;  
 H. R. 8207. An act granting a pension to Abigail Wilson;  
 H. R. 8895. An act granting a pension to Mary B. Wotring;  
 H. R. 9059. An act granting a pension to Catherin Eakin;  
 H. R. 9293. An act granting a pension to Mary E. Robinson;  
 H. R. 9619. An act granting a pension to Ruth Walker;  
 H. R. 10241. An act granting a pension to Nancy Shaley;  
 H. R. 10328. An act granting a pension to Ann Collins;  
 H. R. 10534. An act granting a pension to Tennessee N. Buckles;  
 H. R. 11767. An act granting a pension to Daniel G. Emert;  
 H. R. 1698. An act granting an increase of pension to Henry A. Thoburn;  
 H. R. 1724. An act granting an increase of pension to Sophia Gruber;  
 H. R. 2366. An act granting an increase of pension to Lester P. Cooper;  
 H. R. 2830. An act granting an increase of pension to Ira Bacon;  
 H. R. 3186. An act granting an increase of pension to William J. Holway;  
 H. R. 3476. An act granting an increase of pension to Andrew Morse, jr.;  
 H. R. 4745. An act to increase the pension of George W. Detwiler;  
 H. R. 5802. An act granting an increase of pension to John W. Ohngemach;  
 H. R. 7093. An act granting an increase of pension to William R. Warden;  
 H. R. 8329. An act granting an increase of pension to John E. Gullett;  
 H. R. 8404. An act granting an increase of pension to Martha Adams;  
 H. R. 8804. An act granting an increase of pension to James S. Anderson;  
 H. R. 8959. An act granting an increase of pension to Charles Williams;  
 H. R. 9359. An act granting an increase of pension to Charles H. Barber;  
 H. R. 10696. An act granting an increase of pension to James W. Ingram;  
 H. R. 10863. An act granting an increase of pension to Hollis O. Dudley;  
 H. R. 10892. An act granting an increase of pension to Andrew J. Taylor;  
 H. R. 11148. An act granting an increase of pension to Orin Long;  
 H. R. 11568. An act granting an increase of pension to William N. Paul;  
 H. R. 11673. An act to increase the pension of Patrick O'Neal;  
 H. R. 11876. An act granting an increase of pension to Clarence L. Chapman;  
 H. R. 12104. An act granting an increase of pension to Maria S. Urban;  
 H. R. 4936. An act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes;  
 H. R. 4790. An act for the relief of Homer D. McGraw, Lee County, Ala.; and  
 H. R. 5429. An act to authorize the construction of a bridge over the Tennessee River at or near Sheffield.  
 A further message, in writing, from the President of the United States, by Mr. PRUDEN, one of his secretaries, who announced

that the President had approved and signed bills of the following titles:

On March 3, 1899:  
 H. R. 718. An act for the relief of Benjamin F. Vennum, of Wheeling, Ohio County, W. Va.;  
 H. R. 1055. An act to amend section 4766 of the Revised Statutes of the United States;  
 H. R. 1206. An act granting an increase of pension to Sophia W. Buxton;  
 H. R. 1773. An act granting a pension to Robert Persley;  
 H. R. 1778. An act for the relief of Wesley Van Over, late of Company C, One hundred and ninth New York Volunteers, and Company G, Eighth Pennsylvania Cavalry;  
 H. R. 2550. An act granting a pension to Annie M. Clemens;  
 H. R. 4498. An act granting an increase of pension to Jackson Neace;  
 H. R. 4501. An act granting an increase of pension to Stephen A. Knowlan;  
 H. R. 4677. An act to increase the pension of Rebecca McMullen;  
 H. R. 4898. An act granting an increase of pension to Elizabeth V. Litzenberg;  
 H. R. 4905. An act granting a pension to Stephen P. Choate;  
 H. R. 6359. An act to quiet land titles in the District of Columbia;  
 H. R. 7271. An act amending the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896;  
 H. R. 7865. An act to pay the J. S. Stearns Lumber Company \$370;  
 H. R. 8571. An act to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district;  
 H. R. 8623. An act for the relief of the heirs of Neil McEneny, of Johnstown, Pa.;  
 H. R. 9428. An act to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia;  
 H. R. 9760. An act to redeem certain outstanding certificates issued by the board of audit and the board of public works of the District of Columbia;  
 H. R. 10294. An act relative to the control of wharf property in the District of Columbia;  
 H. R. 10771. An act for the relief of Eudora Hill;  
 H. R. 11083. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1900, and for other purposes;  
 H. R. 11097. An act granting an increase of pension to William W. Patterson;  
 H. R. 11160. An act to authorize the appointment of one clerk of the district courts of the United States within and for the eastern district of Virginia, to validate their acts, and prescribe where the records shall be kept;  
 H. R. 11577. An act for the relief of B. F. Parlett, collector of internal revenue for the district of Maryland;  
 H. R. 11629. An act for the extension of Pennsylvania avenue SE. to the District line;  
 H. R. 11712. An act to provide a site for a building for the Washington Public Library;  
 H. R. 11795. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;  
 H. R. 11916. An act to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes;  
 H. R. 12008. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes;  
 H. R. 12106. An act making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1900;  
 H. R. 12122. An act making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes;  
 H. R. 12184. An act to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation, and for other purposes; and  
 H. R. 12203. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1899, and for prior years, and for other purposes.

#### CESSION OF LAND IN BOSTON HARBOR.

Mr. BOUTELLE of Maine. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (H. Res. 384) authorizing the acceptance of the cession by the Commonwealth of Massachusetts to the United States of a certain tract of land in Boston Harbor.

*Resolved by the Senate and House of Representatives, etc., That the cession to the United States by the Commonwealth of Massachusetts of the tract of land described in the act of the legislature of that Commonwealth approved February 7, 1899, and entitled "An act to cede certain land in Boston Harbor and the jurisdiction over the same to the United States for the purpose of extending the present limit of the United States Navy-Yard," be, and the same is hereby, accepted.*

Mr. BOUTELLE of Maine. This joint resolution is merely a cession of harbor lines in Boston Harbor in front of the navy-yard, so as to facilitate the operations of the dry dock. No consideration is paid by the United States for this cession; but it is believed by the Attorney-General to be necessary that acceptance be made by Congress. I hope the resolution will receive a unanimous vote.

There being no objection, the House proceeded to the consideration of the joint resolution; which was read a first and second time, ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BOUTELLE of Maine, a motion to reconsider the last vote was laid on the table.

Mr. WHEELER of Alabama. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess for five minutes.

Mr. WHEELER of Alabama. Before that is done, I ask unanimous consent to speak for three minutes.

The SPEAKER. The gentleman from New York [Mr. PAYNE] moves that the House take a recess for five minutes.

The motion was agreed to.

Accordingly (at 11 o'clock and 40 minutes a. m.) the House took a recess until 11 o'clock and 45 minutes a. m.

The recess having expired, the House resumed its session, and was called to order by Mr. PAYNE as Speaker pro tempore.

#### REPORT OF COMMITTEE TO WAIT UPON THE PRESIDENT.

The committee appointed to wait upon the President appeared at the bar of the House.

Mr. DALZELL. Mr. Speaker, the committee appointed to join a committee from the Senate, to announce to the President that the Congress had finished its business, unless he had further communication to make, beg leave to report that they have fulfilled the duty assigned to them and that the President made reply, saying that he had no further communication to make; that the Fifty-fifth Congress had been one of extraordinary duties and responsibilities, which it had amply met, and that he wished for each and every member of the House of Representatives a safe return to his home. [Applause.]

The SPEAKER pro tempore. The gentleman from Missouri [Mr. DUCKERY] will please take the chair.

Mr. DUCKERY assumed the chair as Speaker pro tempore amid general applause.

Mr. BAILEY. Mr. Speaker—

The SPEAKER pro tempore. The gentleman from Texas.

Mr. BAILEY. It is an admirable trait of the American character, and it is one which will contribute much toward the permanence of our institutions, that no matter how we may contend against each other over our differences of opinion, each is always ready to accord to the other whatever praise may be deserved. This commendable spirit has led some shallow men to criticize us, because they could not comprehend how we could so strenuously combat the principles of our adversaries and still respect those adversaries themselves. These men do not know that a large majority of the men in every party of this country believe that a large majority of the men in every other party are sincerely anxious to promote our country's welfare. [Applause.] And out of this broader spirit has grown a custom which is as old as the House itself, that in the closing hours of every session there shall be offered a resolution like that which I now send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution offered by the gentleman from Texas.

The Clerk read as follows:

*Resolved, That the thanks of this House are tendered to the Hon. THOMAS B. REED for the able, impartial, and dignified manner in which he has presided over its deliberations and performed the arduous and important duties of the Chair.*

[Applause.]

Mr. BAILEY. Mr. Speaker, we have not always agreed with the distinguished occupant of the chair, and we have taken more than one occasion to emphasize our dissent; but remembering the momentous questions which have confronted us, and remembering, too, the intense excitement which they aroused throughout the country, as well as in this Hall, the wonder is that those occasions were so few; and in this hour of impartial retrospect I do not hesitate to say that he has been as fair to us and to our side

as any one of us, were our positions reversed, would have been to him and to his side. [Loud applause.]

I move the adoption of the resolution which has just been read. [Renewed applause.]

The SPEAKER pro tempore. The question is on agreeing to the resolution offered by the gentleman from Texas.

Mr. LIVINGSTON. I ask for a rising vote.

The SPEAKER pro tempore. As many as are in favor will rise.

The question being taken, the resolution was unanimously agreed to by a rising vote, amid prolonged applause.

The SPEAKER pro tempore. The Chair will appoint the gentleman from Texas [Mr. BAILEY], the gentleman from Colorado [Mr. BELL], and the gentleman from New York [Mr. PAYNE] a committee to wait upon the Speaker and escort him to the chair.

Mr. CLARK of Missouri. And have him make a speech. [Laughter.]

The committee appointed to escort the Speaker into the Hall of the House performed that duty, and on the Speaker's appearance he was greeted with prolonged applause.

The SPEAKER pro tempore. Mr. Speaker, the pleasing duty devolves upon me to announce to you that the House of Representatives has, by unanimous vote, tendered you its sincere thanks for the able, impartial, and dignified manner in which you have presided over its deliberations. [Applause.]

The SPEAKER. Gentlemen of the House of Representatives: In laying down for the third time the insignia of an office which has but one superior and no peer, I might perhaps fairly congratulate myself upon having had a great opportunity to administer a great office in the fashion indicated by the noble words known to our law, "without fear, favor, or hope of reward." [Applause.] Where I have succeeded I am sure to have your final approval; where I have failed I am sure you have given me credit for honorable intention. [Applause.]

Notwithstanding any differences of opinion or of party, you have given me your confidence in all which pertained to my duties here in a manner so full and ample that my memory of it will never pass away. [Applause.]

When I compare the opportunity you have given me with what it has been possible to do, I see how much I need your kind indorsement of to-day, for which I return you thanks and gratitude. With pleasant memories for our past, which I shall always cherish, and best wishes for your future, which I shall always entertain, I now declare this House adjourned without day. [Applause and cheers.]

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the president of the Board of Commissioners of the District of Columbia, transmitting a report of the operations of the excise board for the District for the year ended October 31, 1898, was taken from the Speaker's table, referred to the Committee on the District of Columbia, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. WHITE of Illinois, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 12189) to improve and enlarge the custom-house and post-office building at Sandusky, Ohio, reported the same without amendment, accompanied by a report (No. 2337); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HICKS, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1056) to provide for the erection of a public building at Bradford, Pa., reported the same with amendment, accompanied by a report (No. 2338); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HOWELL, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 389) to provide for the erection of a public building at Jersey City, N. J., reported the same with amendment, accompanied by a report (No. 2339); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRANTLEY, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 12070) for the erection of a post-office building at Athens, Ga., reported the same with amendment, accompanied by a report (No. 2340); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the

bill of the House (H. R. 1652) for the erection of a public building at Atlanta, Ga., reported the same with amendment, accompanied by a report (No. 2341); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURLEIGH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 12074) to provide for the purchase of a site and the erection of a public building thereon at Ironton, in the State of Ohio, reported the same without amendment, accompanied by a report (No. 2342); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE of Illinois, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 12059) to provide for the purchase of a site and the erection of a public building at Chillicothe, Ohio, reported the same with amendment, accompanied by a report (No. 2343); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 424) for the erection of a public building at Holyoke, Mass., reported the same without amendment, accompanied by a report (No. 2344); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLET of New York, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5352) for the erection of a public building at the city of Yonkers, N. Y., reported the same with amendment, accompanied by a report (No. 2345); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLE, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 4591) for the erection of a public building at Harrison, Ark., reported the same without amendment, accompanied by a report (No. 2346); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HOWELL, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 3968) to provide for the purchase of a site and the erection of a public building thereon at Atlantic City, in the State of New Jersey, reported the same without amendment, accompanied by a report (No. 2347); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLET of New York, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 5014) for the erection of a public building at the city of Gloversville, N. Y., reported the same with amendment, accompanied by a report (No. 2348); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HOWELL, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 12059) to authorize a one-story addition to the post-office at Newark, N. J., reported the same without amendment, accompanied by a report (No. 2349); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE of Illinois, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1119) to provide for the erection of a public building at the city of Zanesville, Ohio, reported the same with amendment, accompanied by a report (No. 2350); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BROUSSARD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 11954) to provide for a public building at Crowley, La., reported the same with amendment, accompanied by a report (No. 2351); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the Senate (S. 378) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota, reported the same with amendment, accompanied by a report (No. 2352); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CRUMPACKER, from the Select Committee on Census, to which was referred the bill of the House (H. R. 11982) requiring the Director of the Census to furnish Congress with statistical information to be used as a basis of representation under the Twelfth Census, reported the same without amendment, accompanied by a report (No. 2354); which said bill and report were referred to the House Calendar.

Mr. MEYER of Louisiana, from the Committee on Naval Affairs, to which was referred the joint resolution of the Senate (S. R. 234) to authorize the President to appoint to the Naval Academy acting naval cadets who served during the war with Spain, reported the

same without amendment, accompanied by a report (No. 2356); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURLEIGH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 1132) for the erection of a public building at Waterbury, Conn., reported the same with amendment, accompanied by a report (No. 2357); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLE, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 2587) for the erection of a public building at Laredo, Tex., reported the same with amendment, accompanied by a report (No. 2361); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BROUSSARD, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 3018) to provide for a public building at New Orleans, La., reported the same with amendment, accompanied by a report (No. 2362); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ODELL, from the Committee on Accounts, to which was referred the resolution of the House (House Res. No. 394) authorizing the employment of clerks by members, and details relating to the same, reported the same without amendment, accompanied by a report (No. 2363); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEYMOUTH, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 2338) for the erection of a public building at Northampton, Mass., reported the same without amendment, accompanied by a report (No. 2364); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CARMACK, from the Committee on Claims, to which was referred the bill of the House (H. R. 10577) for payment of \$54 to V. Baldwin Johnson for 15 tons of coal, reported the same without amendment, accompanied by a report (No. 2355); which said bill and report were referred to the Private Calendar.

Mr. RIXEY, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 5210) for the promotion and retirement of P. A. Surg. John F. Bransford, of the United States Navy, reported the same without amendment, accompanied by a report (No. 2359); which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9221) granting a pension to William H. Miller, reported the same adversely, accompanied by a report (No. 2353); which said bill and report were ordered to lie on the table.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5699) granting an increase of pension to Isabella F. Easum, of Louisville, Ky., reported the same adversely, accompanied by a report (No. 2358); which said bill and report were ordered to lie on the table.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 891) for the relief of S. Plummer Morton, alias Martin Phelps, reported the same adversely, accompanied by a report (No. 2360); which said bill and report were ordered to lie on the table.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. KETCHAM: A bill (H. R. 12220) for the erection of a public building at Kingston, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. GARDNER: A bill (H. R. 12221) authorizing the Secretary of War to appoint laundresses in the Army—to the Committee on Military Affairs.

By Mr. FITZGERALD: A joint resolution (H. Res. 388) tendering the thanks of Congress to the Sisters of Charity, the Sisters

of Mercy, the Sisters of Holy Cross, the Sisters of St. Joseph, and the Sisters of American Congregation, for ministering to the wants of soldiers in the Spanish-American war—to the Committee on Military Affairs.

By Mr. MARSHALL (by request): A joint resolution (H. Res. 385) for the improvement of the "Outer Bar" of the harbor of the city of Brunswick, Ga.—to the Committee on Rivers and Harbors.

By Mr. LOUDENSLAGER: A memorial from the legislature of the State of New Jersey, origin of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. MAGUIRE: A memorial from the legislature of California, relative to marking boundary line between States of California and Nevada—to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. FITZGERALD: A bill (H. R. 12222) to remove the charge of desertion from the naval record of Charles D. Moore; which was referred to the Committee on Naval Affairs.

By Mr. FARIS: A bill (H. R. 12223) for the relief of Cassius S. Hammond—to the Committee on Military Affairs.

By Mr. MARSHALL (by request): A resolution (House Res. No. 426) to investigate C. P. Goodyear's contract at Brunswick, Ga.—to the Committee on Rivers and Harbors.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Protest of citizens of Burgettstown, Pa., against the seating of B. H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, protest of citizens of Monongahela, Pa., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. BAKER of Illinois: Petition of the Woman's Christian Temperance Union of Lebanon, Ill., favoring the passage of House bill No. 11735, in relation to polygamy—to the Committee on the Judiciary.

By Mr. BRUCKER: Protest of East Saginaw (Mich.) Ministerial Association, praying for the passage of the Clarke bill, providing that no polygamist shall be a Senator or Representative—to the Committee on Elections No. 1.

By Mr. BURTON: Petition of the Book and Thimble Club of Cleveland, Ohio, against denominational schools supported by the Government—to the Committee on Indian Affairs.

By Mr. BUTLER: Petition of Brandywine Grange, No. 60, of Lenape, Pa., in opposition to the passage of Senate bill No. 5024 and House bill No. 11312—to the Committee on the Merchant Marine and Fisheries.

Also, protest of the Woman's Christian Temperance Union of Chester, Pa., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. CLARK of Iowa: Resolutions of the Iowa State board of health, favoring the passage of a bill for the collection of vital statistics for publication in the United States census reports—to the Committee on Census.

By Mr. CLARKE of New Hampshire: Petitions of the Woman's Christian Temperance unions of Milford, Hillsboro, East Washington, Hinsdale, Carroll, Warner, Candia, and Raymond, N. H., praying for the passage of the Clarke bill, providing that no polygamist shall be a Senator or Representative—to the Committee on Elections No. 1.

Also, petition of the Woman's Christian Temperance Union of Hinsdale, N. H., asking for the passage of the Ellis bill to forbid the sale of intoxicating beverages in all Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Hinsdale, N. H., to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Hinsdale, N. H., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. CUMMINGS: Petition of Daniel McGill for the removal of the charge of desertion against his military record—to the Committee on Military Affairs.

By Mr. FARIS: Papers to accompany House bill No. 12153, for the relief of Francis M. Oliver—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 12159, for the relief of Marshall P. Wolfe—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 11287, granting a pension to Albert Morrison—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 11828, granting a pension to Alsey E. Potts—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 11829, granting a pension to Levi Wright—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 12160, to increase the pension of Simpson P. Watson—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 12161, to increase the pension of Francis Jones—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Petition of the Chamber of Commerce of Boston, Mass., and Knights of Labor of Washington, D. C., in favor of Senate bill No. 5024 and House bill No. 11312, to promote the ocean carrying trade in vessels under the American flag—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Trades League of Philadelphia, Pa., in favor of 1-cent postage and the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. FOOTE: Protest of George Sharpe and others, of Franklin County, N. Y., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

Also, petition of Mrs. Mary E. McClelland and others, asking for the passage of the Ellis bill to forbid the sale of intoxicating beverages in all Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. GARDNER: Protest of the Woman's Home Missionary Society of New Jersey, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. GRAHAM: Petitions of Bethel Evangelical Lutheran Church of Allegheny, United Presbyterian Church of Chartiers, Baptist Church and First United Presbyterian Church of Oakmont, Methodist Episcopal Church and Woman's Relief Corps, No. 53, of Verona, Pa., in favor of the passage of the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. GREENE of Massachusetts: Protest of the Woman's Christian Temperance Union of New Bedford, Mass., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. GRIFFITH: Protests of Hon. Ellison D. McGuire and 299 citizens of Madison, Ind.; J. W. Dashiell and 50 others, and Mrs. E. H. Davis and 50 others, all citizens of Aurora, Ind., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. HENDERSON: Communication of William Johnson, commander Thaddeus Stevens Post, No. 257, Grand Army of the Republic, of New York City, and Thomas J. Stewart, adjutant-general, Grand Army of the Republic, Philadelphia, Pa., urging the passage of Senate bill No. 3256, for the appointment of Union soldiers to official positions—to the Committee on Rules.

By Mr. HICKS: Petitions of 33 citizens of Lycoming County, Pa.; 120 citizens of Armstrong County, Pa.; 76 citizens of Somerset County, Pa.; 70 citizens of Mercer County, Pa.; 15 citizens of Kern County, Cal.; 20 citizens of Cumberland, Wash., and 17 citizens of Hall County, Tex., asking for the passage of a graduated property-tax bill—to the Committee on Ways and Means.

By Mr. HITT: Petitions of the First Baptist Church and Embury Methodist Episcopal Church, of Freeport, Ill., in favor of the Ellis bill and to maintain prohibition in Alaska and Indian Territory—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the First Baptist Church and Embury Methodist Episcopal Church, of Freeport, Ill., to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petitions of 13 citizens of Taylor, Ill., and 6 citizens of Dakota, Ill., praying for the expulsion of B. H. Roberts from the Fifty-sixth Congress—to the Committee on Elections No. 1.

By Mr. HOWELL: Protest of the Manalapan, N. J., Missionary Society, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. KETCHAM: Protest of G. E. Reed and 50 citizens of Carmel, N. Y., against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. LACEY: Resolution of the Iowa State board of health, in relation to the publication of vital statistics—to the Select Committee on Census.

Also, protest of Amanda Newell and 30 other citizens of Jasper County, Iowa, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

By Mr. LIVINGSTON (by request): Petition of James M. Gregory, asking for a correction of the CONGRESSIONAL RECORD in relation to certain derogatory charges made against him by Daniel Murray, published in the RECORD, which he has since retracted—to the Committee on Printing.

By Mr. McCLEARY: Resolutions of the Minnesota Business

Men's Association, urging the enactment of the Brosius bill to prevent the adulteration of food and the parcels-post bill—to the Committee on Interstate and Foreign Commerce.

By Mr. NORTON of South Carolina: Protest of citizens of Timmonsville, S. C., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. OTJEN: Resolutions of the Pharmaceutical Association of Milwaukee, Wis., urging the enactment of the Brosius bill to prevent the adulteration of food—to the Committee on Interstate and Foreign Commerce.

By Mr. RAY of New York: Petition of citizens of Franklin, N. Y., favoring the passage of the oleomargarine bill—to the Committee on Ways and Means.

By Mr. ROBINSON of Indiana: Protest of sundry citizens of Fort Wayne, Ind., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. SHOWALTER: Petition of the Methodist Episcopal Church of Evans City, Pa., favoring the Ellis bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. WM. ALDEN SMITH: Resolutions of the Michigan Dental Association, asking for the appointment of dentists in the United States Army—to the Committee on Military Affairs.

By Mr. SPERRY: Protests of citizens of Middletown, Conn., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. STEELE: Protests of W. H. Wiley and 11 others, E. Huley and 4 others, A. Greenman and 12 others, J. W. Linder and 25 others, J. M. Ballard and 5 others, O. H. Keller and 8 others, all citizens of Marion, Ind., against the seating of B. H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. STEVENS of Minnesota: Protest of the Presbytery of St. Paul, Minn., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

Also, resolution of the Minneapolis Board of Trade, urging the passage of a bill which provides for laying a submarine cable from

San Francisco to Honolulu, and said cable shall be owned and controlled by the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. STRODE of Nebraska: Petition of the Central Christian Church of Lincoln, Nebr., favoring the Ellis bill and for the maintenance of prohibition in Alaska and the Indian Territory, and to extend the same to our new dependencies—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Central Christian Church of Lincoln, Nebr., for the passage of the Hepburn bill prohibiting the transmission by mail or interstate commerce of pictures and descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, protest of the Central Christian Church of Lincoln, Nebr., against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. VAN VOORHIS: Petitions of fourth-class postmasters of Morgan County, Ohio, urging the passage of House bills Nos. 4930 and 4931, relating to the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, petitions of 50 citizens of Muskingum County; D. D. Taylor and members of the Methodist Episcopal Church, United Presbyterian Church, Methodist Protestant Church, Hanna Hoyle, and others, all of Cambridge; Second United Presbyterian Church, of Quaker City, and citizens of Washington County, all in the State of Ohio, against the seating of Brigham H. Roberts as a Representative from Utah—to the Committee on Elections No. 1.

By Mr. WADSWORTH: Protest of 279 voters of the Thirtieth Congressional district of New York; Presbyterian Church of Stonechurch, Genesee County; Woman's Home Missionary Society of the Methodist Episcopal Church of Albion; Woman's Missionary societies of the Presbyterian and Methodist Episcopal churches of Lima; Friends Church of Elba; 93 citizens of Hunts and vicinity, State of New York, against the seating of Representative-elect B. H. Roberts, of Utah—to the Committee on Elections No. 1.

